

BEHIND ENEMY LINES: LIFE IN UKRAINE'S NEWLY OCCUPIED TERRITORIES

HEARING BEFORE THE COMMISSION ON SECURITY AND COOPERATION IN EUROPE U.S. HELSINKI COMMISSION U.S. HOUSE OF REPRESENTATIVES ONE HUNDRED SEVENTEENTH CONGRESS FIRST SESSION

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COMMISSION ON SECURITY AND
COOPERATION IN EUROPE,
U.S. HELSINKI COMMISSION,
HOUSE OF REPRESENTATIVES,
Wednesday, July 20, 2022.

The hearing was held from 2:34 p.m. to 4:01 p.m., Room 562, Dirksen Senate Office Building, Washington, DC, Senator Benjamin L. Cardin [D-MD], Chairman, Commission for Security and Cooperation in Europe, presiding.

Committee Members Present: Senator Benjamin L. Cardin [D-MD], Chairman; Representative Steve Cohen [D-TN], Co-Chairman; Representative Joe Wilson [R-SC], Ranking Member; Representative Robert B. Aderholt [R-AL] Senator Richard Blumenthal [D-CT]; Representative Brian Fitzpatrick [R-PA]; Senator Jeanne Shaheen [D-NH].

Witnesses: Michael Carpenter, Permanent Representative and Ambassador of the United States to the Organization for Security and Cooperation in Europe; Oleksiy Goncharenko, Member of the Verkhovna Rada of Ukraine and Vice President of the Committee on Migration and Refugees, Parliamentary Assembly of the Council of Europe; Olga Aivazovska, Head of the Board Civil Network OPORA and Co-Founder, International Center for Ukrainian Victory.

OPENING STATEMENT OF BENJAMIN L. CARDIN, CHAIRMAN, U.S. SENATE, FROM MARYLAND

Chairman CARDIN: The Helsinki Commission will come to order. Let me first acknowledge the co-chair, Congressman Cohen, who is with us today, and Congressman Aderholt, who has also joined us. I know we will be joined by other members of the Commission.

We have two panels today. We are going to have Ambassador Carpenter virtually, and then we have a second panel. We will be disrupted a little bit because there are a couple votes on the floor of the U.S. Senate. The first vote, which was supposed to start at 2:30, will start a little bit later, so I decided that we would start the hearing on time.

I want to first acknowledge and thank my colleagues who participated in the Parliamentary Assembly annual meeting in Birmingham. It was very, very successful. I know Congressman Cohen was there. I believe Congressman Aderholt was there also. The United States raised many important issues, not the least of which was Russia's violations of every single Helsinki Final Act commit-

ment in their war in Ukraine. I just really wanted to acknowledge the success of that in-person meeting. It is the first one we have had in a couple years, and I was proud of the U.S. delegation.

Prior to that, there was a hearing conducted, chaired by Senator Wicker, in Constanța, Romania, on Black Sea security, which was an extremely important opportunity for us to demonstrate the importance of the security of the Black Sea states. I thank all those who participated in that hearing.

As a followup, the Senate Foreign Relations Committee held a hearing today in regards to food insecurity. I would say the primary focus of that hearing dealt with Russia using food as a weapon and what it is doing to block the availability of Ukrainian agriculture to the global community. We recognize that there is a lot of work that we need to do in regards to that particular issue.

I just wanted to mention those two issues today. We are going to be talking about “Behind Enemy Lines: Life in Ukraine’s Occupied Territories”—under Russian control. I might tell everyone here that this has been one of a series of hearings that we have held in the Helsinki Commission. We have held several hearings, and, yes, we are all very much committed to doing everything we can to help the Ukrainians defend themselves. We are doing everything we can to provide the military equipment for that defense. We are providing humanitarian assistance for those who have been displaced in Ukraine and in other countries as a result of Russia’s war. We also have provided help in regards to dealing with compiling evidence, and we are going to demand accountability.

The Helsinki Commission looks at a lot of different factors, but I would tell you that we have really been focused on the atrocities being committed by Russia and the impact that it has had on the civilian population. We had a hearing that dealt with the displaced people and their vulnerabilities to trafficking, et cetera. We have had a hearing on accountability as it relates to war crimes and crimes against humanity. This hearing is the latest in the series, in which we will be talking about the vulnerability of those who are under Russian control today. This hearing will focus on that particular issue, and I am very pleased that we have, really, experts who can help us navigate the current situation.

Let me point out the circumstances in Ukraine are far from safe today. I am thinking last week’s strike and the horrifying photo of the little girl and her stroller. She was killed by blasts—she was 4 years old—just walking with her mother on a summer morning. That was in territory that is not controlled by Russia. Think about what is happening where Russia’s controlling the territory.

We all know that these are not accidental Russian strikes. Hitting public places in broad daylight, far from any kind of military target, is a deliberate attempt to terrorize civilians. Vladimir Putin and those who do his bidding not only do not care about civilian casualties, they are actively seeking to kill and destroy. As we have witnessed in prior hearings, and I am sure we will discuss today, these actions, in combination with attempts to destroy Ukrainian culture, suggest genocidal intent. Ukrainians under occupation in the south, along the Black Sea coast, and in the east, and Crimea are subjected to particular cruelty. They are interrogated and abused in Russian filtration camps. Their rights to freedom in

movement and speech are violated. In some areas, like Mariupol, those remaining in the destroyed city have no stable sources of food, clean water, or shelter. Many of them are elderly. Additionally, over a million Ukrainians have been deported to Russia, including thousands of children, some unaccompanied, who are especially vulnerable.

Senator Risch and I introduced today a resolution—I am pleased that we were joined by Senators Shaheen and Graham, Senators Portman and Blumenthal—that would be a resolution making it clear that Russia has committed genocide and needs to be held accountable for it. We quote in our resolution several reports, but one that was participated by the Raoul Wallenberg Centre for Human Rights pointed out that Russia has violated Articles 2 and 3 of the Genocide Convention treaty.

The OSCE's most recent Moscow Mechanism report, which was released last week, chronicles in detail the crimes against humanity committed by Russian soldiers from April 1st to June 25, including the mass murders in Bucha and Irpin. It is sickening to read, but recording these atrocities is indefinitely valuable as we seek justice.

I look forward to hearing from our witnesses on the situation on the ground and how the United States can continue to support Ukraine.

With that, I will yield to the co-chair of the Helsinki Commission, Congressman Cohen.

STATEMENT OF STEVE COHEN, U.S. HOUSE, FROM TENNESSEE

Representative COHEN: Thank you, Mr. Chair, To our witnesses, both via technology and Zoom, and those in person, thank you for being with us today. This is an important hearing, and I am pleased that we are having this today. It is clear that what Putin has done since he launched his full-scale invasion of Ukraine, that his goal was to erase Ukrainian identity. Yes, he wants to extend Russia's parameters in the whole spirit of Peter the Great, but just as equally, he wants to destroy the Ukrainian people for having the audacity to declare themselves to be an independent nation, which they have been for now 30 years, and to—not to capitulate to his wants and desires.

He called Ukrainians “Nazis.” We know that is absurd, but that is what Russians do to rev up their populace, and it is like code for Republicans on the Judiciary Committee talking about “Defund the police.” I mean, it is just code stuff to stir up your base and use it as a jingoistic method of getting support from your own. That is just an absurd use of the term “Nazi,” and it is despicable that he would do such a thing because it disgraces the memory of the victims of the Holocaust.

He wants to deny Ukraine's existence as an independent country, and I guess even as what it has historically been, because lately he has shown he is incorporating parts of Ukraine that are occupied into Russia now. He wants to destroy all ideas that Ukraine is, was, or will be a nation. He is serious about accomplishing his goals. He has set about it and has no remorse. I think remorse and shame are two things that are absent his psyche.

