

DRAFT — not published. Draft for the editor. Figures checked against the OSCE Moscow Mechanism report (13 Apr 2022), OHCHR (Feb–Jul 2022 report), Amnesty (30 Jun 2022), AP (4 May 2022) and the SBU (28 Jul 2023, 19 Aug 2025). No UN body has established a death toll; the hub shows the range. Photos: Wikimedia Commons, licences checked.

~600

people likely killed, reconstructed from 23 survivor and rescuer accounts and two sets of floor plans C

AP investigation, 4 May 2022

~300

killed — the first official estimate, never updated: the city lost access to the site B

Mariupol City Council, 25 Mar 2022

500 -
1,200

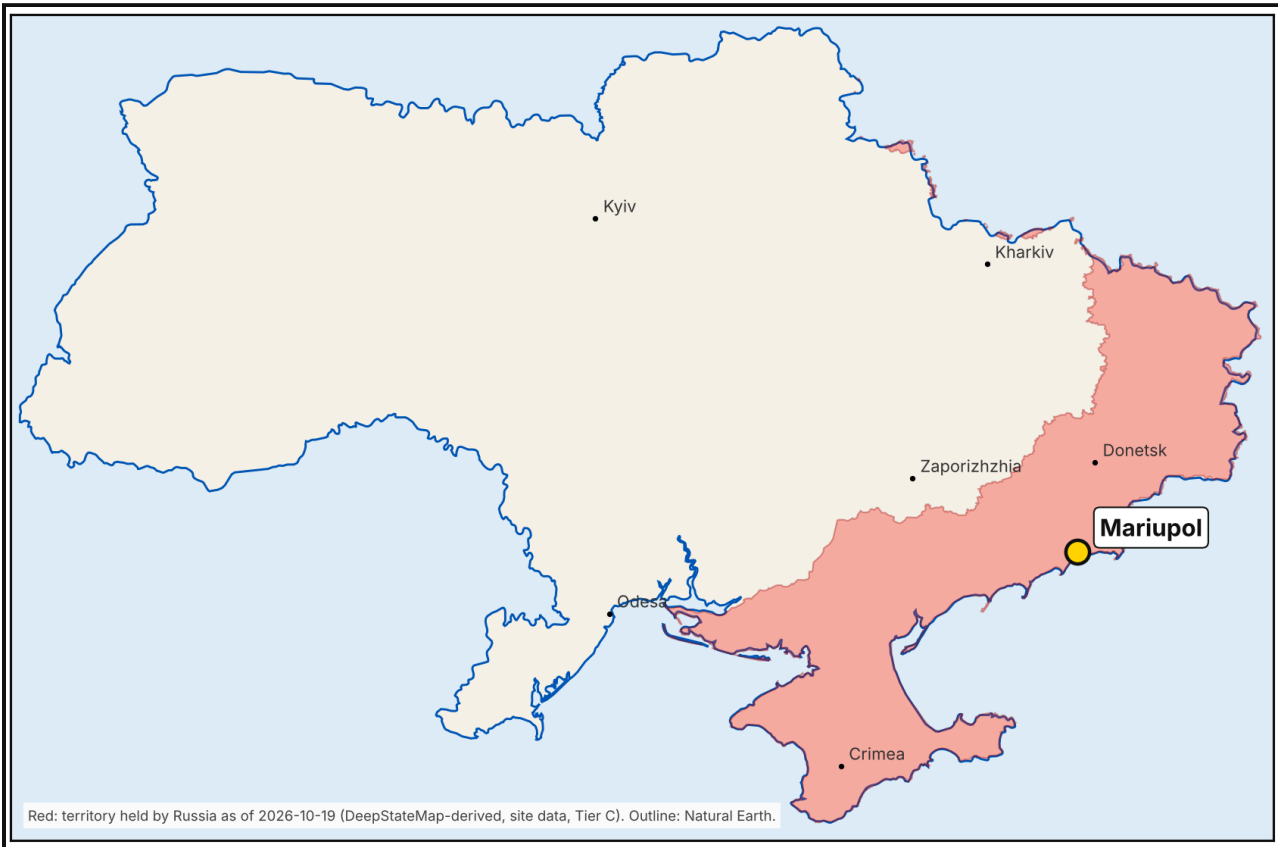
civilians sheltering in the theatre in the days before the strike C

