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Lysenko, Yana

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#### Filtration: System, Process, and Goals

Yana Lysenko (Research Centre for East European Studies at the University of Bremen)

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#### **Abstract**

The term "filtration" in the context of the current Russian aggression against Ukraine is attracting international attention and concern. Since Ukraine and Russia use and contextualise the term differently, there is much space for different interpretations of the process and what it means in practice. The following is an attempt to describe and classify the system of "filtration." The article focuses on "filtration facilities" in the Ukrainian territories currently occupied by Russia as well as in Russia itself, where people can be registered, interrogated, detained, and imprisoned.

## Interpretation Patterns of Filtration in Ukraine and in Russia

The term "filtration" already appeared in the Ukrainian media in mid-March 2022 in connection with the "evacuation measures" announced by Russia for the Ukrainian population of the city of Mariupol. The Ukrainian side considers such (sometimes also forced) transfers of people from occupied Ukrainian territories to Russia as deportations deliberately undertaken by Russia. The term "filtration" is used in this context to describe the screening of Ukrainian citizens before they are allowed to enter Russian territory. Any screening processes in Russian-occupied territories are also subsumed under this term.

According to Ukraine's interpretation, this form of "filtration" is the forcing of Ukrainian citizens to undergo a humiliating verification procedure. In this view, individuals are required to submit to searches and potential psychological or physical mistreatment, as well as isolation from external contact, at the hands of the aggressor. An analysis of Ukrainian media statements in 2022 and 2023 reveals that the term "filtration" therefore has extremely negative connotations and is emotionalised in Ukrainian discourse. "Filtration camps" are often associated with Nazi Germany's camp system (of which there were several hundred facilities in Ukraine between 1941 and 1944). Ukraine is calling for international organisations to have access to these facilities to investigate acts by Russia which it considers to be war crimes, citing Articles 42 (Conditions of Internment) and 49 (Prohibition of Forced Displacement) of the Geneva Convention IV, as well as Article 147 of the First Additional Protocol (Protection of Persons in Times of War).

The Russian side disputes the Ukrainian interpretation of the facts. Russia's ambassador to the United Nations, Vasily Nebenzya, rejected Ukrainian accusations of "inhumane filtration measures," asserting that the term "filtration camps" was invented by Ukraine and that these facilities are merely "reception centers for Ukrainian refugees." Russia officially claims that it does not engage in any deportations or forced relo-

cations of the Ukrainian population, but rather implements "evacuation measures" through which individuals are only "registered" and not "filtered." Despite official Russian efforts to distance themselves from the term "filtration," an examination of Russia's state media coverage (RIA, Radio Sputnik, TASS) reveals that "filtration" is used as a neutral bureaucratic term. According to the Russian state-controlled press, it is characterized as a routine security check, primarily aimed at identifying "Ukrainian military personnel," "intelligence agents," and "members of nationalist associations." Moreover, one gets the impression that in 2023, this issue no longer resonates significantly for the Russian side, as Russia's state media no longer addresses Ukraine's accusations and the term "filtration" is scarcely mentioned in their press coverage.

The reporting on "filtration" by the independent Russian media, most of whose editorial offices are currently located abroad and access to which is blocked within Russia, is closer in its content to reporting of Ukrainian media on this topic. In contrast to state-controlled Russian media, the term "filtration" is used only with a strongly negative connotation by such independent Russian media as "Meduza" and "Mediazona."

The term "filtration" as a "screening procedure" in the context of the current Russian invasion of Ukraine has not appeared in either Russian or Ukrainian laws since February 2022. The distancing from this term at the Russian official political level can be explained by an attempt to downplay these measures and attract less attention to this issue. In Ukrainian official discourse, "filtration" is certainly a subject of discussion, but much more attention is paid to the aspect of forced resettlements and deportations. This is also reflected in the Verkhovna Rada's official appeals to international organisations and foreign governments (for instance, this one).

