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**CAN HOLODOMOR 1932–1933  
IN UKRAINE AND KUBAN  
BE CLASSIFIED AS GENOCIDE?**



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This opinion is intended to demonstrate that Holodomor 1932–1933 in Ukraine and Kuban has elements of a crime against humanity and of genocide.

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## **DEFINITION OF THE CRIME AGAINST HUMANITY AND GENOCIDE**

*According to Article 7 §1 of the Rome Statute of the International Criminal Court (hereafter RC ICC) from 17 July 1998 “crime against humanity” means “any of the following acts when committed as part of a widespread or systematic attack directed against any civilian population, with knowledge of the attack:*

- (a) Murder;*
- (b) Extermination;*
- (c) Enslavement;*
- (d) Deportation or forcible transfer of population;*
- (e) Imprisonment or other severe deprivation of physical liberty in violation of fundamental rules of international law;*
- (f) Torture;*
- (g) Rape, sexual slavery, enforced prostitution, forced pregnancy, enforced sterilization, or any other form of sexual violence of comparable gravity;*
- (h) Persecution against any identifiable group or collectivity on political, racial, national, ethnic, cultural, religious, gender as defined in paragraph 3, or other grounds that are universally recognized as impermissible under international law, in connection with any act referred to in this paragraph or any crime within the jurisdiction of the Court;*
- (i) Enforced disappearance of persons;*
- (j) The crime of apartheid;*
- (k) Other inhumane acts of a similar character intentionally causing great suffering, or serious injury to body or to mental or physical health.”*

According Article 7 §2 of the RC ICC

“For the purpose of paragraph 1:

- (a) ...*

(b) “Extermination” includes the intentional infliction of conditions of life, *inter alia* the deprivation of access to food and medicine, calculated to bring about the destruction of part of a population;”

...”

The Convention on the Prevention and Punishment of the Crime of Genocide (hereafter the Convention) was adopted by Resolution 260 (III) A of the U. N. General Assembly on 9 December 1948 and entered into force on 12 January 1951. It was ratified by the Presidium of the Supreme Soviet of the USSR on 18 March, 1954.

According to Article 6 of the RC ICC and Article II of the Convention genocide means:

“any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such:

- (a) Killing members of the group;
- (b) Causing serious bodily or mental harm to members of the group;
- (c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;
- (d) Imposing measures intended to prevent births within the group;
- (e) Forcibly transferring children of the group to another group.”

According to the Article III of the Convention the following acts shall be punishable:

- (a) Genocide;
- (b) Conspiracy to commit genocide;
- (c) Direct and public incitement to commit genocide;
- (d) Attempt to commit genocide;
- (e) Complicity in genocide.

## SUMMARY OF THE HISTORICAL FACTS

For a correct assessment of Holodomor 1932–1933 we need to consider the historical events in Ukraine and Kuban and determine whether the policy of the Soviet regime was deliberate, whether it included an ethnic factor, and whether it was aimed at creating a mass-scale artificial famine resulting in the death of millions of people. The results of numerous studies of the Famine of 1932–1933 by Ukrainian, Russian and other foreign scholars can be summed up as follows.

After the completion of total collectivization, a system was introduced under which the kolkhoz had first to settle with the State according to a quota issued from above (“The first commandment” in Joseph Stalin’s words), and only later divide what remained among the workers for their labour. However the quotas imposed were unrealistic and as a result the kolkhozes were unable to compensate people for their labour. This created a huge shortage of grain in the countryside. The kolkhoz workers could only count on what they could gather on their garden plots — potatoes, vegetables, etc, and went unwillingly to the kolkhoz with no certainty that they would be paid. The grain shortage was created by Stalin’s policy of “geeing up” (“podkhlyostyvanye” — Stalin’s term): the initial quota which was already unattainable was unexpectedly increased to mobilize people to achieve the first quota. That led to an even greater shortage of grain and in the long run to famine.

When people talk of the famine of 1932–1933, three different periods of hunger need to be differentiated. Each of them, in addition to common features, had their own specific causes, characteristics and consequences which varied in their scale. The famine in the first half of 1932 was caused by non-fulfilment of the grain requisition quota from the 1931 harvest and the Kremlin policy with regard to rural areas due to their not meeting the quotas. That famine was stopped by the return from ports of a part of the grain intended for export, as well as purchase of grain from abroad. In the third quarter of 1932, the famine occurred again as the result of non-fulfilment of the requisition quotas from the harvest of 1932. It must be stressed that the nature of the famine in Ukraine up till November 1932 was the same as in other agri-

cultural regions of the USSR. **Starvation during the famine of the first and second periods should be considered as a crime against humanity.**

Famine during the third period was caused by the confiscation of grain and any food products which was carried out only in the rural areas of Ukraine and in Kuban. This confiscation in November — December 1932 was partial, but became total in January 1933. Moreover, due to measures organized by the Party and Soviet leadership of the USSR and Ukrainian SSR people were prohibited from leaving in search of food or receiving it from outside. Left without any food, the peasants died of starvation. From February 1933 this developed on a mass scale and from February to August in Ukraine millions died of starvation in Ukraine, and hundreds of thousands in Kuban. According to demographic statistics the direct losses to Ukraine from famine of 1932–1933 were according to some data 3–3.8 million, while other figures suggest 4–4.8 million. Wide-scale famine was combined with political repression against the intelligentsia and national communists in 1933, as well as the stopping of the policy of Ukrainization. **Death from starvation during the famine of the third period and from political repression should be viewed as a crime against humanity and as the crime of genocide.**

To establish that crimes against humanity and of genocide were committed in Ukraine and Kuban, one needs to consider the events of 1930–1933 in total. A brief description of the historical facts is provided in Appendix.

## **DEATH FROM STARVATION DURING THE PERIOD FROM JANUARY TO OCTOBER 1932 — A CRIME AGAINST HUMANITY**

A determining factor in classifying Holodomor 1932–1933 as a crime against humanity is proving conscious acts aimed at “the intentional infliction of conditions of life, inter alia the deprivation of access to food and medicine, calculated to bring about the destruction of part of a population” (Article 7 §2.b of the RS ICC).

As mentioned in items 1 and 2<sup>1</sup>, the grain requisition quota for 1930 was already excessive, however the Soviet leadership increased it still further from 440 to 490 poods, and the 1930 quota was fulfilled already in spring 1931, taking away all grain reserves. It did not prove possible to meet the increased quota, although 127 million poods of grain were collected, this being 127 million poods more than in 1929. The grain requisition quota for 1931 issued from the Kremlin according to Stalin’s policy of “geeing up” once again significantly exceeded Ukraine’s capacity, being 510 million poods. At the end of the year the quota had been 79% met (Item 3). To fulfil the “first commandment” — first meet the quota and only then settle with people for their labour — in January 1932, on Molotov’s instructions, grain began being taken away, this leading to famine in the first half of 1932. As a result of the grain being taken away, 144 thousand peasants in Ukraine died of starvation during this period (Items 4, 5 and 6). It was only at the end of April 1932 that the State became providing food aid to the starving (Item 7).

The “first commandment” and “geeing up” showed that the Soviet leadership had a purely functional attitude to the villages, seeing them as merely a source of grain supplies for accelerating industrialization. Furthermore the food produced on the kolkhozes was considered to be just as much State property as the products from sovkhoses. Yet sovkhos employees received wages, while those who worked on kolkhozes were supposed to receive produce for their labour. Since all the grain had been handed over to the State to meet the quota and almost nothing remained, the kolkhoz workers were

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<sup>1</sup> Here and later references are to the numbers of the items in Appendix “Brief description of the historical facts 1930–1933”.

simply working for nothing. Kosior reports that half the kolkhozes did not pay anything at all for people's labour in 1931.<sup>2</sup>

H. Petrovsky and V. Chubar in their letters to Stalin and Molotov at the beginning of June wrote of famine in the villages resulting from the impossibility of meeting an unrealistic quota and the need to increase food aid. The response was an irritated reaction from Stalin and the cessation of food imports into Ukraine (Items 7–9). Despite the request from the Ukrainian Party organization to reduce the grain requisition quota for 1932 and the presentation at the III All-Ukrainian Party Conference on 6–7 July of graphic accounts of cases of starvation and criticism of policy in the villages, Molotov and Kaganovich forced the conference to adopt the unrealistic quota from the Kremlin (Item 10).

In justifying the need for additional food aid, both Chubar and Petrovsky in their letters wrote of possible theft of grain from the new harvest. Chubar warned: *“So as to be better stocked up for the winter than last year, wide-scale grain thefts will begin. What is being seen at present — digging up planted potatoes, beetroot, onion, etc — will take on much greater proportions during the period when the winter crops ripen since the food stocks from the resources provided will not last beyond 1 July”*<sup>3</sup>. Petrovsky wrote about the same thing: *“Assistance needs to be provided also because the peasants will be driven through starvation to pick unripe grain and a lot of it will be wasted”*<sup>4</sup>. Stalin and Kaganovich responded by stopping food aid and initiating the draconian “5 ears of corn law” — the Resolution “On the protection of property of State enterprises, kolkhozes and cooperatives, and the consolidation of socialist property”. For theft of kolkhoz and cooperative property this envisaged the death penalty with the confiscation of all property, with the possibility of commuting this to a term of imprisonment of no less than 10 years where there were mitigating circumstances (Item 11).

One can conclude that Stalin's policy in the villages meant the deliberate deprivation of access by kolkhoz workers and independent farmers to the grain they had grown unless they had fulfilled the grain requisition quota with this leading to a part of the population dying of starving. This part of the population was eliminated through the conscious policy of the Soviet State. **The death of a part of the population thus took place as a result of their knowingly being deprived of access to food products, this constituting a crime against humanity.** The State policy of grain requisitions applied to all rural regions of the USSR, therefore this conclusion covers all those who died of starvation on the territory of the Soviet Union during that period.

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<sup>2</sup> S. V. Kulchytsky: *Holodomor 1932–1933 as genocide: difficulties of understanding.* — p. 183.

<sup>3</sup> *Commander of the great famine* — p. 209.

<sup>4</sup> *Ibid.* — p. 214.



# HOLODOMOR 1932 – 1933 – THE CRIME OF GENOCIDE

## THE OBJECT OF THE CRIME OF GENOCIDE

According to the Convention, genocide is understood as certain “*acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such*”. “According to the International Criminal Tribunal for Rwanda, the term ‘national group’ refers to ‘a collection of people who are perceived to share a legal bond based on common citizenship, coupled with reciprocity of rights and duties’”<sup>5</sup>.

The interpretation of “national group” gives grounds for viewing as **the object of the crime of genocide a part of the Ukrainian people – the total of victims of Holodomor and of political repression in Ukraine during the period from November 1932 to August 1933, regardless of ethnic, religious or other features.**

At the same time, the element of destruction of a part of the group lies in “the destruction of a considerable part of the specific group ... the part of the group should be sufficiently large to have an impact on the group as a whole”<sup>6</sup> The practice of the international tribunals demonstrates that for the action to be classified as genocide it is sufficient that the perpetrator of the crime intended to eliminate a significant part of the group. In determining what part of a group can be considered significant, both quantitative and qualitative indicators need to be applied. For example, the Trial Chamber of the International Tribunal for Former Yugoslavia in a judgment on the case of Jelusic (1999)<sup>7</sup> stressed that:

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<sup>5</sup> William A. Schabas, *Genocide in International Law. The Crime of Crimes* (Cambridge: Cambridge University Press, 2000), “Chapter 3. Groups protected by the Convention”. (Quoted in Serbin, *The Ukrainian Famine of 1932–1933 and the UN Convention on Genocide*, p. 5).

<sup>6</sup> Id. at 10 (emphasis added).

<sup>7</sup> *Prosecutor v. Goran Jelusic*, ICTY (Trial Chamber I), Case No. IT-95-10 “Breko”, Judgment of 14 December 1999.

“82. /.../ As a crime directed towards a group, the genocidal intent is necessarily directed towards mass crimes. The genocidal intent must therefore cover a substantial part of the targeted group. According to the Trial Chamber, this can take two forms: 1) the intent can be to destroy a large number of members of the targeted group or 2) to target a limited number of selected people, whose disappearance would endanger the survival of the group”.

An analysis of demographic statistics undertaken by Ukrainian and foreign researchers indicates that the direct losses to the Ukrainian people as a result of Holodomor 1932–1933 according to some calculations constitute 3–3.9 million people, and according to others — 4–4.8 million.<sup>8</sup> The largest number of deaths is for the period under consideration (November 1932 — August 1933) since during the period from January to October 1932 tens of thousands died of starvation. In any case the number of people who died of starvation during the period in question is not less than 10% (according to other figures — 15%) of the total population of Ukraine. This percentage of the Ukrainian people is considerable and can be considered as the object of the crime of genocide in accordance with the Convention on Genocide of 1948.