HRW, 16 Mar 2022; AP (stage manager and survivors), 4 May 2022

2 × 500 kg

aerial bombs, detonated almost simultaneously; 'almost certainly' Russian aircraft C

Amnesty International, 30 Jun 2022



BOTTOM LINE

A marked civilian shelter. Satellite imagery of 14 March 2022 shows 'ДЕТИ' ('children') painted outside the building, front and back; witnesses saw no military activity (HRW; Amnesty; AP).

A war crime, by the first international finding. The OSCE Moscow Mechanism concluded on 13 April 2022 that the attack was most likely an egregious violation of IHL and that those who ordered or executed it committed a war crime. Amnesty reached the same conclusion on 30 June 2022.

A toll nobody has been allowed to count. Russia took the site, removed the bodies to an unknown location, demolished the ruins from December 2022 and reopened a rebuilt theatre on 28 December 2025.

LEGAL QUALIFICATION IN THREE LAYERS

ATTACK ON A MARKED CIVILIAN SHELTER — ESTABLISHED (OSCE MOSCOW MECHANISM, 13 APR 2022)

SIEGE OF MARIUPOL: STRIKES ON SHELTERS, HOSPITALS, EVACUATION ROUTES — PATTERN

WAR CRIME COMBINED WITH MURDER, ART. 438(2) CCU — POSITION (SBU/PGO SUSPICION, 19 AUG 2025)

Established. OSCE Moscow Mechanism (13 Apr 2022): most likely an egregious violation of IHL; those who ordered or executed it committed a war crime; Russia does not claim the theatre was a legitimate target. OHCHR: Mariupol casualty reports pending corroboration — no UN death toll exists. **Pattern.** Shelters, hospitals and evacuation routes struck across a besieged city; HRW/SITU/Truth Hounds counted at least 10,284 burials in a year. **Position.** Ukraine qualifies the strike as a war crime combined with murder (Arts. 28(2), 438(2) CCU); the commander of the 4th Air and Air Defence Army was served notice of suspicion in absentia on 19 Aug 2025.

WHAT WE ASK

Cite the OSCE report of 13 April 2022 and Amnesty's report of 30 June 2022 as the record of a war crime, not a disputed incident. Press the ICC to act on the Amnesty submission and the Ukrainian case against Lt-Gen Gostev. Designate Gostev and Maj-Gen Atroshchenko where not yet listed. Treat the 'restored' theatre of December 2025 as the destruction of a crime scene.

A CITY INSIDE A BUILDING

For two weeks the theatre was Mariupol's largest shelter: a basement, foyers and dressing rooms packed with families, a field kitchen on the forecourt, and the word 'children' written on the ground for the pilots to read. The bombs came on a clear morning, shortly after ten.

