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**THE GENOCIDE INTENTION IN THE LIGHT OF NEW DOCUMENTS  
ON THE HOLODOMOR OF 1932 – 1933 IN UKRAINE**

**Abstract.** *The purpose of the research is to identify and analyze additional archival documents that allow proving more thoroughly the USSR leadership's special intention existence to commit the Genocide against the Ukrainians, organizing the Holodomor in the USSR, the North Caucasus and Kuban in 1932 – 1933. The methodology of the research involves the use of the source methods, the analysis with the help of previously unknown documents, aimed at accumulating new evidence concerning the Genocide intention. The scientific novelty consists, primarily, in the fact that new archival sources have been introduced into the scientific circulation, which expanded the possibilities for the Holodomor legal qualification in 1932 – 1933 as the Genocide crime. For the first time, the documents have been found and analyzed showing that at least in the first half of 1933 the regional authorities required the villages, towns and districts authorities to send comprehensive information on the mortality rate dynamics in different age groups in the Holodomor every ten days, but the regional authorities did not take any measures in order to stop the mass murder by starvation, although they received reports regularly. The Conclusions.* The revealed documents concerning the Moldavian Autonomous Soviet Socialist Republic testified that the Holodomor organizers and executors of 1932 – 1933 created a special vertically integrated system aimed at constant monitoring of the mortality rate in the Ukrainian countryside, which provided for updating the information every five days at the district level and every ten days at the regional levels. The statistics and reports on Baltic region for the first half of 1933, which were regularly provided to the Moldavian Regional Committee of the CP (b) U, reflected a steady increase in the mortality rate in various villages and age groups. However, the information did not help, any decisive actions were not taken in order to help those people, who were starving, which only emphasized the government's intention to starve the planned amount of population to death.

**Key words:** *the Holodomor, the Genocide, the Genocide intention, Ukraine, the Holodomor victims.*

## НАМІР ГЕНОЦИДУ В СВІТЛІ НОВИХ ДОКУМЕНТІВ ПРО ГОЛОДОМОР 1932 – 1933 рр. В УКРАЇНІ

**Анотація.** *Мета дослідження* полягає у виявленні та аналізі додаткових архівних документів, які дозволяють ґрунтовніше довести наявність у керівництва СРСР спеціального наміру вчинити злочин геноцид щодо українців, організувавши на території УСРР, Північного Кавказу та Кубані Голодомор 1932 – 1933 рр. **Методологія дослідження** передбачає застосування джерелознавчих методів, аналіз за їхньою допомогою невідомих раніше документів, спрямований на формування нових доказів наміру геноциду. **Наукова новизна** дослідження полягає насамперед у тому, що до наукового обігу вводяться нові архівні джерела, які розширюють можливості для правової кваліфікації Голодомору 1932 – 1933 рр. як злочину геноциду. Вперше виявлено та проаналізовано документи, які свідчать про те, що владні структури обласного рівня як мінімум в першій половині 1933 р. вимагали від влад сіл, міст і районів надіслати щодесять днів всебічну інформацію про динаміку смертності населення в різних його вікових групах на території Голодомору й регулярно отримували її від них, але не вживали заходів, спрямованих на припинення масового вбивства голодом. **Висновки.** Виявлені документи, які стосуються Молдавської АСРР, свідчать про те, що організатори і виконавці Голодомору 1932 – 1933 рр. створили спеціальну вертикально інтегровану систему постійного моніторингу рівня смертності в українському селі, яка передбачала оновлення інформації щоп'ять днів на рівні районів і щодесять днів на рівні області. Статистичні дані та доповідні по Балтському району за першу половину 1933 року, які регулярно надавалася Молдавському обкому КП(б)У, відображають постійне зростання смертності в різних селах та вікових групах. Проте ця інформація не стала сигналом для рішучих заходів з надання допомоги тим, хто голодував, що лише відтіняє намір влади вбити голодом заплановану кількість населення.