It should be stressed that the secret resolutions of the Central Committee of the All-Soviet Communist Party [Bolshevik] (Item 26) totally changed the policy of Ukrainization and placed the responsibility for the food crisis not only on the peasants, but on the leaders of Ukrainization, marking the beginning of the elimination of Ukrainian national communists. During this period numerous representatives of the cultural, economic and political elite were repressed (cf. Items 39, 40 and 41). This had enormous impact on the development of the Ukrainian people. In describing the group, therefore, we should include not only peasants who died of starvation, but also those who died as victims of political repression.

According to the definition of the International Tribunal for the Former Yugoslavia in the case of *Bosnia Herzegovina v. Serbia and Montenegro*, an “ethnic group” is “a cultural, linguistic or other clearly marked feature distinguishing a minority, both within the country, and outside it.”<sup>9</sup>

This understanding of “ethnic group” with regard to the position of Ukrainians living in Kuban and the events of 1932–1933 gives grounds for considering **Ukrainians of Kuban as an ethnic group which became the**

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<sup>8</sup> S. V. Kulchytsky. Holodomor 1932–1933 as genocide... — pp. 396–415.

<sup>9</sup> Application of the Convention on the Prevention and Punishment of the Crime of Genocide (*Bosnia and Herzegovina v. Serbia and Montenegro*); Summary of the Judgment of 26 February 2007, p. 9.

**object of the crime of genocide.** The following arguments provide confirm the justification of this assertion.

Ukrainization of territory with a dense population of ethnic Ukrainians had been the official policy of the USSR. According to the All-Soviet Census of 1938 there were 915 thousand Ukrainians in Kuban, this being 62% of the population. They had generally retained their language and culture. 729 thousand of them said that Ukrainian was their native language. In some areas of Kuban Ukrainians made up 80% or even 90% of the population<sup>10</sup>, while overall in the North Caucuses there were 3,06 thousand Ukrainians.

The policy of Ukrainization was supported by the Ukrainian population of the North Caucuses Territory. The number of Ukrainian school students studying in Ukrainian schools increased from 12% in the 1928/1929 academic year to 80% in 1931/1932<sup>11</sup>. The cultural-educational policy was developed under the management of the People's Commissariat for Education of the UkrSSR and of Mykola Skrypnyk directly, and was funded from the Ukrainian State Budget.<sup>12</sup> However the secret resolution of the Central Committee of the Soviet Communist Party from 14 December 1932 put an end to Ukrainization. Ukrainian cultural life in Kuban came under attack: all Ukrainian schools and publishing was now in Russian, newspapers and journals in Ukrainian were closed down, as in fact were many other Ukrainian cultural institutions. Many of the people working in them were repressed as enemies of the Soviet regime (Items 46. 47 and 48). Another secret resolution of the Central Committee of the Soviet Communist Party from 15 December also stopped Ukrainization in other regions where there were dense populations of Ukrainians.

## THE ELEMENTS OF THE CRIME OF GENOCIDE

The death from starvation of millions of Ukrainian peasants as well as hundreds of thousands of peasants from Kuban was caused by the following actions of the Party-Soviet-economic leadership of the USSR:

1. The deliberate forced imposition of an unrealistic grain requisition quota from the 1932 harvest, despite the protests from Ukrainian leaders (Item 10);

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<sup>10</sup> <http://ukrsvit.kiev.ua/us/gazeta/statii.html.vatra2>

<sup>11</sup> S. V. Kulchytsky. Holodomor 1932–1933 as genocide... — pp. 287–288.

<sup>12</sup> James Mace. Political causes of Holodomor in Ukraine (1932–1933). Ukrainian Historical Journal, No. 1, 1995: Posted in Ukrainian at: <http://maidan.org.ua/n/lib/1044901106>

2. The passing by the Central Executive Committee and the Council of People's Commissars of the USSR [Sovnarkom] of the Resolution "On the protection of property of State enterprises, kolkhozes and cooperatives, and the consolidation of socialist property" ("The 5 ears of corn law") (Item 11);

3. The Directive passed by the CC CPU on 29 October at the initiative of Molotov, and the telegram from Molotov and Khataevych from 5 November on intensifying repressive measures (Items 16 and 17);

4. The Resolutions of the CC CPU from 18 and of the Council of People's Commissars of the Ukrainian SSR from 20 November "On measures to increase grain requisitions" prepared by the Molotov Commission (Items 18, 19 and 20) and the resolutions of the politburo of the North Caucasus Territory Committee of the All-Soviet Communist Party (Bolshevik) of Russia, prepared by the Kaganovich Commission which ordered the confiscation of grain previously distributed, and the introduction of fines in kind.

5. The creation of "troikas" and Special Commissions which were given the power to carry out accelerated examinations of "grain cases" and to apply the death penalty (Items 21, 22).

6. The practice of placing villages and kolkhozes on "black boards" at Kaganovich's initiative, first in Kuban (through resolution of the politburo of the North Caucasus Territory Communist Party from 4 November (Item 4), and then in Ukraine (Resolution of the All-Ukrainian Central Executive Committee and the Council of People's Commissars of the UkrSSR from 6 December, (Item 23)).

7. Blanket searches of peasant's farmsteads in December 1932 in order to find "squandered and stolen grain" on the basis of the resolutions from 18 and 20 November 1932 (Items 23 and 27), intensification of repression over "grain cases" in Ukraine (Item 28) and Kuban (Item 45).

8. The secret resolutions of the Central Committee of the Soviet Communist Party from 14 and 15 December on intensifying repression against "saboteurs with Party tickets in their pockets" and stopping Ukrainization in Kuban and other regions with a dense Ukrainian population in the USSR. These resolutions set in motion repression of those Ukrainian communists active in all aspects of Ukrainization. (Items 25 and 26).

9. Deportation to the North of more than 62 thousand Kuban peasants for "sabotage" (Item 44).

10. The Decision of the CC CPU on confiscating seed funds from 29 December 1932, passed under pressure from Kaganovich (Item 27).

11. Stalin's telegram from 1 January 1933 which demanded that grain be handed over and threatening with repression those who did not comply (Items 29 and 30).

12. The Directive from Sovnarkom and the Central Committee of the Soviet Communist Party from 22 January which imposed a blockade of those starving in Ukraine and Kuban and introduced patrol units at railway stations and roads (Items 32 and 33).

13. Through a government resolution from 17 February 1933, initiated by Khataevych and Postyshev, collection of seeds was carried out through grain requisitions, with a part of what was collected being given to those who confiscated the grain (Item 36).

14. According to a Resolution of the Central Committee of the Soviet Communist Party from 31 March 1933, initiated by Postyshev, food aid was provided only to those capable of working (Item 37).

15. The political repressions of 1933 against the intelligentsia and those communists linked with Ukrainization, initiated by Postyshev, and the campaign against “skrypnykovshchyna” [from the name of Mykola Skrypnyk, a key figure in Ukrainization — translator] (Items 39, 40 and 41).

16. The total destruction of all ethnic-cultural forms of existence for Ukrainians in Kuban (Item 48).

In their entirety the actions listed here mean **inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part** (Article II (c) of the Convention). It is also possible to prove that these acts were deliberate. It will similarly be proven that Holodomor 1932–1933 was a crime against humanity since in the given circumstances the **death of a significant part of the population took place as the result of the intentional deprivation of access to food** (Article 7 §1.b of the RC ICC).

The course of events which led to genocide can be briefly outlined as follows. After the unrealistic grain requisition quota was not met, Stalin placed the blame for this on the peasants who, in his view, had sabotaged the gathering of the harvest, and on the Ukrainian communists who had encouraged them in this. Party and government decisions were taken demanding that grain be returned, paid for in kind for labour from the next harvest. They also introduced fines in kind and allowed searches aimed at confiscating grain already distributed, as well as encouraging the GPU to intensify political repression through accelerated procedure and the use of the death penalty.

Blanket searches and other punitive measures did not bring the result, and therefore at the beginning of 1933, the peasants received an ultimatum: either voluntarily hand over all grain or be severely punished. For this searches and fines in kind were merged into one punitive action, with the peasants having all food confiscated. On 22 January 1933, a blockade was

imposed preventing peasants leaving in search of food in areas which were in a better position. This led to mass starvation and the death of millions of people in the villages. At the same time a campaign of political repression was launched against Ukrainian national communists, those linked with Ukrainization. They were blamed for sabotaging the grain requisition quotas and were declared enemies of the people. Ukrainization was stopped, and Ukrainian cultural life in areas where there was a dense Ukrainian population effectively stood still.

Determined and forced russification of Ukrainians resulted in a formal reduction in their number. According to the census of 1937 3 million citizens of the Russian SSR called themselves Ukrainians (as opposed to 7.8 million in the 1926 Census). With the cessation of Ukrainization the younger generation of Ukrainians lost the possibility of preserving their own ethnic identity. It can therefore be said that in the case of Ukrainians from Kuban **children of the group were forcibly transferred to another group** (Article II(e) of the Convention.

### MOTIVES FOR THE CRIME OF GENOCIDE

The Convention on Genocide does not demand proof of the perpetrator's motives. At the same time, establishing the motives for why a crime was committed can help determine the criminal intent of the perpetrator of a crime.

The key to understanding the motives for creating an artificial Holodomor can be found in a letter from Stalin to Kaganovich from 11 August 1932. We quote the relevant extract.

*"[...] 3) The most important thing now is Ukraine. The current situation in Ukraine is terribly bad. It's bad in the Party. They say that, in two regions in Ukraine (Kiev and Dnipropetrovsk, I think) around fifty district committees have spoken out against the grain requisition quota, calling it unrealistic. Things are no better, so they say, in the other district committees. What is this? It's not a party, but a parliament, and a caricature of a parliament. Instead of managing the districts, Kosior has been manoeuvring between the directives of the Party Central Committee and the demands of the district committees: Now look where he's ended up. Lenin was right that a person who doesn't have the courage to go against the tide at the necessary time can't be a real Bolshevism leader. Things are bad with the soviets. Chubar is no leader. And it's bad with the GPU. Redens isn't up to being in charge of the fight against counter-revolution in a republic as large and specific as Ukraine. If we don't immediately set to straightening out the*

situation in Ukraine, we could lose Ukraine. Remember that Pilsudski never rests, his espionage capabilities in Ukraine are far stronger than Redens and Kosior realize. And remember too that, in the Ukrainian Communist Party (500000 members, ha ha !), there are not just a few (no, not a few!) rotten types, conscious and unconscious ‘petliurites’, and also direct agents of Pilsudski. As soon as things get worse, these elements will lose no time in opening up a front within (and outside) the Party, against the Party. The worst thing is that the Ukrainian leaders don’t see these dangers.

*It can’t continue like this.*

*It’s necessary:*

- a) *to take Kosior away from Ukraine and for you to replace him, while remaining secretary of the Central Committee of the Soviet Communist Party;*
- b) *after this transfer Balytsky to Ukraine for the post of head of the Ukrainian GPU (or the Authorized Representative of the GPU in Ukraine, since there isn’t, I don’t think, the post of head of the GPU of Ukraine), while keeping his position as deputy head of the SGPU, and make Redens Balytsky’s deputy for Ukraine;*
- c) *in several months after this replace Chubar with another comrade, say, Hrynko or somebody else, and make Chubar Molotov’s deputy in Moscow (Kosior can be made one of the secretaries of the Central Committee of the Soviet Communist Party);*
- d) *Set ourselves the task of turning Ukraine as soon as possible into a real fortress of the USSR, into a truly exemplary republic. No money should be spared on this.*

*Without this and similar measures (economic and political consolidation of Ukraine, in the first instance its border raions, and so forth), I repeat, we could lose Ukraine.*

The economic and social crisis which gripped the USSR at the beginning of 1932 threatened the Soviet regime. Famine caused by the campaign against kulaks, forced collectivization, bad organization of the kolkhozes, their poverty, the merciless and never-ending confiscation of grain for export so as to pay back foreign debt, resistance from the peasants who didn’t want to recognize the “new serfdom” and work without pay, problems with industrialization, all of these things aroused doubts in the Party and in the correctness of the chosen path, concealed, or sometimes open opposition. An economic crisis could become political.