He is removing children, as has been mentioned, from Ukraine. As many as 260,000 have been deported, separated from their parents, and rehomed with Russians, and reprogrammed to think of themselves as Russians—being taught the Russian language, being taught the Russian history, and I guess being taught just like the Russian children are being taught now the history of Russia starting with the greatness of Putin and the history of the nationalism and the Great Patriotic War and all of the warlike images that can be conjured up to make the children proud to be Russians.

There are credible reports that they have these filtration camps and the dastardly deeds that they are committing there—human rights violations, arbitrary detentions, rapes, killings, and torture. These crimes are war crimes, and they are genocidal actions. We have seen that clearly for quite a while, documented evidence of Putin's actions as genocide. The OSCE Moscow Mechanism's experts' report, the second such report since the war started, unfortunately, substantiated the claims of atrocities that we heard about in Bucha and Irpin.

President Biden kind of—it appeared to be a slip when he was in Poland and said something about Putin's war as a genocide, but we know sometimes Biden kind of takes slips to let policy creep ahead, and I think he did that there. After he did that, I introduced a resolution in the House with others recognizing Russia's actions in Ukraine as a genocide. Ranking Member Wilson joined me on that, and members Veasey, Hudson, and Fitzpatrick did as well. We then appreciate, also, Senator Cardin for introducing our companion bill today with Mr. Wicker and Commissioners Shaheen and Blumenthal.

Mr. Blumenthal makes a proper entrance on cue.

Senator BLUMENTHAL: [Off mic.]

Representative COHEN: Exactly.

Thank you.

The pretext of the attempt to carry out genocide is certainly based on what we know so far. Putin just wants to destroy the country and is using terrorist tactics to try to get the country to capitulate. If he has not stopped here, he will have to be stopped somewhere else. It is clear that he has intent to fulfill what he thinks is his destiny. Next, I think would be Moldova, maybe Georgia. The Baltics are certainly countries that at one time were part of the Soviet Union, and he sees it as part of the greater Russia, even though Lithuania was a greater empire than Moscow was an empire at the time. Then—he does not understand that either, but he wants Estonia. He wants Lithuania. He wants Latvia. He probably would certainly like to go beyond those countries and go to Poland, which was also part of the Soviet Union. He needs to be stopped, or else—he is our enemy.

It is amazing. Mitt Romney was right. It was a long time ago, might have been different reasons. The bottom line is when he said Russia was our greatest foe, he was right.

I support Ukraine and will continue to do so. I admire the bravery of the people of Ukraine. I appreciated the First Lady's addressing Members of Congress who could come today. We had a busy schedule, but she made herself available, and I appreciate that happening.

Ukraine is a great inspiration to the free world. I appreciate the little souvenirs, mementos, tchotchkes, as some of us would call them, that I have been given. One is the stamp with the sailors on Snake Island looking out at the Moskva and saying—[makes sound]—Russia. That is a nice stamp. The other was the piece of the Russian helicopter that had been shot down, part of a keychain. I thank you for that very nice token and remembrance, and thought about the Ukrainian people and the bravery they have had. I appreciate it, and it shows what our missiles and our military have done to help in the fight in Ukraine. We need to do more and more and more.

With that, I yield back the balance of my time.

Chairman CARDIN: Thank you, Congressman Cohen.

We are joined by the ranking Republican member in the House, Congressman Wilson, by Webex.

**STATEMENT BY WEBEX OF JOE WILSON, U.S. HOUSE, FROM
SOUTH CAROLINA**

Representative WILSON: [Off mic]—Putin's genocidal war against sovereign Ukraine continues, two things remain very critical: One, arming the courageous people of Ukraine in their heroic resistance for victory; and two, accountability for the gross violations of human rights committed by Putin's fellow criminals.

The image of the overturned and bloodied stroller this week pushed by 4-year-old Lisa Dmytrieva, murdered senselessly by a Russian cruise missile launched from a submarine in the Black Sea, encapsulates the depravity of the war. From the beginning, civilians have been a target of the occupying force. Buildings and vehicles marked as places of refuge for children have been targeted and destroyed. Towns have been razed to the ground, basic life-sustaining resources sabotaged. All of this for Putin's personal pursuit of oil, money, and power, and a false Soviet revisionist fantasy that is completely detached from reality.

In occupied territories, civilians are subject to unthinkable horrors by forces that demonstrate no real knowledge of Ukraine, its population, or its customs. In Bucha, the images of the civilians shot with their hands tied behind their backs and geospatial evidence of mass graves shocked the world. Months have gone by since this massacre, and these atrocities continue. Occupying forces have destroyed textbooks and literature, established reeducation programs for civilians, and even required Ukrainians attempting to bury their deceased relatives to surrender passports and pledge allegiance to the Russian Federation. Over a million Ukrainian citizens have been forcibly deported to Russia from occupied regions. Infants and children are adopted out to Russian families with the goal of erasing their identities. Passports and documentation are destroyed. The list of war crimes is, sadly, endless.

Documentation is key, but that is also under threat in occupied regions. There is a clear effort to take control of the media and forcibly publish pro-Putin propaganda. Anyone who stands in the way will be killed. This is a clear contrast of the worldwide conflict of authoritarianism—rule of gun—against democracy, rule of law.

The only option for peace going forward is Ukraine's victory. History reminds us that Putin upholds no agreements and adheres to

no international norms. The cause of stopping this horrible genocide is the noblest of them all. I appreciate each of our witnesses and their commitments to democracy and freedom. I look forward to hearing from each of you. It has just been so refreshing to see the bipartisan efforts of our service in Congress on this issue with the Helsinki Commission.

I yield back.

Chairman CARDIN: I thank Congressman Wilson for his leadership on the committee.

I will just acknowledge Senator Blumenthal, one of our Commission members, is also with us today.

We will now start with the first panel. As I indicated before, we have two panels.

Our first panel will consist of Hon. Michael Carpenter, permanent representative and U.S. Ambassador to the Organization for Security and Cooperation in Europe. He is joining us virtually from his post in Vienna. Prior to his current appointment, Ambassador Carpenter was the managing director of the Penn Biden Center for Diplomacy and Global Engagement at the University of Pennsylvania. From 2015 to 2017, Dr. Carpenter served in the Pentagon as deputy assistant secretary of defense for Russia, Ukraine, Eurasia, and conventional arms control. Previously, he worked in the White House as a foreign policy advisor to then-Vice President Biden and as a director for Russia at the National Security Council. Prior to his White House jobs, Ambassador Carpenter was a career Foreign Service officer with the State Department.

Ambassador Carpenter, I know that you are with us in spirit and with us virtually. Pleased to hear from you.

TESTIMONY OF MICHAEL CARPENTER, PERMANENT REPRESENTATIVE AND AMBASSADOR OF THE UNITED STATES TO THE ORGANIZATION FOR SECURITY AND COOPERATION IN EUROPE

Mr. CARPENTER: Thank you, Chairman Cardin, Co-Chairman Cohen, Ranking Member Wilson, and distinguished members of the Commission. I greatly appreciate this opportunity to appear before you today to address the topic of life in Ukraine's newly occupied territories and how the OSCE can best support Ukraine's sovereignty and territorial integrity in the context of Russian aggression.

Mr. Chairman, the stakes of Russia's war on Ukraine could not be any higher. Obviously, for Ukraine, this is an existential struggle. The outcome of this war will determine whether Ukraine survives as an independent nation-State, but the stakes extend far beyond Ukraine. Throughout the OSCE region, many participating states have reasons to fear Russia's imperial ambitions because they know they too could become targets of Russian attacks if the Kremlin were to militarily be successful in Ukraine.

The ramifications for the Indo-Pacific and other regions are also significant as the PRC and other states watch to see whether Russia is successful at imposing its will on its peaceful neighbor. Indeed, the war has implications for the very sanctity of the international order, including and perhaps most especially the principle that borders cannot be changed by force. There is also the fact that

a permanent member of the U.N. Security Council is engaging in alleged war crimes, as well as egregious violations of international humanitarian law and international human rights law.

