

Children of State Police Officers and Soldiers of the Polish Army in NKVD Special Camps

Maryla Faldowska

ORCID: 0000-0003-1753-1556

Siedlce University of Natural Sciences and Humanities, Poland

Abstract. *The article presents issues concerning juvenile prisoners of three special camps in Kozielsk, Starobielsk and Ostashkov. The author draws attention to the lack of definition of the legal status of minors after 1918, and thus — the lack of provisions on ensuring the safety of children in the international standards governing the treatment of prisoners of war in force during World War II and internal legal acts of the Soviet Union. The article emphasizes that the participation of children in armed conflicts was regulated as late as ten years after the outbreak of World War II in international humanitarian law, adopting on 12 August 1949 “The Geneva Convention relative to the Protection of Civilian Persons in Time of War” (Fourth Geneva Convention), under which children are entitled to special treatment or protection measures. The provisions of conventions protecting children during the war included, among others, regulations concerning the creation of special zones and sanitary facilities, evacuation from the besieged zone, provision of necessary food and clothing, provision of medical and hospital care, education or transfer to a neutral country. The author notes that the Fourth Geneva Convention does not contain a provision on special protection and care for juveniles, and that children during warfare are classified exclusively as civilian population. The circumstances of the Soviet captivity of minors after September 17, 1939, their stay in and leaving the camps, the reasons for selection, after which they were left alive and not included in the “death transports”, described in the article, make it possible to determine the number of rescued and murdered.*

DOI: 10.5604/01.3001.0013.4227

<http://dx.doi.org/10.5604/01.3001.0013.4227>

Keywords: security, humanitarian law, Geneva Convention, Soviet captivity, juvenile prisoners of war, Katyn massacre

Introduction

In accordance with the “Convention on the Rights of the Child”, adopted by the United Nations General Assembly on 20 November 1989 “[...] child is defined as any human being below the age of eighteen”¹. From a broader perspective, one might say that a child “[...] is a person, a human being placed on the timeline of his or her development, from birth to full physical maturity, i.e. to the age of 16–18”².

Children born in Poland after 1918 were probably — just like today — a subject of special care and protection, not only from the family but also from the independent state. After birth as persons who were given names and surnames, they belonged to the family, state and social structure. They began to enjoy certain rights and entitlements guaranteed by normative acts³, but unfortunately not all of them.

¹ Dz.U. of 1991, No. 120, item 526, art. 1.

² Krauz A, Olak A, Dzieci żołnierze — żywe tarcze, *Kultura Bezpieczeństwa Nauka — Praktyka — Refleksje*, 2015, No. 20, pp. 277–278. In the current stage of physical and mental development of a child, one can distinguish five periods of development: — first infant (from birth to mid-2 years); — second infant (2–3 years); — third pre-school (3 to 6, (7) years of age); — fourth school (6 or 7 to 15 years of age); — fifth puberty (15, 16 to 18 years of age). In the latter period, the following appear criticism of thinking, professional interests, social-moral and ethical views are established.

³ Krauz A, Olak A, *op. cit.*, p. 276.

After the First World War, it turned out that the norms of war law established in the Hague Conventions⁴ concerning the legal status of prisoners of war, among other things, and due to the length of war operations, are insufficient. As a result, the legislative work⁵ that resulted in the signing of the Convention relative to the Treatment of Prisoners of War at the Geneva Conference on 27 July 1929 was resumed. It was joined by 50 states, including Germany and Poland, which ratified the convention on February 18, 1932⁶. Both the 1907 Hague Convention, Article 3 of which stated, "the armed forces of warring parties may consist of both combatants and non-combatants. In the event of seizure by the enemy, both these and others have the right to be treated as prisoners of war"⁷, as well as the Geneva Convention of 1929, which extended it, were binding international norms for the treatment of prisoners of war during World War II⁸. The Government of the Soviet Union did not accede to the Geneva Convention on the Treatment of Prisoners of War of 27 July 1929 and did not feel bound by its provisions. This had a direct impact on the treatment of prisoners of war⁹ who, after September 17, 1939, were taken prisoners of war by the Soviet Union. Their status was determined by the internal legal acts of the state in whose power they found themselves, and largely by the assessment of the political situation¹⁰.

In accordance with the order no. 00931 of the People's Commissioner for Internal Affairs L. Beria, a procedure was established for the imprisonment of prisoners of war. Already during the warfare on September 19, 1939, the Regulations of the Board for Prisoners of War of the NKVD¹¹ USSR (hereinafter — the Board of PW) were implemented. On the same day, the Economic Council of the Council of People's Commissioners of the USSR adopted the "Rules of Conduct for Prisoners of War", which in point 1 clearly stated that:

"Prisoners of war shall be deemed individuals belonging to the armed forces of states remaining at war with the USSR, taken prisoners during the war, as well as nationals of other states interned within the territory of the USSR."

By order of the Supreme Military Command, the following may also be recognised as prisoners of war:

- a) persons captured in the course of warfare, forming part of units not belonging to the enemy's armed forces, provided that they were formed on its territory not occupied by RKKA [Workers' and Peasants' Red Army] units, have organisational features of the army, carry out open arms and respect the customs and rules of war established by international law;

⁴ Dz.U. RP of 1927, No. 21, item 161.

⁵ Bierzanek R, *Wojna a prawo międzynarodowe*. Warsaw, 1982, p. 35.

⁶ Dz.U. RP of 1932, No. 103, item 866.

⁷ *Ibid.*

⁸ Rezler-Wasielewska V, *Działalność naukowo-oświatowa polskich jeńców wojennych w niemieckich i radzieckich obozach podczas II wojny światowej*. Opole, 2001, p. 17.

⁹ As cited in: Flemming M, *Status prawnomiędzynarodowy jeńców polskich w niewoli niemieckiej i radzieckiej*, [in:] *Niemiecki i radziecki system jeniecki w latach II wojny światowej: podobieństwa i różnice, materiały z konferencji naukowej*, 5.06.1997 r., (Ed.) Nowak E, Opole 1997, p. 83.

¹⁰ *Ibid.*, p. 81.

¹¹ People's Commissariat for Internal Affairs (*Rus.*: Народно́й Комисса́рият Внутре́нных Дѣ́л).

- b) captured civilian persons accompanying the enemy army and fleet with the appropriate authorisation, such as journalists, suppliers and others¹².

In view of the above, it is clear that juvenile prisoners of war — children, who were in Soviet captivity — as in any other captivity — were not subject to any law that would protect them in any way. They were classified as civilians and with great probability — especially in the first lists of the number of prisoners of war prepared by NKVD officers, they were or could have been classified as “refugees”¹³ or “others”¹⁴.

Captivity

The aggression perpetrated by the USSR against Poland on September 17, 1939 surprised thousands of Poles. Many Polish families settled and living along the eastern border did not manage to say goodbye to their closest ones. It is likely that 240,000 soldiers¹⁵, including not only adults but also children, were taken into Soviet captivity — the exact number is still difficult to determine. Most frequently, these were relatives of the first degree in a straight line, i.e. father and son. Juvenile captives were mainly sons of the State Police officers and soldiers of the Polish Army¹⁶.

The circumstances in which juveniles were taken prisoners of war by the Soviets and their stay in special camps in Kozielsk, Starobielsk and Ostashkov were described in the accounts and memoirs of the “victims” themselves, burdened with the baggage of their own experiences and the prematurely forced “emotional and mental maturity.

One can mention here Stefan Nastarowicz, who as a 14-year-old boy together with his father in the suburbs of Brest was taken prisoner by the Soviets and then “passed” through the camp in Pavlishchev Bor to arrive at the camp in Ostashkov on October 30, 1939¹⁷.