#### The Filtration System

With regard to the full scope of the Russian filtration system, it currently seems impossible to determine exact numbers of affected individuals and precise

functions of facilities due to the lack of access possibilities. In addition to reports from human rights organizations such as Human Rights Watch and Amnesty International, a report from the Yale School of Public Health's Humanitarian Research Lab (Yale HRL) from August 2022 attempts an inventory of filtration facilities in the Donetsk region based on eyewitness accounts and image analysis. According to this report, at least 21 facilities were at that time operated for filtration purposes in Russian-controlled territory in Donetsk Oblast and neighbouring regions. Yale HRL distinguishes four types of these facilities based on their respective functions: (1) registration, (2) holding and temporary accommodation, (3) (repeated) interrogation, and (4) detention. The authors of the report note that each facility can be utilized for multiple purposes at any given time, and their functions may change over time.

Furthermore, for this analysis, eyewitness interviews were conducted in October/November 2022 with individuals from the areas of Kherson, Melitopol and Mariupol, some of whom are still present in those locations, while others have since left the occupied territories.

From the analysis of openly accessible sources, images, and these eyewitness reports, a general picture of the filtration process emerges. The first location upon arrival (often a hall or a tent) serves only to register the individuals presenting themselves for filtration. Subsequently, there is a waiting period before the bureaucratic process begins. This waiting period can vary significantly in terms of time and conditions, ranging from several hours in what eyewitnesses describe as a barred "cage" to temporary accommodation for several days, weeks or even months in a camp-like facility.

While details in the narratives of eyewitnesses who have undergone filtration may differ, they essentially describe a consistent pattern of the filtration process. Two types of "filtrations" can be distinguished: 1) "On-Site Filtration" in areas occupied after February 2022 and 2) "Border Crossing Filtration" as a means of border control before entering or leaving either the Ukrainian territory controlled by Russia, or Russia itself.

#### **On-Site Filtration**

This type of filtration has been established for Ukrainian territories annexed by Russia in 2022. It simultaneously serves as a form of census and acts as a prerequisite for travel within the territories occupied by Russia. In Mariupol, the remaining population was informed by the newly established local administration that a "filtration certificate" was necessary, even if they did not intend to leave. According to an eyewitness, such documentation is required to move freely within the city. Residents encountered by Russian militias without such papers may be forcibly taken to one of several "filtra-

tion facilities" for examination. At least five facilities in the Mariupol area have been identified as carrying out "On-Site Filtrations," where filtration certificates are issued. These certificates include names, birthdates, issue dates, information about the issuing filtration facility; fingerprints are also collected during this process. Subsequently, individuals must approach the commandant's office in Mariupol with this certificate to obtain further documentation, allowing them to move within the occupied Donetsk Oblast and the city of Mariupol.

This "On-Site Filtration" appears to serve various purposes beneficial to the occupying forces. Occupation authorities gain a comprehensive overview of the local population and can capture complete personal data (fingerprints, photos, passports and private information obtained from temporarily confiscated devices). It is conceivable that the collection of such data also served as a basis for gathering census information for the sham referendums in September 2022 and the sham regional elections in September 2023.

Such data collection, especially through the compelled extraction of data from mobile digital devices, simultaneously makes it possible to assess the population's level of discontent and its potential for protest. Additionally, it enables the direct internment of individuals appearing suspicious or disloyal to the Russian occupation authorities. Simultaneously, the methods of "filtration" include an intimidating effect on the local population. For those perceived as suspicious or disloyal, the conventional tools of Russian intelligence services, including physical and psychological violence, torture, and detention can be used at any time.

Another goal of the "On-Site Filtration" for the Russian occupiers appears to be the necessity to persuade individuals who were employed in the public service of Ukraine to collaborate. Some eyewitnesses report that the interrogations for people in these professional groups (e.g., teachers, doctors, public administrative staff) last significantly longer than for others. A refusal to cooperate can have immediate consequences and even lead to the murder of the person concerned, as illustrated by the case of conductor Yuri Kerpantenko, who was shot dead on October 13, 2022 in Kherson.