At the OSCE, we are using the organization to hold Russia accountable for its egregious violations of the Helsinki Final Act, international humanitarian law, and international human rights law. At the OSCE Permanent Council as well as at the Forum for Security Cooperation, we have effectively isolated Russia. With the—with only the partial and qualified exception of Belarus, which disingenuously claims not to be involved in this war because it is so unpopular back home, no participating State has ever voiced a defense of Russia's aggression against Ukraine. This is encouraging and confirms that our diplomatic efforts must remain vigorous and forceful in exposing Russia's atrocities and war aims.

Since February 24, the OSCE has also played a leading role in documenting Russia's violations of international humanitarian law and violations and abuses of human rights. Forty five participating states have twice now invoked the Moscow mechanism, resulting in the deployment of two fact-finding missions. These reports document atrocities including international humanitarian law violations and human rights violations and abuses perpetrated by Russia's forces, including through its filtration operations and forced deportations of Ukrainian civilians to Russia, as well as summary executions, widespread torture, and rape of civilians.

I should note that just today, ODIHR, the Office of Democratic Institutions and Human Rights, has also released a comprehensive report based on eyewitness interviews of Russia's violations of international humanitarian law and international human rights law, and I commend it to you. The two Moscow Mechanism missions and the ODIHR report not only concluded that war crimes were committed by members of Russia's forces, but also that some patterns of violent acts committed by members of Russian forces in Ukraine—such as targeting killings and enforced disappearances—qualify as, “widespread or systematic attacks directed against a civilian population.” That—any single violent act of this type committed as part of such an attack and with the knowledge of it—constitutes a crime against humanity.

With our support, the OSCE has reestablished an on-the-ground presence in Ukraine, with a project coordinator in Ukraine, or PCU, which returned in April, as well as with ODIHR's human rights monitors who began documenting human rights abuses in Ukraine the same month. Following Russia's blocking of the PCU's mandate renewal at the end of June, we have been working closely with our allies and partners to preserve the PCU's critical programmatic activities in Ukraine. The renewed OSCE field presence we establish in Ukraine will have to be efficient, scalable, and replicable in the event that the mandates of other OSCE field missions are blocked by Russia in the future, particularly in those countries whose sovereignty and democratic development are most vulnerable to Russia's malign behavior.

All of our activities at the OSCE to document Russia's atrocities, expose Russia's disinformation, and preserve the OSCE's field operations in Ukraine are components of the administration's strategy to help Ukraine win, to preserve its sovereignty, territorial integ-

rity, and continue on its path to Euro-Atlantic integration. My mission will continue closely engaging and coordinating with like-minded participating states to build support for tightening sanctions and export controls on Russia.

We will likely—we will likewise continue using our Permanent Council statements as a platform to rally allies and partners to provide more military, humanitarian, and economic assistance to Ukraine. We will never allow participating states to become numb to the daily atrocities committed by Russia's forces and the devastation the war has caused on the lives of individuals, families, and communities. Mr. Chairman, we will keep speaking out about the stakes of this war and why we must all support Ukraine for as long as it takes.

Lastly, I would be remiss if I did not express my gratitude to the distinguished members of this Commission for also speaking clearly and forcefully on this same set of issues. I also wanted to say I wish I could have joined you in Birmingham. Unfortunately, I fell ill, and I had to isolate and could not travel.

Thank you, Mr. Chairman. I look forward to answering any of your questions.

Chairman CARDIN: Mr. Ambassador, thank you. We are glad to see you are well. As is my understanding, some members of our delegation also became ill as a result of the trip. Please stay well, and thank you very much for your service to the Helsinki Commission. This is your first opportunity to testify before our Commission in your confirmed position as Ambassador to the OSCE. It is very encouraging to hear about the unity within the OSCE states to isolate Russia, and Belarus, I might add. That is a major accomplishment. Congratulations on that issue.

I do want to underscore the point that Mr. Putin uses his asymmetrical arsenal to accomplish his objectives. He is now using food as a weapon. He has used energy as a weapon. He has used misinformation. He has used all these issues, so it should not surprise us to see the brutality of the Putin regime. My concern is, we have unity, but we need action. Senator Shaheen and I just left a hearing of the Senate Foreign Relations Committee on food insecurity, in which the Black Sea commerce lanes are critically important in order to get Ukrainian food to needed areas.

We are here mainly talking about those Ukrainians that are under the direct control of Russians today. We know they are being indoctrinated. We know that they are at risk. We recognize the challenges. We are pleased to see that we have an OSCE mission in Ukraine, but that mission does not have access to those areas controlled by Russia. My question to you is: We have to have a war strategy to deal with these humanitarian needs. It is not just putting a spotlight on it.

It is to develop with likeminded states within the OSCE and within all of our organizations a strategy to minimize the damage that Russia is doing through the use of these weapons to those under—to those Ukrainians that are suffering today under Russian domination, to the attempt to eliminate the Ukrainian culture, to try to take young children and take them to Russia so that they never become Ukrainian. All that requires a war strategy in order to respond to it. Could you just perhaps elaborate a little bit more

as to what mechanisms you see within the OSCE that can be utilized in order to make it clear that we stand with the Ukrainians, not just in words, but by deeds, to protect those that are vulnerable today and to hold Russia accountable?

Mr. CARPENTER: Thank you, Chairman Cardin, for that excellent question. I would say that looking more broadly at the U.S. strategy with regards to Ukraine, which is a war strategy, that—[audio break]—four crucial elements to it.

One is enabling Ukraine to push back militarily. This is where the military assistance that the U.S. has provided, over \$7.3 billion worth, including high-end systems like counterbattery radars and HIMARS, or high mobility artillery rocket systems, are crucial because they enable—they have enabled Ukraine to stabilize the front lines and hopefully will in the future enable Ukraine to roll back the Russian gains on the ground. Because we know what happens when Russia controls more territory. More people suffer. There are more human and humanitarian tragedies that unfold each and every day that they are there on the ground controlling these areas.

Second thing we can do is expose what Russia is doing. We are talking now about Russia's attempts to hold sham referenda in Kherson, in Zaporizhzhia, just as they have in the past in Crimea. We want to expose Russia's actions, take away their pretext, take away that thin little veneer of legitimacy that they try to claim in terms of what they are trying to do. Third, imposing costs is crucial both with sanctions, but I would say equally importantly, or perhaps more importantly, with export controls. So far, we have very good transatlantic unity on this.

Speaking out at the OSCE and rallying our allies and partners there is also a crucial part of this effort to ensure that we are all on the same page, that we all understand the immediacy and urgency of what we need to do, as far as tightening sanctions and export controls. Then finally, I would say the accountability piece is crucial. This is perhaps where the OSCE has had the biggest role so far, but that—that role will be shared with other accountability mechanisms, such as the U.N. Commission of Inquiry, the ICC, and the ICJ. We have to hold individuals, as well as Russia and its leadership, accountable for the war crimes, the crimes against humanity, and the gross abuse of human rights.

Chairman CARDIN: Thank you, Mr. Ambassador.

I am going to turn the gavel to Co-Chair Cohen. There is a vote on the floor of the Senate. I will be returning shortly.

Representative COHEN: Thank you. I will reserve my questions as two senators probably have to leave for votes pretty soon. I am going to defer to Senator Shaheen, because the last meeting we had, she had to leave before she had a chance to participate, and I felt that was unfortunate.

Senator SHAHEEN: Well, thank you very much, Congressman. I have actually voted, so if Senator Blumenthal would like to take my time and go ahead and ask his questions and because I can stay here for a while.