The content of Mieczysław Karpiński’s letter¹⁸ (17-year-old in 1939) is extremely valuable, as it reveals another picture of the journey in captivity, namely the stay

¹² Rules of the Board for Prisoners of War of the NKVD USSR of 19 September 1939, [in:] *Jeńcy niewypowiedzianej wojny, sierpień 1939–marzec 1940*. Warsaw, 1995, Vol. 1, pp. 83–84; Rules of conduct with prisoners of war adopted by the Economic Council of the Council of People’s Commissioners on September 19, 1939, [in:] *Ibid.*, pp. 88–92.

¹³ Summary of the number of prisoners of war who were released and left in the camps on October 8, 1939, [in:] *Ibid.*, p. 156; Inspection report on the condition of the prisoner-of-war camp in Kozielsk of 15 October 1939, [in:] *Ibid.*, p. 18.

¹⁴ *Ibid.*, pp. 483, 484.

¹⁵ See more: Jaczyński S., *Ocaleni od zagłady. Losy oficerów polskich ocalałych z masakry katyńskiej*. Warsaw, 2012, pp. 23–24.

¹⁶ Fałdowska M., *Zamordowani! Ocaleni? Ojcowie i synowie w obozach specjalnych Kozielsku, Starobielsku i Ostaszku*, [in:] *Bezpieczeństwo — Edukacja — Wychowanie*, Vol. 2, *Edukacja i wychowanie dla bezpieczeństwa w przeszłości i współcześnie*, Księga jubileuszowa dedykowana Profesorowi Jerzemu Kunikowskiemu, Jaczyński S, Araucz-Boruc A, Wierzbiński G (Eds). Siedlce, 2015, pp. 471–485.

¹⁷ See more: Nastarowicz S., *Mojej wrześniowej wojny-99 dni*, *Przegląd Policyjny*, 1992, No. 4, p. 161.

¹⁸ *Jeńcy w Griazowcu i Suzdalu. Alfabetyczne wykazy 3640 jeńców wojennych z 1939 r. — Polaków i przedwojennych obywateli polskich innych narodowości — przetrzymywanych w sowieckich obozach w Griazowcu i Suzdalu*, wprowadzenie S. Jaczyński. Warsaw, 1998, *Indeks represjonowanych*, Vol. 5, p. 55.

of police officers' children in two special camps in Kozielsk and Ostashkov and the movement between them. We read in the letter, "The arrest took place in the last days of September or the first days of October 1939. We were transported from the homeland to Kozielsk. [...] On January 1, 1940. (my name day) with the remaining police group, a group of civil servants and a few students (Ozimek [...], Gniewosz and Kornacki) we were deported from Kozielsk and after a few days' journey in the prisoner convoys we arrived in Ostashkov.¹⁹

The quoted record is a confirmation of the information contained in the letter prepared by the commanding officer of the Kozielsk camp, Vasily Korolov, and addressed to the head of the Board of PW Piotr Soprunienko. The document shows that at least nine sons of police officers from Białystok and Oshmiany, taken captive together with their fathers near Vilnius at the Porubanok station on October 16, 1939, were held in the Kozielsk camp. In the absence of data on the activity of the boys against the Red Army, the commandant asked what he should do next with the children: send them home as refugees, or send them to the Ostashkov camp together with their fathers. The records of the Kozielsk camp do not contain a clear answer related to the fate of the children, while handwritten notes on the document indicate good intentions. The first entry — Soprunienka's of 19 October 1939, addressed to the head of the Department of Records and Registration of the Board of PW Ivan Maklarski, concerning the issue of an order to send the boys home. The second — Maklarski's of 20 October, addressed to the senior inspector of the same department, Max Gobierman, ordering the urgent issue of this order.

The birthdates of the boys on the list confirm that the boys were between 15 and 18 years old. The list contained the following names: 1. Szewczyk Romuald, born in 1924 in Białystok, a student of the II class of the junior secondary school; 2. Mydlarz Tadeusz, born in 1923 in Białystok, a student of the II class of the junior secondary school; 3. Karpiński Mieczysław, born in 1922 r. in Białystok, a scout, a student of the III class of vocational school in Białystok; 4. Bekker Aleksy, born in 1923 in Białystok, a student of the II class of the junior secondary school; 5. Kitlas Edward, born in 1923 in Piaski, Wołkowski powiat, Białystok voivodship, student of the junior secondary school; 6. Ozimek Stanisław, born in 1922 in Kalbieszewo, Lwów voivodship, domiciled at Oshmyan, Wilno voivodship, student of the secondary school; 7. Pączyński Władysław, born in 1923 in Wilno, domiciled at Oshmyan, Wilno voivodship, student of the junior secondary school; 8. Apoznański Władysław, born in 1921 r. in Guzów, Warsaw voivodship, domiciled in Białystok, student of a junior secondary school; 9. Gutowski Stanisław, born in 1922 in Grajewo, domiciled in Białystok, student of a junior secondary school²⁰.

The Soprunienko's command to send children home was not carried out. The boys have been staying in Kozielsk for over two months. In mid-December 1939,

¹⁹ The Polish Institute and Sikorski Museum in London (hereinafter — PISM), Kol. 419/27. Letter from Mieczysław Karpiński to Zdzisław Stahl — Secretary of the Polish Association of Former Political Prisoners of 22.03.1962.

²⁰ Letter from camp commandant W. Korolow to P. Soprunienko concerning the children of policemen — prisoners of war detained in the camp of 16 October 1939, [in:] Katyń. Dokumenty zbrodni, Vol. 1, pp. 197–198; Tucholski J, Mord w Katyniu. Kozielsk, Ostaszów, Starobielsk. Lista ofiar. Warsaw, 1991, p. 334; see more: Fałdowska M, Obóz polskich jeńców wojennych w Kozielsku (wrzesień 1939 — maj 1940). Siedlce 2013, pp. 186–187.

the commandant of the camp in Kozielsk Korolow received an order from the Board of PW to transport 37 police officers in a special prison wagon to the Ostashkov camp. On December 23rd, a group of 41 people was sent, in which there were police officers, military police officers and priests. The children of the police officers also left with this group²¹.

Henryk Muś (a 17-year-old in 1939) was also a prisoner of war. He moved between two special camps. Through Tarnopol and Wolotshyska, together with his father, he went to Starobielsk, where he stayed until the end of October, and then by the first transport he was transported to Ostashkov²².

Zbigniew Wylężałek (a 17-year-old in 1939) presents a heartbreaking picture of the conditions in Starobielsk in his account. Here is an excerpt from the memories. [...] There were old wooden barracks in the camp, without any equipment, there were a dozen or so of them — apart from them there was a kitchen, a well, a crane, and the toilets (pits) we built ourselves. The number of lice was enormous because of lack of water and dirt, so it was decided to apply a delousing chamber. The clothes gathered in barracks were placed in a specially built round iron room with a stove in the middle. And just as one of them had 100 lice, the other 50 lice, the third 60 lice, so after the operation everyone had a fair share of 70 [...]”²³. Similar conditions were in the other two special camps in Kozielsk and Ostashkov²⁴.