Some Russian government officials — O. Smirnov, V. Tolmachov, M. Eismont — expressed the view that Stalin was responsible for the failure of grain

requisitions, and blamed him. On 27 November 1932 Stalin called a joint session of the Politburo and the Presidium of the Central Committee of the Soviet Communist Party at which he spoke out against Smirnov's group. He said that anti-Soviet elements had penetrated kolkhozes and sovkhoses in order to organize sabotage and destructive measures, and that a significant percentage of rural communists had the wrong attitude to kolkhozes and sovkhoses. Stalin called for the use of coercion to eradicate sabotage and anti-Soviet phenomena, and stressed: "It would be unwise if communists, working on the premise that the kolkhozes are a socialist form of management, did not respond to the blow inflicted by these particular kolkhoz workers or kolkhozes with a devastating blow".<sup>13</sup>.

The greatest threat to Stalin's power was in his view Ukraine. He was clearly disturbed by the resistance of the Ukrainian Politburo to the passing of a grain requisition quota and the adoption of the "5 ears of wheat law" (see Items 15, 16 and 17). Stalin was afraid of a union between "petlurites" and Pilsudski, and suspected Ukrainian communists of having connections with the Poles. It is typical that having written "*The most important thing now is Ukraine*", he put the words "*most important thing*" in italics. Stalin was most afraid of losing Ukraine which over the period of Ukrainization had developed its own nationally oriented communist — Soviet elite (Ukrainians made up the absolute majority of the members of the Ukrainian Communist Party) and was trying to get the territories of adjoining regions of Russia and Byelorussia where there was a majority Ukrainian population, for example, Kuban joined to Ukraine. This elite was carrying out an active policy of Ukrainization there, and could generally in the conditions of crisis exercise its rights and declare its withdrawal from the USSR.

The policy of Ukrainization by the end of the 1920s had gone well beyond the boundaries set by the Bolsheviks. Ukrainian national consciousness had by that stage taken on proportions which placed the united structure of the USSR in jeopardy. Ukraine was endeavouring to carry out autonomous policy, including with regard to international relations. One of the leaders of the CC CPU, Volodymyr Zatonsky, asserted that the first aim of Ukrainization was the consolidation of the Ukrainian SSR as a State organization within the framework of a Union of Soviet Socialist Republics<sup>14</sup>. Such a course of events could not suit Stalin and his henchmen. If the process in Ukraine continued

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<sup>13</sup> S. V. Kulchytsky. Holodomor 1932–1933 as genocide... — p. 264–265.

<sup>14</sup> James Mace. Political causes of Holodomor in Ukraine (1932–1933). Ukrainian Historical Journal, No. 1, 1995 Posted in Ukrainian at: <http://maidan.org.ua/n/lib/1044901106>



in the same direction, this would significantly influence all processes in the USSR, since Ukraine at that time was a single national and State unit which could stand up to pressure from the Kremlin. For these reasons Stalin went out for direct war against Ukrainian peasants as the social resistance to the State organism. He decided to pay the villages a preventive devastating blow so as to eliminate the threat to his regime. As James Mace very accurately expressed it back in 1982: “*Stalin wanted to destroy the Ukrainian people as a political factor and as a social organism*”.<sup>15</sup> This was the motive of the crime.

Kuban was the second after Ukraine and single region of the USSR where more than two thirds of the population were ethnic Ukrainians. .Of all regions with a dense Ukrainian population, it was the one most under the influence of Ukraine. Kuban was also a centre for Cossacks who were no less favourite targets for Stalin than Ukrainians and were constantly subjected to repression by the Soviet regime. Furthermore, like in Ukraine, there was great resistance to collectivization. It was thus no chance that Stalin considered the Kuban Cossacks to be a source of danger for his power.

## INTENT

The definitive element for a crime being classified as genocide according to the Convention is that there was direct intent to eliminate the members of a particular group by virtue of their being part of the group. The actions set down in the provisions of Article II of the Convention clearly demand the presence of certain subject factors, including intent, to make the crime that of genocide: “*the actions indicated in Article II must have been committed with intent to eliminate [the defended] group totally or a part of it*”.<sup>16</sup>

Did Stalin have the intention to organize an artificial famine? Scholars are divided in their answer to this question. One group of researchers believes that the mass famine was begun deliberately, organized from back in 1930 in order to reduce the vital capacity of the Ukrainian people, turning them into slaves who would meekly work in kolkhozes and not make any encroachments against the Soviet regime. Another group considers that Stalin’s policy was criminal however explains the famine as being caused by a complex political situation, the wish to modernize the economy, and payment of interest on

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<sup>15</sup> S. V. Kulchytsky. Destruction for rescue // Krytyka, No. 3, 2008 — pp. 15–17.

<sup>16</sup> Application of the Convention on the Prevention and Punishment of the Crime of Genocide (*Bosnia and Herzegovina v. Serbia and Montenegro*); Summary of the Judgment of 26 February 2007, p. 9.

foreign loans. This group denies direct intent to organize an artificial famine and does not agree with the classification of Holodomor 1932–1933 as an act of genocide.

In our view it is not possible to say definitely whether Stalin had a plan in advance for eliminating a part of the Ukrainian peasants by organizing an artificial famine. Here it is useful to apply the approach taken by researcher into famine in the USSR Andrea Graziosi who made a summary of different explanations given for the cause of Holodomor.<sup>17</sup> He asserts that the famine in the third quarter of 1932 had the same causes as the famine in the first half of 1931 — non-fulfilment of an excessive grain requisition quota. While in October 1932 Stalin took the decision to use famine to destroy the peasants of Ukraine and Kuban who provided the greatest resistance to the “new serfdom”. For example, all the actions of the Communist Party leadership of the USSR beginning from October 1932 suggest direct intent to organize Holodomor and political repression against those who obstructed these plans.

On 22 October 1932 Stalin gave the Molotov and Kaganovich Commissions special powers with regard to Ukraine and Kuban in order to meet the grain requisition quota. The decisions adopted by Party and Soviet bodies at the initiative of these commissions (Items 16–22, 43–47) show the intent to deprive the peasants of the grain distributed to them as remuneration for work done, and to confiscate other food (meat, potatoes) by means of blanket searches and fines in kind. Harsh punishments were introduced for peasants and local functionaries (“saboteurs” with Party tickets in their pocket”) who distributed grain to starving peasants for their labour. Hundreds of them were executed and thousands arrested and convicted (Item 28).

Indication of the intention to destroy the Ukrainian “opposition” and place responsibility on it for deliberately organizing famine can be found as well in the plans of OGPU and their implementation. At the end of November 1932, Stalin sent Vsevolod Balytsky from OGPU with special powers to Ukraine. His task, set out in “Operational Order of the GPU of the Ukrainian SSR No. 1” which spoke of “*organized sabotage of the grain requisitions and autumn sowing; organized mass-scale thefts in kolkhozes and sovkhozes; terror against the most steadfast and consistent communists and activists in the village; the deploying of dozens of petlurite emissaries; the distribution of petlurite leaflets*” in Ukraine. From this it drew conclusions regarding “*the undoubted existence in Ukraine of an organized counter-revolutionary, insurgent underground which has links*

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<sup>17</sup> Andrea Graziosi: Soviet famine and Ukrainian Holodomor. Available in Russian at: <http://www.strana-oz.ru/?numid=34&article=1406>

abroad and with foreign intelligence services, mainly, the Polish military headquarters". The order ended by setting out the task: "the basic and main task is an urgent breakthrough, uncovering and crushing the counterrevolutionary insurgent underground and inflicting a decisive blow against all counterrevolutionary kulak-petlurite elements which are actively opposing and sabotaging the main measures of the Soviet regime and Party in the villages."<sup>18</sup> In Operational Order No. 2 from 13 February 1933 of the GPU of the Ukrainian SSR, Balytsky was already summing up the implementation of Stalin's Order: operational activist group No. 2 "has uncovered a counter-revolutionary, insurgent underground in Ukraine which covered up to 200 raions, around 30 railway stations and depots, a number of points on the border zone. In the process of liquidating it, its link was established with foreign Ukrainian nationalist centres (UNR, "UVO", UNDO) and the Polish Military Headquarters."<sup>19</sup> This meant that OGPU was provided with a ready strategy for uncovering artificially organized counter-terrorist organizations.

Stalin's awareness that "the national issue is in essence a peasant issue"<sup>20</sup>, prompted him to solve both the national and the peasant problems together. A plan was set in motion for destroying the national political elite, the representatives of which were accused of being in conspiracy with peasant saboteurs (see Stalin's letter to Kaganovich from 11 August 1932). On 14 and 15 December 1932, the Politburo of the Central Committee of the Soviet Communist Party passed two secret resolutions (Items 25, 26, 47, 48), which brought in special national policy with regard to Ukrainians (it did not apply to other ethnic groups). According to these resolutions, responsibility for the food crisis was placed not only on the peasants, but also on the Ukrainian political elite.

On 20 December 1932, at Kaganovich's suggestion, the Politburo of the CC CPU, passed a decision to seek an increase in supplies of grain for which on 29 December an order was issued to hand over all kolkhoz funds, including the seed fund (Item 27). None of this can be described as anything else but as deliberately depriving the peasants of their last reserves of grain they owned.

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<sup>18</sup> Y. Shapoval and V. Zolotahyov: Vsevolod Balytsky: the person, his time and surroundings — K. 2002, p. 189.

<sup>19</sup> "Memory declassified", pp. 511–512.

<sup>20</sup> "The peasantry represent the main army of the national movement ... without a peasant army there isn't and cannot be a powerful national movement. It is precisely this that they mean when they say that the national issue is essentially a peasant question." 30 March 1925 (J. Stalin: Issues of Leninism, M.-L., 1930 (?) — p. 129).

On 1 January 1933 a telegram was sent from the “leader, teacher and friend of all peasants” (Item 29). It was made up of two points, the first being that those who voluntarily handed over to the State “previously stolen and hidden grain” would not face repression. The second point stated that those who continued to hide it would face the harshest forms of punishment. All grain which was not recorded had to be handed over. If they didn’t hand it over there would be a search. If they found grain, the punishment was the death penalty or 10 years imprisonment. If they didn’t find it, they would take away, as a fine, other foodstuffs. Stalin’s telegram resulted in the merging of searches and fines in kind. Furthermore, Stalin had been informed about the results of previous searches (Item 27) and knew that there was no grain in the villages, and that the requisition quota could not be met. This was his “devastating blow”<sup>21</sup>, which demonstrates the intention to remove food from the peasants in order to organize famine.

Intent to eliminate is also proven by the rejection of the offer of international assistance and continuing export of grain and storing of reserves in grain silos (the grain would have been enough to feed the starving — see item 35), although the Soviet leadership was well-informed about the scale of the famine. Another indicator of intent was the speed with which the famine was brought to an end in the second half of 1933 after the “final blow” had been dealt<sup>22</sup>.

A Directive from Sovnarkom and the Central Committee of the Soviet Communist Party from 22 January 1933 prohibited the exodus of starving peasants to other regions in search of food. This must also be viewed as deliberate acts aimed at depriving the starving of their last options for finding food for their families.

The political repressions of 1933 (Items 39, 40 and 41) in their turn demonstrate the intention to destroy the political and intellectual elite of the republic.

The intention to destroy the peasants through starvation was reflected in the words of the Second Secretary of the CC CPU Mendel Khatayevych from 1933: “A fierce struggle is waging between the peasants and our regime. This

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<sup>21</sup> “It would be unwise if the communists, working on the premise that the kolkozes are a socialist form of management, did not respond to the blow inflicted by these particular kolkhoz workers or kolkhozes with a devastating blow” (Stalin, 27 December 1932).

<sup>22</sup> These two arguments come from PACE Deputy Paul Rowen (United Kingdom). See PACE Document 12181 from 9 March 2010 “Commemorating the victims of the Great Famine (Holodomor) in the former USSR, Item 10 <http://assembly.coe.int/Mainf.asp?link=/Documents/AdoptedText/ta10/eRES1723.htm>

is a fight to the death. This year has become the test of our strength and their resilience. The famine has proved to them who is boss. It cost millions of lives however the kolkhoz system will last forever. We've won the war!"<sup>23</sup>

### THE PERPETRATOR OF THE CRIME

The main organizer and ideologue of the genocide was Joseph Stalin himself. Three of his henchmen — Lazar Kaganovich, Viacheslav Molotov and Pavlo Postyshev — were the direct organizers of Holodomor in Ukraine and in Kuban. It was carried out also by the Party — State apparatus of the All-Soviet Communist Party (Bolshevik) Party, the Communist Party (Bolshevik) of Ukraine and the North Caucasus Territory Committee of the All-Soviet Communist Party (Bolshevik) Party (Stanislav Kosior, Vlas Chubar, Mendel Khatayevych, Boris Sheboldaev, Anastas Mikoyan) and the repressive-punitive bodies of the OGPU and GPU of the UkrSSR (Vsevolod Balytsky, Henrikh Yagoda, Stanislav Pedens) and the courts.