**STATEMENT OF RICHARD BLUMENTHAL , U.S. SENATE, FROM
CONNECTICUT**

Senator BLUMENTHAL: I have not yet voted, Mr. Chairman. I really appreciate my colleague's deference, so I am going to try to be concise and brief.

Mr. Ambassador, I visited Ukraine two weeks ago, almost to the day, traveling by overnight plane and then overnight train for about 12 hours to meet with President Zelensky, who impressed both Senator Graham and myself with his courage and strength. We also visited the killing fields at Bucha and surrounding towns, where the sites of mass graves were still plainly visible and the images of women and children with their hands tied behind their backs killed brutally by Russian soldiers, simply because they were Ukrainians—that is the definition of genocide, to kill people simply because of their nationality or their race, that is genocide pure and simple. It is also a form of terrorism.

As you may know, Senator Graham and I have sponsored a resolution, unanimously passed by the Senate Foreign Relations Committee, to designate Russia a State sponsor of terrorism. It is currently on the floor of the Senate. All but one of our colleagues are supporting it, but we are still hoping that it can receive unanimous consent. I would like your opinion on whether what Russia is doing behind the lines could be regarded as terrorism.

Mr. CARPENTER: Thank you, Senator.

Well, you know, I agree with the president and his characterization of the events. I do not think—[audio break]. That was his moral position, and I agree with—[audio break]. Russia is absolutely brutalizing the Ukrainian population, and they are trying to erase Ukrainian identity from—[audio break]—changing school curricula. They are imposing the ruble. They are forcing Russian administrative law on some of these regions. They are trying to Russify—they are not trying to de-Nazify anything. As Co-Chairman Cohen pointed out, they are trying to Russify the region. They cannot even find enough local collaborators to do it, so they are bringing in Russian—[audio break]—government agencies—[audio break]. Yes, Russia is brutalizing the population, making them afraid to even leave their houses, even when they are hungry and when they need water and food. I agree. I agree that this is absolutely—[audio break].

Senator BLUMENTHAL: Thank you. Let me just say, finally, when we talk about—and I am quoting from the name of the hearing—“Behind Enemy Lines: Life in Ukraine's Newly Occupied Territories”—I think what we are going to be seeing is an insurgency among the Ukrainian people. Special operations, guerrilla-type warfare, all kinds of resistance behind those lines. Because the Ukrainian people are not going to forego this fight. They are going to resist this occupation—illegal, unprovoked, brutal occupation—of their homeland, not only at the frontlines but behind those lines, where the aggressors have already occupied them.

I hope that the United States will support not only the resistance at the frontlines with artillery, air defense, all the military means, as well as humanitarian assistance and economic sanctions that we can muster, but also an insurgency special operations operation behind enemy lines. Because ultimately, protecting those people who

are there now requires that kind of United States engagement. Thank you very much, Mr. Ambassador, for your good work. Thanks for appearing before us here.

Thanks very much, Mr. Chairman. I appreciate your deference.

Representative COHEN: You are welcome, sir. That was—for a senator, that was very concise. [LAUGHTER.]

Senator BLUMENTHAL: I am going to leave Senator Shaheen to defend our honor.

Representative COHEN: Thank you.

Thank you.

Just let me ask one question, if you do not—Mr. Ambassador. Russia has been a member of the OSCE. Of course, being a member, we are supposed to abide by the Helsinki Accords, which is what we are about. They have been a clear and gross well violator of the Helsinki Accords commitments—every single one of them, and that has been noted. They are still a member of the OSCE. Other national bodies, such as the Council of Europe, the United Nations Security Council, have taken measures to restrict Russia's participation or remove them altogether. What are your thoughts about Russia's continued participation in the OSCE, taken under the fact that they seem to have no appreciation of what the OSCE is about?

Mr. CARPENTER: Co-Chairman Cohen, I would start by agreeing with you that Russia has committed clear, gross, and uncorrected violations of the Helsinki Final Act: All 10 principles. They are violating every single one—[audio break].

What I would say is this: Unfortunately, there is no pathway for expelling—[audio break]. Not that its actions do not deserve it, but there is a mechanism that requires—[audio break]. Unfortunately, we have Russia and Belarus as co-aggressors. We are not—[audio break]—the consensus minus-one mechanism is not available.

What we have done instead we have used the OSCE tool, as I said earlier, to isolate Russia. There are a few states—I am sure you can guess which ones—[audio break]. As I said earlier, not a single participating State defended Russian aggression in Ukraine or intimated that the recognition of all the—[audio break]. We are using the organization to hold Russia accountable for its clear gross and uncorrected violations of the Final Act. We are preserving the institution, particularly the field missions on the ground which, as you know, do valuable—[audio break]—especially in those countries that are more vulnerable to coercion—[audio break]—and Moldova, in the Western Balkans, and, indeed, in Ukraine itself. We want to preserve the organizational footprint, even as we isolate Russia in the—[audio break].

Representative COHEN: Have you visited Ukraine since February 24?

Mr. CARPENTER: I have not. I am looking to go. I will go as soon as I get permission from—

Representative COHEN: From the State Department? Good luck.

Mr. CARPENTER: Yes, sir.

Representative COHEN: [LAUGHS.] Senator Shaheen, you are recognized.

STATEMENT OF JEANNE SHAHEEN, U.S. SENATE, FROM NEW HAMPSHIRE

Senator SHAHEEN: Thank you, Mr. Chairman. Ambassador Carpenter, you are breaking up. Your sound is not coming through really clearly. I do not know if there is anything you can do on your end, but if there is, that would be helpful. Or maybe it is here in our hearing room, but whatever you can do would be helpful.

I appreciate your testifying today, and also the panel—the second panel, for being here today as well. I wanted to start—and I am going to ask your opinion of this, as well as the second panel—with the news of the recent firing by President Zelensky of two people who are being described as his allies, who are security officials, and the reason that has been reported is that they have failed to identify pro-Russian elements in their agencies. Now, I recognize that prior to Russia's invasion of Ukraine, it was recognized that Ukraine needed to reform its security services, given that those institutions had not been reformed since Ukraine became independent of Russia. I wonder if you could speak to the decision to dismiss those two officials, whether it is because there is concern about widespread Russian interference, if there is political infighting, if there is anything else that might affect the stability of Ukraine as it continues its courageous fight against Russia.

Mr. CARPENTER: Thank you, Senator Shaheen. I am going to speak up. I do not know that I can do anything about the sound quality.

This is a little bit outside my lane. This was a sovereign decision by President Zelensky that was ratified by the Rada to remove the prosecutor general and the head of the—[audio break]—Ukraine. My understanding is that the rationale for this had to do with Russia—[audio break]. Where there are points of entry for Russian influence—[audio break]. Ultimately, I think these two individuals lost the trust of their commander in chief, the president, so he has replaced them, and that is certainly his—[audio break].

Senator SHAHEEN: It certainly is, and I understand that. I guess my concern was how widespread we think that Russian infiltration is, and whether there are other actions that Ukraine's allies can take to support efforts to remove those influences from their security services.

Mr. CARPENTER: Well, thank you, Senator Shaheen. I think we do have to look carefully at the degree of Russian malign influence in both organizations—in the intelligence service as well as the prosecutor general's office. That is going to require—[audio break]—reform.

The U.S. is partnering now, as you—as I know you know, very closely with both institutions. In fact, with the prosecutor general's office, we are helping them with their forensic investigation of atrocity crimes, so that work will go on. I think I have heard my colleagues in other agencies express confidence they will continue to work with both organizations going forward. I am sure we will continue to do that, even as we help them to become more resilient.

Senator SHAHEEN: Thank you. I appreciate that.

This morning, there was a report on BBC about a young Ukrainian student who was kidnapped by Russian soldiers. It was a very compelling story about what he heard while he was in captivity in

one of what the Russians are calling filtration camps. How much do we know about what is happening in those camps? The story talked about the torture that is going on, people who are being disappeared, children who are being taken away from their families and being adopted to be raised as Russians. Do we know those details? What have you heard?