UKRAINE EVIDENCE HUB

VERIFIED RECORD

OCT 2026

24 Feb - early Mar 2022	Mariupol encircled; water, power and heating cut. Residents move into the drama theatre's basement and halls; a volunteer kitchen feeds up to 800 a day. C — HRW, 16 Mar 2022; JusticeInfo/Amnesty, 30 Jun 2022
~9-14 Mar 2022	The theatre's set designer paints 'ДІТИ' in white on the forecourt and behind the building; Maxar imagery of 14 March shows both inscriptions and the theatre intact. C — AP, 4 May 2022; HRW analysis of Maxar imagery, 16 Mar 2022
15 Mar 2022	About 1,200 people inside, by the count of the stage manager; HRW witnesses give 500–800. A doctor's photographs show civilians cooking outside; no military vehicles. C — AP (Elena Bila); HRW
16 Mar 2022, ~10:00	Two bombs strike the stage area and the field kitchen outside. The central section collapses; the front and one side exit remain passable. Everyone at the kitchen — at least 100 people — dies, survivors say. C — Amnesty, 30 Jun 2022; AP, 4 May 2022
16 Mar 2022, evening	Russian Ministry of Defence: 'militants of the Azov nationalist battalion' blew up the 'rigged' building; Russian aviation 'carried out no missions involving strikes on ground targets' in Mariupol that day. RUSSIA SAYS — TASS, 16 Mar 2022
25 Mar 2022	About 130 people had been pulled from the ruins by 18 March. Mariupol City Council: about 300 killed, on witness accounts — a figure never revised, as the city loses the site. B — Mariupol City Council; Al Jazeera, 18 and 25 Mar 2022
13 Apr 2022	OSCE Moscow Mechanism report: the attack was most likely an egregious violation of IHL; those who ordered or executed it committed a war crime. A — ODIHR, report of the mission of experts (Benedek, Bílková, Sassòli)
4 May 2022	AP investigation: about 600 killed inside and outside the building — a 3D floor-plan reconstruction from 23 survivors, rescuers and staff, checked against two sets of plans and imagery. C — AP (Hinnant, Chernov, Stepanenko)
30 Jun 2022	Amnesty International: two 500-kg bombs, almost certainly from Russian fighter aircraft; at least a dozen dead and 'likely many more'; a war crime; Russia's Azov claim 'not plausible based on credible evidence'. C — Amnesty, EUR 50/5713/2022
19 Aug 2025	Notice of suspicion to Lt-Gen Gostev, 4th Air and Air Defence Army, for ordering the March 2022 sorties that struck the theatre and the maternity hospital with FAB-500 bombs. 28 Dec 2025: a rebuilt theatre is reopened under occupation. B — SBU; Prosecutor General; RFE/RL, 29 Dec 2025

WHAT THE RECORD ESTABLISHES

Satellite imagery of 14 March 2022 shows 'ДІТИ' in large Cyrillic letters in front of and behind the building and the theatre intact (HRW analysis of Maxar imagery). A week earlier the set designer had painted the words in white; survivors told AP they were large enough to read from satellites.

Amnesty's blast modelling points to two 500-kg bombs detonating almost simultaneously, 'almost certainly' from Russian fighter aircraft. Witnesses saw no military activity beyond an occasional soldier bringing food to relatives (Amnesty, AP).

The Donetsk Regional Drama Theatre in Mariupol before the war — eastern façade. Photo: Sergienkod · CC BY-SA 4.0 · via Wikimedia Commons

WHO WAS INSIDE

HRW's witnesses put the shelter population at 500–800; the stage manager told AP about 1,200 had crowded in by 15 March; many survivors said about 1,000 were inside at the strike.

At least 100 people were at the field kitchen outside; none survived, witnesses told AP. The dead have never been identified: occupation crews cleared the rubble in 2022 and removed the remains to an unknown location.

Sources: A — OSCE/ODIHR, Moscow Mechanism report (Benedek, Bílková, Sassòli), 13 Apr 2022; OHCHR, Report on the human rights situation in Ukraine 1 Feb – 31 Jul 2022. B — SBU, 28 Jul 2023 and 19 Aug 2025; Office of the Prosecutor General, Aug 2025; Mariupol City Council, 25 Mar 2022 (via Al Jazeera). C — AP, 4 May 2022 (PBS mirror); Amnesty International, EUR 50/5713/2022, 30 Jun 2022; HRW, 16 Mar 2022; HRW/SITU/Truth Hounds, 8 Feb 2024; InformNapalm, 29 Mar 2023; Meduza, 15 Feb 2023; RFE/RL, 29 Dec 2025; The Insider, 18 Mar 2022. RU — Ministry of Defence via TASS, 16 Mar 2022. All accessed 21 Oct 2026.

