

**To the Special Procedures
of the United Nations Human Rights Council:**

1. Working Group on Arbitrary Detention
2. Working Group on the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination
3. Special Rapporteur on contemporary forms of slavery, including its causes and consequences
4. Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment

For information:

1. Working Group on Enforced or Involuntary Disappearances
2. Special Rapporteur on extrajudicial, summary or arbitrary executions

Submissions

concerning the recruitment and participation of the Russian convicted prisoners
in the war in Ukraine

Introduction

These submissions are intended to draw the attention of the Special Procedures of the United Nations Human Rights Council to the widespread recruitment campaign among prisoners serving their custodial sentences in the Russian penitentiary institutions into the private military unincorporated contractor known as “Wagner Group”, their transfer to the territory of Ukraine and adjacent regions of Russia, and their deployment in the war in Ukraine on the side of the Russian forces.

The submissions are prepared and lodged by two NGOs:

- (1) *Русь Сидящая* (Russian Imprisonment / Russia Behind Bars Foundation), the foundation providing legal aid to the victims of human rights violations on the part of law enforcement, judicial, and penitentiary systems of the Russian Federation
- (2) European Prison Litigation Network, an international NGO holding a participatory status with the Council of Europe focusing its activities on enhancement of the judicial protection of the fundamental rights of prisoners in the Member States of the Council of Europe

Factual background

According to multiple sources (inmates, their relatives, human rights activists and NGOs, as well as Russian and international independent media), since the beginning of the Russian military aggression against Ukraine in February this year, the Russian-backed private military contractor known as “Wagner Group” (hereinafter referred to as “Wagner”, “Wagner PMC”, or “PMC”), have been conducting a massive conscription campaign among convicted prisoners detained in numerous correctional facilities across Russia.

The Wagner PMC has acquired an ominous reputation for the atrocities committed by its personnel in Mali, the Central African Republic, Lybia, Syria, and Ukraine where the mercenary group aided the so-called Donetsk and Luhansk People’s Republics in 2014-2015 and has been actively involved in the aggressive invasion by the Russian military, at least since March this year.¹

Russia Behind Bars has received dozens of letters from inmates and their relatives across the country reporting about the conscription campaign in various penitentiary facilities. It has been reported that the recruiters of Wagner have been visiting correctional colonies and inciting prisoners to join the PMC and participate in the war in Ukraine. The recruiters offer them financial remuneration and release after six months’ “service” or compensation to their relatives in case of their death.

Information from several sources suggests that to date Wagner recruiters have visited at least 44 correctional colonies in 24 Russian regions, managing to conscript around 3,000 prisoners:²

¹ Human Rights Council: Concerns about Continued Reports of Localised Violence Involving Community-Based Militias in South Sudan, and in Mali the Deterioration of the Overall Security Situation Has Passed the Critical Threshold. OHCHR Press release. 29 March 2022 (<https://www.ohchr.org/en/press-releases/2022/03/hrc-continued-localised-violence>); Human Rights Council Holds Interactive Dialogue with the Independent Expert on the Situation of Human Rights in the Central African Republic and Begins Interactive Dialogue with the Independent Fact-Finding Mission on Libya. OHCHR Press release. 6 July 2022 (<https://www.ohchr.org/en/press-releases/2022/07/human-rights-council-holds-interactive-dialogue-independent-expert-situation>); CAR: Russian Wagner Group harassing and intimidating civilians – UN experts. OHCHR Press release. 27 October 2021 (<https://www.ohchr.org/en/press-releases/2021/11/car-russian-wagner-group-harassing-and-intimidating-civilians-un-experts>); CAR: Experts alarmed by government’s use of “Russian trainers”, close contacts with UN peacekeepers. OHCHR Press release. 31 March 2021 (<https://www.ohchr.org/en/press-releases/2021/03/car-experts-alarmed-governments-use-russian-trainers-close-contacts-un>); Libya: Violations related to mercenary activities must be investigated – UN experts. OHCHR Press release. 17 June 2020 (<https://www.ohchr.org/en/news/2020/06/libya-violations-related-mercenary-activities-must-be-investigated-un-experts>); Wagner in Syria: Appeal to European Court of Human Rights after case dismissed in Russia. FIDH Press release. 9 June 2022 (<https://www.fidh.org/en/region/north-africa-middle-east/syria/syria-russia-wagner-appeal-european-court-human-rights>); Shrouded in secrecy for years, Russia’s Wagner Group opens up. Aljazeera. 10 August 2022 (<https://www.aljazeera.com/news/2022/8/10/wagner-private-group-now-an-extension-of-russias-military>).

² Новые солдаты российской армии: ЧВК Вагнера завербовала больше тысячи заключённых в 17 колониях страны (New Soldiers of the Russian Army: Wagner PMC recruited more than one thousand prisoners in 17 colonies across the country). Verstka, 5 August 2022 // <https://verstka.media/vagner-verbovka-zakluchennyh-iz-17-koloniy/>

- St Petersburg: IK-7 (at least 40 inmates agreed to join the PMC), IK-6
- Adygeya Republic
- Karelia Republic: IK-1 (approximately 100 inmates agreed to join the PMC)³, IK-7
- Mari El Republic: IK-3, IK-4 (approximately 200 inmates agreed to the PMC), IK-6 (77 inmates joined the PMC)
- Komi Republic: IK-19 (approximately 130 inmates agreed to join the PMC), IK-25
- Mordovia Republic: IK-5 (approximately 150 inmates joined the PMC), IK-17 (at least 10 inmates agreed to join the PMC)
- Tyva Republic
- Arkhangelsk Region (approximately 300 inmates agreed to join the PMC)
- Ivanovo Region: IK-5 (approximately 100 inmates joined the PMC)
- Kostroma Region: IK-1 (134 inmates joined the PMC)
- Leningrad Region: IK-3 (approximately 30 inmates joined the PMC)
- Lipetsk Region
- Murmansk Region
- Novgorod Region: IK-7 (at least 70 inmates joined the PMC)
- Nizhniy Novgorod Region: IK-1, IK-6, IK-7, IK-14, IK-17 (at least 625 prisoners joined the PMC)
- Perm Region
- Pskov Region: IK-6 (at least 72 inmates agreed to join the PMC)
- Ryazan Region: IK-2⁴, IK-3, IK-5 (approximately 100, 100, and 300 inmates respectively agreed to join the PMC)
- Rostov Region: IK-1, IK-2, IK-9, IK-14, IK-15 (reportedly 1,000 inmates agreed to join the PMC)⁵
- Smolensk Region
- Tula Region: IK-1, IK-4, IK-5 (approximately 270 inmates agreed to join the PMC)
- Tver Region (IK-10)
- Vladimir Region: IK-6⁶
- Vologda Region
- Yaroslavl Region: IK-2, IK-3, IK-12 (approximately 300, 280, and 100 inmates respectively agreed to join the PMC).⁷