Mr. CARPENTER: Thank you, Senator. We are increasingly getting more information on the conduct of these so-called filtration operations. Here at the OSCE, just earlier this week, we had an eyewitness, a young man, 21 years old, from Mariupol. Unfortunately, his mother died when he was a child. His father was killed through Russian shelling of Mariupol. He was taken through one of these filtration camps, was sent to Russia, to various places. He described the brutal interrogation, strip searches, the seizure of smartphones, and the coercion of those who go through the process to give out their passwords. I guess the people who run these filtration centers then look at social media. They look for tattoos on people's bodies to see if there is any sign whatsoever that they may be Ukrainian patriots or loyal to the Ukrainian State, in which case they await a very harsh future. Many of them, frankly, disappeared. These are enforced disappearances. These people go missing. We do not know what happened to them.

If they, "pass" through the filtration process—in other words, if the Russians let them move on into Russia proper from some of these camps—then they are either given jobs or sent to various camps across Russia, as far as the Russian Far East. This young man was able to escape, I believe via Georgia and Turkey, and come to Vienna to offer his testimony, and it was—[audio break]. It was chilling. [Audio break]—fear. There are threats. There is intimidation, and there is physical violence that is used—[audio break].

Senator SHAHEEN: Thank you.

Mr. CARPENTER: Oh, sorry. Senator, one other thing I just wanted to mention on this. Some of these filtration operations are described through eyewitness accounts in the most recent ODIHR report that was released today by the OSCE's Office of Democratic Institutions and Human Rights. Again, I commend that report, which has a lot of—[audio break].

Senator SHAHEEN: Well, I appreciate OSCE's continuing to investigate and speak out. I hope everyone in the civilized world will speak out against those atrocities.

Thank you, Mr. Chairman.

Chairman CARDIN: Mr. Ambassador, I would ask that you would keep our Commission totally informed on any information you receive concerning these filtration camps or any of the other methods being deployed by the Russians that compromise the safety of Ukrainians under their control, so that we can get that information disseminated and can make sure that the international community is aware of the tactics being used, and that we can try to develop methods to counter these activities to protect Ukrainians.

Congressman Fitzgerald.

Representative FITZPATRICK: Thank you. Also known as Fitzpatrick.

Chairman CARDIN: I am sorry. Fitzpatrick. I am sorry.

**STATEMENT OF BRIAN FITZPATRICK, U.S. HOUSE, FROM
PENNSYLVANIA**

Representative FITZPATRICK: We are all related at the end of the day. It is all good. Thank you to our two witnesses for being here. Mr. Ambassador, good to see you. Olga, Oleks. Good to see you, sir, Oleks. Hopefully, we can catch up outside of here when we get some free time. I want to thank you for making the trip over, for doing all you are doing to support Ukraine. I have been to Ukraine three times in the past year. Once pre-invasion, just before the invasion, twice post-invasion.

In my pre-invasion trip in September, we had a whole host of meetings, including with SBU, with Ivan Bakanov. I will tell you, in no other of my meetings did my FBI antennas go sky-high other than my meeting with him. I am—while I am glad to see his dismissal, it was a long time coming. I am not sure why it took so long. He is a problem. I will tell you; he is a problem. You got to get him the heck out of that circle, wherever he is right now. Because we could just tell—all of us that were there—the nature of his questions. I worked Russian counterintelligence for 14 years, and he is a problem. He was a problem, and he is a problem now.

In our second trip, obviously, the issues had changed a lot—the issues back shortly after the February 24 invasion were the MiG-29s coming out of Poland—I am sorry—yes, out of Poland, TB2 drones coming out of Turkey, the S-300 surface-to-air missiles that were needed. Then the battlefield shifted to the east, and the multi-rocket launch systems were the urgent need my last visit. Ukrainian artillery was capped at about 20 kilometers. Russians backed up 50 kilometers and were shelling, causing 200-plus deaths a day, at least in my last visit there.

To Olga—I will start with you, Oleks, because you have been—you have been a real hero for Ukraine, and I want to commend you. You made a lot of appearances on U.S. media. I was out of town on February 24. I was sick to my stomach when I was watching unfold on TV that which I had been fighting against for a decade, but, you know, was always fearful was going to happen. You have stepped up in a big way, and you, more than anybody in Parliament, I will tell you, articulated the facts on the ground and the situation and what Ukraine needed better than anybody. I thank you for that.

Oleks, if you could just give us an update, since the requests have changed, as I pointed out, over time. What is the current situation on the ground, as you assess it now? What is your most imminent need? Is it still the multi-rocket launch system or is it something different?

Chairman CARDIN: If I could interrupt for 1 second, we have not gotten to the second panel yet. We could reserve that question. I have—I believe Congressman Wilson is still on the line to question Ambassador Carpenter.

Mr. FITZPATRICK: Sounds good.

Chairman CARDIN: Then we will come right back to you, okay?

Mr. FITZPATRICK: I yield back, Mr. Chairman.

Chairman CARDIN: Thank you.

Congressman Wilson, are you still there?

Representative WILSON: I sure am.

Chairman CARDIN: Any questions for Ambassador Carpenter?

Representative WILSON: Thank you very much, Mr. Chairman, and indeed. Ambassador Carpenter, thank you for your proven diplomatic capabilities. Sadly, you are going to be tested, because I, like all of us, was so pleased. Republicans and Democrats coming together—that is not what Putin meant to happen. The OSCE to come together, how incredible, to see the European Union become involved and actually participate, backing up Ukraine, to see NATO add two new members. Who would ever imagine Sweden and Finland?

In the meantime, something that is absolutely disgraceful to me is the front page of The Wall Street Journal today. That is a picture of war criminal Putin with the State sponsor of terrorism Raisi, along with the president of Turkey, a member of NATO—a 70-year member of NATO, a country that has had a democratic history now for 99 years. For them—for Turkey to be associated with what I see as reincarnated Hitler and Mussolini, this—this is just somehow you need to use your skills, and we all need to be working together, that Turkey needs to get back on board.

Initially, of course, they were among the first supporters of the freedom and liberation of the people of Ukraine. For this picture—this is so shameful and insulting to the people of Turkey. I just—I want to wish you well on trying to get Turkey back in line. What can we do to get the message across that the collaboration with Putin and—the war criminal, and the State sponsor of terrorism, it is inconceivable?

Mr. CARPENTER: Thank you, Congressman Wilson. I hear you loud and clear, and I sympathize with exactly—[audio break]. Turkey is a tough ally to work with.

We have gotten them onboard with the Moscow Mechanism twice now. They have been among those 45 states that have helped invoke it. They speak out in the Permanent Council on a regular basis, condemning Russia's actions in Ukraine. Here in Vienna at the OSCE, they play a helpful role.

However, you yourself noted the recent trip by President Erdogan to Iran, his various meetings with President Putin. By the way, he is also part of negotiations with the United Nations, the Russians, and the Ukrainians on the export of Ukrainian grain through their borders in the Black Sea. That is apparently nearing finality, so he is playing a variety of different roles.

Of course, in the Aegean, it is one thing and in the South Caucasus, it is quite another. You know, we try to work with the Turks where we can, but when their behavior is as you noted, then it is—frankly, it is very difficult.

Representative WILSON: Well, they have—hey, they have been beloved allies of America for 70 years, and actually 99 years, and even prior. I just want to wish you well. One day, they—one way they could redeem themselves is to—indeed, to facilitate and have the provision of the opening of the Port of Odesa for the grain to be removed.

Just, again, thank you for your service and thank you, Mr. Chairman.

I yield back.