Food standards did not satisfy hunger, not even a 15-year-old boy. They were calculated solely to sustain life²⁵. Usually, in Ostashkov, for lunch, hideous oily fish soups or potato flakes were “served”²⁶. Vegetables and fats were dispensed in negligible quantities, most often oil was added to groats. The meat was practically never given to prisoners of war²⁷. In the memoirs of Nastarowicz, dated November 3, 1939, we read, “When a piece of meat comes in, Father gives it to me. We eat lunches with wooden Russian spoons together, from one bowl. We use a wooden pole as a table in front of our building”²⁸. On the other hand, on November 8: “We were in the

²¹ Lebidiewa N, *Katyń: zbrodnia przeciwko ludzkości, wstęp A. Ajnenkiel*. Warsaw, 1997, p. 106; *Pamiętniki znalezione w Katyniu, opracowanie Stepek J.A*, II extended edition, Paris–Warsaw 1990, p. 159; *see also: Swianiewicz S, W cieniu Katynia*. Warsaw, 1990, pp. 101–102; W.J. Wysocki, Kapelani — ofiary wojny, [in:] *II półwiecze zbrodni. Katyń — Twier — Charków. Zeszyty Katyńskie*, 1995, No. 5, pp. 74–81; *Katyń. Lista ofiar i zaginionych jeńców obozów Kozielsk, Ostaszów, Starobielsk, wstęp i opracowanie, Szcześniak A.L.* Warsaw, 1989, p. 180; *Katyń. Księga Cmentarna Polskiego Cmentarza Wojennego*. Warsaw, 2000, p. 706; Jankowski S.M, *Czterdziestu co godzinę. Zeszyty Katyńskie*, 2002, No.14, p. 320; Fałdowska M, *Obóz polskich jeńców...*, pp. 186–187.

²² The Eastern Archive in Warsaw (hereinafter — AW), ref. II/2769, Muś Henryk „Dawniej niż wczoraj”, k. 2–4; *see also: Fałdowski M, Zagłada polskich policjantów więzionych w obozie specjalnym NKWD w Ostaszowie (wrzesień 1939–maj 1940)*. Szczytno 2016, pp. 68–169.

²³ Maślikowski S, *Częstochowskie ślady Katynia*, *Electronic source: <http://gazetacz.com.pl/artukul.php?idm=445&id=10295>*, accessed: 8.11.2017; *see more: Gałek B, Starobielsk. Obóz jeniecki NKWD wrzesień 1939–maj 1940*. Warsaw, 2014, pp. 111–127, 156–181.

²⁴ *See more: Fałdowska M, Obóz polskich jeńców...*, pp. 121–124; Fałdowski M, *op. cit.*, 161–165.

²⁵ Nastarowicz S, *Mojej wrześniowej...*, p. 168.

²⁶ *Ibid.*, p. 167; PIMS, Kol. 12/15a. *Obóz jeńców w Ostaszowie*, k. 6.

²⁷ *Ibid.*, k. 5.

²⁸ Nastarowicz S, *Mojej wrześniowej...*, p. 167.

bathroom. I felt very uncomfortable among undressed, naked adults. I saw the Father's face how much he was suffering it"²⁹.

As far as possible, the prisoners of war in the particular camps tried to complete their education. The process of self-education itself, as one may suppose, began mainly with the learning of languages, understandably Russian, which was needed primarily in everyday life. It is known that Nastarowicz learned Russian during his short stay in the Ostashkov camp³⁰.

Juveniles, especially those who were sent to the camps with their fathers, took up work outside the camps. The presence of them was surprising among some of the Soviet military³¹.

The prisoners of war tried at all costs to inform their families about their place of stay. Henryk Gorzechowski, a prisoner of war in the Kozielski camp (18-year-old in 1939), wrote a letter to his mother living in Warsaw, attaching his portrait drawn in the camp. The letter reached his mother, but unfortunately, he did not receive an answer³². It is worth noting that not all the letters written by the prisoners of war were sent. It was the young Gorzechowski who witnessed the destruction by spilling of kerosene and burning tens of bags filled up with letters and cards, probably — the correspondence both incoming and outgoing from the camp³³.

Juvenile prisoners of war, like adults, were subject to interrogation by NKVD officers appointed for this purpose. The course of one of the interrogations was described in detail by Gorzechowski. It says that there was always a pistol on the table during the interrogation. He was asked questions about basic personal data, social status and, of course, the amount of land he owned. Inappropriate answers, command of the Russian language, suspicion of "spying at the age of 12" and alleged malice were the reasons for the hit by an NKVD officer, as a result of which he lost a tooth in his lower jaw. However, during the next interrogation, the NKVD officer apologized to him for the incident³⁴.

It was not an isolated "accident at work". During the interrogation of other juveniles, there were also punches, especially when their age clearly indicated that they were children. This was the case with Wiesław Słupski, a III class student of a junior secondary school in Lublin³⁵, who was kept in a Kozielsk camp. Although the boy was only 15 years old, an NKVD officer asked him about his participation in the Polish-Bolshevik war of 1920. After hearing the answer, he continued to find out what the boy was doing during the war, asking questions about his participation in the execution of Russian prisoners of war and commissioners. The interrogation was interrupted personally by Hans Ejlman, the head of the special branch, who

²⁹ *Ibid.*, p. 168.

³⁰ Nastarowicz S, *Mojej wrześniowej...*, p. 168.

³¹ *Ibid.*, p. 96.

³² Na katyńskiej drodze. Z Henrykiem Gorzechowskim, ocalałym jeńcem z Kozielska, rozmawia Marek Hołubucki, [in:] *Katyń. Relacje, wspomnienia, publicystyka, wstęp i oprac.* Szczęśniak A.L. Warsaw, 1989, p. 46; Fałdowska M, *Obóz polskich jeńców...*, p. 157.

³³ *Ibid.*, pp. 160, 162.

³⁴ Na katyńskiej drodze..., p. 44.

³⁵ Information about prisoners of war remaining in the camp from (not later than) May 19, 1940, [in:] *Katyń. Dokumenty zbrodni, Vol. 2, Zagłada, marzec–czerwiec 1940.* Warsaw, 1998, p. 319; *Jeńcy w Gрязовцу i Суздаль...*, p. 97.

was in the adjacent room. He personally hit the boy with his belt, and used insults against the interrogator³⁶. The investigator's high ignorance is evidenced by two dates: the war of 1920 and the birth of the boy in 1924.³⁷

As far as leaving the camp is concerned, it is very fortunate to speak of those prisoners of war who, for example, left the Ostashkov camp as part of an exchange of prisoners of war between the USSR and Germany in 1939.³⁸ According to Henryk Więcek (17-year-old in 1939), the departure of the first transport from the camp was as follows: "At the turn of October and November, lists of prisoners of war from the German occupied territories were compiled [...]. The lists were drawn up as follows: a Soviet scribe came to the quarters and wrote down each prisoner of war one by one, noting down his name and surname, father's name and year of birth. Then in his office, he typed and returned to us in order to check the correctness of the census. At [...] reading the letter, he twisted the data so much that half of the previously recorded people did not understand the sound of their names. [...] finally, the list was drawn up [...]. The expected time to leave has come. At the shore of the lake, we were placed in fours in the order consistent with the prepared letters. While waiting for an order to board the ship, the camp commandant passed along the column and talked to some of the prisoners of war, including me. He asked me how old I was, what profession. When I answered: student — he asked me at which university I had studied. When he found out that I attended a merchant junior secondary school, he commented: *What are you, a student? A schoolchild!* I noticed that he was interested in juvenile prisoners of war [...]. Some kind of *felfebel* would let prisoners of war on the ship. He called up a surname — it was necessary to give father's name and date of birth. When my turn came, he screamed dangerously, stand aside! My requests and efforts to explain the situation caused only his greater irritation. I was the first one who was not allowed in. With the next "juvenile", the same scene repeated itself. All juveniles and those suspected of being police officers were detained on the side. The transport was completed, the sirens wailed, the ship sailed away. Our hearts were squeezed by the regret that we could not go home. Especially³⁹ the three of us scouts-volunteers [...]. On the second day in the evening a tall [...] officer, took care of the whole group of prisoners of war, not allowed on the ship. He shouted at us incredibly, he did not spare offensive epithets and promised us: *Oh, Polacks, there is going to be dog meat!* We were locked up in a police block. From now on, our fate was to be similar to that of the police officers. [...] At the end of November, the transport *domoj*⁴⁰ was prepared again. The ceremony of preparing lists was repeated. Thanks to the mess that occurred during the preparation of the lists, we managed to add our names to the list. This

³⁶ Derecki M, Chłopiec z obozu w Kozielsku. *Wojskowy Przegląd Historyczny* 1992, No. 1, p. 361.