Thousands of local activists, members of committees of poorly-off peasants directly implemented Party-State decisions regarding searches and confiscation of grain and other food.

As follows from the conclusion of the International Criminal Tribunal for Rwanda of 1998 — “*the offender is considered guilty since he knew or should have known that the acts he committed would destroy in part or totally the group*”.<sup>24</sup> — Stalin and his henchmen should be considered guilty of genocide. They knew of the size of the harvest, knew and understood the consequences of confiscating food and preventing peasants from leaving regions gripped by famine.

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<sup>23</sup> *Serhiy Makhun*. War on the “literary front”. // *Dzerkalo tyzhnya* [“Weekly Mirror”] No. 45, 24–30 November 2007.

<sup>24</sup> Cited in the work by *Andriy Portnov*. The concepts of genocide and ethnic cleansing: western scholarly discussions // *Ukraina moderna*, part 2 (13), 2008 — p. 99.

## THE CONSEQUENCES OF HOLODOMOR 1932–1933

The consequences of Holodomor 1932–1933 were terrible. They concern “the dead, the living and those unborn” (Taras Shevchenko). Besides millions who died of starvation or who were not born, which in itself had considerable impact on the genofund and development of the Ukrainian people, Holodomor had a devastating effect on those who survived it. It adversely affected their level of social and political activeness and instilled fear of the authorities. The historical memory and the psychology of those who survived 1932–1933 were ravaged by memories of cannibalism, denunciations of neighbours etc. The tragic events are to this day reflected in the psychological makeup of their descendants.

Holodomor and the destruction of the Ukrainian intelligentsia, the elite, which were taboo subjects right up to the end of the 1980s, disrupted the intellectual and cultural development of the Ukrainian nation, led to a loss of identity and common values. The tragedy of Holodomor also resulted in an unrecognized inferiority complex for a large number of Ukrainians.

Ukraine’s post-genocide society badly needs conscience at rest, liberation from psychological complexes, freedom from fear. This is impossible without public recognition that Holodomor was a crime, and this should be at a legal level. This is the moral duty of the nation before those who perished. It is vital for the restoration of historical justice, and for the strengthening of the Ukrainian people’s immune system against political repression, violence and unwarranted State coercion.

We would note also that the European community insists upon the investigation and condemnation of the crimes of totalitarian regimes. The Resolution of the Parliamentary Assembly of the Council of Europe 1481 (2006) “The need for international condemnation of *Holodomor* in Ukraine in 1932–1933” states:

*“The fall of totalitarian communist regimes in central and eastern Europe has not been followed in all cases by an international investigation of the crimes committed by them. Moreover, the authors of these crimes have not been brought*

*to trial by the international community, as was the case with the horrible crimes committed by National Socialism (Nazism).*

*Consequently, public awareness of crimes committed by totalitarian communist regimes is very poor. Communist parties are legal and active in some countries, even if in some cases they have not distanced themselves from the crimes committed by totalitarian communist regimes in the past.*

*The Assembly is convinced that the awareness of history is one of the preconditions for avoiding similar crimes in the future. Furthermore, moral assessment and condemnation of crimes committed play an important role in the education of young generations. The clear position of the international community on the past may be a reference for their future actions.*

*Moreover, the Assembly believes that those victims of crimes committed by totalitarian communist regimes who are still alive or their families, deserve sympathy, understanding and recognition for their sufferings.”*

## THE OPTIONS FOR LEGAL CLASSIFICATION OF HOLODOMOR 1932–1933 AS GENOCIDE

We have demonstrated that the famine in Ukraine of 1932–1933 has all the necessary elements of a crime against humanity in accordance with the Rome Statute of the International Criminal Court of 1998 and of genocide according to the Convention on the Prevention and Punishment of the Crime of Genocide of 1948. The object, subject, event and makeup of the crime of genocide have been established, as well as its motive and the direct intent to commit this crime. Can one however apply the provisions of these international agreements with regard to events in Ukraine 1932–1933, and in keeping with them classify Holodomor 1932–1933 as a crime against humanity and act of genocide? Do these international agreements have retroactive force in the given case? Legal specialists are divided in their views. There are two lines of argument which lead to mutually exclusive conclusions although both seem unequivocal.

The first can be formulated as follows. Pursuant to Article 7 §1 of the European Convention on the Protection of Human Rights and Fundamental Freedoms (1950), *“No one shall be held guilty of any criminal offence on account of any act or omission which did not constitute a criminal offence under national or international law at the time when it was committed. Nor shall a heavier penalty be imposed than the one that was applicable at the time the criminal offence was committed”*. This fundamental principle is enshrined in the first paragraph of Article 15 of the International Covenant on Civil and Political Rights. The second paragraphs of these same articles of both the Convention and the Covenant states that offences shall be punishable if at the time they were committed, they were considered crimes “according to the general principles of law”. For example, Article 7 §2 of the 1950 Convention reads that: *“This article shall not prejudice the trial and punishment of any person for any act or omission which, at the time when it was committed, was criminal according the general principles of law recognized by civilized*



nations.” It follows from this that the Convention on Genocide can have retroactive force. Indeed the Convention itself refers to UN General Assembly Resolution 96 (I) of 11 December 1946 “The Crime of Genocide” which states that “genocide is a crime under international law which the civilized world condemns”<sup>25</sup>. Confirmation of the possibility of the Convention being applied retroactively is also found in the judgment of the Supreme Court of Israel in the case of Adolph Eichmann 1961–1962 (this judgment is a vivid example of retroactive force of the law<sup>26</sup>) and the Advisory Opinion of the UN International Court from 28 May 1951 “Reservations to the Convention on the Prevention and Punishment of the Crime of Genocide”. Israel’s Supreme Court, stating that the difference of genocide from crimes against humanity were merely in the presence of specific intent, confirmed that Resolution 96 (I) and the 1948 Convention do not create a new crime, but firmly establish the existing one. The UN International Court also expressed its view with regard to this: “*The principles underlying the Convention are recognised by civilised nations as binding on States even without any conventional obligation*”<sup>27</sup>. Moreover, according to the UN Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes against Humanity of 1968, no statutory limitations apply to the crime of genocide. This means that any statutory limitation set down in law, does not apply to judicial prosecution and punishment for war crimes and crimes against humanity.

The other argument rejects the possibility of applying the Convention on Genocide with respect to events which took place before it came into effect. The commitments taken on through the UN Convention of 1968 to not apply statutory limitations in the case of crimes against humanity, including genocide, do not indicate retroactive force at the time of the 1948 Convention, and the application of Article 7 §2 of the European Convention and Article 15 §2 of the Covenant on Civil and Political Rights is not possible since the international community had still not recognized such acts as a crime at that time. Furthermore, according to Article 58 of Ukraine’s Constitution “No one shall bear responsibility for acts that, at the time they were committed, were

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<sup>25</sup> A/RES/96 (I).

<sup>26</sup> Eichmann was abducted by the Israeli Security Service in Argentina and convicted under Israeli law of a crime against the Jewish people during the Second World War. Eichmann’s defence registered protest based on the assertion that the exercising of justice by an Israeli court with regard to a crime committed outside Israel and before the creation of this state was a violation of international law. The Supreme Court rejected the appeal and upheld the ruling of the Israeli court.

<sup>27</sup> <http://www.mannrettindi.is/the-human-rights-rpject/humanrightscasesandmaterials/cases/internationalcases/internationalcourt/nr/1924>

not deemed by law to be an offence". The Criminal Code of the Ukrainian SSR of 1927 did not include genocide among criminally liable acts. The word "genocide" did not then exist, it being suggested for use by the author of the Convention on Genocide Raphael Lemkin in 1944. Pursuant to Article 3 §3 of the Ukrainian Criminal Code of 2001, "*the criminality of actions, as well as whether they are subject to punishment and other criminal-legal consequences, are determined by this Code*". According to Article 4 §2 of the Criminal Code which regulates issues regarding the force of the law on criminal liability in time, the criminality and liability of an action are determined by the law on criminal liability which was in force at the time the act was committed. The principle prohibiting retroactive force of a law which establishes criminal liability is one of the fundamental principles of law. This principle is enshrined in Article 28 of the UN Conference on the Law of Treaties (Vienna 1969), according to which "*Unless a different intention appears from the treaty or is otherwise established, its provisions do not bind a party in relation to any act or fact which took place or any situation which ceased to exist before the date of the entry into force of the treaty with respect to that party*". The Convention on Genocide of 1948 does not contain provisions regarding its own retroactive force, which does not make it possible to apply it for recognizing as genocide actions committed before it came into effect. The 1948 Convention can thus not be applied for classification of Holodomor 1932–1933 as genocide.

One can conclude that the issue around whether there can be retrospective application of the Convention on Genocide of 1948 remains in dispute<sup>28</sup>. However the Eichmann trial shows how one can explain this paradox — of there being two mutually exclusive lines of argument. Israel's Supreme Court stated that in those countries where the principle that the law cannot be applied retroactively is included in the Constitution or Criminal Code, its retrospective use is impossible. Yet this does not apply to all countries. For example, in the United Kingdom there is no such prohibition. The Court decided that in Israel the sphere of application of this principle was the same as in Great Britain<sup>29</sup>. Thus, if the domestic legal system allows for the law to have retroactive force, then the retrospective application of the Convention on Genocide can be warranted. Unfortunately, Ukraine's Constitution in Article 58 strictly affirms the principle that the law cannot have retroactive

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<sup>28</sup> In our opinion this discussion is equivalent to the old argument over whether natural or positive law takes priority.

<sup>29</sup> N. V. Noshenskaya: Problems in retroactive application of the Convention on the Prevention and Punishment for the Crime of Genocide of 9 December 1948 <http://www.genocide.ru/lib/moshenskaya/2-3.htm>

force and its Articles 9 and 151 presume correspondence of international agreements to the Constitution. Where they do not correspond to the Constitution, they do not have force. This means that Ukrainian courts, unlike Israeli or British courts, cannot qualify a crime as genocide which happened before the Convention on Genocide came into effect. In order to have a legal qualification of Holodomor 1932–1933 as genocide, Article 58 of Ukraine's Constitution needs to be changed as follows:

*1. Laws and other normative legal acts have no retroactive force, except in cases where they mitigate or annul the responsibility of a person.*

*2. No one shall bear responsibility for acts that, at the time they were committed, were not deemed by law to be an offence.*

*3. This article shall not obstruct court examination and punishment of any person for any action or failure to act which at the time it was committed constituted a crime or criminal offence in accordance with general principles of law recognized by civilized nations.*

However the Convention can always be used to provide a historical assessment of certain events. Such an assessment was given by the Verkhovna Rada which “recognizing Holodomor 1932–1933 in Ukraine in accordance with the UN Convention from 9 December 1948 on the Prevention and Punishment of the Crime of Genocide as a deliberate act of mass destruction of people; passed the Law “On Holodomor 1932–1933 in Ukraine”. Article 1 of this Law recognizes Holodomor to have been genocide of the Ukrainian people.

Holodomor 1932–1933 was condemned by 64 member-states of the UN in a joint declaration from 7 November 2003, by member — states of OSCE in a joint declaration from 3 November 2007 and by UNESCO on 1 November 2007 in its Resolution “On Remembrance of victims of Holodomor 1932–1933 in Ukraine”.

Holodomor 1932–1933 has been recognized as an act of genocide by the parliaments of Australia, Canada, the Czech Republic, Columbia, Ecuador, Estonia, Hungary.

On 3 July 2008 the OSCE Parliamentary Assembly passed a Resolution “Holodomor 1932–1933 in Ukraine” which states that “*Recalling that the rule of the totalitarian Stalinist regime in the former USSR had led to tremendous human rights violations depriving millions of people of their right to live, ... The OSCE Parliamentary Assembly: pays tribute to the innocent lives of millions of Ukrainians who perished during the Holodomor of 1932 and 1933 as a result of the mass starvation brought about by the cruel deliberate actions and policies of*

*the totalitarian Stalinist regime ... Strongly encourages all parliaments to adopt acts regarding recognition of the Holodomor”.*

On 21 November 2007 the President of the European Parliament Hans-Gert Poettering made a statement about Holodomor 1932–1933 in Ukraine. He called for remembrance of Holodomor and stated that the famine, which had taken the lives of 4–6 million Ukrainians during the winter of 1932–1933 had been cynically and cruelly planned by Stalin’s regime in order to force through collectivization against the will of rural people in Ukraine. “Today we know that the famine, known as Holodomor, was in reality a terrible crime against humanity,” Mr Poettering said.