ESTABLISHED BY BODIES WITH A MANDATE

OSCE Moscow Mechanism, report of 13 Apr 2022 (experts Benedek, Bílková, Sassòli; 45 participating States): the attack on the theatre was most likely an egregious violation of IHL and those who ordered or executed it committed a war crime; Russia does not claim the building was a legitimate target. A

OHCHR, periodic report 1 Feb – 31 Jul 2022 (para. 22): civilian casualty reports from Mariupol 'still pending corroboration'; no figure for the theatre. A

UKRAINIAN INVESTIGATION

Mariupol City Council, 25 Mar 2022: about 300 people killed, on the basis of witness accounts; the city has never had access to revise it. B

SBU and Donetsk regional prosecutor, 19 Aug 2025: Gostev approved sorties by at least ten aircraft — Su-30SM(M2) and Su-24M — that struck the city centre in March 2022; a Su-34 dropped a FAB-500 on the theatre; theatre and maternity hospital 'deliberately targeted'. Arts. 28(2), 438(2) CCU; wanted, in absentia. B

INDEPENDENT INVESTIGATIONS

AP, 4 May 2022: about 600 dead, from a 3D model of the building populated by 23 survivors, rescuers and staff and checked against two sets of floor plans; 'not one person doubted that the theater was destroyed in a Russian air attack'. C

Amnesty International, 30 Jun 2022 ('Children'): dozens of survivors interviewed, satellite data, physicist's blast model; two 500-kg bombs; at least a dozen dead, likely many more; a war crime; the Azov and Ukrainian-strike hypotheses 'not plausible'. C

HRW, 16 Mar 2022: at least 500 civilians housed; 'children' written twice on Maxar imagery of 14 March. HRW/SITU/Truth Hounds, 8 Feb 2024: 10,284+ burials in a year. C

THE NUMBERS — EVERY SOURCE, AS PUBLISHED		
Figure	What it counts	Source · date · tier
12+ · ~300 · ~600	killed — Amnesty's confirmed minimum (30 Jun 2022); city council estimate (25 Mar 2022); AP reconstruction (4 May 2022). No UN figure exists	Amnesty · Mariupol City Council · AP — C / B / C
500 · 500–800 · 800 · ~1,000 · 1,200	people in the shelter — HRW minimum; HRW doctor-witness; kitchen count on 16 Mar; survivors' estimate; stage manager's count on 15 Mar	HRW; HRW; Amnesty; AP; AP — C
~100	people at the field kitchen outside at the moment of the strike; survivors say none survived	AP, 4 May 2022 — C
2 × 500 kg · 400–800 kg	bombs (Amnesty); explosive mass by impact modelling (Amnesty); 'FAB-500' (SBU 2025); '1,000 kg' (Andriushchenko, 16 Mar 2022)	Amnesty — C; SBU — B; city adviser — B
10	aircraft in the sorties approved by the 4th Air Army commander, by the Ukrainian investigation	SBU / Donetsk regional prosecutor, 19 Aug 2025 — B
10,284+	minimum burials in Mariupol, Mar 2022 – Feb 2023, from five burial sites — context for the theatre toll	HRW / SITU / Truth Hounds, 8 Feb 2024 — C



The theatre and Theatre Square before 2022. Photo: V1snyk · CC BY-SA 4.0 · via Wikimedia Commons

The hub leads with the OSCE finding (Tier A) and shows three death figures side by side — Amnesty's confirmed minimum, the city's estimate, AP's reconstruction. Any future OHCHR or COI figure replaces them.