³⁷ See more about interrogations in the Kozielsk camp: Fałdowska M, Obóz polskich jeńców..., pp. 222–219.

³⁸ Kisielewicz D, Współpraca Niemiec i ZSRR w sprawie wymiany polskich jeńców wojennych w latach 1939–1941, [in:] *Wrzesień 1939 wojna na dwa fronty*. Gmitruk J, Włodarkiewicz W (Eds). Warsaw, 2010, pp. 597–608.

³⁹ author's note.

⁴⁰ From Russian: *domoj* — home.

time, when we were boarding the ship, nobody was especially interested in us⁴¹. It is very probable that H. Muś left the Ostashkov camp with the first transport from the island. The departure from the camp was to be influenced by the insistence of his father's friends, who "gave" him cards with addresses written down for their families⁴². Today, from the perspective of the past time, we can say that it was a very important mission — to inform each family about the place of stay of the person closest to them. This special task has become a "priority" and is confirmed in other juvenile relations.

Nastarowicz described the circumstances surrounding the preparations for his departure from the Ostashkov camp on November 18–20, and the departure itself on November 21, 1939:

"November 21, 1939.

Message: The transport leaves the island. Crying, hugging, blessing on the way, I part with my Father. We are gathered in a large hall. Here they order us to give notes about the people remaining in the camp. Some people destroy various records. There are many torn sheets of paper on the floor. [...] We sail to Ostashkov. The last look at the island [...]. They load the transport into cattle wagons with bunks and stoves. [...].

November 30, 1939.

We are still standing in Brest [...].

December 1, 1939.

[...] We cross the bridge; we are counted by the Germans and the Soviets. [...] The Germans set us up in fours. The orders are guttural. There is an interpreter. They rush: quickly, quickly, quickly, schnell! [...]. The camp [...] in Małaszewicze⁴³.

The promised by NKVD authorities home return⁴⁴ probably made the prisoners of war not take active steps, while those that took place were rather the exception.

The report of the commissioner of the Kozielsk camp, Mikhail Alexeyev, shows that during the "deportations" of prisoners of war in the spring of 1940, the prisoners of war were passive when relating to the talks that were still conducted by the instructors of the political unit: "Why are you bothering us so much with your talks? We are now "living out of a suitcase" and you are [coming in] with your talks. Besides, our heads are only occupied with when and where they will take us⁴⁵. The prisoners of war often commented on the talks: "[...] after all, there is nothing in our country. Everything goes on the armaments. You hit us in the back with a knife. Nevertheless, Poland will exist and we will pay you back then. You will still end up in our captivity⁴⁶. For such a statement, the commissioner of that camp personally arrested for 20 days a cadet Adam Tabaczyński⁴⁷ (in 1939 a 17-year-old). Probably

⁴¹ AW, ref. I/866, Henryk Więcek, k. 24–27.

⁴² *Ibid.*, sygn. II/2769, Muś Henryk, „Dawniej niż wczoraj”, k. 5.

⁴³ Nastarowicz S, Byłem w Ostaszkowie, [in:] *Losy policjantów polskich po 1 września 1939. Studia i materiały*, (Eds.) Majer P, Misiuk A, Szczytno 1996, pp. 89–90.

⁴⁴ Peszkowski Z.J, Zdrojewski S.M (Eds), *Ostaszków-Kalinin-Miednoje*. Łódź-Warsaw-Orchard Lake, 1999, p. 108.

⁴⁵ Report of M. Alexeyev for S. Niechoroszew on the moods among prisoners of war of 17 April 1940, [in:] *Katyń. Dokumenty zbrodni*, Vol. 2, pp. 203–204.

⁴⁶ *Ibid.*, p. 204.

⁴⁷ *Katyń. Księga Cmentarna...*, p. 541.

this arrest was also a result of Tabaczynski's violent reaction, consisting in throwing himself at lieutenant Stefan Nowik and insulting and threatening to settle accounts with him after leaving the captivity "[...] for the fact that in Russian he proposed to add wood to the furnace"⁴⁸.

According to Gorzechowski's memoirs, the transports that were used to move the selected for saving prisoners from three special camps in the spring of 1940 to the Juchnowski camp (Pavlishchev Bor) were carefully guarded by the convoying soldiers. For example, the prisoners of Kozielsk were forced to sit on the floor with their backs facing the direction of travel after being loaded into a truck, and the way they were seated was thoughtful: one was sitting between the knees of the other. The tight seating prevented an attempt to escape, especially since on the roof of the cab there was an NKVD soldier equipped with a machine gun "pepesha"⁴⁹.

Determining the reasons for the separation of juvenile prisoners of war from death transports and saving their lives is partly made possible by the accounts and memories of surviving prisoners of war, including juveniles and fathers of juveniles.

Most probable, it can be assumed that Vasily Zarubin, the major of state security, had some influence on the rescue of juveniles from the Kozielsk camp. The surviving prisoner of war, lieutenant colonel Tadeusz Felsztyn, stated that Zarubin never allowed juveniles to be added to "death transports" when their fathers were shipped⁵⁰. Perhaps the reason for such behaviour (reaction) was the awareness of being a father. In his conversations with the officers, Zarubin often stressed that he had children, and his son, who was about seven years old, was even in the camp⁵¹.

On the day of Gorzechowski's separation from his father (also Henryk) to a question asked by his son, "Father or son...? For a moment there was silence"⁵². Then the answer was given, however, indicating the father, and the son's requests to leave with the father did not bring any results.

The fate of second lieutenant Edmund Słupski and his son Wiesław was decided until the very end. They left the Kozielsk camp in separate transports. The second lieutenant Słupski did not know where his son would go until the very end, despite the fact that one of the NKVD officers had even promised to send his son to the camp where his father would be taken away⁵³. Finally, on May 20, 1940, a juvenile prisoner of war was deported from Kozielsk to Pavlishchev Bor⁵⁴.

On April 15, the commander of the Ostashkov camp, Paweł Borisowicz, sent a letter to Soprunienko, marked "Top Secret", with the following content: "In the camp entrusted to me, a prisoner of war, MASTOLASZ, is being held, along with his 8-year-old son, who is now placed in an orphanage in Ostashkov, where he is now in a school. What to do with the son, if receiving an order to send a prisoner

⁴⁸ Political report of the Board of PW to V. Mierkulov on the course of sending prisoners of war from three special camps from April 22, 1940, [in:] Katyń. Dokumenty zbrodni ..., Vol. 2, p. 223.

⁴⁹ Na katyńskiej drodze..., p. 50.

⁵⁰ PISM, Kol. 12/3, Statement by Tadeusz Felsztyn, k. 3.

⁵¹ See more: Fałdowska M, Obóz polskich jeńców..., p. 112.