Important Stories estimate the number of enlisted inmates is much higher: 5,786 of which 2,036 have already been sent to Ukraine. «А потом пришли новости, что Славу снарядом разорвало» ("And then the news came that Slava had been torn apart by a shell."). Important Stories, 19 September 2022 // <https://istories.media/investigations/2022/09/19/a-potom-prishli-novosti-cto-slavu-snaryadom-razorvalo/>

³ <https://gulagu-net.ru/news/2022-07-26-1371.html>

⁴ https://t.me/istories_media/1412

⁵ Заключение в Ростовской области массово записываются на спецоперацию. ФСИН отрицает вербовку (Prisoners in the Rostov region are enlisting en masse for special operations. Federal Penitentiary Service denies recruitment). 161.ru, 3 September 2022 // <https://161.ru/text/world/2022/09/03/71626298/?fbclid=IwAR1ZHvfqordesmcdtUCO2Php8sne1FHWFULwn1-i-Y3hpgu4vTD6PrY6GbE>

⁶ «Наших мужей забирают на войну в Украину». Свидетельства вербовки заключенных в российских тюрьмах ("Our husbands are being taken to war in Ukraine. Evidence of prisoner recruitment in Russian prisons). Популярная политика, 13 September 2022 //

<https://www.youtube.com/watch?v=kfPxSFaXqbg&t=27s>

⁷ Заключение ярославской ИК-2 сообщил, что из трех местных колоний на войну отправили 373 человека (A convict from IK-2 Yaroslavl reported that 373 inmates from three local colonies were sent to war). Mediazona, 24 August 2022 // <https://zona.media/news/2022/08/24/vagner>

a) *Recruitment procedure*

Early reports about Wagner recruiters visiting correctional colonies came from the Leningrad Region, where they had been conscripting prisoners from IK-7 “Yablonevka” (at least 40 prisoners joined the PMC) and IK-6 “Obukhovo”. After they left, “activists” from among the prisoners co-operating with the prison administrations⁸ continued to pressure the inmates into accepting the offer. On 5-6 July 2022 around 50 inmates from these colonies were transferred to the Rostov Region.⁹ Relatives of inmates from “Yablonevka” were unable to send them letters through the electronic correspondence service of the Federal Penitentiary Service (the FSIN): messages were returned with automatic replies that the addressee has left to another facility. Meanwhile, the prisoners have not informed their relatives of any scheduled transfer. Three relatives reported that after the transfer prisoners contacted them asking for passport details to issue written authorisations for the relatives to receive their salaries.¹⁰ Since July, the recruiters have visited these colonies at least on two occasions.

CNN has reported that in July ten “volunteers” from IK-17 Mordovia left the colony to join Wagner for the war in Ukraine, another 50 were about to leave an unnamed prison with 400 more eager to follow. According to their investigation, prisoners in various facilities were offered amnesty or pardon after six months of participation in the military conflict, the extinguishment of their criminal records, and a monthly allowance ranging between 100 and 200 thousand Russian roubles (EUR 1,600 – 3,200) to be paid to their relatives¹¹. The recruiters invite any prisoner, irrespective of their military experience, except for “rapists,

⁸ “Activists” are convicts who are used by the prison administration to enforce the internal regime and discipline of other prisoners. Activists often torture other inmates and extort money from them, at the direct order of the or with tacit consent of the administration (see, e.g. «Активисты» на службе ФСИН (“Activists” at the FSIN service). *Novaya Gazeta*, 29 October 2017 // <https://novayagazeta.ru/articles/2017/10/29/74384-aktivisty-na-sluzhbe-fsin>).

⁹ ЧВК «Вагнера» вербует заключенных колоний Петербурга для поездки на Донбасс «идти в авангарде, помогать обнаруживать нацистов» (PMC Wagner is enlisting inmates from the St Petersburg’s colonies to travel to Donbas “to lead the way helping to detect Nazis”). *Important Stories*. 4 July 2022 // <https://storage.googleapis.com/istories/reportages/2022/07/04/chvk-vagner-verbuet-zaklyuchennikh-kolonii-peterburga-dlya-poezdki-na-donbass-idi-v-avangarde-pomogat-obnaruzhivat-natsistov/index.html>; See also: https://t.me/istories_media/1293. The Department of the FSIN in St Petersburg and the Leningrad Region denied this information: https://t.me/rotondamedia/3685?_ga=2.122179785.375431434.1657277431-1387379638.1657277431

¹⁰ «Нужны добровольцы на грязную работу: убивать по приказу, не задавая вопросов» (“We need volunteers for the dirty work: to kill on command, without asking questions”). *Important Stories*, 20 July 2022 // <https://istories.media/investigations/2022/07/20/zk-i-vagner/>

¹¹ Russia dangles freedom to prisoners if they fight in Ukraine. Many are taking the deadly gamble. *CNN*. August 9, 2022 // <https://edition.cnn.com/2022/08/09/europe/russia-recruits-prisoners-ukraine-war-cmd-intl/index.html>

This information has been corroborated by reports from the inmates’ relatives. The recruiters were also promising compensation of up to RUB 5 mln to the relatives if a prisoner is killed in action and 300 thousand roubles in case of injury: PMC Wagner is enlisting inmates from the St Petersburg’s colonies to travel to Donbas “to lead the way helping to detect Nazis”. *Important Stories*. 4 July 2022; *New Soldiers of the Russian Army: Wagner PMC recruited more than one thousand prisoners in 17 colonies across the country*. *Verstka*, 5 August 2022.

pedophiles, extremists, or terrorists”¹². A prisoner serving his 10-year term, interviewed by CNN (anonymously), said that he decided to join Wagner hoping to see his family as soon as possible.