The Parliamentary Assembly of the Council of Europe has included on its agenda consideration of a report on the issue of condemning Holodomor as a crime of the totalitarian regime in Ukraine and in other regions of the former USSR. The PACE Political Committee on 26 June 2008 appointed a rapporteur on this issue — PACE Vice President Alexander Biberaj (Albania). Two years have been set aside for preparation of the report however Alexander Biberaj expects to complete it much earlier<sup>50</sup>.

On 23 October 2008, the European Parliament adopted a Resolution on Holodomor 1932–1933 in which it “*recognises the Holodomor (the artificial famine of 1932–1933 in Ukraine) as an appalling crime against the Ukrainian people, and against humanity*” and “*strongly condemns these acts, directed against the Ukrainian peasantry, and marked by mass annihilation and violations of human rights and freedoms*”.

The above-mentioned facts demonstrate the attention of the world community to Holodomor 1932–1933 and the understanding of the need for a legal qualification of Holodomor as a crime against humanity and the crime of genocide. For this it would be possible to amend the Convention on Genocide of 1948, by adding a provision about the retrospective force of the Convention with respect of events which took place from the beginning of the twentieth century. Crimes of the totalitarian regimes in the twentieth century, in the first instance of the communist regime in the USSR, require legal assessment, condemnation and punishment. There are also other reasons for introducing amendments to the Convention. Its scope is too narrow to

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<sup>50</sup> The report by the PACE Political Committee was prepared by Mevlüt Çavuşoğlu (Turkey, current president of PACE (see: <http://assembly.coe.int/Main.asp?link=/Documents/WorkingDocs/Doc10/EDOC12173.htm>), From the Legal Affairs and Human Rights Committee — Paul Rowen (United Kingdom): <http://assembly.coe.int/Main.asp?link=/Documents/WorkingDocs/Doc10/EDOC12181.htm>. On 28.04.2010 PACE adopted Resolution 1723 (2010): <http://assembly.coe.int/main.asp?Link=/documents/adoptedtext/ta10/eres1723.htm>

respond adequately to the tempestuous events of the second half of the twentieth century. We would point out that the signing of the Convention in its present form was a compromise between Western governments and the USSR whose representative insisted on removing victims of “political groups” from the list of victims. It was criticized by scholars for this almost immediately after its signing, as well as for its concentration of the purely physical side of violence.

The domestic legislation of some countries has gone further in defining genocide. For example, the 1991 French Criminal Code adds to the groups listed in the Convention “*a group defined on the basis of any other normative criterion*”.<sup>31</sup> With respect to this it is worth recalling the comments from the author of the Convention Raphael Lemkin, who a short time before its adoption, noted that “Generally speaking, genocide does not necessarily mean the immediate destruction of a nation, It is intended rather to signify a coordinated plan of different actions aiming at the destruction of essential foundations of the life of national groups, with the aim of annihilating the groups themselves.”<sup>32</sup>

Another approach to achieving a legal classification of Holodomor 1932–1933 would be in the founding of a special International Tribunal for the legal classification of the famine of 1931–1933 as a crime of the totalitarian regime of the USSR (analogous to the International Nuremberg Tribunal set up in 1945, the International Criminal Tribunal for the Former Yugoslavia, established in 1993 and the International Criminal Tribunal for Rwanda from 1994). This approach seems more realistic than making amendments to the 1948 Convention. The creation of an International Tribunal for the legal classification of the famine of 1931–1933 as a crime of the communist regime of the USSR could be approved by inter-state organizations — the UN, the Council of Europe, OSCE.

An international tribunal, if created, should use the results of the US Congress Commission on the Ukrainian Famine 1932–1933 led by James Mace, the International Commission on the Crimes of the Famine 1932–1933 in Ukraine, headed by Jacob Sandberg, archival documents and testimony of victims and witnesses of Holodomor gathered since Ukraine gained independence.

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<sup>31</sup> Cited in the work by *Andriy Portnov*. The theory of genocide before the challenge of Holodomor” // Krytyka, No. 5, 2008 — pp. 11–13.

<sup>32</sup> Raphael Lemkin’s Axis Rule in Occupied Europe: Laws of Occupation — Analysis of Government — Proposals for Redress, (Washington, D. C.: Carnegie Endowment for International Peace, 1944), p. 79–95. <http://www.preventgenocide.org/lemkin/AxisRule1944-1.htm>

It should be especially stressed that although the Russian Federation is the successor to the USSR, the Russian State is not responsible for the crimes of the totalitarian communist regime of the USSR. They do not fall into the list of rights and duties which the Russian Federation inherited from the USSR. No claims for compensation can be lodged against a non-existent state. Furthermore, the Russian people were victims of these crimes together with the Ukrainian, Kazakh and other peoples, as well as social and political groups, and they should in the same way classify the famine, collectivization and elimination of entire social groups — the nobility, the Cossacks, etc, as have other peoples of the former USSR. Evil should be named and punished.

## GENERAL CONCLUSIONS

1. The deaths of tens of thousands of people from starvation in Ukraine from January — October 1932 were as a result of a crime against humanity organized by the Party-Soviet leadership of the USSR.

2. The death of millions of people in Ukraine from starvation and political repression during the period from November 1932 to August 1933 corresponds to the definition of genocide in the UN Convention on the Prevention and Punishment of the Crime of Genocide, adopted on 9 December 1948, in particular Article II (c) “*Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part*”.

3. The deaths of hundreds of thousands of people from starvation and political repression in Kuban during the period from November 1932 to August 1933 corresponds to the definition of genocide in the UN Convention from 9 December with respect to Article II (c) “*Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part*” and (e) “*forcibly transferring children of the group to another group*”.

4. Holodomor was the result of deliberate and systematic action by the totalitarian Soviet regime for which there is documentary evidence which was aimed at “the destruction of the Ukrainian people as a political factor and as a social organism” (James Mace).

5. The terrible consequences of Holodomor 1932–1933 require legal classification of Holodomor as a crime of the totalitarian regime of the USSR.

6. Some researchers believe it possible to apply the UN Convention on the Prevention and Punishment of the Crime of Genocide, adopted on 9 December 1948, to make a legal classification of Holodomor 1932–1933 as the crime of genocide, while others deny this. The issue has yet to be finally resolved.

7. In order to establish the legal classification of Holodomor as a crime, it is proposed that an International Tribunal be set up to make a legal classification of the famine of 1931–1933 as a crime of the totalitarian regime of the USSR. The decision to create such a tribunal could be approved by inter-state organizations — the UN, the Council of Europe, OSCE.

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## APPENDIX

# BRIEF DESCRIPTION OF THE HISTORICAL FACTS 1930–1933

### THE 1930 HARVEST

1. The requisition quota for 1930 for Ukraine was set in April 1930 at 440 million poods (this despite the fact that the Ukrainian Grain Centre was expecting a harvest of 425-430 million poods), and in September was increased to 472 million poods. However this quota could also not be met since there were already no grain reserves in the villages. On 27 January 1931 the Politburo of the Central Committee of the All-Soviet Communist Party (Bolshevik) [hereafter Politburo] stated that the villages owed 34 million poods. Stalin reduced the debt to 25 million poods and ordered the Central Committee of the Communist Party of Ukraine (hereafter CC CPU) to declare February a month of accelerated grain requisitions and to fulfil the quota<sup>33</sup>.

2. Sowing began, yet the previous year's quota could still not be met. At the beginning of May V. Molotov reported that the harvest quota for 1930 was returning to the previous figure of 490 million poods ("geeing up"). The leadership of the republic was forced to recommence a requisition campaign for the previous year's grain. After taking away all grain reserves, Ukraine achieved the previous version of the quota which in February 1931 seemed unattainable. By June 1931, in the agricultural sector (kolkhozes and independent farmers) 393 million poods from the 1930 harvest had been gathered, and in all for the republic — 471 million poods. This was 167 million poods more than the figure for 1929.<sup>34</sup>

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<sup>33</sup> The Famine of 1932–1933 in Ukraine: causes and consequences — p. 394.

<sup>34</sup> S. V. *Kulchytsky*. *Holodomor 1932–1933 as genocide: difficulties in understanding* — Kyiv: Nash chas 2008 — p. 186.



## THE 1931 HARVEST. THE FIRST WAVE OF FAMINE

3. In the requisition quota for 1931 even more demands were imposed on Ukraine. The agricultural sector was set a quota for 434 million poods, i. e. 41 million poods more than the amount of grain actually handed over for 1930. The overall requisition quota was set at 510 million poods. At the end of 1931 this quota had only been 79% met<sup>35</sup> Molotov was sent to Kharkiv to intensify the requisition process. As the reports of the Party leaders indicate, this “intensification”, in accordance with Molotov’s directives and the Resolution of the CC CPU from 19 December 1931 turned into searches by local activists to confiscate “grain squandered or stolen from kolkhozes”. Until the quota was fulfilled, kolkhoz workers could not receive grain for their labour therefore any grain found in a peasant’s home was a priori considered squandered or stolen.<sup>36</sup> However the grain was confiscated regardless of whether the kolkhoz workers had fulfilled their obligation to the State. The requisition quota could still not be achieved. As of 25 June 1932 the quota was only 86.3% met.<sup>37</sup>

4. The confiscation of grain during the first half of 1932 resulted in hunger which in some regions turned into real famine. A similar situation was seen in other agricultural regions of the USSR, however in Ukraine the famine was on a wider scale since the quota, being more excessive, was achieved to a worse extent and therefore considerably more pressure was brought to bear. 144 thousand people died in this famine<sup>38</sup>. In 1931–1932 it was only in Kazakhstan that the famine was on a greater scale. There hundreds of thousands of people died.

5. A large number of peasants left their villages in search of food. As of the middle of July 1932, according to OGPU figures in some rural areas of Ukraine up to half of the population had left. 116 thousand peasants had left 21 raions<sup>39</sup>. If you extend this figure to cover the entire number of raions — 484, then the approximate number of peasants fleeing starvation would be around 2 million, 700 thousand. This migration elicited strong irritation among the Soviet Party leaders, however at that time they did not obstruct wide-scale moves in search of food.

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<sup>35</sup> The Tragedy of the Soviet Village — v. 3, p. 227.

<sup>36</sup> Ibid. pp. 239–240.

<sup>37</sup> S. V. Kulchytsky. Holodomor 1932–1933 as genocide... — p. 195.

<sup>38</sup> The Famine of 1932–1933 in Ukraine: causes and consequences — p. 503.

<sup>39</sup> The Tragedy of the Soviet Village... — v. 3 — p. 420.

6. We can cite testimony about the situation with starvation in the countryside. In April 1932 the Deputy People's Commissar of Agriculture in the USSR A. Hrynevych arrived in the Zinoviyevsky raion (now the Kirovohrad region) in order to see how the sowing was getting on. In a reporting note to the People's Commissar Y. Yakovlev he says that the raion has been 98% collectivized, since 1 January 28.3 thousand peasants have left, including all the qualified tractor drivers (the total population of the raion was about 100 thousand). Those who've remained are mostly going hungry with kolkhoz workers' grain having run out back in March, and there are cases of people bloated from starvation. Within the raion several dozen food points for the children of kolkhoz workers have been organized. Those working in the field have State assistance of 200 g. of bread a day, with tractor drivers having 400 g. The supply of food stuffs for providing food aid to the population among raion organizations was exhausted by 5 May. The productive forces of the raion are so undermined that the raion will not be able to cope with harvesting the grain without assistance in the form of forage for the cattle and food for the kolkhoz workers, without purchasing draft animals, without the provision of tractors and loading vehicles.<sup>40</sup>

7. Worrying about the fate of the future harvest of 1932, the State began providing assistance in the form of seeds, forage and food grain o the countryside which was starving as the result of its policy. On 6 March 1932 the grain requisitions campaign was halted. At the end of April 15 thousand tonnes of maize and 2 thousand tonnes of wheat intended for export were returned from ports. 9.5 million poods of grain were purchased from China, Persia and Canada for the needs of the Requisitions Committee.<sup>41</sup> At the end of May 1932 those starving began receiving dried fish, sardelle, cereals, and other food products. Stalin, however, considered that "Ukraine has been given more than it should get" (from a letter to Kaganovich from 15 June).<sup>42</sup> On 23 June the Politburo passed a decision to stop the supply of grain to Ukraine.<sup>43</sup>

8. Stalin's irritated reaction and the decision of the Politburo of 23 June were in total contradiction to the conclusions in the letters from Petrovsky and Chubar to Molotov and Stalin on their impressions from travelling about raions in the republic. Both letters reached the Kremlin on the same day — 10 June.<sup>44</sup> Hryhory Petrovsky wrote that the CC CPU was to blame for having

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<sup>40</sup> S. V. *Kulchytsky*. *Holodomor 1932–1933 as genocide..* — p. 200.