⁵² Na katyńskiej drodze..., p. 47.

⁵³ Peszkowski Z.A.J., Zdrojewski S.Z.M (Eds), Kozielsk w dołach Katynia. Dzienniki Kozielskie, Pelplin–Łódź–Orchard Lake, 2003, pp. 1016–1017.

⁵⁴ W. Korolow's report to P. Soprunienko about sending the last prisoners of war from the camp on May 20, 1940, [in:] Katyń. Dokumenty zbrodni, Vol. 2, pp. 330–331.

of war MASTOLASZ⁵⁵. This record shows that the commandant knew that the child would soon lose his father and become an orphan. Two days later, Maklarski became acquainted with the above content in the Board of PW. However, in the headquarters in Moscow, nobody cared about the son of sergeant the State Police (hereinafter — PP) Feliks Mastalarz^{56 57}.

The memories of Zbigniew Godlewski, a prisoner of war in Starobielsk, show that the youngest prisoner of war in the camp was the son of senior corporal Jan Bator. He was a 16 years old school pupil⁵⁸. During one of the transports organized in the camp, they were separated. His desperate father asked the camp authorities to change the decision. The decision was not changed and the boy stayed in the camp⁵⁹.

The study *Ocaleni z katyńskich grobów* shows that there was also a 6-year-old child in Starobielsk — Andrzej Jagodziński, son of Captain Czesław Jagodziński⁶⁰, born in 1933. The author of the same publication writes about the little Jagodziński that he was deported from the camp on May 8, 1940, most probably to Kharkov. He survived, returned to Poland, gained higher education and as a master engineer, he worked in the Passenger Automobile Factory in Warsaw. He died in 1960 as a victim of a murder carried out by the Security Service⁶¹. Undoubtedly, however, this information requires a very thorough and reliable check.

Over the years, researchers of the Katyń problematic issues discussed the cause and purpose of leaving alive the prisoners of war from three special camps. Currently, in the literature on the subject one can find a partial explanation of the problem, including the saving of juveniles.

The 3 April 1941 personal list, which includes 365 prisoners of war, contains, by year of birth, data on the 13 prisoners who survived the so-called “unloading of special camps” and thus the “Katyń massacre”. According to NKVD data, among the survivors there were: corporal cadet Władysław Furtek, student of the vocational cadet school Cezary Bujalski, student of the vocational cadet school Henryk

⁵⁵ Letter from P. Borisowiec to P. Soprunienko concerning the treatment of the child of a prisoner of war of 15 April 1940, [in:] *Ibid.*, p. 197.

⁵⁶ See more: Miednoje. Księga Cmentarna Polskiego Cmentarza Wojennego. Warsaw, 2006, Vol. 2, cf. 555.

⁵⁷ Cf.: Ostaszów-Kalinin-Miednoje..., p. 118; Fałdowska M, Zamordowani! Ocaleni?... , p. 482.

⁵⁸ Godlewski Z, Przeżyłem Starobielsk, *Wojskowy Przegląd Historyczny* 1993, No. 2, p. 326; cf.: Jan Bator, son of Józef, born in 1921. List of personal files of arrested persons sent to the NKVD USSR, [in:] *Listy katyńskiej ciąg dalszy. Stracenie na Ukrainie*. Warsaw, 1994, *Zeszyty Katyńskie*, No. 4, p. 4; Police constable Józef Bator, son of Piotr and Aniela from Myki-etowicz family, born on 19 January 1900 in Zagwoździe. In 1918, he joined the Austrian army. In the police force since 16 May 1924 with an assignment to the Sianki Station in the Turczać powiat. In 1929, he was delegated to the Poviát Headquarters in Nadwórna. From 22 May 1931 to September 1939, he served in the I Police Station in Stanisławów. *Miednoje. Księga Cmentarna...* Warsaw, 2006, Vol. 1, p. 28.

⁵⁹ Godlewski Z, *op. cit.*, p. 327.

⁶⁰ Charków. Księga Cmentarna Polskiego Cmentarza Wojennego. Warsaw, 2003, p. 178; see also: Fałdowska M, *Zamordowani! Ocaleni?...*, p. 483.

⁶¹ Zdrojewski S.Z.M, *Ocaleni z katyńskich grobów, Pelplin-Lódź-Warsaw-Orchard Lake* 2002, pp. 230–231. In the publication the author uses the name “UB” — a commonly used term for state security authorities functioning in Poland in the years 1944–1956.

Gorzechowski, member of the Junak Voluntary Corps Jan Kurpaska, member of the Junak Voluntary Corps Stefan Zajdler, locksmith apprentice Władysław Wiśniewski, student of the junior secondary school Józef Gniewosz, student of the junior secondary school Jan Zenerman, peasant Józef Cięższyk — all born in 1921; student of a craftsmen school Mieczysław Karpiński and weaver Szaja Epsztejn both born in 1922; police officer's son Tadeusz Mydlarz born in 1923; student of a junior secondary school Wiesław Słupski born in 1924⁶².

The above-mentioned prisoners of war can be divided into two groups based on the analysis of the "list of rescued" from the three special camps prepared by Stanisław Zygmunt Maria Zdrojewski.

The first group concerns prisoners of war, whose lives were personally decided about by Mierkulov, and they were likely to play the greatest role in "subjugating" their colleagues⁶³. The way the decision was made makes it possible to distinguish two subgroups within this group.

The first subgroup, according to the "Mierkulov's ordinance", i.e. manual elaborated by him, included Stefan Zajdler from the Kozielsk camp; Szaja Epsztejn, Mieczysław Karpiński, Tadeusz Mydlarz, Władysław Wiśniewski from the Ostashkov camp⁶⁴. Among these prisoners, the Jew Szaja Epsztejn expressed his desire to take over the citizenship of the USSR⁶⁵.

In the second subgroup "Mierkulov", according to the oral instructions or guidelines issued by the secretariat, placed Henryk Gorzechowski and Jan Zennerman from the camp in Kozielsk⁶⁶.

The second group concerns prisoners of war classified as "others". This group was made up of Józef Cięższyk, Władysław Furtek, Józef Gniewosz and Wiesław Słupski from the camp in Kozielsk⁶⁷; Cezary Bujalski from the camp in Starobielsk⁶⁸; Jan Kurpaska from the camp in Ostashkov⁶⁹. According to the letter from the Board of PW, at the request of the Embassy of the Third Reich sent through diplomatic channels, the 3rd GUGB Department⁷⁰ of the NKVD USSR⁷¹, which was dealing

⁶² Wykaz imienny jeńców obozu griazowieckiego z 3 kwietnia 1941 r., Katyń. Dokumenty zbrodni, Vol. 3, Losy ocalałych, lipiec 1940–marzec 1943. Warsaw, 2001, pp. 315–326.

⁶³ See more: Zdrojewski S.Z.M, *op. cit.*, pp. 218–263.

⁶⁴ *Ibid.*, pp. 224, 232, 244, 260; Jeńcy w Griazowcu i Suzdalu..., pp. 39, 55, 111, 113; Wykaz imienny jeńców obozu kozielskiego z 3 kwietnia 1941 r., [in:] Katyń. Dokumenty zbrodni, Vol. 3, p. 325.

⁶⁵ Wykaz imienny polskich jeńców i internowanych pozostałych w obozie griazowieckim z września 1941 r., Katyń. Dokumenty zbrodni, Vol. 3, p. 458.

⁶⁶ Zdrojewski S.Z.M, *op. cit.*, pp. 226, 262; Jeńcy w Griazowcu i Suzdalu..., pp. 44, 115.