In some cases, Wagner recruiters were accompanied by the officers of the regional Department of the FSIN or FSB (Federal Security Service),¹³ including Mr Ivan Prokopenko, the head of the FSIN Department in the Tula Region, who was present during the Wagner meeting with the inmates of IK-4. At least in some cases, the recruiters were openly carrying firearms while talking to inmates.¹⁴ Head of a small colony in Mari El Republic personally disseminated information about the opportunity to join Wagner among the inmates.¹⁵ According to an acquaintance of a prisoner from IK-9 Shakhty (Rostov Region), an application form for joining Wagner was publicly available on the notice boards inside the dormitories. Prisoners were able to submit applications via the colony’s administration.¹⁶

After each visit from the recruiters, around 20% of inmates are applying to join Wagner. During the ensuing interviews, prisoners are asked to tell about themselves and why do they wish to take part in the war, their attitude towards the Russian authorities and whether they intend to flee to Ukraine. Sometimes polygraphs are used during the interviews. Following the recruiters’ departure, “activists” from among the prisoners usually manage to persuade another 10% of prisoners to conscript to PMC. The recruiters are primarily interested in prisoners convicted of murder or robbery and having a good physical shape.¹⁷

A former prisoner from IK-3 “Fornosovo” (Leningrad Region), which the recruiters visited in July, confirmed the above procedure. He told the recruiters that he was soon to be released and asked them to send him details by email. The inmate later received a message from an e-mail account under the name “Wilhelm Richard W” with a brief “job announcement” and contacts. The e-mail address from which the message was sent (wag-2022@yandex.ru) and one of the telephone numbers contained in the letter were also listed in Wagner’s public job advertisements. The “Important Stories” reporter called this

¹² It appears, that the recruiters were more selective in the Leningrad Region, where they mainly sought inmates whose prison terms were soon to end (PMC Wagner is enlisting inmates from the St Petersburg’s colonies to travel to Donbas “to lead the way helping to detect Nazis”. Important Stories. 4 July 2022). At the start of the recruitment campaign, during its “first wave”, Wagner was mainly interested in prisoners who had an experience of military or law-enforcement service (New Soldiers of the Russian Army: Wagner PMC recruited more than one thousand prisoners in 17 colonies across the country. Verstka, 5 August 2022). Later on, the recruiters have reportedly started enlisting prisoners convicted of sexual offences. One detachment formed entirely of such prisoners was created in IK-7 Nizhniy Novgorod (Секс с малолетней и групповое изнасилование. За какие преступления сидели заключённые, которых ЧВК Вагнера завербовала для войны в Украине (Sex with a minor and gang rape. What crimes were the prisoners that the Wagner PMC recruited for the war in Ukraine imprisoned for?). Verstka, 16 September 2022 // <https://verstka.media/za-chto-sideli-zeki-kotorye-seychas-na-voyne/>).

¹³ “We need volunteers for the dirty work: to kill on command, without asking questions”. Important Stories, 20 July 2022.

¹⁴ New Soldiers of the Russian Army: Wagner PMC recruited more than one thousand prisoners in 17 colonies across the country. Verstka, 5 August 2022.

¹⁵ “Из них такое поперло, что никто не ожидал”. Как заключенные реагируют на призывы вступить в ЧВК “Вагнера” (“There is something that came out of them that no one expected. How prisoners react to calls to join the Wagner PMC). BBC, 17 September 2022 // <https://www.bbc.com/russian/features-62934135>

¹⁶ “We need volunteers for the dirty work: to kill on command, without asking questions”. Important Stories, 20 July 2022.

¹⁷ Ibid.

number, introducing himself as a convicted prisoner from Omsk, and was advised to wait for recruiters because "there is a special program for [prisoners]".¹⁸

According to some of the relatives, conscripted prisoners were deployed in the Donetsk and Luhansk Regions of Ukraine to undergo military service within the Wagner formations, whereas others alleged that the inmates were used for "rebuilding the infrastructure" in the Ukrainian cities occupied by Russian forces.¹⁹ A former mercenary of Wagner and the relatives of a military serviceman confirm that convicts are used at the front lines.²⁰

Despite the absence of information about repercussions against prisoners who declined the offer, at least in two colonies (IK-19 in the Komi Republic and IK-7 in the Republic of Karelia), prisoners who agreed to go to war but then changed their minds, were placed in disciplinary wards. On 17 September, Internet media Sota reported with reference to an anonymous prisoner from IK-4 Mari El Republic, that the forceful enlisting and relocation of prisoners has commenced in the colony.²¹ On the other hand, in one reported case, the prison administration has been implicitly against recruitment. Thus, prisoners from one colony reported that after the recruiters had left the head of the colony told them "to think wisely and decline the offer".

Following the recruitment, communication with several colonies was disrupted: payphones were shut down at least in IK-5 Mordovia and IK-1 Kostroma. On several occasions, lawyers of Russia Behind Bars were denied access to prisoners who have already been recruited.²²

The FSIN, the Russian Ministry of Defence, and the Ombudspersons have not responded to CNN's, Verstka's, and Important Stories' requests for comments concerning the recruitment campaign.²³ The Department of the FSIN in the Rostov Region replied to internet media 161.ru that the information about recruitment "is false".²⁴ The head of IK-7 "Yablonevka" refused to meet with the inmates' relatives. When interviewed on phone, he denied any recruitment initiatives in the facility and told that the transfer of prisoners, if any, would be conducted "according to the plan".²⁵ Wife one of the prisoners reported with reference to the regional Public Monitoring Commission, that her husband indeed had left the colony

¹⁸ We need volunteers for the dirty work: to kill on command, without asking questions". Important Stories, 20 July 2022.

¹⁹ PMC Wagner is enlisting inmates from the St Petersburg's colonies to travel to Donbas "to lead the way helping to detect Nazis". Important Stories. 4 July 2022.

²⁰ "Thieves, swindlers, criminals, outlaws, killers — all are welcome". Novaya Gazeta Europe, 24 August 2022 // <https://novayagazeta.eu/articles/2022/08/24/thieves-swindlers-criminals-outlaws-killers-all-are-welcome>;

Военный-отказник рассказал, что его с сослуживцами заставляют воевать в Украине вместе с бойцами ЧВК и осуждёнными (A military objector said that he and his comrades were forced to fight in Ukraine together with PMC fighters and convicts). Verstka, 7 September 2022 // <https://verstka.media/otkaznikov-uderzhivayut-na-fronte-s-vagnerovcami-i-zakluchennymi/>

²¹ <https://t.me/sotaproject/46266>

²² New Soldiers of the Russian Army: Wagner PMC recruited more than one thousand prisoners in 17 colonies across the country. Verstka, 5 August 2022.

²³ CNN, op. cit.; New Soldiers of the Russian Army: Wagner PMC recruited more than one thousand prisoners in 17 colonies across the country. Verstka, 5 August 2022; "And then the news came that Slava had been torn apart by a shell." Important Stories, 19 September 2022

²⁴ 161.ru, op. cit.