The refusal of residents of Russian-annexed areas to accept Russian citizenship can be now also interpreted as a rejection of cooperation. Individuals who have successfully passed an "On-Site Filtration" and received a filtration certificate are still considered suspect by the occupation authorities if they do not apply for a Russian passport. This has become a new prong of the "On-Site Filtration" in 2023, targeting the passportization of the population in the annexed territories of Ukraine.

On April 27, 2023, Vladimir Putin signed a <u>new</u> decree regulating the residency status of inhabitants of

the Ukrainian territories annexed by Russia. According to this decree, the inhabitants of the former "People's Republics" of Donetsk and Luhansk, as well as the regions of Kherson and Zaporizhzhia, without Russian citizenship are classified as "foreigners." The decree stipulates that these "foreign citizens" with passports issued by Ukraine or the "People's Republics" are permitted to reside permanently in the above-mentioned areas until July 1, 2024.

For "foreign citizens" who reject Russian citizenship, the decree poses the risk of deportation if, according to the interpretation of the occupation authorities, they pose a threat to the "national security of the Russian Federation." The seriousness of the risk of deportation and the internment of "foreign citizens" is further confirmed by another decree signed by Denis Pushilin, then "Provisional Head of the Donetsk People's Republic," on June 20, 2023. This decree establishes a working group tasked with creating "temporary accommodation facilities for foreign citizens and stateless persons in the territory of the Donetsk People's Republic, who are subject to expulsion, deportation from the Russian Federation, or re-admission."

The latest regulations make it evident that permanent residency in the annexed territory should feel as uncomfortable and unpredictable as possible for individuals without Russian passports. Therefore, passport controls serve as an additional mechanism for exerting pressure on the local population, aiming to persuade them to apply for Russian citizenship.

#### **Border Crossing Filtration**

The term "filtration" is also used to describe a process of scrutiny similar to border control applied to individuals attempting to leave the occupied territories towards Russia, annexed Crimea, or Ukraine. The "filtration" process for those intending to travel to Crimea or Russia appears to be stricter and more intensive in its examination procedure. The process of "Border Crossing Filtration" for entering Ukraine is carried out at specific checkpoints with a streamlined procedure.

"Border Crossing Filtration" mainly involves people attempting to leave the areas occupied by Russia in private vehicles or group buses who are unable to depart through the front line. This type of "filtration" is also required for individuals who do not leave independently, rather being transported to Russia or other territories under Russian occupation as part of the "evacuation" organized by Russia.

At the same time, the "Border Crossing Filtration" seems also to be used by Ukrainians from non-occupied territories as a way for leaving the country through the border not controlled by Ukraine. Until late summer 2022, mostly men of conscription age (from 18 to 60 years old), who according to Ukrainian law are not

allowed to leave the country during the war, went to the territories occupied by Russia and then travelled on in order to avoid Ukrainian mobilization. However, they were permitted to depart to the occupied territories if they had a registered address there. Eyewitness reports suggest that bus connections through the "grey zone" between the front lines, particularly between Zaporizhzhia and Kherson, were commonplace during this period. Initially, these were controlled by the Ukrainian police and security services, police escorting travellers to the edge of the combat zone. Since this escape route was also noticed by the Ukrainian government, entries into the occupied territories have been more strictly monitored since August 2022. Now, those leaving require a certificate from the conscription office confirming that the person is not subject to conscription. Witnesses confirm that having a registered address in one of the occupied territories without such certification is no longer sufficient for departure.

The "Border Crossing Filtration" includes all elements of the process described for the "On-Site Filtration", including registration, data collection, information gathering and intimidation. While the search for potential collaborators seems to be less relevant in this context, the primary purpose of the controls nonetheless appears to be the prevention of security threats to the regime in Russia. Entrants who do not successfully pass the security screening can be interned, detained or rejected at any time. Upon positive outcome of the "filtration" process, an individual "ticket" is sometimes issued, although not in all cases, e.g., when individuals depart with an "evacuation bus."