⁶⁷ Zdrojewski S.Z.M, *op. cit.*, pp. 222, 224, 226, 252; Jeńcy w Griazowcu i Suzdalu..., pp. 33, 41, 44, 97; see more: Kozielsk w dołach Katynia..., p. 1017; Kisielewski T.A, Zatajony Katyń 1941. Nieznana tragedia polskich wojskowych, Poznań 2011, p. 67; Szcześniak A.L, Katyńska zbrodnia, Radom 2006, p. 46.

⁶⁸ Zdrojewski S.Z.M, *op. cit.*, p. 220; Jeńcy w Griazowcu i Suzdalu..., p. 30.

⁶⁹ Zdrojewski S.Z.M, *op. cit.*, p. 236; Jeńcy w Griazowcu i Suzdalu..., p. 66.

⁷⁰ Central Board of State Security (Głównoje Uprawlenije Gosudarstwiennoj Biezopasnosti).

⁷¹ Letter from the Management Board of PW with information about Polish prisoners of war of German descent looked for by the 3rd GUGB Department of the NKVD of the USSR from October 17, 1940., [in:] Katyń. Dokumenty zbrodni, Vol. 3, p. 181.

with counterintelligence, was looking for Józef Gniewosz, who was of the German descent.

The Cemetery Books of the Polish War Cemetery contain personal details of seven juvenile prisoners of war (taking into account the same year of birth) who were murdered in the spring of 1940. "In the Katyń mode," were killed: from the camp in Kozielsk — Kazimierz Baran, born in 1921, Adam Tabaczyński, born in 1922⁷²; from the camp in Starobielsk — Kazimierz Kosiński and Stanisław Monciewicz, born in 1921⁷³; from the camp in Ostashkov — Janusz Jerzy Kwiatkowski and Kazimierz Zdziubany, born in 1921⁷⁴ and Stanisław Ozimek, born in 1922⁷⁵.

Conclusions

The participation of children in armed conflicts was not regulated until ten years after the outbreak of World War II in international humanitarian law. "The Geneva Convention relative to the Protection of Civilian Persons in Time of War (Fourth Geneva Convention)"⁷⁶, of 12 August 1949 is a document in which "[...] provisions are directly applicable to children by virtue of the fact that for the first time [...] the term *child* is used"⁷⁷.

It is clear from the Fourth Geneva Convention that the group defined as "children" is entitled, on the grounds of age, to benefit from favourable treatment or special protection measures. In ten different articles, the provisions are written in such a way that they directly affect children. The following were among the guarantees: "1) the establishment of special sanitary and security areas and localities organised in such a way as to protect children under the age of 15 from the effects of war [...]; 2) the conflicting parties seeking to conclude local agreements on the evacuation of children from the besieged or surrounded area [...]; 3) allowing the free transport of parcels of necessary food, clothing and supplies for children under 15 years of age [...]; 4) providing care for children under 15 years of age orphaned or separated from their families by war [...]; 5) facilitating the admission of children under 15 years of age to a neutral country for the duration of the conflict [...]; 6) facilitate the recognition of children under 12 years of age by providing them with special measures to facilitate the identification of a particular child [...]; 7) guarantee medical and hospital care [...]; 8) facilitate the identification and registration of children [...]; 9) facilitate the proper functioning of childcare and upbringing facilities [...]; 10) placing interned parents and children in the same place [...]; 11) guaranteeing additional food rations for children under the age of 15 [...]; 12) providing education for interned children and adolescents [...]; 13) endeavouring

⁷² Katyń. Księga Cmentarna..., pp. 18, 641.

⁷³ Charków. Księga Cmentarna..., pp. 241, 355.

⁷⁴ Miednoje. Księga Cmentarna..., Vol. 1, p. 48; *ibidem*, Vol. 2, p. 1056.

⁷⁵ *Ibid.*, Vol. 1, p. 651.

⁷⁶ Dz.U. of 1956, No. 38, item 171, załącznik.

⁷⁷ Stankiewicz W, *Prawnomiędzynarodowe aspekty działu dzieci-żołnierzy w konfliktach zbrojnych*, file:///C:/Users/Maryla/Downloads/2013-2-4%20(1).pdf, accessed: 2.11.2017.

to release, repatriate, return to their homes or receive hospital treatment for children in a neutral country [...]”⁷⁸.

Unfortunately, there is still “[...] no provision on special protection for children [...]”⁷⁹, on the contrary, children have been excluded from the so-called special respect group, which includes the wounded, the sick, cripples and pregnant women⁸⁰. “The issue of special protection for juveniles remained unregulated. Children in war shall be classified as civilian population only”⁸¹. They shall have “[...] the right to respect for their person, honour, beliefs and religious practices, customs and traditions”⁸². “They are granted general protection with a prohibition of mutilation, corporal punishment [...]”⁸³, and other “[...] brutality by civil or military officials”⁸⁴, and so “[...] to apply to juveniles practices derogatory to their dignity”⁸⁵.

The Fourth Geneva Convention, which is one of the fundamental instruments of international humanitarian law, establishes a legal framework for the protection of children: firstly, not involved in military activities and therefore belonging to the civilian population; secondly, preventing participation in military activities for which the term child soldiers is used⁸⁶.

Children — prisoners of war of the special camps in Kozielsk, Starobielsk and Ostashkov were not subject to any legal norms concerning juveniles, because,

⁷⁸ The paper entitled „Ochrona praw dziecka podczas konfliktu zbrojnego”, delivered by Marek Michalak, Ombudsman for Children, during the scientific conference „Ludność cywilna wobec aktów terroru”; Wieluń, 31.08.2014, pp. 4–5, *Electronic source*: http://brpd.gov.pl/sites/default/files/wystapienie_rzeczniaka_praw_dziecka_o_ochronie_praw_dziecka_podczas_konfliktu_zbrojnego.pdf, accessed: 3.11.2017; see more: Art. 14, 17, 23, 24, 38, 50, 82, 89, 94, 132. Dz.U. of 1956, No. 38, item 171, załącznik.

⁷⁹ Stankiewicz W, *Prawnomiędzynarodowe aspekty...*, accessed: 2.11.2017.

⁸⁰ Art. 16. Dz.U. of 1956, No. 38, item 171, załącznik.

⁸¹ Stankiewicz W, *op. cit.*

⁸² Art. 27, more art. 28–30. Dz.U. of 1956, No. 38, item 171, załącznik.

⁸³ Stankiewicz W, *op. cit.*

⁸⁴ Art. 32. Dz.U. of 1956, No. 38, item 171, załącznik.

