

Ukraine's Démarche Against Refugees - To Be Interned, Split and Forcibly Utilized as Soldiers

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In-depth Report: [UKRAINE REPORT](#)

The document below was [published by LifeNews](#) as a true copy of a letter prepared by the acting Ukrainian Minister of Defence, Colonel General Mikhail Koval, who addressed it to the President of Ukraine, Pyotr Poroshenko. Unless I receive a specific request—and due to lack of time and volume of work—I am not going to apply my legal experience dealing with refugees (in Egypt and in Canada) to expound on the enormous and obvious legal failings of this proposed policy.

Suffice to say, this newest pearl of the Ukrainian national-fascist, Nazi government flies directly in the face of the very foundations of the [1951 Refugee Convention](#) and its [1967 Protocol](#), as well as applicable customary international law. If there is sufficient interest, I may ask Barbara Harrell-Bond, a recipient of the Order of the British Empire and a world-renowned expert in the field (and my kind and dear mentor) to provide a short commentary on the subject, if she is so inclined. In the meantime, a few brief points would be useful here:

1. The most basic rule of refugee law is the prohibition on the expulsion of refugees from safety into harm's way. Once a refugee has crossed the boundary into a safe haven (wherever that may be), he or she may not be compelled to return to danger (this prohibition applies also to those accused of international crimes, such as war crimes or crimes against humanity. Although the latter accusations have not here been made, it should be noted that even persons in this category must be brought to trial, rather than re-exposed to the very threat they fled from).
2. The second basic rule of refugee law is the principle of preservation of families: family units ought not to be split, regardless of the circumstances and irrespective of what any of the family members have done or are alleged to have done. Families (by which I mean husbands, wives, children, relatives, the elderly, etc.) must be permitted to remain together, just as they otherwise would have had the opportunity to do so.
3. The third basic rule of refugee law is that refugees are persons in need of protection, and not a convenient workforce to be exploited as forced labour, or as soldiers; nor are they to be forcibly interned and segregated into various groups and dispersed into various institutions or establishments (however suitable such institutions may appear to an ignorant, untrained eye). By law, refugees possess and must be furnished with unrestricted freedom of travel and mobility within their country of refuge and may not be corralled or segregated from the rest of the population. This is *a fortiori* the case when refugees are found in a country in which they already benefit from a full panoply

of personal, political and social rights, as is the case with *Ukrainian refugees in Ukraine*.

A more in-depth discussion would, as indicated, raise further issues. For now, though, I leave you to consider the following shining example of the rise of totalitarianism in Ukraine.



Translated from [Russian Equivalent](#) (provided by LifeNews) by Gleb Bazov / edited by Ghayur Bangash (@Gbabeuf) (with minute formatting and stylistic changes to fit North American standards)

To the President of Ukraine, P.A. Poroshenko

Dear Pyotr Alekseevich!

Pursuant to your order, I am hereby submitting proposals with respect to organizing our dealings with the refugees from the area where the Anti-Terrorist Operation [“ATO”] is being conducted. Accordingly, in order to meet the challenges put before the Ukrainian Ministry of Defence of mobilizing and rotating measures in the area of the ATO, as well as enhancing the effectiveness of filtration measures, I consider it necessary to introduce the following refugee categories:

Category “A”—women and children: to be assigned into the care of educational and training establishments (incl. boarding schools/orphanages)

Category “B”—invalids and pensioners: to be assigned into the care of medical and social institutions (incl. group homes for the relevant categories)

Category “C”—men aged between 18 (military recruitment age) and 65 (retirement age): this stream should further be split into two categories:

Group “C1”—aged between 18 (earliest military recruitment age) and 50 (end of military recruitment age); and,

Group “C2”—aged between 50 (end of military recruitment age) and 65 (those who have achieved retirement age).

Those in Group “C1” should be made subject to MANDATORY and full mobilization into the Ukrainian Armed Forces (or into other relevant units) for participation in the ATO, with a term of, for example, two months. If men who fall into the specified age category have health-related issues, but do not fall into the invalid category, they should be transferred into Group “C2”.

Those in Group “C2” should be made subject to MANDATORY mobilization into reserve units (or, for example, into units tasked with maintaining control over the territories already cleared of terrorists in the court of the ATO) for a period of, for example, one month.

Those in Groups “C1” and “C2” ought to be granted refugee status and the appropriate social guarantees only after demobilization from the Ukrainian Armed Forces. With respect to persons avoiding mobilization, the Ukrainian Security Service (“SBU”) should exercise thorough filtering measures. In cases of reasonable grounds, measures within the existing criminal legislation [should be] applied.

I believe that this type of approach would:

- a) meet the challenge of [personnel] rotation in the units involved in the ATO;
- b) reduce the wave of refugees, which otherwise would have to be provided with means of livelihood;
- c) minimize the threat of internal conflict, in which the residents of the Central-Western, Northern and Southern regions would demand an answer to the fair question: “Why is it that men from their regions have to go defend the East of Ukraine, risking their health and their lives, while healthy men from the East run into the ranks of refugees?”;
- d) minimize the possible abuse of refugee status among certain categories of the population;
- e) allow us to understand the proportion of pro-Ukrainian population in the East without resorting to sociological studies and surveys.

The position of the Ukrainian Ministry of Defence in this regard has been coordinated with the staff of the Prime Minister of Ukraine and the Ukrainian Security Service.

With respect,

Colonel General M.V. Koval
The Acting Minister of Defence of Ukraine

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