Chairman CARDIN: Thank you. Ambassador Carpenter, thank you very much for your time today. We appreciate it very much. We will be following up on these issues. Please keep us, the Commission, informed on what is happening on the ground and how the OSCE can play a role in protecting the Ukrainians who are particularly vulnerable to Russian domination at this particular moment. We would appreciate your expertise, information to the Commission.

Thank you very much for your testimony.

Mr. CARPENTER: Thank you so much, Chairman.

Chairman CARDIN: We will now turn to our second panel. We have Oleksiy Goncharenko, who is a native of Odesa, Ukraine, who serves as an Odesa city councilor and as an Odesa regional councilor. In 2014, he was elected as chair of the Odesa Regional Council and to the Parliament of Ukraine. He is also a member of the Parliamentary Assembly of the Council of Europe, PACE, where he was elected this year as vice president of PACE's Committee on Migration, Refugees and Internally Displaced Persons. Following Russia's full-scale invasion of Ukraine in February 2022, he served one month in Ukraine's territorial defense forces. It is a real pleasure to have you—be with you today, and I thank you for your help for our delegation last month.

We also have on this panel Olga Aivazovska, who serves as the head of the Board of the Civil Network, OPORA, an NGO. She was a director of national nonpartisan observation missions in Ukraine with over 25,000 activists involved from 2010 to 2021, and participated in electoral observations in more than 10 countries in Europe. From 2016 to 2018, she represented Ukraine in the political subgroup of the Trilateral Contact Group, relating to the conflict in eastern Ukraine. She is also one of the founders of the International Center for Ukrainian Victory. She is a really good lobbyist because she lobbied me for two additional minutes in her testimony. It is a pleasure to have both of you with us. You may proceed. Your full testimonies will be made part of our record.

TESTIMONY OF OLEKSIY GONCHARENKO, MEMBER OF THE VERKHOVNA RADA OF UKRAINE AND VICE PRESIDENT OF THE COMMITTEE ON MIGRATION AND REFUGEES, PARLIAMENTARY ASSEMBLY OF THE COUNCIL OF EUROPE

Mr. GONCHARENKO: Thank you. Thank you very much. Distinguished Members of the Congress, it is a big honor to be here today. First of all, I would like to thank you for all support that Ukraine today is receiving here in this terrible war, from you personally, from the Congress in general, both Republicans and Democrats, we appreciate this bipartisan support, from the current U.S. administration headed by President Biden, and by American people. Also, I would like to thank Ambassador Carpenter for the brilliant work he and his team in the OSCE in order to restore security on the continent.

Helsinki Commission deals with security and cooperation in Europe. I can tell you that there is not any other nation in Europe on the continent which made more for security than Ukraine, because we are the only—and the first in human history—and for the moment the only nation which voluntarily gave up nuclear weapon

arsenal, which was in 1994 the third largest in the world. We did it with the aim of nonproliferation of nuclear weapons and increasing security. What we have today? The terrible, barbaric attack against us, and an attempt to wipe out Ukraine from the map of the planet.

In order to return to national security, because this is a very bad message, we need to restore as soon as possible territorial integrity of Ukraine. Today, 21 percent of our territory is occupied. We are speaking today about occupied territories—21. It is like Austria and Switzerland together, or like the State of Mississippi or Pennsylvania. Just imagine, with millions of people there. This territory was even bigger. Fortunately, we liberated part of it. Bucha, Irpin, Hostomel, these names are known throughout the whole world because after liberation, we knew about awful atrocities committed in the suburbs of Kyiv by Russian Army.

I want to give you testimony not of myself, but of this girl. Her name is Sofia. She is 14 years old. You can—you can see what Russians did with her. I just want to read what she said: I am Sofia and I am a small Ukrainian girl. I lost my hand, my mother, and my beloved cat in Bucha. I am one of almost 1,000 children who have suffered at the hands of occupants. I lived in the hospital for three months, and I am still tormented by phantom pains. Now I am in Rome, but I shudder at every sound, and I am afraid of airplanes. When I am worried, I am not just—my non-existent hand, it hurts. It hurts my whole body. I did horse riding in a past life, but I do not know if I can do it again with one arm. I need a prosthesis. When I wear it, the phantom pains will subside, and I will even be able to dress myself.

I have today her—this toy, one of her favorite toys, this horse. I want to ask you how it could be in the 21st century such things happen to children, to our children? What should we do to stop it? I want to thank all of you—Senator Cardin, Representative Cohen, and your colleagues—for the bills about raising the designation of what is going on in Ukraine as a genocide. Because it is genocide. Convention on Prevention of Genocide of the United Nations clearly says that there are clear criteria in Article 2 what is genocide. I can just tell you that it is said that genocide means any—it is a—I am quoting, “any of the following acts committed.” Unfortunately, in Ukraine, not any but all of them are committed.

Killing members of the group, causing serious bodily or mental harm to members of the group. You can watch Sofia, deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part. You mentioned Mariupol, which was without heating during the winter, which is without water today in the summer. Imposing measures intended to prevent births within the group, and all the sexual violence against Ukrainian women which happened. Forcibly transferring children, more than 200,000, to Russia in order to change their identity and to make Russians from them. That is all, when Russia occupies our territories first, what do they do? They burn Ukrainian books. They destroy Ukrainian monuments. That is also a clear criterion of genocide.

What is now done by Russia is a genocide. I assure you and encourage you to adopt these bills that you so kindly sponsored and

presented as soon as possible. The Convention on Prevention of Genocide is saying not only about what is genocide, but if there is a genocide that it is the responsibility of every country on the planet to do everything possible to stop it as soon as possible. It means—in Ukrainian case, it means give us weaponry, because that is the only way to stop genocide is to stop this occupation of our territory, and we need weaponry for it. We need long-range missiles. We need fighters. We need tents. We do not ask for boots on the ground. We are not asking for other things. We will do our job ourselves. Please, help us with this. Provide us with this.

We are watching our place on the planet. I can tell you, after we win this war together with the United States, with your support, as a closest ally, we will be able to be a closest ally in other parts of the planet to prevent such things which happening in our country today. We will definitely do it together with you. May God bless you and God bless America.

Thank you very much.

Chairman CARDIN: Well, thank you very much for your testimony.

Ms. Aivazovska.

**TESTIMONY OF OLGA AIVAZOVSKA, HEAD OF THE BOARD
CIVIL NETWORK OPORA AND CO-FOUNDER, INTERNATIONAL
CENTER FOR UKRAINIAN VICTORY**

Ms. AIVAZOVSKA: Hello to everyone. Mr. Chairman, Members of the Congress, dear participants of this hearing, I want to talk from the people who are still living under occupation. This is the most dramatic period for them, because these people, these Ukrainian citizens, do not have any voices. That is why we have to talk about their stories. The longer the occupation continues, the more torturous, degrading treatment, and pain Ukrainian citizens will suffer.

The action of the occupants is aimed at a systematic and intentional destruction of the Ukrainian identity in the occupied territories. This—[inaudible]—is through torture, intimidation, and humiliation. It will only take them a short time to cutoff the local citizens from Ukrainian news. They are left in an information vacuum now without access to the internet, mobile phone communication, or the opportunity to leave, to seek refuge in Ukrainian government-controlled territories.

The occupants have undertaken mass-scale filtration measures that aim through the repeated interrogation of the local populations, revealing and destroying any potential resistance to the occupying regime. You have to know that 1.3 million Ukrainians already have experience with filtration. Two hundred twenty-four thousand Ukrainian people, Ukrainian children, are relocated from occupied territories to Russia. Unfortunately, this process is ongoing till that time when Russia stops. Not because of their political will, but because of our common fights with support of free Western world.