⁸⁵ Stankiewicz W, *op. cit.*

⁸⁶ The paper entitled “Ochrona praw dziecka...”, pp. 3–6, accessed: 3.11.2017; see more: Flemming, Jeńcy wojenni. Studium prawnohistoryczne. Warsaw, 2000, pp. 90–91; see more: Tomczyk D, Młodociani uczestnicy powstania warszawskiego w obozie jenieckim Wehrmachtu Stalag 344 Lamsdorf, Łambinowice 1982, idem, Nieletni żołnierze powstania warszawskiego w hitlerowskim obozie jenieckim w Łambinowicach, Opole 1986; Najmłodszy jeńcy w historii wojen. Powstańcy warszawscy w Stalagu 344 Lamsdorf. Opole 1993; idem, Nieletni żołnierze Powstania Warszawskiego w obozach jenieckich Wehrmachtu, [in:] Jeńcy wojenni II wojny światowej. Stan archiwów i najnowszych badań, Nowak E (Ed.), Opole 1996, pp. 95–106; Carrisi G, Dzieci-żołnierze: Kalami idzie na wojnę; translation from Italian Kalina Kreczko, Krakow 2007; Dzieci-żołnierze w wojnach i konfliktach zbrojnych: materiały z konferencji naukowe. Opole, 11 grudnia 2007, Nowak E (Ed.). Opole, 2008; Czyżewski J, Dzieci żołnierze we współczesnych konfliktach zbrojnych. Łysomice, 2009; Nowakowska-Małusecka J, Dzieci-żołnierze i sprawiedliwość casus Sierra Leone. *Polski Rocznik Praw Człowieka i Prawa Humanitarnego*, 2010, Vol. 1, pp. 225–243; Klepczyński Ł, Godność jeńców wojennych w warunkach zniewolenia, [in:] Nauka — Etyka — Wiara, 2011, p. 312., [in:] *Electronic source*: http://chfnp.pl/files/?id_plik=449, accessed: 24.11.2014; Kobryński R (Ed.), Dzieci w konfliktach zbrojnych. Warsaw, 2013; Biedrzycka I, Dziecko-żołnierz jako czynna ofiara konfliktu zbrojnego. *Polski Rocznik Praw Człowieka i Prawa Humanitarnego*. Olsztyn, 2013, Vol. 4, pp. 115–132.

as indicated in the introduction, there were no such regulations. Their fate depended only on the good will of the Soviet “torturers”.

(m)

References

1. Archiwum Wschodnie w Warszawie: sygn. I/866, Henryk Więcek.
2. Archiwum Wschodnie w Warszawie: sygn. II/2769, Muś Henryk „Dawniej niż wczoraj”.
3. Biedrzycka I, Dziecko-żołnierz jako czynna ofiara konfliktu zbrojnego. *Polski Rocznik Praw Człowieka i Prawa Humanitarnego*, 2013, Vol. 4.
4. Bierzanek R, *Wojna a prawo międzynarodowe*. Warsaw, 1982.
5. Carrisi G, *Dzieci-żołnierze: Kalami idzie na wojnę; translation from Italian*. Kalina Kreczko. Krakow, 2007.
6. Charków. *Księga Cmentarna Polskiego Cmentarza Wojennego*. Warsaw, 2003.
7. Czyżewski J, *Dzieci żołnierze we współczesnych konfliktach zbrojnych*. Łysomice, 2009.
8. Derecki M, Chłopiec z obozu w Kozielsku, *Wojskowy Przegląd Historyczny*, 1992, No. 1.
9. Dz.U. RP of 1927, No. 21, item. 161.
10. Dz.U. RP of 1932, No. 103, item. 866.
11. Dz.U. of 1956, No. 38, item. 171, załącznik.
12. Dz.U. of 1991, No. 120, item. 526.
13. *Dzieci w konfliktach zbrojnych*. Kobryński R (Ed.). Warsaw, 2013.
14. *Dzieci-żołnierze w wojnach i konfliktach zbrojnych: materiały z konferencji naukowej*, Opole, 11 grudnia 2007, scientific editor E. Nowak. Opole, 2008.
15. Fałdowska M, *Obóz polskich jeńców wojennych w Kozielsku (wrzesień 1939 — maj 1940)*. Siedlce, 2013.
16. Fałdowski M, *Zagłada polskich policjantów więzionych w obozie specjalnym NKWD w Ostaszkowie (wrzesień 1939–maj 1940)*. Szczytно, 2016.
17. Fleming M, *Jeńcy wojenni. Studium prawnohistoryczne*. Warsaw, 2000.
18. Fleming M, *Status prawnomiędzynarodowy jeńców polskich w niewoli niemieckiej i radzieckiej*, [in:] *Niemiecki i radziecki system jeniecki w latach II wojny światowej: podobieństwa i różnice*, materiały z konferencji naukowej z 5.06.1997 r., scientific editor E. Nowak. Opole, 1997.
19. Godlewski Z, *Przeżyłem Starobielsk*, *Wojskowy Przegląd Historyczny*, 1993, No. 2.
20. Jaczyński S, *Ocaleni od zagłady. Losy oficerów polskich ocalałych z masakry katyńskiej*. Warsaw, 2012.
21. Jankowski S.M, *Czterdziestu co godzinę. Zeszyty Katyńskie*, 2002, Vol. 14.
22. *Jeńcy w Griazowcu i Suzdału. Alfabetyczne wykazy 3640 jeńców wojennych z 1939 r. — Polaków i przedwojennych obywateli polskich innych narodowości — przetrzymywanych w sowieckich obozach w Griazowcu i Suzdału*, wprowadzenie S. Jaczyński. Warsaw, 1998, Indeks represjonowanych, Vol. 5.
23. *Katyń. Dokumenty zbrodni*, Vol. 1, *Jeńcy niewypowiedzianej wojny, sierpień 1939–marzec 1940*. Warsaw, 1995; vol. 2, *Zagłada, marzec–czerwiec 1940*, Warsaw 1998; Vol. 3, *Losy ocalałych, lipiec 1940–marzec 1943*. Warsaw, 2001.

24. Katyń. Księga Cmentarna Polskiego Cmentarza Wojennego. Warsaw, 2000.
25. Katyń. Lista ofiar i zaginionych jeńców obozów Kozielsk, Ostaszków, Starobielsk, wstęp i opracowanie A. L. Szcześniak. Warsaw, 1989.
26. Kisielewicz D, Współpraca Niemiec i ZSRR w sprawie wymiany polskich jeńców wojennych w latach 1939–1941, [in:] Wrzesień 1939 wojna na dwa fronty, (Eds) Gmitruk J, Włodarkiewicz W. Warsaw, 2010.
27. Kisielewski T.A, Zatajony Katyń 1941. Nieznana tragedia polskich wojskowych. Poznań, 2011.
28. Klepczyński Ł, Godność jeńców wojennych w warunkach zniewolenia, [in:] Nauka — Etyka — Wiara, 2011, [in:] *Electronic source*: http://chfpn.pl/files/?id_plik=449.
29. Kolekcja 12/15a. Obóz jeńców w Ostaszkowie, Instytut Polski i Muzeum im. gen. Sikorskiego w Londynie.
30. Kolekcja 12/3, Oświadczenie Tadeusza Felsztyna, Instytut Polski i Muzeum im. gen. Sikorskiego w Londynie.
31. Kolekcja 419/27. List Mieczysława Karpińskiego do Zdzisława Stahla — Sekretarza Polskiego Stowarzyszenia byłych Więźniów Politycznych z 22.03.1962 r., Instytut Polski i Muzeum im. gen. Sikorskiego w Londynie.
32. Peszkowski Z.A.J, Zdrojewski S.Z.M (Eds), Kozielsk w dołach Katynia. Dzienniki Kozielskie, Pelplin—Łódź—Orchard Lake, 2003.
33. Krauz A, Olak A, Dzieci żołnierze — żywe tarcze. *Kultura Bezpieczeństwa Nauka — Praktyka — Refleksje*, 2015, No. 20.
34. Lebediewa N, Katyń: zbrodnia przeciwko ludzkości, wstęp A. Ajnenkiel. Warsaw, 1997.
35. Fałdowska M, Zamordowani! Ocaleni? Ojcowie i synowie w obozach specjalnych Kozielsku, Starobielsku i Ostaszkowie, [in:] *Bezpieczeństwo — Edukacja — Wychowanie*, Vol. 2, Edukacja i wychowanie dla bezpieczeństwa w przeszłości i współcześnie, Księga jubileuszowa dedykowana Profesorowi Jerzemu Kunikowskiemu, scientific editors: Jaczyński S, Araucz-Boruc A, Wierzbicki G. Siedlce, 2015.
36. Maśkowski S, Częstochowskie ślady Katynia. *Electronic source*: <http://gazetacz.com.pl/artukul.php?idm=445&id=10295>.
37. Na katyńskiej drodze. Z Henrykiem Gorzechowskim, ocalałym jeńcem z Kozielska, rozmawia Marek Hołubucki, [in:] Katyń. Relacje, wspomnienia, publicystyka, wstęp i oprac. Szcześniak A.L. Warsaw, 1989.
38. Nastarowicz S, Byłem w Ostaszkowie, [in:] *Losy policjantów polskich po 1 września 1939*. Studia i materiały. Majer P, Misiuk A (Eds). Szczytno, 1996.
39. Nastarowicz S, Mojej wrześniowej wojny-99 dni, *Przegląd Policyjny*, 1992, No. 4.
40. Nowakowska-Małusecka J, Dzieci-żołnierze i sprawiedliwość casus Sierra Leone, *Polski Rocznik Praw Człowieka i Prawa Humanitarne*, 2010, vol. 1.
41. Peszkowski Z.J, Zdrojewski S.M (Eds), Ostaszków—Kalinin—Miednoje. Łódź—Warszawa—Orchard Lake, 1999.
42. Pamiętniki znalezione w Katyniu, opracowanie J.A. Stepek, II extended edition, II rozszerzone. Paris—Warsaw 1990.
43. Rezler-Wasielewska V, Działalność naukowo-oświatowa polskich jeńców wojennych w niemieckich i radzieckich obozach podczas II wojny światowej. Opole 2001.