#### **Procedure of Filtration Processes**

Upon arrival at a "filtration" facility, the first step is the registration process, during which passports and/or other identification documents are checked. Incoming individuals are required to fill out a migration card, using the same format as at regular Russian border controls. This migration card captures personal information such as name, surname, patronymic, date of birth, nationality, type of identification document, purpose of entry, and duration of stay, as well as details about any hosts in Russia and their place of residence. Reports from some eyewitnesses indicate that their biometric data (fingerprints and photos) were collected during this registration process, although this does not occur in all documented cases.

Following this initial registration, incoming individuals must submit their passports and luggage for inspection. As can be observed from the reports of eyewitnesses and the openly accessible sources on the filtration (media reports and reports of YHR, HRW and Amnesty International), the subsequent process varies depending on the type and location of the "filtration sta-

tion," waiting times ranging from several hours to several months. The spatial arrangement also varies widely, from open-air queues to waiting rooms. Additionally, the use of wire cages has been noticed at several transition points from areas recently occupied by Russia to Russian-occupied Crimea.

The process is illustrated by the eyewitness report of a departure to Crimea in August 2022. As reported by the departing individual, approximately 60 people waited for their "filtration" in such a cage, anticipating a "summons for a conversation" without further information on what to expect:

"There was no reaction to our inquiries, they were completely ignored. We asked questions like: where, what, how long, what comes next. They answered us like robots: 'There will be a conversation, it will take some time.' That was it. I will probably remember this sentence until the end of my life."

After a considerable waiting period, Russian security officials started with their interrogation and inspection of electronics. The structure of the interrogation by uniformed interrogators can be summarized and generalized based on available eyewitness reports as follows:

- Questions about the individual (name, age, residence, profession, military training, service in the Ukrainian Army)
- Questions about the personal contacts (family, friends, etc.)
- Questions regarding contacts with the Ukrainian Army and "Nazis"
- Questions about further travel destination and residence plans
- Questions about attitudes towards Volodymyr Zelensky, Vladimir Putin and the "Special Operation."

The content of the interrogation appears to vary depending on the personality and interests of the interrogator. For example, not all interrogated individuals were questioned about their attitudes towards Putin and the "Special Operation." The interrogators, at least at the Crimea border crossing, appeared in uniforms of the Russian Border Service without distinctive insignia and possess equipment for capturing film and photo material.

The most effective strategy to "pass" the interrogation as smoothly as possible seems to be maintaining a strictly neutral attitude towards all sides of the conflict. Expressions of dislike and anger towards the interrogators can be a pretext for arrest. Conversely, displaying too much loyalty to Russia may lead to collaboration offers or even increased suspicion, especially if indications of a contrary attitude are discovered in personal belongings. Eyewitnesses unanimously assessed that presenting oneself as apolitical was the most promising strategy. They also confirm that in some cases, a physical examination takes place, requiring individuals to

undress. However, this does not appear to be standard procedure. It is seemingly conducted when a person admits to having tattoos, which are then checked by the Russian security officials for "Nazi ideological content." Another reason for a body examination, especially for men, is the search for traces of weapons usage.

The report of Amnesty International dated 10 November 2022 also describes cases of interrogations involving the use of violence in the "filtration" process. Men of conscription age are particularly at risk. When suspected of disloyalty to Russia, they are forced through application of established Federal Security Service (FSB) methods, including violence and torture, to confess to alleged crimes and to document their confession in writing. From the interviews conducted by Amnesty International in 2022, it becomes evident that, in some cases, such confessions are made even when the accusations do not correspond to reality, in the simple hope that the torture will then end. However, they ultimately end up being imprisoned and cut off from access to any legal help to protect their rights.