You might recall the first days after the full-scale invasion, when citizens of Ukraine bravely took into the streets and met the armed Russian military with Ukrainian flags. Openly demonstrated opposition to the Kremlin's unprovoked intervention. In response to the

courage of Ukraine, the Russian occupants met the peaceful protests with arms and shooting in places like Chaplynka, Bilozerka, Kakhovka, Kherson, Energodar, et cetera. This was followed by large-scale acts of terror, filtration, deportation, forced disappearance, and torture of citizens.

Curbing the resistance and the free will of citizens was the first step in the Russian plans for the annexation of the new occupied territories. We have to talk about that, the annexation will be the next stage. The next step in the plan is for Russia to organize fake referendums. It will happen in September if we do not do something to [make it a] higher price for Putin and Russia about that. The Russian Federation might, therefore, by definition, be recognized as a State sponsor of terrorism.

A resident of Kherson, Denys Fedko, told in March how the Russians killed members of his family, including two minor children, with 46 shots near the Kakhovka hydropower plant. His parents, his brother's wife, and her kids, the 6-year-old Sofia and the 18-month-old Ivan were driving in the family car. He was on the phone with his mother during the entire time and became a witness to their execution. He heard the shots, the children crying, and Irina, his sister-in-law and his mother, screaming. Little Ivan was the last to be finished off.

Viktoria from Kherson testified that in order to leave the city by car, she had to pass 53 Russian checkpoints together with her husband and their child. At 20 checkpoints, the Russians frisked them, took away valuables, ordered them to undress, and pat down their underwear. Today, even such a difficult escape is no longer an option. The population in temporary occupied territories is commonly being subject to torture with electric current, beaten up, raped, and morally abused. Such acts violate fundamental rights and the war—the laws of war. They are war crimes and crimes against humanity. The goal is to destroy Ukrainians and their identity. That is why these actions constitute genocide in 21st century.

Yulia Pustovyt, a resident of Rubizhne in Luhansk Oblast, provided her testimony to a Civil Network reporter after being evacuated, so-called evacuated to Russian Federation. She told us that all deportees were deprived of their identification documents by the Russians. Then they would have no freedom of movement, even in Russia. Yulia, however, managed to keep her identification documents. She had to simulate loyalty to the Russian Federation authorities and told that she had relatives in St. Petersburg who were ready to host her. After undergoing filtration and deportation to Russia, she managed to flee from the train with her children. They are now all safe in Estonia. Volunteers helped her to be in a safe place.

The investigative committee of Russia is preparing to frame the Ukrainian military for destroying the city of Mariupol, despite, we know the Russian Army had been destroying the city for months on a daily basis. We saw this evidence in online streaming from Mariupol. Russia needs such accusations for propaganda proposed to create an informational curtain, and to cancel the war crimes committed by the Russian armed forces that led to the destruction of the cities. We can expect that the first death sentences issued to members of the Ukrainian military will be turned into a sys-

temic effort. Such accusations will become a further instrument of terror directed against Ukrainian citizens, civilians, and Ukrainian soldiers.

The international—intentional shift in a focus away from Russian military by placing the responsibility for any atrocities on illegal armed groups is and are the matter of Russian propaganda, and when one thinks more, because we have to build bridges between territories and to Ukrainian-government-controlled and occupied territories.

You have to know that even now I have to talk that Meta providers—Facebook, Instagram, Messenger—which should have changed its policy regarding content intended for the temporarily occupied territory. From February 26, Facebook changed the policies, and we do not have access because of their policies to occupy territories. This is very important to know how we can—how we can help to build these bridges with occupied territories because we want to continue help people on that, and we have to prevent other occupation on Ukraine, and to remember that referendum is one of the tools to use nuclear weapons in the future because you know that Russia will use this stage for this type of aggression.

Chairman CARDIN: Let me thank both of you for your powerful testimony, for your courage, for your willingness to be here and give us a firsthand account of what is happening in Ukraine.

We read the articles, but when we hear your testimony, it really puts an exclamation point on the urgency of the issues and the atrocities of what Mr. Putin has done. I just really want to thank both of you for your courage and for your testimonies before our committee.

I am going to ask Congressman Fitzpatrick if you want to get an answer to your question.

Representative FITZPATRICK: Sure. I do not know if you remember my long diatribe, but I think my—what I rounded out my question was the request had changed from our first to our second visit post-invasion, when the war had changed; the war was on very, very different footing. What is the current request? What is the current need? Oleks, you and I have communicated frequently. Many of your colleagues communicate frequently with me, and the situation has changed exponentially. It has changed by the day. What is the current situation? What is the current need?

I also want to reiterate everything that Oleks said. We cannot be lost on this moment in history, and we all ought to study history. We all ought to study September 1st in 1939, when Germany invaded Poland, and how many people across the globe were worried about provocation, they were worried about escalation. My question to supporters of them is, how did that work out for them?

We have to take this threat as seriously as possible. Vladimir Putin is a war criminal. What is being committed now is genocide, and Russia is a State sponsor of terrorism. Let us start with those three basic facts, right? That is the platform that we ought to be launching from. What does Ukraine need now—because we just passed a \$40 billion aid package. There is going to be another package up for consideration soon. It has become more difficult to maintain that assistance and that support, so it is important that we

hear from you the current situation and what it is that you need more than anything right now.

Mr. GONCHARENKO: Thank you. Thank you very much, Representative Fitzpatrick, and it is an honor to answer your question. It is very important for us. Of course, we need weaponry, as said. The No. 1 request is assistance like HIMARS, which is a long-range artillery which gives us a possibility to answer on Russian concentration of artillery.

Just one number for you: Russia is shelling each day in Ukraine 60,000 heavy shells and missiles. It is not counting mines or mortars. It is just heavy shells from 100-caliber and more, and missiles. Just imagine this number. We cannot beat them in quantity; we should beat them in quality, preciseness, and range. That is why HIMARS, even eight which are already in Ukraine.

Today, I want to thank—it was announced by Secretary Lloyd Austin about four more HIMARS, which will be sent to our country. That is very important. Even these eight made a difference, and definitely more is better, and we ask to give us more. Our military is saying that we need at least 60 of these systems. Altogether, now we are promised 20 with a new list which we are promised today. We desperately ask for more, and what is very important: We—now we have provided them with only short-range missiles, which are up to 45 miles. There are other missiles which can be used by these launchers, which can hit for almost 200 miles. We need them. It does not mean more expenditure because we already have launchers; we just need these missiles.

I cannot understand this limitation. There is—why 45 miles is not escalatory and 150 miles is escalatory. I mean, I think it is quite strange. We need to put aside these limitations. We are speaking about genocide, so that is what is important. Second thing is definitely everything about aviation. Two things I would tell: These are fighters because Ukraine, sooner or later, will run out of fighters. All our fighters are Soviet-type, and it means that we can have new only from Russia. To change the engine we need, we can do it only from Russia, so the only way for us is to switch to NATO standard F-15, and F-16.

This is not an easy process. I want to thank Congress for already passing in National Defense Authorization Act: \$100 million for training. It will mean that this training will start at the end of this year or beginning of next year, then it will take half a year more of training. We will have access only in one year. One year for us is eternity.

The last thing in aviation I should add is drones. These Gray Eagle drones, which were, like, already discussed, but at the last moment were stopped. Now there is no final decision about them. I want to ask you to help us receive these drones because after HIMARS are doing their job, disrupting logistics, disrupting Russia's air defense—anti-air defense, and their command areas, after this, something should finish the job, and that should be a drone. That is also important.

Thank you.

Representative FITZPATRICK: Now just last, Ivan Bakanov, if you could comment—and this is a big deal. I could sense it when I met him, and he has been the chief intelligence officer of Ukraine for

all these months. It turns out—as we suspected from day one—he is a problem. If you could just comment on this because we are going to have to answer for this here in Congress.