<sup>41</sup> *The Tragedy of the Soviet Village...* — v. 3 — pp. 362–363, 365.

<sup>42</sup> *The Famine of 1932–1933 in Ukraine. Documents and Materials.* — p. 206.

<sup>43</sup> *Ibid.* — p. 213.

<sup>44</sup> *Ibid.* — p. 205.

unconditionally agreed to a requisition quota of 510 million poods of grain that was unrealistic for the republic. Meeting this quota had caused starvation and many villages were still gripped by famine. Petrovsky warned that there was still a month or 6 weeks to the new harvest and in that time the famine would intensify unless the State provided the villages with more food aid. Vlas Chubar in his letter pointed out that at the beginning of June at least 100 raions were in need of food aid (against 61 at the beginning of May). Due to the severe situation of these raions the sowing campaign was not being carried out satisfactorily. Chubar asked for the republic to be provided with at least 1 million poods of food cultures as aid. He suggested rejecting a quantitative extension of the tasks and basing themselves on qualitative indicators.

9. Stalin reacted to Chubar and Petrovsky's letters in a letter to Kaganovich from 15 June in the following way: "The first is trying on "self-criticism" so as to get new millions of poods of grain from Moscow, the other is playing self-righteous, and sacrificing himself to the "directive" of the Central Committee of the Communist Party" so as to get a reduction in the grain requisition quota. Both the first and the second are unacceptable."<sup>45</sup>. The Ukrainian village in 1932 once again faced an unrealistic quota and new waves of famine.

### THE HARVEST OF 1932. THE SECOND WAVE OF FAMINE

10. The new grain requisition quota from the harvest of 1932 for Ukraine was approved on 6 July at the III All-Ukrainian Party Conference at 356 million poods, 40 million poods less than from the 1931 harvest. Yet this quota was also beyond the capacity of the republic's weakened agricultural economy. On the eve of the conference, the Politburo of the CC CPU demanded that Molotov and Kaganovich who had been sent by Stalin to Kharkiv reduce the quota. The Ukrainian communists also tried in vain to influence Molotov and Kaganovich during the conference. For example, Mykola Skrypnyk directly said that in the villages of Ukraine everything that could be taken had already been taken away. Yet Molotov and Kaganovich declared that "there will be no concessions, no vacillation in implementing the tasks imposed on Ukraine by the Party and Soviet government"<sup>46</sup> and that the party forces must mobilize

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<sup>45</sup> Ibid. — p. 206.

<sup>46</sup> "Pravda", 14 July 1932.

to fight losses and squandering of grain<sup>47</sup>. The Ukrainian Party leadership gave in and the quota was passed.

11. In July 1932 2 million poods of grain from the new harvest was requisitioned (against 16.4 million poods in July 1931). The leadership of the Soviet Communist Party was convinced that the peasants were stealing grain. In response and on Stalin's initiative, on 7 August 1932 the Central Executive Committee and the Council of People's Commissars of the USSR [Sovnarkom] passed the Resolution "On the protection of property of State enterprises, kolkhozes and cooperatives, and the consolidation of socialist property" which was known among the population as the "5 ears of corn law". This imposed the death penalty for theft of kolkhoz and cooperative property — execution (by shooting) and confiscation of all property. For "mitigating circumstances" execution could be commuted to a sentence of no less than 10 years.

12. After the publication of this resolution the "Pravda" editorial office, together with the Communist Party local machine organized a mass-scale two week raid aimed at fighting thefts of grain in which 100 thousand "press udarniki" [udarnik was the term for ultra-productive and enthusiastic workers — translator]. They searched for an "underground wheat city", but in vain, since they found nothing.<sup>48</sup> At the same time Stalin understood that he had forced the Ukrainian leadership to take on a clearly unrealistic grain requisition quota. On 24 July, in a letter to Kaganovich and Molotov, he wrote that overall the position of unconditional fulfilment of the quota was correct, but that it would be necessary to make an exception for "particularly affected raions of Ukraine". However he preferred to announce the reduction of the quota later "so that the sowing of winter crops will be more energetic"<sup>49</sup>. And the peasants didn't want to work in the sovkhoses, rightly considering that they would again receive nothing for their labour.

13. In the third quarter of 1932 starvation continued in Ukraine's villages. This is demonstrated, for example, in the statistics for mortality recorded in registrar offices. For the period from March to June they recorded 195,411 deaths, while from July to October the number was 191,105.<sup>50</sup> In order to escape starvation, the kolkhoz workers even resorted to such measures as uncovering mouse burrows. Workers from the "Peremoha" ["Victory"] Kolkhoz in the Barvinkovsky raion of the Kharkiv region through superhuman efforts

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<sup>47</sup> Stalin and Kaganovich. Correspondence, 1931–1936. — p. 205.

<sup>48</sup> S. V. Kulchytsky. The Price of the "Great Turn". — p. 212.

<sup>49</sup> Stalin and Kaganovich. Correspondence, 1931–1936. — pp. 241–242.

<sup>50</sup> S. V. Kulchytsky. Holodomor 1932–1933 as genocide. — p. 399.

uncovered mouse burrows over an area of 120 hectares. As a result they received 17 centners of good-quality grain. Each burrow had between 2 and 6 kilograms of wheat.<sup>51</sup>

14. The August “assault” on Ukraine’s villages gave the State 47 million poods of grain, and in September they squeezed out another 59 million. As of 5 October from 23,270 kolkhozes only 1,403 had met the requisition quota. After staff changes in the Ukrainian local leadership and the plenum of the CC CPU, on 12 October 1932 the entire Party organization was mobilized for the gathering of the harvest. Nevertheless, the year’s requisition quota had been 39% met as of 25 October.<sup>52</sup>

15. Not wishing to admit that his policy of the “first commandment” and “geeing up” had not worked, Stalin laid all the blame for the failure of the grain requisitions on the peasants who had supposedly sabotaged the collection of the grain. He considered that through the use of ever more force the harvest could be gathered. For this he decided to send committees with special powers to the main agricultural regions of the country. On 22 October 1932 the Politburo passed a decision to send the Molotov Commission to the Ukrainian SSR for 20 days, and the Kaganovich Commission to the North Caucasus Territory. The commissions set off at the end of October.

### THE ACTIVITIES OF THE MOLOTOV COMMISSION

16. On 29 October 1932 at a session of the Politburo of the CC CPU, together with the first secretaries of the regional committees of the Party, the Commission reported that the Kremlin had agreed to a reduction of the quota. On 30 October the final quota task divided up into regions, sectors and grain cultures was passed. The Ukrainian SSR had to provide 282 million poods of grain: the kolkhozes 224.1 million, independent farmers — 36.0 million, and sovkhoses — 21 million poods. At the same time, Molotov managed to get a directive passed by the CC CPU on increasing help from the justice bodies to those carrying out the grain requisitions. The courts were ordered to examine this category of case first during outreach sessions at local level and applying harsh repressive measures.<sup>53</sup>

17. On 5 November Khataevych and Molotov sent secretaries of the regional committees of the Party a telegram with the following: “In reports

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<sup>51</sup> S. V. Kulchytsky. 1933: The Tragedy of the Famine — K.: 1989. — p. 32.

<sup>52</sup> The Famine of 1932–1933 in Ukraine. Documents and Materials. — p. 356.

<sup>53</sup> The Tragedy of the Soviet Village... — v. 3 — pp. 528–529.

from the regional bodies of the OGPU there are a lot of accounts of theft, criminal squandering and concealment of kolkhoz grain with the participation and under the leadership of the kolkhoz management, including some communist members who are in fact kulak agents who are dividing the kolkhozes. Despite this, the Central Committee of the CPU does not know what the regional committees are doing to fight this phenomenon. Noting the unacceptable inaction of the courts and prosecutor's office and the passivity of the press with regard to the relevant specific facts, the CC CPU categorically demands that regional committees take immediate and decisive measures to fight this phenomenon with mandatory and *swift undertaking of judicial repression and merciless punishment of criminal elements in the kolkhoz management on the basis of the well-known decree on the protection of public property, with coverage of these facts in the press and issuing of decisions of kolkhoz meetings which condemn these facts.*<sup>54</sup>

**18.** On 18 November 1932 the CC CPU and on 20 November the Council of People's Commissars of the Ukrainian SSR passed resolutions with the same name "On measures to increase grain requisitions" prepared by the Molotov Commission. These resolutions demand that the grain requisition quotas be met by 1 January 1933 and that seed funds be created by 15 January 1933. It is prohibited to spend the natural funds created in kolkhozes which have not settled with the State. The district executive committees must immediately check these funds and appoint people in cooperatives responsible for their preservation. The district executive committees were given the right to count all natural funds of the kolkhoz as part of the grain requisition quotas. And those kolkhoz debtors who issued advances for people's labour or for public food over the established norm (15% of the actual amount threshed) had to immediately organize the return of "unlawfully issued grain" in order to direct it towards meeting the quota. The district executive committees were instructed to organize the confiscation from kolkhozes, those not part of a collective and workers of sovkhoses grain stolen when cutting, threshing or transporting. In order to crush sabotage in the management ranks, it was required that accountants, bookkeepers, storekeepers, managers etc be held to answer if they concealed grain from the inventory, on the basis of the resolution from 7 August 1932, as thieves of State and public property.<sup>55</sup>

**19.** In Item 9 of the Resolution of the Council of People's Commissars of the Ukrainian SSR of 20 November it is stated that "With respect to kolkhozes

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<sup>54</sup> The Famine of 1932–1933 in Ukraine. Documents and Materials. — pp. 371–372.

<sup>55</sup> Collectivization and famine in Ukraine. 1929–1933. — pp. 548–549.

that have allowed the theft of kolkhoz grain and maliciously sabotage the grain requisition quota, fines in kind are applied in the form of an additional quota from the meat requisitions of the size of the 15-month norm of the meat task for the given kolkhoz, both of the common cattle, and that of the kolkhoz workers.<sup>56</sup> The Party resolution duplicated this item, however added to it the following: “In kolkhozes which do not satisfactorily meet the grain requisition quota, with regard to kolkhoz workers who have grain sown on their garden plots, all grain which they get from these garden plots as natural issue for labour with the removal of the excess of grain handed over to fulfil the grain requisition quota”<sup>57</sup>. The Party resolution included yet another item not in the government’s resolutions: those farming not in a collective who did not meet their grain quotas could be fined by the imposition of extra demands not only from the meat requisitions of the 15 month norm, but also from potatoes (the annual norm).<sup>58</sup>.

20. Furthermore, the resolution further pushed the idea that there was grain and that it was communist saboteurs and former petlurites who were obstructing implementation of the quota. “*Since a number of agricultural party organizations, especially during the period of cattle requisitions there has proved to be unity between whole groups of communists and some leaders of party branches with kulaks, petlurites, etc which in fact turns such communists and party organizations into agents of the class enemy and is clear proof of how far removed these branches and communists are from the poor and middle-level kolkhoz masses, the Central Committee and the Central Controlling Commission decrees that a purge be carried out immediately of a number of village party organizations which are clearly sabotaging the implementation of the grain requisition quotas and are undermining fact in the Party among the workers.*”<sup>59</sup>.

21. On 21 November Molotov, Chubar, Stroganov and Kalmanovich addressed a request to Stalin to provide the CC CPU, as represented by a special commission (the General Secretary of the Central Committee, the Head of the GPU of the UkrSSR, and a representative of the Central Controlling Committee) for the duration of the grain requisitions with the right of decision with regard to using the death penalty. The Special Committee of the CC CPU needed only to report once every 10 days before the Central Committee of the CPSU on its decisions in these cases.<sup>60</sup>.

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<sup>56</sup> The Famine of 1932–1933 in Ukraine. Documents and Materials. — p. 400.

<sup>57</sup> Ibid. — p. 391.

<sup>58</sup> The Famine of 1932–1933 in Ukraine. Documents and Materials. — p. 393.

<sup>59</sup> Ibid. — pp. 393–393.

<sup>60</sup> The Tragedy of the Soviet Village... — v. 3 — p. 548.