As a part of the standard interrogation procedure, an examination of all mobile storage devices (smartphones, laptops, tablets) is conducted, and all access data must be handed over to the interrogators. Contacts, photos, apps, postings and chats in all social networks and messengers are checked. As reported by one eyewitness, his phone, after providing all passwords, was silently searched by an "officer" in his presence for approximately 30-40 minutes. He was then escorted out of the room and brought back to the "cage," where he had to wait for another two hours. During this time, his digital devices were apparently screened by software which, according to the interrogators, was supposed to reveal what had recently been deleted from his mobile phone. According to the report of an eyewitness from Mariupol, completely "empty" mobile phones without photos and social media apps are considered extremely suspicious, leading to speculation about previously deleted content.

The interviewed eyewitnesses unanimously confirmed that before "filtration," their smartphones contained content critical of Russia and supportive of Ukraine, such as likes on Russia-critical posts, blueand-yellow symbolism or memes mocking Putin. However, this content had been deleted in preparation for the "filtration" and could not be restored. This fact suggests that the threat of being able to see deleted content is used mostly as a tool for psychological pressure during the interrogation. It seems to be an attempt to intimidate the interrogated person into revealing any hidden facts and opinions willingly. Gaining access to previously deleted data is still possible in some cases, for instance by restoring the operating system to an earlier version. However, even in such cases, there is no need for the threatened use of "special software."

#### After Filtration

If the "filtration" has been passed successfully, the "filtrated" individuals receive their passports and personal belongings back and can leave the filtration facility using the transport method of their choice. However, if something during the "filtration process" arouses suspicion, this may lead to internment or return to the occupied territory of Ukraine. An eyewitness reports about the case of an acquaintance who left for Russia via Crimea:

"(...) he was detained for two days in Crimea. He spent two days in this filtration facility because he had a contact in his phone book named either 'Vasya' or 'Kolya Pentagon.' We have such a district in Mariupol. And we all call it like this. We had a district named 'CIA' and a district named 'Pentagon.' And so, he had 'Kolya Pentagon' or 'Vasya Pentagon' in his contacts. And they put him in prison for two days (...) to check (...) In Mariupol, this is Kurchatovo district and somehow (...) I don't even know what it's called normally. Kurchatovo has always been 'CIA,' I lived in the 'CIA.' And here is this district. I don't even know what it's normally called. It's in the minds of all Mariupol residents as 'Pentagon.' (...) No, they didn't beat him, he just spent the whole time in a cage, well, in a prison, there are some solitary cells there. He just sat there."

Eyewitnesses report that after successfully passing a "filtration," the behaviour of officials becomes more humane and approachable. Those who passed "filtration" in order to enter the territory of Russia describe volunteers providing them with water, food and Russian SIM cards upon leaving the "filtration facility." People are informed there that they "can receive help in Russia and also apply for Russian passports." Entry to stay in Russia or to leave for other countries becomes possible at this point.

People from conflict areas entering Russia in an "evacuation bus" without specifying a fixed destination in Russia are distributed to Russian "refugee shelters." The refugees are often informed of their destination only after arrival, so it remains uncertain where they are being taken until they arrive on site. The Ukrainian side interprets this as the deportation of Ukrainian citizens. Similar to the internment of civilians (Art. 42, Geneva Convention IV), the Ukrainian government refers to the Geneva Convention, specifically Article 49 of IV, which states that "individual or mass forcible transfers, as well as deportations of protected persons from occupied territory to the territory of the occupying power or to that of any other country, occupied or not, are prohibited, regardless of their motive."

Without registering and undergoing identification procedures (collection of biometric data), Ukrainian citizens are currently allowed to stay in Russia for up to 90 days per year. In order to receive social assistance and a work permit in Russia, Ukrainian citizens must apply for "temporary protection" or a "temporary residence per-

mit." The crucial condition in this procedure is the submission of the Ukrainian passport to the Russian migration authorities, where it is retained until the "temporary protection" expires. Thus, obtaining this "temporary protection" in Russia means that further travel to other countries during the validity of the residence permit is not possible.