Who	Role in the case	Proceedings	Sanctions · courts
Lt-Gen Nikolai Gostev commander, 4th Air and Air Defence Army, Southern Military District (Rostov-on-Don)	Approved the March 2022 sorties by at least ten aircraft that struck the theatre and the maternity hospital (SBU, 19 Aug 2025)	Notices of suspicion in absentia 28 Jul 2023 (Arts. 28(2), 110(3), 437(2) CCU) and 19 Aug 2025 (Arts. 28(2), 438(2)); wanted	—
Maj-Gen Sergei Atroshchenko commander, 960th Assault Aviation Regiment, Primorsko-Akhtarsk; promoted 21 Feb 2025	Identified by InformNapalm / Cyber Resistance (29 Mar 2023) as leading the sorties on the theatre, the maternity hospital and the children's hospital	Open-source attribution; not named in a public Ukrainian charge	—
Su-34 crew unnamed; 4th Air Army	Dropped a FAB-500 on the theatre, by the Ukrainian investigation	Not named in the public notice of suspicion	—
Russian Ministry of Defence official spokesman, 16 Mar 2022	Issued the 'Azov blew it up' account on the day; never produced evidence or an investigation	No Russian investigation; journalist Maria Ponomarenko sentenced to six years for posts about the strike (15 Feb 2023)	—
Occupation administration of Mariupol / 'DNR'	Cleared the rubble and removed the bodies (Apr–Jul 2022); screened and demolished the ruins (Nov–Dec 2022); rebuilt and reopened the theatre (28 Dec 2025)	Destruction of a crime scene — no proceedings located	—

CHAIN OF RESPONSIBILITY

The Ukrainian sequence: Gostev, as army commander, approved the sorties → at least ten aircraft (Su-30SM(M2), Su-24M, a Su-34) struck the city centre in March 2022 → the theatre and Maternity Hospital No. 3 were hit with FAB-500 bombs (SBU and Donetsk regional prosecutor, 19 Aug 2025). The 960th Assault Aviation Regiment is the open-source attribution (InformNapalm, 2023), not yet part of the published Ukrainian charge — the hub shows both.

Russia controlled the site from April 2022. Clearance, removal of the bodies, demolition and reconstruction were decisions of the occupation administration — each removed evidence a court must now reconstruct from testimony, imagery and models.

THE RUSSIAN STATE'S OWN ACTS

16 Mar 2022, Ministry of Defence (TASS): Azov 'blew up the rigged theater building'; Russian aviation flew no ground-strike missions in Mariupol that day; the theatre 'has never been considered as a strike target'.

Russia denied Amnesty access to Mariupol and has not allowed OHCHR into the city. 15 Feb 2023: journalist Maria Ponomarenko sentenced to six years for posts about the strike (Meduza).

Sanctions column: only designations confirmed in the designating government's own release. A dash means none was identified for this case.

THE ONLY RUSSIAN ACCOUNT IS A FALSE FLAG

Russia has offered one explanation, on the evening of the strike, and has repeated it since: Azov mined and blew up the theatre and held civilians hostage inside. It has never produced a witness, an investigation or a casualty figure — and it demolished the evidence.

UKRAINE EVIDENCE HUB
VERIFIED RECORD
OCT 2026

RUSSIAN MINISTRY OF DEFENCE · OFFICIAL STATEMENT · 16 MAR 2022

“Militants of the Azov nationalist battalion carried out another bloody provocation by blowing up the rigged theater building.”

TASS, 16 Mar 2022, 21:52

RUSSIAN MINISTRY OF DEFENCE · SAME STATEMENT · 16 MAR 2022

“During daylight on March 16, Russian aviation carried out no missions involving strikes on ground targets.”

TASS, 16 Mar 2022

RUSSIAN MINISTRY OF DEFENCE · SAME STATEMENT · 16 MAR 2022

“Nazis from the Azov battalion could have held civilians hostage in the theater building [and used] the upper floors as emplacements.”

TASS, 16 Mar 2022

MAYOR OF ST PETERSBURG ALEKSANDR BEGLOV · REOPENING CEREMONY · 28 DEC 2025

“The symbol and soul of Mariupol.”