²⁵ PMC Wagner is enlisting inmates from the St Petersburg's colonies to travel to Donbas "to lead the way helping to detect Nazis". Important Stories. 4 July 2022.

where he had served his sentence (IK-5 Ivanovo). The PMC refused to disclose his whereabouts.²⁶

b) Reports about “Putin’s chef”²⁷ personal involvement in the recruitment

Three prisoners informed human rights organisations that Yevgeniy Prigozhin, a Russian oligarch, funder, and unofficial head of the Wagner Group, has personally visited their colonies to recruit the inmates.²⁸ On 22 August 2022 pictures appeared on the Internet showing Prigozhin at the Old Petergof Cemetery in St Petersburg, laying flowers at the grave of Aleksandr Romanovskiy, who had had multiple convictions for robberies and murder, and was serving his 27-year prison sentence which was to end in 2033. On 1 August this year, Romanovskiy was killed in a military engagement near Bakhmut and was posthumously awarded the Russian medal “for courage”.

Prigozhin himself commented on the photos in the following way: “I was indeed at the cemetery and laid flowers on the grave of a man who had recently been a convict, and on 1 August died defending the interests of our homeland against the enemy. With my visit, I wanted to pay my respects to these people. To the men who, with arms in their hands, stand to the death for Russia.”²⁹

Two prisoners from IK-2 Rybinsk (Yaroslavl Region) and IK-4 Plavsk (Tula Region) have confirmed that Prigozhin personally visited the colonies, inciting the inmates to join the PMC. The inmates recited his speech:

“We are not the Armed Forces, more like a proper crime syndicate embedded with the military. My boys used to move into some African country leaving no survivors in a couple of days. And they are doing the same in Ukraine as we speak. Join the PMC and sign a deal with the devil. Follow me out, and you either come back a free man or die. You will follow orders and you will kill our enemies. If you try to run, you will be executed on the spot.”³⁰

On 14 September a video of another such visit emerged, showing a man resembling Prigozhin making a similar speech to a large group of prisoners in IK-6 Mari El Republic.³¹

“I represent a Private Military Company. You must have heard of PMC Wagner. The war is difficult. It’s nothing like the Afghan or Chechen wars. I have ammunitions expenditure two and half times higher than in Stalingrad. The first sin is deserting. No one falls back. No one retreats. No one surrenders into capture.

²⁶ “And then the news came that Slava had been torn apart by a shell.” Important Stories, 19 September 2022.

²⁷ <https://apnews.com/article/7f9e63cb14a54dfa9148b6430d89e873>

²⁸ New Soldiers of the Russian Army: Wagner PMC recruited more than one thousand prisoners in 17 colonies across the country. Verstka, 5 August 2022.

²⁹ «Освободиться из тюрьмы, пойдя на войну в Украине, можно лишь через могилу» (“To get a release by going to the war in Ukraine is possible only over a grave”) Novaya Gazeta Europe, 30 August 2022 // <https://novayagazeta.eu/articles/2022/08/30/osvoboditsia-iz-tiurmy-poidia-na-voinu-v-ukraine-mozhno-lish-cherez-mogilu>).

³⁰ “We are most interested in murderers and bandits. You’ll like it in our squad.” Evgeny Prigozhin of the Wagner Group seems to be personally enlisting inmates to fight in Ukraine. Mediazona, 10 August 2022 // <https://en.zona.media/article/2022/08/10/prigozhin>

³¹ Соратники Навального опубликовали видео вербовки заключенных Пригожиным в ИК-6 Йошкар-Олы (Navalny’s associates published a video of Prigozhin recruiting inmates in Yoshkar-Ola IK-6). Mediazona, 14 September 2022 // <https://zona.media/news/2022/09/14/ik6prgzhn>

During training you'll be told about two grenades you must have with you when surrendering. The second sin is alcohol and drugs in the combat zone, while you're with us for half a year, you're always in the combat zone. And the third sin is looting, including sexual contacts with local women... flora, fauna, men... anyone. The minimum age we are taking is 22 years old, if younger, you need a paper from close relatives that they are not against it. The maximum age, roughly, is 50 years old, but if you are strong, right here at the interview we do basic tests to see how strong you are. Good physical shape is essential. We look at how strong you are and then make a decision to take you. The first convicts who served with me, it was on 1 June, the assault of [Vuhlehirska Power Station]. 40 people from St Petersburg. Strict regime. Recidivists. 40 people entered the enemy trenches, stabbed them with knives, [they lost] 3 dead and 7 wounded. From those killed, one was 52, he served 30 years. Died like a hero. We are paying careful attention at those who serve [sentence] for drug article, judging on whether there was an addiction. If we have questions, we reserve the right ... to run you on a lie detector to determine how stable the person is. We are very careful about those who serve [sentence] for sexual [offences] but understand mistakes can be made. Whom do we need? We only need assault infantry..."

Prigozhin's "press-service" commented that «...the man in the video looks an awful lot like Yevgeny Viktorovich [Prigozhin]. Judging by his rhetoric, he is somehow involved in the implementation of the tasks of the Special Military Operation³², and he seems to be successful at it."³³ Prigozhin himself later added:

"Of course, if I were a prisoner, I would dream of joining this friendly group, to be able not only to redeem the debt to the motherland, but to give it back in full. ... those who do not want PMCs and prisoners to fight, who argue on this subject, who do not want to do anything and, in principle, who do not like this topic, send their children to the front line. Either PMCs and convicts, or your children - you decide."³⁴

Reports from other colonies allegedly visited by Prigozhin suggest that he openly guaranteed the enlisted prisoners' "right" to looting (in Ukraine). Information about Prigozhin's visit to IK-6 Mari El was later corroborated by the colony's prisoners. It was further reported that before Prigozhin's visit, inmates were interviewed by the prison officers who asked them whether they wished to go to Ukraine as volunteers. Prisoners' relatives as well as ex-prisoners allege that several dozens of inmates agreed to join Wagner, of which 77 were accepted. They left the colony on 16-17 September.³⁵

On 10 September 2022, in response to a request from one of the medias, Prigozhin mentioned that he had "recently came across an interesting site recently called Gulagu.da. It has some funny videos on it. Maybe you should take them on board".³⁶ The name of the website mentioned by Prigozhin is a reference to the prominent Russian anti-torture media project, Gulagu.net, which had extensively covered the recruitment. Gulagu.da posted ten videos of allegedly Russian prisoners telling how, instead of serving their sentence, they joined the war in Ukraine, and urging other prisoners to follow their example. The website title says: "Stories of heroes who made the right choice".³⁷

³² A name used by the Russian authorities to call the war in Ukraine.