**Ключові слова:** Голодомор, геноцид, намір геноциду, Україна, жертви Голодомору.

**The Problem Statement.** The Holodomor issue concerning the legal qualification and political and legal assessment of 1932 – 1933 is paramount in the bloodiest crime study against the Ukrainians in the XXth century. Since 1953, when Raphael Lemkin, the author of the UN Convention on the Prevention and Punishment of the Crime of Genocide, published in 1948, defined the Holodomor as the “Soviet Genocide” (Lemkin, 2009, pp. 31, 33), but the scientific and political discussions concerning the issue are of high topicality all around the world till nowadays. Even Kyiv Court of Appeal’s Resolution, issued on the 13th of January in 2010, which, summarized the criminal case № 475, stated that “the Ukrainian Holodomor parameters meet the requirements of the 1948 Convention” because they provided the part of the Ukrainian (and not any other) national group’s destruction”, couldn’t stop the heated discussions (Gerasymenko & Udovychenko, 2014, pp. 441–442). At the heart of the issue is proving that the authorities at the time intended to organize a murder by starvation. According to researcher V. Vasylenko, “Decisive and critical for the legal assessment of a behavior as the Genocide crime is a special intention emergence to destroy a certain group and prove that this intention concerned this national, ethnic racial, religious group as such, and not finding an answer to the question why, for what reasons and motives where and when the crime was committed, or about the so-called quantitative Threshold, namely the number of the crime victims” (Vasylenko, 2016, p. 18). But there are no relevant legislative or administrative documents nowadays. And one can hardly hope that they will be found in the future because the Russian occupation Communist government preferred not to leave direct evidence on paper. The Communist government’s fervent desire to hide from the world the very fact of the Holodomor of 1932 – 1933 in Ukraine, could be considered perhaps as the most convincing evidence. Therefore, it remains only to operate with indirect historical and legal arguments, the

combination of which will give grounds to speak about the Genocide intention existence. The scientific basis of the Holodomor legal assessment of 1932 – 1933 became the main direction of elaboration the search for such evidence. Their diversification and accumulation deepen the idea of the essence of the latter, emphasizing the various components of the Genocide crime.

**The Analysis of Resent Researches.** Recently, the study concerning the Genocide intention was thriving. The Genocide intention issue was developed by both historians and lawyers actively, both the Genocide concept supporters and those who deny the genocidal nature of the Holodomor. There were the following modern legal scholars: M. Antonovych, V. Vasylenko, K. Bondar, D. Marcus, B. Futey, who kept to the concept, according to which in legal terms the above-mentioned UN Convention of 1948 did not require the presence of authentically recorded in the document/intention documents, and the set of historical arguments used by the Holodomor history researchers allows us to draw a reasoned conclusion about the Genocide intention, formed in the ruling elite of the USSR (Antonovych, 2016, pp. 84–92; Bondar, 2016, pp. 102–116; Marcus, 2003, pp. 246, 255; Futey, 2016, pp. 183–186; Vasylenko, 2016, pp. 20–62). Furthermore, the Genocide intention existence was noted by all historians directly or implicitly, who recognize the Holodomor of 1932 – 1933 as the Genocide, for example, A. Besançon, A. Graziosi, D. Koch, S. Kulchytskyi, V. Marochko, J. Mace, N. Neymark, N. Romanets, A. Serhiychuk, R. Serbyn, H. Fein and the others. The Genocide intention could be derived from the logic of decisions and the set of actions taken by the Holodomor organizers and high-ranking executors. The following execrable actions were considered to be self-sufficient proof of the Kremlin’s intention to commit the Genocide, in particular, the unbearable grain procurement plan, harsh repressive measures with the “blackboards” and the Law of Five Spikelets at the top of the pyramid, all food supplies confiscation, the Holodomor territory blockade.

At the same time, the thesis about the alleged legal nullity the Holodomor qualification of 1932 – 1933 as the Genocide carries on evolving in the intellectual circulation, as there weren’t found any direct instructions from J. Stalin and his associates concerning the Ukrainians extermination’s organization. In addition, the Russian historians who, denying the Genocide, continue to develop the idea of the “All Soviet Union famine” (Kondrashyn, 2011, p. 13; Zelenin, pp. 45–46).

Hence, under such circumstances, the strategy of evidence base strengthening of the Holodomor Genocide requires to be covered with an explanatory model of the largest possible range of actions of the power vertical in Ukraine, showing conscious intent to commit famine, the fact that these weapons were aimed at the Ukrainians’ destruction, and the representatives of other national groups, who lived along with the Ukrainians fell under the general rink.