44. Stankiewicz W, Prawnomiędzynarodowe aspekty dzieła dzieci-żołnierzy w konfliktach zbrojnych, *Electronic source*: <http://niezniknelo.pl/NPW/www.npw.gov.pl/dokumenty/WPP/2013-2/2013-2-4.pdf>.
45. Swianiewicz S, W cieniu Katynia. Warsaw, 1990.
46. Szcześniak A.L, Katyńska zbrodnia. Radom, 2006.
47. Tomczyk D, Młodociani uczestnicy powstania warszawskiego w obozie jenieckim Wehrmachtu Stalag 344 Lamsdorf. Łambinowice, 1982.
48. Tomczyk D, Najmłodszy jeńcy w historii wojen. Powstańcy warszawscy w Stalagu 344 Lamsdorf. Opole, 1993.
49. Tomczyk D, Nieletni żołnierze powstania warszawskiego w hitlerowskim obozie jenieckim w Łambinowicach. Opole, 1985.
50. Tomczyk D, Nieletni żołnierze Powstania Warszawskiego w obozach jenieckich Wehrmachtu, [in:] Jeńcy wojenni II wojny światowej. Stan archiwów i najnowszych badań, Nowaka E (Ed.). Opole, 1996.
51. Tucholski J, Mord w Katyniu. Kozielsk, Ostaszków, Starobielsk. Lista ofiar. Warsaw, 1991.
52. Wykaz akt osobowych aresztowanych, wysłanych do NKWD ZSRR, [in:] Listy katyńskiej ciąg dalszy. Stracenie na Ukrainie. *Zeszyty Katyńskie*, 1994, No. 4.
53. Wysocki W.J, Kapelani — ofiary wojny, [in:] II półwiecze zbrodni. Katyń — Twer — Charków. *Zeszyty Katyńskie*, 1995, No. 5.
54. Zbrodnia katyńska. Próba bilansu. *Zeszyty Katyńskie*, 2001, No. 13.
55. Zdrojewski S.Z.M, Ocaleni z katyńskich grobów. Pelplin–Łódź–Warsaw–Orchard-Lake, 2002.

(m)

About the Author

Maryla Fałdowska, PhD, lecturer, Siedlce University of Natural Sciences and Humanities, Faculty of Humanities. Correspondence: Instytut Nauk Społecznych i Bezpieczeństwa, ul. Żytnia 39, 08-110 Siedlce, Poland. E-mail: mfałdowska@o2.pl.

Streszczenie. W artykule przedstawiono zagadnienia dotyczące nieletnich jeńców trzech obozów specjalnych w Kozielsku, Starobielsku i Ostaszkowie. Autorka zwraca uwagę na brak określenia po 1918 roku statusu prawnego nieletnich, a tym samym — brak przepisów dotyczących zapewnienia dzieciom bezpieczeństwa w obowiązujących podczas II wojny światowej międzynarodowych normach regulujących traktowanie jeńców wojennych oraz wewnętrznych aktach prawnych Związku Radzieckiego. W artykule podkreślono, że udział dzieci w konfliktach zbrojnych uregulowano dopiero dziesięć lat po wybuchu II wojny światowej w międzynarodowym prawie humanitarnym, przyjmując 12 sierpnia 1949 r. „Konwencję genewską o ochronie osób cywilnych podczas wojny” (IV konwencja genewska), na mocy której dzieciom przysługuje korzystanie z uprzywilejowanego traktowania lub specjalnych środków ochrony. Wśród zapisów konwencji chroniących dzieci podczas wojny znalazły się między innymi uregulowania dotyczące tworzenia specjalnych stref i miejscowości sanitarnych, ewakuacji ze strefy obłożonej, dostarczania niezbędnej żywności i odzieży, zapewnienia opieki lekarskiej i szpitalnej, kształcenia czy przekazania do kraju neutralnego. Autorka zauważa, że IV konwencja genewska nie zwiera zapisu o szczególnej ochronie i opiece nad małoletnimi, a dzieci podczas trwania działań wojennych są zaliczane wyłącznie do kategorii ludności cywilnej. Opisane w artykule okoliczności dostawiania się nieletnich do niewoli radzieckiej po 17 września 1939 r., pobyt w obozach i ich opuszczanie, przyczyny selekcji, po której byli pozostawiani przy życiu i nie włączani do „transportów śmierci” pozwalają określić liczbę uratowanych i zamordowanych.

Резюме. В статье рассматриваются вопросы, касающиеся несовершеннолетних пленных трех специальных лагерей в Козельске, Старобельске и Осташкове. Автор обращает внимание на отсутствие определения правового статуса несовершеннолетних после 1918 года и, следовательно, отсутствие в международных нормах, регулирующих обращение с военнопленными, а также во внутренних правовых актах Советского Союза, действовавших во время Второй мировой войны, положений об обеспечении безопасности детей. В статье подчеркивается, что участие детей в вооруженных конфликтах было урегулировано в международном гуманитарном праве лишь спустя десять лет после начала Второй мировой войны, когда 12 августа 1949 года приняли «Женевскую конвенцию о защите гражданского населения во время войны» (четвертая Женевская конвенция), в соответствии с которой дети пользуются правом на особое обращение или применение специальных мер защиты. Среди положений конвенции в сфере защиты детей во время войны следует назвать положения, касающиеся создания специальных санитарных зон и местностей, эвакуации из оккупированной зоны, обеспечения необходимыми продуктами питания и одеждой, получения медицинской помощи и лечения в больницах, образования или выезда в нейтральную страну. Автор отмечает, что четвертая Женевская конвенция не содержит положения о специальной защите и попечении в отношении несовершеннолетних, и дети во время военных действий отнесены лишь к категории гражданского населения. Представленные в статье условия советского плена несовершеннолетних после 17 сентября 1939 года, их пребывания в лагерях и выезда из них, причины отбора, после которого они были оставлены в живых и не включены в «конвои смерти», позволяют определить количество спасенных и убитых.

(mj)