³³ https://vk.com/wall-177427428_1156

³⁴ https://vk.com/concordgroup_official?w=wall-177427428_1159

³⁵ "There is something that came out of them that no one expected". How prisoners react to calls to join the Wagner PMC. BBC, 17 September 2022.

³⁶ https://t.me/Prigozhin_hat/1670

³⁷ <https://gulagu-da.ru>

Russian media, Verstka, has identified two prisoners shown on the videos: Aleksandr Chubotaru, from the Republic of Komi, convicted of child molesting and thefts, most recently in January 2022, and sentenced twenty six months' imprisonment. The second identified prisoner is Mikhail Kuvshinov, from one of the colonies of the Yaroslavl Region, convicted of violent rape in 2016 and sentenced to 15 years' imprisonment. Kuvshinov was reportedly killed in action in Ukraine on 23 August 2022.³⁸

On 15 September, Ukrainian journalist Yuri Butusov published a video with a captured Russian soldier who identified himself as Yegheny Anatolievich Nuzhin, a convicted prisoner from IK-3 Ryazan, sentenced to 28 years' imprisonment in 1999 for murder (and later an attempted escape). He confirmed information about Prigozhin's visit to the colony in July-August 2022, after which 92 inmates agreed to join Wagner. On August 25, these prisoners, including Nuzhin, were transferred to the Rostov Region and from there to the Luhansk Region of Ukraine as part of Wagner's assault squad. Nuzhin claims that he was engaged in collecting corpses of Russian servicemen. He also reported the case of shooting of two prisoners.³⁹ The identity of Nuzhin was corroborated by an ex-prisoner from IK-3 Ryazan and the public Russian courts' database⁴⁰

c) Transfer

The accepted prisoners are allegedly taken in small groups of 30-36 people to IK-2 in the Rostov Region (south of Russia) which is now used as a training camp where they spend around two weeks constantly training (according to the inmates and their relatives, prisoners are training 20 hours a day). Relatives further report that prisoners are transferred without any IDs.⁴¹ The first group of prisoners from IK-2 left for Ukraine on 20 July 2022. This information was confirmed by an anonymous prison officer from IK-7 "Yablonevka" (Leningrad Region)⁴² and by one of the prisoners during his phone calls with his wife and with other inmates.⁴³ It is reported that before joining the PMC, or immediately after the transfer, prisoners have to sign contracts, but no copies or photos of any such contract have emerged yet.⁴⁴

d) Casualties

³⁸ Sex with a minor and gang rape. What crimes were the prisoners that the Wagner PMC recruited for the war in Ukraine imprisoned for?. Verstka, 16 September 2022.

³⁹ "Что-то не то скажешь и тебя обнулят, так двоих расстреляли"- полонений російський зек "вагнеровець" ("Say the wrong thing and you'll be zeroed out, so two people were shot" - the Wagner-member prisoner from Russia). Butusov Plus. 15 September 2022 // <https://www.youtube.com/watch?v=t4dJRPuzFg>

⁴⁰ «Что-то не так делаешь, тебя обнуляют. Расстреливают». ("You do something wrong, you get zeroed out. Shot.") Important Stories, 16 September 2022 // <https://storage.googleapis.com/istories/reportages/2022/09/16/ik-5-dopros/index.html>

⁴¹ PMC Wagner is enlisting inmates from the St Petersburg's colonies to travel to Donbas "to lead the way helping to detect Nazis". Important Stories. 4 July 2022.

⁴² We need volunteers for the dirty work: to kill on command, without asking questions". Important Stories, 20 July 2022.

⁴³ New Soldiers of the Russian Army: Wagner PMC recruited more than one thousand prisoners in 17 colonies across the country. Verstka, 5 August 2022.

⁴⁴ PMC Wagner is enlisting inmates from the St Petersburg's colonies to travel to Donbas "to lead the way helping to detect Nazis". Important Stories. 4 July 2022.

Since the beginning of the recruitment, there have also been reports from family members of injured prisoners being hospitalised in Luhansk.⁴⁵ These prisoners were allegedly conscripted from IK-7 “Yablonevka” and were registered in a hospital under nicknames. At least 12 prisoners have been hospitalised in Luhansk and five were reportedly killed in the occupied territories of Ukraine in July-August,⁴⁶ including Svyatoslav Matveyev, a 29-years old prisoner from Yablonevka.⁴⁷ He had joined Wagner in July along with several co-inmates who were identified by their group photo on which they posed with firearms: Aleksandr Suetov, convicted in 2019 for robberies and sentenced to 10 years’ imprisonment, and Ruben Martirosyan, a recidivist, most recently convicted of robbery in 2021 and sentenced to 7 years and two months’ imprisonment.⁴⁸

Despite scarce information about the fate of the enlisted convicts, several reports emerged in the media shedding some light on the outcome of their agreement to join the ranks of Wagner:

- In August, a Russian filmmaker and propagandist Nikita Mikhalkov on his YouTube channel told a story of Konstantin Tulinov, a convict infamous for his involvement in the torture of a prisoner in SIZO-1 St Petersburg in 2019, who reportedly was killed in Ukraine, despite formally serving his prison sentence which was about to end in 2023.⁴⁹
- Another prisoner, Yevgeniy Yeremenko, from IK-9 Republic of Karelia, who had yet to serve 8 years’ imprisonment, on 24 July was killed in Bakhmut. FSIN Regional Department in Karelia did not reply to Mediazona’s inquiry about how Yeremenko found himself on the war eight years before the end of his prison sentence.⁵⁰
- Ivan Neparatov, a leader of an organised criminal group sentenced to 25 years’ imprisonment in 2019, was killed in Artemovsk in August, and was also posthumously awarded the medal “for courage”.⁵¹
- Telegram-channel Grey Zone allegedly connected with Wagner reported a “heroic” death of Aleksandr Kolipov from IK-1 Syktyvkar on 28 July 2022, convicted of robberies and murder in 2019 and sentenced to nine years’ imprisonment.⁵²

⁴⁵ CNN, op. cit.

⁴⁶ https://t.me/istories_media/1339; New Soldiers of the Russian Army: Wagner PMC recruited more than one thousand prisoners in 17 colonies across the country. Verstka, 5 August 2022.

⁴⁷ "And then the news came that Slava had been torn apart by a shell." Important Stories, 19 September 2022.