**The purpose of the article** is to investigate the identified documentary materials that expand the evidence base in order to prove the USSR leadership’s special intention existence to commit the Genocide against the Ukrainians, organised Holodomor of 1932 – 1933 in the USSR, the North Caucasus and Kuban.

**The Basic Material Statement.** The researchers, in order to determine whether or not there was a specific intent to commit the Genocide crime, focused on elucidating a well-thought-out and ever-improving repressive component of a policy aimed at the starvation of a part of the “Ukrainian national group”, which was camouflaged under the struggle for the the grain procurement plan implementation and against the Soviet government enemies and the saboteurs. The Holodomor organizers’ and perpetrators’ awareness issue, namely the consequences of their chosen course is much less developed. However, for the qualification

of the Holodomor as the Genocide, a detailed clarification of the latter aspect is of the utmost importance, as M. Antonovych emphasized rightly when analyzing the source of the law “Elements of Crimes” of the International Criminal Court (ICC), which has jurisdiction over the Genocide crimes (Antonovych, 2019, p. 20). According to the ICC, there is a close link between the crime itself and the intention presence and the knowledge of the consequences to be expected once the intention is implemented. (Elements, 2011, p. 1). To what extent did the Holodomor organizers and performers and at what level did they understand what results their actions would lead or could potentially lead to? Did they realize that they would cause the Holodomor territory formation, mass deaths from famine, as well as the accompanying manifestations of the crime, which in 1948 will be defined as the Genocide? Due to the recently found documents in Baltic District Committee party funds, there is a chance to expand the scientific ideas about these issues significantly.

First of all, it was about the Genocide crime organizers and the vertical of perpetrators awareness degree regarding the level and the mortality rate dynamics in the first half of 1933, when the Holodomor was thriving. In addition, during the Holodomor of 1932 – 1933, the Soviet statistical system failed miserably and could no longer be a source of complete information for the authorities (Boriak, 2008, pp. 199–215). It should be mentioned that the parallel mechanisms of information support of the power vertical weren’t reconstructed in their entirety. The array of sources, which was introduced into the scientific circulation, gave only a selective idea concerning the messages flow through different channels. Thus, the issue directly related to the Genocide intention issue remains unclear, namely, how fully and reliably was the government informed about the situation on the ground and the consequences of its actions, and most importantly, whether it really sought to have as accurate information as possible to assess and adjust their actions.

Owing to the Baltic District Committee party funds, it was just possible to come across the documents that shed light on the mechanism of informing the Communist Party bodies concerning the mortality rate through the grassroots party organization – the District Committee – the Moldovan Regional Committee of the CP (b) U. It was revealed that there were the interconnected documents, performed by I. Sirko’s directives the Moldovan Regional Committee of CP (b) U First Secretary, Kaptsevych the Baltic District Committee of CP (b) U secretary and Varhaftin, responsible employee of the same District Committee. In the force field of these documents were Kaptsevych’s information letters sent to the Regional Committee, as well as, and most importantly, the information about mortality rate in different periods from the 1<sup>st</sup> of January to the 10<sup>th</sup> of July in 1933. Most of the information was intended for Tyraspol data on the Baltic region. However, the documents on Baltic and Bondariv Village Councils for July 1–10, 1933 were also preserved.

I. Sirko’s directive addressed to Kaptsevych on the 28<sup>th</sup> of March in 1933 with the following requirement: “to inform the Regional Committee in writing about the the hunger strike facts and about the measures taken by you on this issue”, is considered to be of utmost importance (State Archive of Odesa Region – SAOR, f. P-869, d. 2, c. 44, p. 87). Furthermore, the document mentioned the previous directives (“a number of directives and instructions”), which were sent several times, but the Baltic District Committee had some problems with the implementation. In addition, the Baltic District Committee Secretary’s name was handwritten in the text of the directive printed on the regional committee form, which testified its distribution on other areas. Thus, the Moldovan Regional Committee of the CP (b) U demanded constant information concerning the Holodomor consequences.