RFE/RL, 29 Dec 2025

NOT PLAUSIBLE ON ANY CREDIBLE EVIDENCE

Amnesty examined the Azov hypothesis and found it not plausible: the evidence points to two 500-kg aerial bombs. Witnesses saw no soldiers inside beyond the occasional man bringing food. The OSCE noted Russia never claimed the theatre as a legitimate target.

What the claim concedes: That the theatre was full of civilians — 'hostages', in Russia's version — and that it was destroyed on 16 March.

CONTRADICTED BY THE BLAST EVIDENCE AND BY UKRAINE'S INVESTIGATION

Amnesty's modelling and AP's munitions experts establish aerial bombs. The SBU's 2025 charge names at least ten aircraft tasked over central Mariupol under the 4th Air Army. Russia has never published its sortie log.

What the claim concedes: That Russian aviation was operating over Mariupol — the denial is limited to one date and to 'ground targets'.

SPECULATION ('COULD HAVE') WITH NO WITNESS

HRW's witnesses described a civilian shelter run by theatre staff with a volunteer kitchen; survivors left freely on 14–16 March. No witness has described armed men stationed in the building.

What the claim concedes: That Russia knew civilians were inside before the strike.

A CRIME SCENE DEMOLISHED AND REBUILT

The ruins were screened in November 2022, the bomb-damaged sections dismantled from 23 December 2022, and a rebuilt theatre opened three years later. Remains were removed in 2022 to an unknown location. No investigation preceded the demolition.

What the claim concedes: That the original building was destroyed beyond repair — the 'rigged building' of the 2022 statement.

FAIR TO SAY

No international body has established a death toll. 300 and 600 are an early municipal estimate and a journalistic reconstruction; Amnesty confirmed a dozen and said the true number was likely much higher.

The attribution to the 960th Regiment rests on hacked correspondence published by InformNapalm and is not in a public Ukrainian charge. The notices of suspicion to Gostev are charges, not findings.

Sources: A — OSCE/ODIHR, Moscow Mechanism report (Benedek, Bílková, Sassòli), 13 Apr 2022; OHCHR, Report on the human rights situation in Ukraine 1 Feb – 31 Jul 2022. B — SBU, 28 Jul 2023 and 19 Aug 2025; Office of the Prosecutor General, Aug 2025; Mariupol City Council, 25 Mar 2022 (via Al Jazeera). C — AP, 4 May 2022 (PBS mirror); Amnesty International, EUR 50/5713/2022, 30 Jun 2022; HRW, 16 Mar 2022; HRW/SITU/Truth Hounds, 8 Feb 2024; InformNapalm, 29 Mar 2023; Meduza, 15 Feb 2023; RFE/RL, 29 Dec 2025; The Insider, 18 Mar 2022. RU — Ministry of Defence via TASS, 16 Mar 2022. All accessed 21 Oct 2026.



A SHELTER MARKED FOR THE PILOTS

The legal question is narrow: a 500-kg bomb is a weapon of choice, not of chance, and the target was the most clearly marked civilian object in the city. The open questions are the count of the dead and the identity of the crew.

UKRAINE EVIDENCE HUB
VERIFIED RECORD
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ESTABLISHED — BY BODIES WITH A MANDATE

OSCE Moscow Mechanism mission (13 Apr 2022): the attack on the theatre was most likely an egregious violation of IHL and those who ordered or executed it committed a war crime; Russia advanced no claim that the building was a military objective.

OHCHR (report 1 Feb – 31 Jul 2022): Mariupol casualty reports pending corroboration.

Independent investigations converge — Amnesty (war crime), AP (about 600 dead), HRW/SITU/Truth Hounds — but none is a judicial finding.