22. Similar commissions at the regional (oblast) level, made up of the First Secretary of the regional committee, the head of the regional division of the GPU and the regional prosecutor were created in order to accelerate the repressions in accordance with the Resolution of the CC CPU from 5 December 1932. The courts had to consider cases within 4–5 days under the direct leadership and surveillance of the commission<sup>61</sup>. Analogous “troikas” and Special Commissions were created in regional divisions of the GPU (Order of the GPU UkrSSR from 11 December 1932)<sup>62</sup>.

### HOLODOMOR 1932–1933 IN UKRAINE

23. In order to force the peasants to give up their grain, the Party bosses made examples of villages which for a long time could not settle with the State, putting them on the so-called “black board”. This term was first used in Kaganovich’s diary during his visit to Kuban. It entailed closure of all State and cooperative shops with the confiscation of all reserves, total ban on trading, kolkhoz or private, a purge of counter-revolutionary and kulak elements and ban on leaving the village.<sup>63</sup> The idea was supported in Ukraine and already on 6 December 1932 a resolution of the All-Ukrainian Central Executive Committee and the Council of People’s Commissars of the UkrSSR placed six villages on the black board, while local authorities applied this against 400 villages.

24. Despite the exceptional measures, the rate of grain requisitions fell. As S. Kosior wrote to Stalin on 8 December 1932, the hay threshing had ended almost everywhere, and therefore the Ukrainian Party organization should be redirected “towards uncovering concealed, wrongly issued and stolen grain”<sup>64</sup>. Grain could be taken from kolkhoz workers or independent farmers either through searches or repression. Kosior considered the best means to be repression in the form of “fines in kind” (“a kolkhoz worker and even an independent farmer is now holding tight to a cow or pig”) or depriving them of their garden plots<sup>65</sup>.

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<sup>61</sup> The Famine of 1932–1933 in Ukraine. Documents and Materials. — p. 443.

<sup>62</sup> Ibid. — p. 472.

<sup>63</sup> The Commander of the Great Famine. — p. 260.

<sup>64</sup> The Famine of 1932–1933 in Ukraine: through the eyes of historians, in the language of the documents — p. 282.

<sup>65</sup> The Famine of 1932–1933 in Ukraine: through the eyes of historians, in the language of the documents. — pp. 284, 286.



25. Displeased with the activities of the Ukrainian and Kuban leaders, Stalin subjected them to severe criticism at a meeting of the Politburo on 10 December 1932. On 14 December a secret resolution of the Central Committee of the Soviet Communist Party and Sovnarkom “On grain requisitions in Ukraine, North Caucuses and in the Western Region” was passed. This changed the deadline for fulfilling the grain requisition quota for Ukraine to the end of January, and in the North Caucasus Territory to 10–15 January. The resolution again asserted that as the result of the poor work of the Party leadership, former kulaks, officers, petlurites, etc had penetrated the kolkozoes and were trying to organize “*a counterrevolutionary movement and the sabotage of the harvest and sowing campaigns*”. *The Central Committee of the All-Soviet Communist Party and Sovnarkom issue the order “to resolutely extirpate these counterrevolutionary elements by means of arrests, long-term deportation to concentration camps, without stopping short of capital punishment for the most malicious of these elements*”. The Resolution also stated that “*the worst enemies of the party, working class, and collective farm peasantry are saboteurs of grain procurement who have party membership cards in their pockets*” and ordered that they apply “*severe repressions, five- to ten-year deportation to concentration camps, and, under certain circumstances, execution by shooting*”<sup>66</sup>.

26. The Central Committee Resolution of 14 December 1932 sharply criticized the policy of Ukrainization. It asserted that it “*was carried out mechanically, without taking into consideration the peculiarities of every raion and meticulous selection of the Bolshevik cadre. This made it easier for bourgeois-nationalistic elements, Petliurites and others to create their legal cover-ups and counterrevolutionary cells and organizations*”. *The Central Committee and Sovnarkom suggest “paying serious attention to the correct implementation of Ukrainization, eliminating its mechanical implementation, expelling Petliurite and other bourgeois-nationalistic elements from Party and government organizations, meticulously selecting and raising Ukrainian Bolshevik cadre, and ensuring systematic Party management and supervision over Ukrainization*”<sup>67</sup>. The Resolution basically contained the instruction to stop Ukrainization in the North Caucasus Territory (more about this in Items 46, 47, and 48). And on 15 December 1932 a telegram signed by Stalin and Molotov was sent to the Central Committees of the republic communist parties; the territory and regional (oblast) committees, the heads of the councils of people’s com-

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<sup>66</sup> The Famine of 1932–1933 in Ukraine. Documents and Materials. — p. 476.

<sup>67</sup> Ibid. — p. 477.

missars of the territory and regional committees. This contained yet another secret resolution which ordered the immediate cessation of Ukrainization in all places with Ukrainians living together throughout the entire territory of the USSR. As well as the North Caucasus Territory (3,106 million Ukrainians), this included such regions as the Kursk region (1.3 million), Voronezh region (1 million); the Far East, Siberia and Turkestan (with around 600 thousand Ukrainians each).

27. No longer relying on Ukrainian leaders, on 18 December 1932 Stalin sent Kaganovich and P. Postyshev to Ukraine with special powers to use “all necessary measures of an organizational and administrative nature for fulfilling the grain requisition quota”. The Deputy Head of the OGPU of the USSR V. Balytsky had been sent to Ukraine at the end of November 1932. On 20 December 1932 during a meeting of the Politburo of the CC CPU Balytsky stated that from the beginning of December through blanket searches 7 thousand pits and 100 concealed storing places had been uncovered, holding 700 thousand poods of grain.<sup>68</sup> It followed from this that it was impossible to meet the quota in this way. Nonetheless Kaganovich considered that it was necessary to uncover “an underground grain city” in Ukraine. On 29 December he forced the CC CPU to adopt a decision on confiscating all kolkhoz funds, including seed funds. Chubar deemed the lack of fines in kind a failing of the grain requisitions.<sup>69</sup>

28. At the Politburo meeting, Balytsky reported that from the middle of July to the middle of November 11 thousand people had been arrested on “grain cases” and from 15 November to 15 December 1932 — 16 thousand people, including 409 heads of kolkhozes and 107 heads of district executive committees. The “troika” had issued 108 death sentences and a further 100 cases were presently under examination.<sup>70</sup>

29. On 1 January 1933 the UkrSSR leadership received the following telegram signed by Stalin:

“Be informed of the Central Committee Resolution from 1 January 1933: “Suggest that the CPU and the Council of People’s Commissars of the UkrSSR widely inform, via their village councils, kolkhozes, kolkhoz workers and working individual farms that:

- a) those of them who voluntarily hand over to the State grain previously stolen and hidden from inventory, shall not be repressed;

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<sup>68</sup> The Commander of the Great Famine. — p. 316.

<sup>69</sup> Ibid. — p. 317.

<sup>70</sup> Ibid. — p. 316.

- b) with regard to kolkhoz workers, kolkhozes and individual farmers who stubbornly persist in hiding grain previously stolen and hidden from inventory, the most severe measures of punishment set out in the Resolution of the Central Executive Committee and Sovnarkom of the USSR from 7 August 1932 “On the protection of property of State enterprises, kolkhozes and cooperatives, and the consolidation of socialist property” will be applied.<sup>71</sup>

**30.** The telegram notified the peasants that they must hand over all grain and if they don’t do this, they faced blanket searches aimed at rooting out “grain stolen and hidden from inventory”. If grain was found, punishment would be according to the “5 ears of wheat law” (the death penalty or no less than 10 years deprivation of liberty), and if none was found, there would be a fine in kind, that is confiscation of meat, including “in live” weight, and potatoes.

**31.** At the present time many oral accounts from survivors have been gathered, and a lot published. This testimony coincides with the historical facts. After Stalin’s telegram the searches and confiscation of grain were merged into a single campaign of repression. Brigades of activists were organized who removed from the kolkhoz workers and independent farmers not only grain, meat and potatoes, but all food that they found, even cabbage, pickled beetroot, a handful of wheat — absolutely everything, and if they found food cooked, they destroyed it. In this way they saved themselves from starvation, since they got to keep a part of what they found. The three volume work Oral History Project on the Ukrainian Famine which fills 1,734 pages and published by the US Congress Commission on the Ukrainian Famine 1932–1933 led by James Mace, is full of such accounts from all regions of the country.

**32.** As in 1932 the peasants tried to leave for other areas of the USSR in search of food. Yet now the Soviet State organized a real blockade to not let them leave Ukraine. On 22 January 1933 a directive was issued by the Sovnarkom and the Central Committee of the Soviet Communist Party on preventing the wide-scale exodus of starving peasants in Ukraine and Kuban to find food. It was written by Stalin personally. On the very next day an identical letter of instruction was issued by the CC CPU and the Ukrainian Council of People’s Commissars, signed b Khataevych and Chubar. It was to all regional party committees and regional executive committees and spoke of

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<sup>71</sup> The Famine of 1932–1933 in Ukraine. Documents and Materials. — p. 569.

the unacceptability of wide-scale moves by kolkhoz workers and independent farmers beyond Ukraine.

*“Following last year’s example a mass exodus has begun from some raions of Ukraine to the Moscow, Western regions, Central Chernozem [Black Earth] Region, Byelorussia “for grain”. There have been cases where almost all individual farmers and some of the kolkhoz workers have left their village. Without a doubt some mass exoduses are being organized by enemies of the Soviet regime, social revolutionaries [esery], and agents of Poland in order to campaign “because of the peasants” in the northern regions of the USSR against the kolkhozes and against the Soviet regime. Last year the Party, Soviet and chekist bodies in Ukraine failed to pay heed to this counter-revolutionary trick by enemies of the Soviet regime. This year there must be no repeat of this mistake. The CC CPU and the Council of People’s Commissars propose:*

*1. That decisive measures are taken with no delay in each raion to prevent the mass exodus of individual farmers and kolkhoz workers, on the basis of the directive from Balytsky sent around through the GPU line.*

*2. The work of all recruiters of labour for travel beyond Ukraine is checked, that they are held under strict control, and that all suspicious counter-revolutionary elements are dismissed from this work and removed.*

*3. That widespread explanatory work is undertaken among individual farmers and kolkhoz workers against wilfully leaving and abandoning their households, and that they are warned that if they leave for other regions they will be arrested there.*

*4. That measures are taken to stop the sale of tickets beyond Ukraine for peasants who do not have permission to travel from the raion executive committee or a document from industrial, construction or State organizations confirming that they have been recruited for a particular job outside Ukraine. The relevant instructions should be sent to the People’s Commissariat of Communications and the transport sections of the GPU.*

*5. That brief reports be provided no later than 6 p. m. on 24 January about the actual situation with mass exodus of peasants for your oblast”<sup>72</sup>.*

**33.** Special patrols and operations groups, as well as filter points, were created at railway stations. Chekists [secret police], police officers and local activists monitored the roads. According to figures from the OGPU, during 50 days following the issuing of the directive 219.5 thousand peasants were stopped, this including 38 thousand in the UkrSSR, 47 thousand in the North Caucasus Territory , in the Central Chernozem Region — 44 thousand, in

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<sup>72</sup> The Famine of 1932–1933 in Ukraine. Documents and Materials. — p. 617.

the Western Region — 5 thousand and at railway stations — 65 thousand peasants. Of those detailed, 186.5 thousand were sent home under convoy, and almost 3 thousand had been convicted, while the rest were awaiting trial or under investigation in filtration camps.<sup>73</sup>

34. Ukrainian peasants, tormented by the endless searches, confiscation of food productions, and blockade were starving en masse. Those who survived testify that beginning from February 1933 the famine became particularly horrific. Whereas up till January tens of thousands were dying, from February to May the numbers were in the millions. According to a document from the GPU of the UkrSSR, during the entire period from 1 December 1932 to 25 January 1933 14,956 pits, 621 “black cellars” and 1,359 other hiding places were found, with 1,718.5 thousand poods of grain confiscated.<sup>74</sup>

35. On 5 February a resolution of the Central Committee of the Soviet Communist Party concluded the requisitions from the 1932 harvest. The UkrSSR had in total fulfilled 83.5% of a quota which had twice been reduced. A total of 4,171.4 thousand tonnes of grain had been requisitioned against 7,047.1 thousand tonnes of grain from the 1931 harvest. Up to 1 November 136.1 million poods were handed over, and from November through January 1933 — another 87 million poods of grain.