#### Conclusions

The primary observation is that the "filtration" system primarily serves as an instrument for Russia to fulfill its own security needs. The two described forms of "filtration" evidently serve multiple purposes. Specifically, "On-Site Filtration" proves to be a useful tool as both a census and a control mechanism to obtain a comprehensive overview of the local population and to identify potential collaborators among the remaining inhabitants. At the same time, it operates as an instrument of intimidation, targeting those perceived as insufficiently loyal to the occupying power. The intention seems to be the early identification of protest potentials within the population and the implementation of measures to counteract them, ensuring a smooth integration of the areas and their remaining population.

The "Border-Crossing Filtration" appears to be driven primarily by Russian concerns about acts of sabotage within Russia itself or in occupied Crimea. The behaviour of Russian security forces seemingly aims to generate significant internal tension and fear among those undergoing the "filtration" and to demonstrate to them the established power dynamics within Russia. Concurrently, individuals suspected of hostile attitudes are identified and detained through the filtration process. Their subsequent fate remains largely unclear and falls outside the norms of international law. As the exact number of individuals processed through "filtration" cannot be reliably ascertained, it cannot be accurately cited in the text.

The "filtration process" appears in general to lack a coordinated approach in its system and implementation. The conduct of interrogators and security officers operates outside the legal framework and is not subject to any visible control mechanisms. It appears to be largely arbitrary and dependent on the interrogators' own conscience and attitudes. This can be seen in various details of the descriptions of "filtration," some individuals experiencing a relatively smooth process, while others face critical and life-threatening situations. In all cases, the course and outcome of the process are marked by arbitrariness and absolute unpredictability. The fact that Ukrainian Telegram channels disseminate advice on locations where "filtration" appears to be less problematic and which locations to avoid (e.g., filtration points in the now-annexed "Donetsk People's Republic" are described as particularly difficult) supports this perspective.

The legally unprotected status of the fleeing individuals, who are compelled to feign loyalty in order to pass the "filtration," is further exploited by the Russian regime for self-promotional purposes. Individuals are interviewed and filmed by Russian state media before or after "filtration" in order to present a narrative of gratitude towards Russia for an alleged "rescue." The fixation on tracking down "Ukrainian Nazis" through questioning about connections to such organizations and the search for explicit symbols (e.g., tattoos) suggests a distorted and propaganda-influenced image of Ukraine among Russian security forces.

However, despite the documented use of violence and arbitrary internment and detention of those undergoing filtration, there is no indication of an ideological framing of the "filtration process" that goes beyond the general narratives of Russian propaganda. At the forefront of the process are the security concerns of the Russian regime, which is willing to detain potential suspects at the slightest suspicion, disregarding all legal norms. Moreover, the use of torture and violence in order to extract confessions, followed by imprisonment, reflects not only these heightened security concerns, but also the desire of the Russian security forces to report their productive work "upwards." This would also explain why the accused are forced to confess to their alleged crimes in writing.

The situation of those who do not pass "filtration" and are subsequently detained is considered particularly precarious. The complete isolation of detainees in filtration facilities and prisons makes it impossible for them to receive any legal or humanitarian assistance. A further complicating factor is that these individuals are not considered prisoners of war, and are therefore not eligible for the regular exchanges of prisoners of war between Russia and Ukraine. As a result, the subsequent actions of the Russian security services towards these individuals are difficult to predict.

Also problematic is the situation of many Ukrainian civilians who must wait for a "filtration process" before crossing the border. The unpredictable duration of their stay, partly outdoors without access to water, food, and sanitation facilities, constitutes a humanitarian problem that urgently requires access for international humanitarian organizations.

According to the Geneva Convention, the unlawful detention and torture of civilians are considered war crimes. However, the prosecution of any human rights violations occurring during "filtration" is practically impossible under the current circumstances. The black-box nature of "filtration" makes future investigations challenging, as those responsible often operate anonymously, the entire "filtration process" unfolding largely undocumented and unobserved.

#### About the Author

*Yana Lysenko* is an MA candidate in Political Science at the University of Bremen and an affiliated researcher at the Research Centre for East European Studies at the University of Bremen. Her research interests include conflict studies, with a current focus on Ukraine–Russia relations and de facto states.

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