⁴⁸ Три разбойника из Петербурга: как не имевшие шанса на УДО рецидивисты оказались на войне (Three robbers from St. Petersburg: how recidivists who had no chance for parole found themselves at war). Verstka, 20 September 2022 // <https://verstka.media/recidivisty-iz-peterburga-na-voynne/>

⁴⁹ Никита Михалков восхитился погибшим в Украине российским заключенным, причастным к пыткам в колонии (Nikita Mikhalkov praised a Russian convict killed in Ukraine, who was involved in tortures in a colony). Novaya Gazeta Europe, 8 August 2022 // <https://novayagazeta.eu/articles/2022/08/08/nikita-mikhalkov-voskhitilsia-pogibshim-v-ukraine-rossiiskim-zakliuchennym-prichastnym-k-pytkam-v-kolonii-news>

⁵⁰ Сел на 10 лет, завербовался в «ЧВК Вагнера», погиб в Украине. Пример одного заключенного из Карелии (He was imprisoned for 10 years, enlisted in the Wagner PMC, and died in Ukraine. Story of one prisoner from Karelia). Mediazona, 26 August 2022 // <https://zona.media/article/2022/08/25/eremenko>

⁵¹ La Russie peine à regarnir les rangs de son armée décimée en Ukraine. Le Monde, 7 September 2022 // https://www.lemonde.fr/international/article/2022/09/07/moscou-peine-a-regarnir-les-rangs-de-son-armee-decimee-en-ukraine_6140549_3210.html

⁵² "And then the news came that Slava had been torn apart by a shell." Important Stories, 19 September 2022.

- A prisoner whose last name is Shpakovskiy, from IK-7 Veliky Novgorod, was reportedly killed in Ukraine and buried on 28 August 2022

Recent reports suggest that Wagner has extended the recruitment on correctional facilities in the Donetsk Region of Ukraine.⁵³ On 17 September six members of the Presidential Council for Human Rights asked the Prosecutor General to clarify the grounds for early release of prisoners deployed in Ukraine.⁵⁴

⁵³ «Вагнерівці» вербують нових найманців у донецькій колонії – Генштаб ("Wagner" recruits new mercenaries in Donetsk colony - General HQ). Varta1, 4 September 2022 // https://varta1.com.ua/news/vagnerivci-verbuyut-novih-naymanciv-u-doneckiy-koloniyi----genshtab_352774.html; Russia facing "severe" military personnel shortages, US officials say. CNN, 31 August 2022 // <https://edition.cnn.com/europe/live-news/russia-ukraine-war-news-08-31-22/>

⁵⁴ <https://hrcspb.org/2022/09/18/obrashhenie-k-general-nomu-prokuroru-rf-s-pros-boj-raz-yasnit-situatsiyu-s-zaklyuchenny-mi-prinimayushhimi-uchastie-v-svo/>

Legal aspects

1. Lack of the domestic legal framework regulating the activities of private military companies and backing up of the conscription by the FSIN

Despite the Russian authorities' active reliance on private military contractors such as Wagner, the domestic legislation of the Russian Federation stays completely silent on their status, activities, modes of incorporation, relations with the regular army and the Ministry of Defence, as well as their responsibility. The authorities persistently deny any links to Wagner or similar paramilitary groups or formations. Several attempts to legalise them and enact legislation governing their activities have ended up in vain. The PMCs employed by Russia continue operating across the globe (including Libya, Syria, Central African Republic, and Ukraine) in a complete legal vacuum, which paves the way for the variety of crimes and violations of human rights and humanitarian law regularly committed by their staff and the impunity of their personnel and commanders.⁵⁵

The lack of a legal domestic framework regulating the activities of PMCs allows PMCs to use untrained personnel, unfamiliar with basic principles of international humanitarian law, military regulations, and obligations stemming from them (see the relevant obligations summarised in the Montreux Document "On pertinent international legal obligations and good practices for States related to operations of private military and security companies during armed conflict", I.A.2, 3, and 4, 17 September 2008).⁵⁶ By failing to introduce the regulation of PMCs, the authorities deliberately leave their activities non-transparent and formally unsupervised to shield their personnel and superiors from responsibility for the acts and practices against combatants, civilians, as well as their staff, both outside and during military conflicts. The reluctance of the authorities to establish the relevant normative domestic provisions can be also seen as an attempt to formally absolve the state from obligations and responsibility under IHL and human rights law for the actions of PMCs and how they operate.

The FSIN has not publicly commented on the conscription campaign, its modalities and grounds. Neither have they responded to the relevant questions addressed to them by the media.⁵⁷ However, it is clear, that the visits to the penal institutions by the Wagner recruiters could not have been carried out without formal authorisation by prison administrations: Article 24 of the Penitentiary Code of the Russian Federation provides for a closed list of public officials who are allowed to make unannounced visits to correctional institutions without prior approval by the prison authorities. All other persons, officials, and media may visit prisons and colonies only subject to prior authorisation of the administration of the penitentiary facilities or the Regional Departments of the FSIN. Accordingly, each visit by the recruiters has been formally permitted and coordinated with the prison authorities, who therefore approve the conscription campaign and its goals.

⁵⁵ Implausible Deniability: Russia's Private Military Companies. Commentary by Paul Stronski. 2 June 2020. Carnegie Endowment for International Peace // <https://carnegieendowment.org/2020/06/02/implausible-deniability-russia-s-private-military-companies-pub-81954>

⁵⁶ <https://www.icrc.org/en/publication/0996-montreux-document-private-military-and-security-companies>

⁵⁷ CNN, op. cit.

II. *Lack of the legal framework for transferring inmates to the zone of military conflict and their prolonged stay outside the detention facilities; arbitrariness of their detention*

The Russian domestic law (Penitentiary Code of the Russian Federation) provides for the situations when a convicted prisoner may be authorised to temporarily leave a correctional institution (Articles 97 and 104):

- a) a short-term leave (up to seven days) can be granted in view of exceptional circumstances (death or a serious, life-threatening illness of a close relative), as well as for the preliminary employment and living arrangements of the convict;
- b) a long-term leave for the period of the annual leave for the employed prisoners and for a similar period in respect of unemployed prisoners (18 days for minor convicts and 12 days for other prisoners).

Leave is not allowed to the broad categories of prisoners, including aggravated recidivists, lifers, prisoners suffering from tuberculosis, addicted to alcohol, substances, and drugs, prisoners who had not undergone treatment for sexually-transmitted diseases, HIV-positive prisoners, prisoners who were declared “persistent offenders of the prison regime”, prisoners convicted of crimes against minors, terrorist activities, hijacking, drug-related offences, etc.