The well-known German historian Gerhard Simon<sup>75</sup> writes: “*The Bolshevik leadership denied any famine and rejected the possibility of measures of assistance either from within the country, or from abroad. When news of the famine nonetheless reached Western Europe and North America, Soviet diplomacy and propaganda received the instruction to pass it off as anti-Soviet slander and reject any offers of support for starving Soviet villages.*”

*However export of grain from the Soviet Union did not stop although the scale was somewhat reduced. In 1931 the Soviet Union exported 5.2 million tonnes of grain, while in famine-hit 1933 — 1.7 million tonnes. Using the money obtained, the Soviet authorities bought machines and other industrial equipment from the West. Furthermore, in famine-hit 1932 and 1933 the state grain stocks were taken to silos, although on a smaller scale.*

*According to calculations by Michael Ellman from the Amsterdam School of Economics, one of the leading experts on Holodomor, just the grain exported would have been sufficient to feed 1.5 million people for a year. If the Stalin regime had allowed national and international aid and stopped the export*

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<sup>73</sup> S. V. Kulchytsky. Holodomor 1932–1933 as genocide... — p. 310.

<sup>74</sup> Ibid. — p. 299.

<sup>75</sup> Gerhard Simon. Die Große Hungersnot (Holodomor) in der Ukraine als Völkermord. Tatsachen und Kontroversen, the journal Europäische Rundschau, 1/2008, p. 83–90.

of grain, then they would have been able to feed the entire population of the country without any problem despite the bad harvest “if ensuring that the entire population had food had been the highest priority for Stalin”. However that was not his aim”.

36. At the end of January 1933 Postyshev was again sent to Ukraine to prepare the spring sowing which against a background of mass starvation and the lack of seeds was problematical. Back on 23 September, on Stalin’s initiative, the Central Committee of the Soviet Communist Party and Sovnarkom passed a resolution according to which all proposals to provide seed loans were rejected, and sovkhozes and kolkhozes were warned that there would be no loan either for the winter crops or for the spring sowing<sup>76</sup>. Therefore on 4 February Postyshev stated that seeds would be gathered by means of grain requisitions. Since there was no grain among the starving peasants, the party leaders resorted to rewards for denunciations. Each person who informed where a neighbour was hiding grain received between 10 and 15% of the grain discovered. On 17 February 1933 these “measures” were approved by a government resolution.<sup>77</sup>

37. In February the Ukrainian leadership began providing aid to the starving in order to safeguard the sowing. On 19 February 1933 Postyshev received Stalin’s consent to unblock 3 million poods of State grain reserves to provide food aid to the peasants. However the scale of the famine was increasing by the day. Therefore Postyshev decided that it wasn’t worth giving food to those not working. A CC CPU Resolution from 31 March 1933 on the preparations for the spring sowing contained the following: “Suggest that the Kyiv regional committee carry out the following measures for organizing food aid to kolkhoz workers and independent farmers in need: ... b) divide all those hospitalized into the ill and those recovering, and considerably improve the food supplied to the latter so that they can be discharged and back to work as quickly as possible.”<sup>78</sup>. Thus, the peasants were divided into those who could provide labour and those weakened by hunger and unable to work. The first survived, the second died. This was the “charitable” State assistance.

38. Mortality in the first half of 1933 increased each month. And despite the fact that the work of the registrar offices was partly paralyzed, from March to August 1933 they registered hundreds of thousands of deaths.<sup>79</sup>

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<sup>76</sup> S. V. Kulchytsky. 1933: the tragedy of the Famine, p. 41.

<sup>77</sup> Ibid.

<sup>78</sup> The Famine of 1932–1933 in Ukraine. Documents and Materials. — p. 802.

<sup>79</sup> S. V. Kulchytsky. Holodomor 1932–1933 as genocide... — p. 340.

Overall for 1933 registrar offices registered 1,678 deaths in rural areas, 1,552 of these being Ukrainians. These statistics cannot give an idea of the scale of Holodomor as they are incomplete.<sup>80</sup>

39. Against a background of mass starvation in the villages in 1933 Postyshev began an offensive against the Ukrainian intelligentsia and Ukrainian Communist party. 1933 became a year of unabated political repression. It was impossible to conceal a disaster on the scale of the famine and the deaths of millions of people, and therefore the regime tried to fend off possible accusations by diverting them against “saboteurs”, in the first instance at agricultural specialists. In 1933 Stalin blamed agrarian professors of deliberately “injecting the cattle in the kolkhozes and sovkhoses with plague or anthrax; of encouraging the spread of meningitis among horses, and others”. In March 1933 a panel board of the OGPU of the USSR examined the cases (“according to a list”) of 75 civil servants of people’s commissariats for agriculture and sovkhoses of Ukraine, Byelorussia and the North Caucasus Territory. Less than a day was spent on example the case of the 75 officials. 35 were shot on the basis of the examination into the case. A real pogrom was carried out in the Kharkiv agricultural and zootechnical institutes. Scientific research institutes and universities in Ukraine lost up to 270 professors and lecturers.

40. At the beginning of 1933 the fabrication began of a “Ukrainian Military Organization” which they “included” three writers in — Oles Dosvitniy, Serhiy Pylypenko and Ostap Vyshnya. The first extrajudicial “terrorist” trial behind closed doors in Ukraine took place in Kharkiv on 3 March 1934. Dosvitniy, Pylypenko and Vyshnya were accused of planning the murder of Postyshev, Chubar and Balytsky. Only Ostap Vyshnya was “pardoned”, receiving a sentence of 10 years labour camp. The other nine people charged in the “Ukrainian Military Organization” Case (still unfinished, in all 148 people were arrested) were shot. There were also trumped up cases over the “Polish Military Organization” [POV] and the “Bloc of Ukrainian Nationalist Parties”.

41. At the end of February 1933 a campaign was launched against Mykola Skrypnyk and the communists supporting him. Skrypnyk was removed from his post as Minister of Education. Everything that was linked in Ukraine with the literary renaissance, introduction of the literary language standards, creation of new dictionaries, development of Ukrainian theatre, historical research and Ukrainization of schools was all stigmatized as

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<sup>80</sup> S. V. *Kulchytsky*. Why did he destroy us? — p. 154.

“skrypnykovshchyna” [i. e. connected with Skrypnyk], became the target of political repression which did not abate through 1933 and 1934. People carrying out Ukrainization — from rural teachers to members of the Academy of Sciences — were repressed on a wide scale as bourgeois nationalists. On 13 May 1933 the well-known writer Mykola Khvylyovy committed suicide. In June 1933 at the plenum of the CC CPU Postyshev blamed Skrypnyk and his nationalist “deviation” for all the “difficulties of the previous year”, and accused him of harbouring in the People’s Commissariat of Education “deviationists, saboteurs, counter-revolutionaries”.<sup>81</sup> On 7 July 1934, unable to withstand the hounding, Skrypnyk killed himself. His death spelled the end to Ukrainization and nationalism as a whole (overall the CPU was halved, while the members of the Ukrainian Politburo were later, during the Great Terror of 1937–1938 all eliminated). Another leader of Ukrainization and People’s Commissar of Education Oleksandr Shumsky was also arrested, together with communists connected with him. On 5 September 1933 Shumsky was sentenced to 10 years imprisonment. In November 1933 the Director of the “Berezil” Theatre Les Kurbas was arrested. In 1934 first-class writers who were later to become known as “rozstrilyane vidrodzhennya” [“Executed Renaissance”] were repressed, being labelled as “bourgeois nationalists” and “terrorists”. In total the OGPU arrested 199 thousand people in Ukraine in 1932–1933, against 119 thousand in 1929–1931, and 71 thousand in 1934–1936. Death from starvation coincided with repression of the national Ukrainian cultural, intellectual, creative and political elite.

#### HOLODOMOR 1932–1933 IN KUBAN

42. Just as Ukraine received the most onerous grain requisition quota among agricultural regions in 1931–1932, so to were the planned figures for grain requisitions in Kuban for 1931–1932 higher than for the other 10 districts of the North Caucasus Territory. It was for this reason that the rural population of Kuban, together with Ukraine, had the worst results for grain requisition quotas and became the target of efforts by the Party-State leadership of the USSR aimed at extracting grain. As stated in the decision of the Soviet Politburo from 1 November 1932 with regard to the commission headed by Kaganovich: *“the main task of the said group of comrades is to devise and carry out measures aimed at breaking down sabotage of the sowing*

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<sup>81</sup> James Mace. Political causes of Holodomor in Ukraine (1932–1933). Ukrainian Historical Journal, No. 1, 1995 Posted in Ukrainian at: <http://maidan.org.ua/n/lib/1044901106>



*and grain requisition, organized by counter-revolutionary kulak elements in Kuban.*<sup>82</sup>.

43. The Kaganovich Commission immediately began punitive measures. A resolution of the politburo of the North Caucasus Territory Communist Party from 4 November 1932 added three stanitsas to the “black board” and the population was warned that if it continued to sabotage the sowing and grain requisitions, they would all be exiled North, and the stanitsas would be taken over by diligent kolkhoz workers who work in conditions where there is little arable land or on uncomfortable land in other areas. The resolution also contained measures analogous to the measures in the Resolution of the Central Committee of the Soviet Communist Party from 18 November 1932: intensifying the struggle against saboteurs, especially those with Party tickets in their pocket, the confiscation of grain previously distributed in payment for labour and the introduction of fines in kind.

44. Kaganovich’s threat was carried out, and from four large stanitsas — Poltavska, Medvedovska, Urupska and Umanska — 51.8 thousand people were exiled to the North of the country. and from other stanitsas — no less than 10 thousand. All of their property and livestock was left for those “diligent kolkhoz workers” who would settle in these stanitsas. In fact, the inhabitants of those stanitsas, already emaciated, were deported to a sure death.

45. Those who refused to rob the peasants and Cossacks themselves ended up within the machine of repression. Even before the arrival of the Kaganovich Commission, the OGPU had arrested 5 thousand communists of Kuban, and overall around the territory — 15 thousand. On 4 November 1932 another decision was adopted by the North Caucasus Territory Committee, this being to carry out a purge of the Party organizations of the Territory, and first and foremost, Kuban. Throughout November and December 1932 and in 1933, approximately 40 thousand people were expelled from the Party, while up to 30 thousand other members of the Party fled beyond the Territory.<sup>83</sup>

46. The people of Kuban faced the same fate as the Ukrainian peasants — blanket searches, confiscation of food, and after 22 January 1933 — a blockade with it being impossible to leave in search of food. Earlier, however, discrimination had been added on ethnic grounds. Item 7 of the Resolution of the Central Committee of the Soviet Communist Party “On grain requisitions in Ukraine, North Caucasus and in the Western Region” from 14 December 1932 stated that “the irresponsible, non-Bolshevik “Ukrainization,” which was

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<sup>82</sup> The Commander of the Great Famine. — p. 250.

<sup>83</sup> S. V. *Kulchytsky*. *Holodomor 1932–1933 as genocide...* — p. 293.

at variance with the cultural interests of the population and which affected nearly half of the raions in the Northern Caucasus, as well as the complete lack of supervision on the part of territorial agencies over the Ukrainization of schools and the press, had provided the enemies of the Soviet power with a legal form for organizing resistance to the Soviet authorities' measures and tasks on the part of kulaks, officers, Cossack resettlers, members of the Kuban Rada, etc."<sup>84</sup>.

47. "For the purpose of crushing the resistance to grain requisitions mounted by kulak elements and their party and non-party menials", the Central Committee and Sovnarkom among other things, issued orders to: "*immediately switch Soviet bodies, cooperative societies, and all newspapers and magazines in the Ukrainized raions of the Northern Caucasus from Ukrainian to Russian, as being more understandable to Kuban residents, and to prepare and change the language of instruction in schools to Russian by the autumn. The Central Committee and Sovnarkom oblige the Territory Party and Executive Committees to urgently examine and improve the composition of school teachers in the Ukrainized raions*"<sup>85</sup>.

48. This resulted in the destruction of all ethno-cultural forms of life led by Ukrainians in the Northern Caucasus, the closing of Ukrainian schools, newspapers, journals, other Ukrainian cultural structures. Added to the physical suffering from starvation in Kuban, was the psychological suffering caused by the denigration of the honour and dignity of the inhabitants of Kuban — ethnic Ukrainians who made up more than two thirds of the population of Kuban.

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<sup>84</sup> The Famine of 1932–1933 in Ukraine. Documents and Materials. — p. 476.

<sup>85</sup> Ibid — p. 477.

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У цьому тексті зроблена спроба довести, що Голодомор 1932–1933 років в Україні та на Кубані має ознаки злочину проти людяності та геноциду.

*Наукове видання*

**Yevhen ZAKHAROV**

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