Mr. GONCHARENKO: My answer is simple. I think, from the beginning, that appointing him to this position was not a good decision because he has never [had] experience in security, and that is a problem, and 2019, it was done. Definitely, unfortunately in the southern part of Ukraine, there was a failure of our secret service, definitely, when there were bridges which were not blown out. There are problems. It would be better if he would be sacked earlier, but better later than never. Finally, it is done, and that is a good decision of President Zelensky.

Ms. AIVAZOVSKA: Thank you for your question, and of course, I am dreaming about a position that Russia officially is a State sponsor of terrorism, that what is going on officially is genocide. It is not about public wording. It has to be a part of official decisions and documents for the future perspective to have accountability and justice, because I believe that what Russia is doing is because the USSR was not punished, because Ukrainians had the same stories about filtration, about camp[s], about torture for many, many years ago.

You know that we had genocide already. We had the same during and after the Second World War, and because Russia was one of the winners of the Second World War, it was not punished—Russia—I mean USSR. That is why I believe that we have to ask you to continue support from both parties' Ukrainian future and security in Europe through the future accountability process. This process has to be built now because we have to think about the tribunal against aggression. It can be an investigation against Putin personally, even now, because we have precedence already. Only this tribunal can be a basic opposition to start an investigation about Putin today.

I have to talk about other types of tribunals. We have to support the ICC. I know the position of the USA about the ICC—International Criminal Court. At the same time, I hope that our partners will continue to support it. A few days ago, officials, the decision about open criminal cases against war crimes in Ukraine was nearly 40 thousands of cases. Can you imagine what it—has to be done in Ukraine? We have to find a special court. We have to train investigators. We have to give them equipment and support them because it is about amount of crimes. I do not think that we can compare this situation with some of the others.

Sanctions, it is about—your comment, too—sorry, Ukraine already lost 96 billion dollars because of the war in Ukraine. Do you know how much money Russia took from Europe and other states through gas and oil? Ninety-seven billion dollars. Russians will have enough money to continue—to continue this aggression against Ukraine, unfortunately. We have to think how the price will increase day by day, and how Russia will not build the ally with other authoritarian and other types of regimes—semi-authoritarian regimes in the future to build this ally for future aggression against not only Ukraine, but Europe. You know about that very well.

From my perspective, official tracks have to be historical for now because, after Putin, will come even more authoritarian leaders because there is a huge request from Russian society to have such a type of system, unfortunately.

Chairman CARDIN: Let me make this request: The more documentation you can give us about the atrocities being committed by Mr. Putin, the more that we can get the type of international support we need. These filtration camps—I know it is very difficult to get specific information, but any information you can get, any photographs, any type of documentation—making it available to us, we will make sure it is disseminated—information about unaccompanied children being taken into Russia, information about torture or disappearance of people, any information like that. The Helsinki Commission has an international reputation in regards to promoting international human rights, and as we said in the beginning—each of us has said, this is genocide, and we want the international community to understand this. Any help you can be in that regard will be helpful to us.

I know it is not easy to get documentation because of the way the Russians act, but anything you can get for us, please share it with us, and we will make sure it is put to good use. I am going to turn the gavel over once again to Co-Chair Cohen. There is another vote on the floor. I want to thank both of our witnesses. I understand Congressman Wilson is also on the line, and Congressman Cohen will close out the hearing.

With that, let me give it to Congressman Cohen.

Representative COHEN: Thank you, Mr. Chair, and once again, thank you for calling this hearing.

Mr. Wilson, do you have questions? Ranking Member Wilson?

Representative WILSON: Mr. Chairman, yes. Senator Cardin, of course, is ahead of the curve, and that is the documentation. Incredibly, when the war started, I remember seeing a German newspaper they called this the cell phone war. That means that there can be documentation that would have never been imagined in prior conflicts. With the proliferation of cell phones, people can document and then provide this worldwide.

Additionally, there is other technology—and I would like, from both of our witnesses—is there other technology that could be helpful, such as satellite surveillance capability, whatever? Is there—whatever other means can there be that we help back them up to provide the documentation of the atrocities that are being committed? [Pause.]

Representative COHEN: I think that is just an open question to either of you.

Mr. GONCHARENKO: Yes, I just can say that, Honored Representative Wilson, you are absolutely right, and you—what you said. Speaking about documentation, we will do our best to provide the Helsinki Commission with all the documentation possible. We are in good cooperation both with State bodies and with NGO's who are collecting this evidence, this information, and we will do our best to provide you with it. We appreciate very much what you are doing in order to use this information to say the truth about what is going on in our country and what measures should be taken to stop it. We will definitely do it.

Thank you.

Ms. AIVAZOVSKA: Thank you for—

Representative WILSON: Okay, one final point, Olga, before—and that is, what can we do to help provide assistance for special operations resistance in the occupied areas?

Mr. GONCHARENKO: I see. I can answer this question. That is very important again because we have really a resilience in the occupied territories, I can tell you—both organized—meaning that we have contact with these people, our secret service—and not organized. People are just fighting for their land.

We know that there is good cooperation between American services—special services and the Ukrainian. We know that there are good programs of training on it, but we will absolutely be happy to see even more cooperation because American—United States bodies have a great experience in situations like this, and we definitely need this experience. That will be very helpful for us.

We will continue doing our best to provide resilience with what they need. Also, like it was said, a very important part is an informational campaign. An informational war is part of this hybrid war, and we need to continue sanctioning and stopping Russian propaganda, fake news, and fake stories that they are using against Ukraine in this war, and against people on the occupied territories. Also here we can be in very good cooperation with United States bodies, including the Department of Justice, the State Department, Department of Defense. We will help, and we hope that we will continue this work. With your support, of the Helsinki Commission, of Congress, it can be even more fruitful.

Thank you.

Representative WILSON: Well, we were successful in the American Revolution due to guerrilla activities behind enemy lines. In my home State, we had the Swamp Fox, Frances Marion, and so we really—it is so impressive.

Thank both of you. You are such an inspiration to freedom and democracy.

I yield back.

Ms. AIVAZOVSKA: Thank you for your question. I briefly want to answer just a few things: First of all, if you are going to continue to support Ukraine in documentization process. It is not just documentization for documentization. We have to build this justice and institutions that will work enough and will be powerful enough in historical perspective.

Now we have like a two-joint investigation team, and a few countries signed an agreement to exchange the information because we have more than six million refugees. Many of them were eyewitnesses. We have collected the data from them and use it for the future accountability process.

You know that such instruments it is something new for everyone in the 21st century. That is why the best brains, the best minds in the USA, can be a part of the development of this justice future. I want to highlight the idea to have the tribunal against aggression. It is not something new, but we have just statements and declarations. We have found this tribunal through an EU mechanism, and I hope that the U.S. will be a part of that because I do

not believe that the U.N. can adopt any agreements which will give us a chance to have a tribunal on an international level.

When you ask about occupied territories, you know that there is only one answer. It is military supply for Ukrainian State, for Ukraine, and Ukrainian army because as long this process will going on, as much victims and eyewitnesses we will have in the future—and unfortunately, if Russia will try to annex these territories, we will not back it as soon as it possible, as we hoped, because it will be like Crimea for many other partners in the world, even from the Western civilization, unfortunately. We had this gap during the last 8 years, unfortunately.

That is why my last, last point: Please, do not be tired to watch what is going on in Ukraine, and do not be tired to think how to continue to support Ukraine because it is not only about Ukraine; it is about global issue which Russia is a part of that.

Thank you.

Representative COHEN: You are very welcome.

Thank you, Mr. Ranking Chair. This has been a very informative hearing. We appreciate your attendance, your testimony, and your keeping—continue to keep us informed of evidence that might come your way, that you could give to us that we could look at, analyze, and disseminate to the American public. It is just horrific what is going on, and we need to stand firm. I can assure you that we will. Glory to Ukraine.

This meeting is adjourned.

Mr. GONCHARENKO: God bless America.

[Whereupon, at 4:01 p.m., the hearing ended.]





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