Leave may also be suspended in view of the epidemiological situation. The decision to grant leave for the remaining categories of prisoners lies within the full discretion of the prison authorities.

Taking into account the limited term of the prison leave as well as other strict requirements for granting leave requests, it is clear that this mechanism can not be used as a formal ground for authorising the prisoners’ relocation to the military conflict zone.

Even during a transfer to another penitentiary facility, which was reportedly used in some cases as a formal ground for the convicts’ relocation to the military conflict area,⁵⁸ prisoners can be detained only in other colonies, remand prisons, or transit centres existing on the territory of the penitentiary facilities (Article 76 § 7 of the Penitentiary Code).

Transfer of convicted prisoners to remand prisons or other correctional institutions is allowed:

- (1) for their participation in the pre-trial investigation or court hearings (Article 77.1 of the Penitentiary Code),

⁵⁸ An anonymous prison officer from one of the colonies in the Leningrad Region (IK-7, IK-3, or IK-4) explains that “according to documents, inmates are simply transferred to another colony. I don’t know which one exactly, but it turns out that convicts technically are still convicts, as they were. About one hundred inmates were transferred from our colony to an unknown location. We don’t know their fate yet.” (“To get a release by going to the war in Ukraine is possible only over a grave”. *Novaya Gazeta Europe*, 30 August 2022). Similar explanations were coming from prisoners’ relatives from the same Region: PMC Wagner is enlisting inmates from the St Petersburg’s colonies to travel to Donbas “to lead the way helping to detect Nazis”. *Important Stories*. 4 July 2022.

- (2) due to their medical condition or in view of the existing risks to their safety,
- (3) in cases of re-organisation or liquidation of a facility where they are held,
- (4) due to “other exceptional circumstances preventing further detention of a person in a specific facility”, including cases of relocation to a region, where prisoners’ relatives live (Article 81 of the Penitentiary Code)

None of these grounds explains the massive flow of prisoners from the colonies visited by the Wagner recruiters. The Penitentiary Code (Article 81.1) requires prison administrations to register the residence of inmates in a region and a correctional institution where they serve their sentence. This provision specifies that no migration record shall be made in respect of prisoners detained in transit centres or remand prisons for their transfer to another correctional facility or participation in the pre-trial investigation or court hearings. The lack of the migration record of prisoners in transit explains the ‘convenience’ of the transferring as a formal explanation for their prolonged absence from correctional institutions. Therefore, it is highly probable that the Penitentiary Service of Russia is abusing their wide powers in the matter of geographical distribution of prisoners to conceal their involvement in the military conflict and to create an impression that they have never left the penitentiary system but are merely transferred between the institutions.

Another formal ground for convicted prisoners to leave correctional colonies for a prolonged period would be their early release granted by a court under the provisions of the Criminal Code of Russia (Section 12 of the Code). However, according to the public databases of courts’ jurisprudence, no such orders were taken recently in large numbers. Neither the conscripted prisoners were pardoned by the President, nor released under the State Duma’s decree on amnesty (exactly these two opportunities for obtaining early release are actually promised to the prisoners who join the PMC).

The conscripted prisoners leaving the correctional colonies to the military conflict area still retain their formal status of detainees deprived of their liberty and enjoying the guarantees stemming from Article 9 of the International Covenant on Civil and Political Rights Adopted by the General Assembly resolution 2200A (XXI) on 16 December 1966, and their absence from the correctional institutions is authorised by the prison administrations in breach of the domestic and international law.

Article 9 § 1 of the CCPR provides for that no one shall be deprived of liberty except on such grounds and in accordance with such procedures as are established by law. Procedures for carrying out legally authorised deprivation of liberty should also be established by law, and States parties should ensure compliance with their legally prescribed procedures. Detention may be arbitrary if the manner in which the detainees are treated does not relate to the purpose for which they are ostensibly being detained.⁵⁹ Extreme forms of arbitrary detention that are themselves life-threatening violate the rights to personal liberty and

⁵⁹ Human Rights Committee. General Comment No. 35. Right to Liberty and Security of Persons – Article 9 of the CCPR. 2014. CCPR/C/GC/35.

personal security as well as the right to protection of life.⁶⁰ Detainees should be held only in facilities officially acknowledged as places of detention.⁶¹

The engagement of inmates in the operations of the Wagner PMC while they are still serving their prison terms exposes their life to an immense risk and runs contrary to the purpose of their formal detention rendering it arbitrary and unlawful.

III. Absence of the effective control of the prison administration over the inmates in the zone of military conflict

It follows from Article 103 § 1 of the Penitentiary Code of Russia that convicted prisoners can be employed by organisations located on the territory of correctional facilities or outside, “if their security and isolation are duly ensured”. It is important that “The production activities of convicts must not interfere with the main task of correctional institutions - the correction of convicts” (Article 103 § 5 of the Code). When allowing the inmates to join the private military company and to leave detention facilities for the purpose of participation in the military conflict in Ukraine, the prison administrations fail to supervise and secure the safety of inmates, properly implement and upkeep the regime rules, as well as to ensure the execution of sentences appointed by courts, i.e. to fulfil their responsibility for the custody of prisoners and the protection of society, and the functions vested with them under the domestic law and stemming from the applicable international standards.

Under the *Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment* adopted by the UN General Assembly resolution 43/173 of 9 December 1988): “Any form of detention or imprisonment and all measures affecting the human rights of a person under any form of detention or imprisonment shall be ordered by, or be subject to the effective control of, a judicial or other authority” (Principle 4).

United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules) (General Assembly resolution 70/175, Annex, adopted on 17 December 2015) provides for that prison labour must not be of an afflictive nature (Rule 97) and that prisoners employed in work not controlled by the prison administration shall always be under the supervision of prison staff (Rule 100).

According to the CCPR jurisprudence, “when private individuals or entities are authorized by a State party to exercise powers of arrest or detention, the State party remains responsible for adherence to Article 9 [of the CCPR]. It must rigorously limit those powers and must provide strict and effective control to ensure that those powers are not misused, and do not lead to arbitrary or unlawful arrest or detention. It must also provide adequate remedies for victims if arbitrary or unlawful arrest or detention does occur.”⁶²

⁶⁰ 449/1991, *Mojica v. Dominican Republic*, para. 5.4; 1753/2008, *Guezout v. Algeria*, paras. 8.4, 8.7.

⁶¹ See Concluding observations Algeria 2007, para. 11; Sudan 2007, para. 22; United States of America 2006, para. 12; Democratic Republic of the Congo 2006, para. 19.