It should be clarified for what kind of information they were waiting for as the requirement was disguised in the formula the “starvation facts”. The answer was on the surface, due to Kaptsevych’s and Varhaftin’s directives content, which were sent to the party centers’ secretaries, information letters to the regional committee, and even better specially formed information, which was sent to Tyraspol.

Thus, Varhaftin stressed the following on the 4<sup>th</sup> of June: “Despite repeated warnings about the timely and accurate information supply on the number of those in dire need of the food aid and the mortality, some party centers’ secretaries (Shlyakhova, Lyakhove, Passaty, Horbyne) still treat the most important cases irresponsibly, the data is incorrect and send untimely”. It was further ordered to submit the information for May 25-June 1 and the whole of May by the 6<sup>th</sup> of July, and there was also the warning that “the party centers’ secretaries are responsible for timely notification and accuracy of information personally, and those guilty of the non-compliance will be prosecuted” (SAOR, f. P-869, d. 2, c. 44, p. 98). In unison, Kaptsevych demanded the reports concerning “the number of deaths” on the 11<sup>th</sup> of June, and noted that “information for the last five days from the 25<sup>th</sup> of May to the 1<sup>st</sup> of June has not been provided yet”. First of all, the information was collected from places every five days, and second of all, that the process itself was launched much earlier than in May – June. Both Kaptsevych and Varhaftin put emphasis on the fact that they had to remind repeatedly about the information, which should be sent on time, and demanded to explain the reasons for the delay (SAOR, f. P-869, d. 2, c. 44, pp. 87, 98).

Hence, both the regional and district authorities were really talking about the mortality rate determination, and not just about the “starvation facts”, as the Moldovan Regional Committee of the CP (B) U First Secretary was trying to cover the issue. The Moldovan Regional Committee of the Central Committee (b) First Secretary’s directive, in particular, the verbal formula “the hunger strike facts and the measures you take on this issue” had a completely different meaning. In addition, both the district and the region authorities needed the accurate information on time. For non-compliance with the requirement, secretaries of grassroots party cells were threatened with severe punishment. At the same time, on the 31<sup>st</sup> of May, in a report to the Regional Committee, Kaptsevych complained that the “data on mortality from exhaustion, malnutrition by PKK commissioners and party secretaries were significantly belittled, because the old age – over 50 years, who actually died of malnutrition and exhaustion, their cause of death was related because the “old age”” (SAOR, f. P-869, d. 2, c. 44, p. 63).

Finally, all doubts about what kind of data the regional authorities really needed were removed by the developed form of information tables, which were sent to Tyraspol (as well as from other districts of the region). The same documents, reflecting the mortality rate dynamics from January to the 10<sup>th</sup> of July in 1933, shed light on how the authorities disposed of the information, how they responded to the violent increase in mortality. Taking into account the analyzed directives, we can make a conclusion about whether or not there was the intention to commit the Genocide crime.

It is difficult to overestimate the importance of the document, which was entitled “The Information on the number of those in dire need of food aid, sick and dead due to food difficulties in the Baltic region”. Eight of those documents submit generalized data separately for each village in the following chronological intervals: the 1<sup>st</sup> of January– the 28<sup>th</sup> of April, the 29<sup>th</sup> of April – the 14<sup>th</sup> of May, the 14<sup>th</sup> of May – the 25<sup>th</sup> of May, the 25<sup>th</sup> of May – the 1<sup>st</sup> of June, the 1<sup>st</sup> of June – the 10<sup>th</sup> of June, the 10<sup>th</sup> of June – the 20<sup>th</sup> of June, the 20<sup>th</sup> of June – the 1<sup>st</sup> of July, the 1<sup>st</sup> of July – the 10<sup>th</sup> of July (SAOR, f. P-869, d 2, folder 44, pp. 75, 82–83,

84–86, 93–94, 104–112). In addition, there were two summary documents, which summarize the general results without a breakdown into villages. The first document was concluded on the 2<sup>nd</sup> of June and contained indicators for the 1<sup>st</sup> of January – the 28<sup>th</sup> of April, the 28<sup>th</sup> of April – the 14<sup>th</sup> of May, the 14<sup>th</sup> of May – the 25<sup>th</sup> of May (SAOR, f. P-869, d. 2, c. 44, p. 101). In the second document to the preliminary information the data for were added the 25<sup>th</sup> of May – the 1<sup>st</sup> of June, the 1<sup>st</sup> of June – the 10<sup>th</sup> of June, the 10<sup>th</sup> of June – the 20<sup>th</sup> of June (SAOR, f. P-869, d. 2, c. 44, p. 81).