⁶² Human Rights Committee. General Comment No. 35. Right to Liberty and Security of Persons – Article 9 of the CCPR. 2014. CCPR/C/GC/35.

By renting out prisoners who are still serving their sentences to the Wagner PMC, the prison authorities *de facto* transfer the control over the inmates and the relevant responsibility. Such delegation of responsibilities does not have any legal basis in Russian law, either in the form of a specific agreement between the authorities and the PMC or a normative act establishing the framework for the employment of prisoners by PMCs, delegating them the function and the responsibility for the execution of sentences and obliging them to ensure safety and security of the prisoners.

IV. Conscription of prisoners to the PMC and their involvement in the military conflict runs contrary to the rehabilitative and reintegrative purposes of criminal punishment and constitutes a forced labour

Basic Principles for the Treatment of Prisoners adopted by General Assembly resolution 45/111 on 14 December 1990 envisage that “*conditions shall be created enabling prisoners to undertake meaningful remunerated employment which will facilitate their reintegration into the country's labour market and permit them to contribute to their own financial support and to that of their families*” (paragraph 8).

Inmates joining the PMC and participating in the military conflict still retain their status of convicted prisoners and shall benefit from the respective guarantees linked to that status, including the protection from forced or compulsory labour (Articles 1(1), 2(1) and (2)(c) of the Forced Labour Convention (no.29); Article 8 of the CCPR). The Human Rights Committee has stated that “*for [detainees’] labour not to be forced or compulsory, it must, at a minimum, not be an exceptional measure... and it must be provided for by law in order to serve a legitimate purpose under the Covenant.*”⁶³

The detainees’ conscription, their “*work*” for the PMC, as well as the modalities and conditions for their release for these purposes are not regulated by domestic law.⁶⁴ Accordingly, there are no centralised public monitoring mechanism, unified register of convicts joining the PMCs, no regulations setting out basic social guarantees for conscripted prisoners. The lack of a legal framework paves the way for various serious violations of the prisoners’ rights and makes their involvement in the military conflict totally non-transparent. For instance, the relatives of prisoners killed or injured during the military conflict are unable to become aware of their whereabouts and fate.

By allowing the prisoners to join the PMC and leave the places of detention to the military conflict areas, prison authorities additionally compromise public safety. The PMC is particularly interested in recruiting dangerous violent offenders. Their participation in the military conflict, training, and access to firearms, further aggravate their violent character and raise the risks that they pose to society without pursuing any legitimate socially important aims, such as territorial defence.

⁶³ Views adopted by the Committee under article 5 (4) of the Optional Protocol, concerning communication No. 2556/2015 *, **, ***. CCPR/C/125/D/2556/2015. 11 June 2019. Paragraph 7.5

⁶⁴ In March the Ukrainian authorities adopted a law providing for the release of certain categories of prisoners willing to join the army: <https://www.gazeta.ru/politics/news/2022/03/15/17430121.shtml>

The situation is exacerbated by the fact that the prisoners are invited to join the Wagner PMC rather than the regular Russian armed forces, which formally makes the Russian domestic military regulations inapplicable to them. The Military Service Act (Federal Law no. 53-FZ of 28 March 1998) provides that military service contracts cannot be signed by convicted, sentenced, and prosecuted persons, as well as the persons who had a criminal record or had ever served a prison sentence (Section 34 § 5 (5)). This prohibition is clearly aimed at excluding former prisoners (let alone those who still serve sentences) from any involvement in military service. The recruitment campaign conducted by Wagner and backed up by the authorities is clearly used to bypass this prohibition by dragging the convicts into military activities in a non-official capacity. The use of non-trained personnel lacking the knowledge of the basic principles of humanitarian law some of whom have been involved in serious violent crimes seriously contributes to the risk of grave breaches of the Geneva Conventions against civilians and combatants.

Despite the absence of a widespread practice of forceful conscription of prisoners using physical violence or threats thereof, the ongoing conscription still cannot be considered voluntary, as the PMC recruiters widely use deceit and false promises as a method for persuading the inmates to join Wagner or similar PMCs. Thus, it is widely reported that the prisoners are promised amnesty or a presidential pardon after six months of service for the PMC. This is clearly misleading, as there have been no amnesties in Russia since 2015, and previously all amnesties were limited to specific, narrow groups of prisoners mostly convicted of lower severity and non-violent offences. However, the “target audience” of the Wagner recruiters includes, among others, long-term prisoners sentenced for serious violent crimes and recidivists. As to the presidential pardon, for the last 20 years, the President granted only 13 such requests (out of 2,301 lodged)⁶⁵ and, taking into account the enhancement of punitive measures in Russia, this rate would hardly increase.

Wagner uses the legal illiteracy and vulnerability of the prison population to their advantage. The prison authorities (with a few exceptions) tolerate the conscription campaign based on the misinformation of prisoners or, which is even more disturbing, actively support it, in breach of their responsibility to ensure the safety, security, and rehabilitation of the inmates. Most of the prisoners live for a long time under constant psychological and often physical pressure. Their social ties and values become completely severed or seriously damaged and they are willing to take extreme choices which put their lives and those of others at risk. Instead of protecting the inmates, the prison administrations expose them to the PMC as an easily-accessible and obedient “labour force”, which diminishes their human dignity and subjects them to forced labour, in breach of Articles 7 and 8 of the CCPR.

Based on the above facts and legal arguments, we ask the Special Procedures of the United Nations Human Rights Council to address the situation of the widespread recruitment of the prisoners detained in the Russian penitentiary facilities by the private military contractor known as “Wagner Group” for their participation in the military conflict in Ukraine and to call on the Russian Federation authorities:

⁶⁵ <https://161.ru/text/politics/2022/07/27/71520593/>

- to provide clarifications in relation to the above facts, by providing, in particular, the list of names of all recruited prisoners, information about their whereabouts and casualties among them;
- to suppress any military recruitment campaigns and initiatives among convicted prisoners and any detainees;
- to restrict the access of representatives of private military contractors, volunteer battalions or similar organisations, on the territory and premises of penitentiary facilities and to exclude their contacts with prisoners;
- to ensure the rapid return of prisoners deployed in Ukraine to the penitentiary facilities;
- to conduct an effective investigation and to bring to disciplinary and criminal responsibility officials of the Federal Penitentiary Service and other government bodies who aided and/or tolerated the recruitment campaign in the penitentiary facilities.

Yours faithfully,




Olga Romanova
Director
Russia Behind Bars Foundation


Hugues de Suremain
Director of Advocacy and Litigation
European Prison Litigation Network