The form of information with the generalization on each village provides the following components: the period for which the statement was made; the name of the settlement; the number of deaths by sex, by age groups (up to 10 years, 10–18 years, 18 – 50 years, over 50 years), by sectors (collective farmers or individuals); causes of death (rubrics “typhus and infectious diseases”, “old age”, “exhaustion and malnutrition”, “heart failure”, “other diseases”); the number of those in dire need of food aid, again divided into collective farmers and individuals, and within these groups into children and adults (SAOR, f. P-869, d. 2, c. 44, pp. 75, 80–82, 84, 93, 101). The information received from village councils had a similar form.

Against the background of the information form, as well as the above directives, the resolution of the Central Committee of the CP (b) U “On cases of starvation in villages and small towns of the republic” of the 8<sup>th</sup> of February in 1933 looked indicative internal resources to remedy the situation, it was planned to allocate centralized assistance. At the same time attention! – it was ordered: “While carrying out this work, to prohibit the sending of any official commissions and to keep official records regarding collective farms, districts and cities” (Pyrig, 2007, p. 668). In other words, the resolution demanded that documented traces of the Holodomor not be allowed to appear. All information had to be hidden from the outside eye and circulated in the power vertical exclusively. The documents found in the fund of the Baltic District Committee of the CP (b) U reflect this mechanism.

The figures contained in the data require a separate careful analysis. For the same article, the actual mortality rate dynamics were important. And it is impressive, even taking into account the high probability of underestimation of data, as Kaptsevych himself wrote. Despite the fact that the Baltic District Committee of the CP (b) U and the Moldovan Regional Committee of the CP (b) U constantly had information on the affairs’ state on the ground and demanded accurate data under threat of severe punishment, mortality rate only increased. If from the 1<sup>st</sup> January to the 28<sup>th</sup> of April in the area 2432 persons died, only in 15 days from the 29<sup>th</sup> of April to the 14<sup>th</sup> May – already 910 (without data on 8 Village Councils) (SAOR, f. P-869, d. 2, c. 44, pp. 81, 93, 101). Then the lever continued to gain momentum, so they began to receive information every ten days, and that every five days. Hence, from the 15<sup>th</sup> to the 25<sup>th</sup> of May, 907 people died, in five days from the 25<sup>th</sup> of May to the 1<sup>st</sup> of June – 683, from the 1<sup>st</sup> of June to the 10<sup>th</sup> of June – 1245, from the 10<sup>th</sup> of June to the 20<sup>th</sup> of June – 1158, from the 1<sup>st</sup> to the 10<sup>th</sup> of July – 693, but without data on 13 village councils (SAOR, f. P-869, d. 2, c. 44, pp. 75, 80–82, 84). Hence, the verbal indicators of mortality take on a particularly sinister coloring when viewed against the background of the fact that the authorities kept their hands firmly on the pulse of events.

**The Conclusions.** The study clearly shows that the power vertical was not just aware of the dynamics of mortality. It aimed to operate with constantly updated and accurate information on this issue. A special information mechanism was created, which provided for the regular receipt of relevant information from village councils to the region, as well as a notification form was developed, which contained comprehensive information on mortality

in different settlements and age groups. Ultimately, the authorities were well aware of the dire situation, took steps to keep it detailed, but did not take action to correct it, and the mortality rate curve only pulled up. Under conditions of strict centralization, such behavior could not be the initiative of the Communist Party leadership of the Moldavian Autonomous Soviet Socialist Republic. So this algorithm was programmed by the center. The so-called “food aid”, but in fact a cynical loan, was designed, as in other regions of Ukraine, only to hide the real plan. All the above-mentioned information indicate only one thing – a deliberate course of starvation. Thus, there were additional arguments in favor of the conclusion that the authorities intended to commit the Genocide crime.

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