PATTERN — WHAT THE RECORD SHOWS

The siege of Mariupol: Maternity Hospital No. 3 (9 Mar 2022, found deliberate by the OSCE), the theatre (16 Mar), the art school shelter (20 Mar), evacuation convoys under fire, filtration of survivors — at least 10,284 burials in a year.

Russia's response — a false flag by 'nationalists', denial of flights, then physical erasure of the site — recurs at Kramatorsk station, Olenivka and Hroza.

POSITION — UKRAINE'S QUALIFICATION

Ukraine qualifies the strike as a war crime combined with murder by a group (Arts. 28(2), 438(2) CCU) and has charged the 4th Air and Air Defence Army commander in absentia (19 Aug 2025).

Amnesty asked the ICC to investigate the attack as a war crime on 30 Jun 2022; no ICC step specific to the theatre is public.

THE RULES THAT APPLY

Additional Protocol I arts. 51(2), 52 and 57: civilians and civilian objects may not be made the object of attack; everything feasible must be done to verify the target; an attack expected to cause excessive civilian loss must be cancelled.

Rome Statute art. 8(2)(b)(i)–(ii) and (iv); art. 28 command responsibility. Customary IHL rules 112–116: the dead must be collected and identified.

WHAT WE DO NOT KNOW

The number killed: 12+ (Amnesty), ~300 (city), ~600 (AP); no UN figure, no list of names.

The crew and regiment of the strike aircraft: the public Ukrainian charge names the army commander only.

Where the remains cleared in 2022 were taken.

WHAT WE ASK

Cite the OSCE finding. Use the Moscow Mechanism report of 13 April 2022 — 'most likely an egregious violation of IHL; those who ordered or executed it committed a war crime' — whenever Mariupol or Russia's 'false flag' narrative is raised; it is the first international finding on the strike.

Sanction the chain of command. Designate Lt-Gen Nikolai Gostev (4th Air and Air Defence Army) and Maj-Gen Sergei Atroshchenko (960th Assault Aviation Regiment) under national and EU regimes for the strikes on the theatre and the maternity hospital, where not yet listed.

Press the ICC and support the Ukrainian case. Ask the Office of the Prosecutor to report on the theatre within the Ukraine situation; provide mutual legal assistance and satellite archives of 14–17 March 2022 to the Donetsk regional prosecutor's in-absentia proceedings.

Refuse the rebuilt theatre as closure. Place on the record that the 2022 demolition and the December 2025 reopening destroyed a crime scene and the remains of the unidentified dead, and demand an accounting of where the bodies were taken.

Sources: A — OSCE/ODIHR, Moscow Mechanism report (Benedek, Bílková, Sassòli), 13 Apr 2022; OHCHR, Report on the human rights situation in Ukraine 1 Feb – 31 Jul 2022. B — SBU, 28 Jul 2023 and 19 Aug 2025; Office of the Prosecutor General, Aug 2025; Mariupol City Council, 25 Mar 2022 (via Al Jazeera). C — AP, 4 May 2022 (PBS mirror); Amnesty International, EUR 50/5713/2022, 30 Jun 2022; HRW, 16 Mar 2022; HRW/SITU/Truth Hounds, 8 Feb 2024; InformNapalm, 29 Mar 2023; Meduza, 15 Feb 2023; RFE/RL, 29 Dec 2025; The Insider, 18 Mar 2022. RU — Ministry of Defence via TASS, 16 Mar 2022. All accessed 21 Oct 2026.



MARIUPOL THEATRE: THE SHELTER MARKED 'CHILDREN'

5 photographs from official sources, as shown on the live page. Each image is credited and openly licensed; videos are linked to the official post (scan the code). No image shows the dead; graphic aftermath is blurred in print. The downloadable pack on the live page holds the full-size files and their SHA-256.

UKRAINE EVIDENCE HUB
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The Donetsk Regional Drama Theatre in Mariupol before the war — eastern façade

Sergienkod · 2019-08-10 · CC BY-SA 4.0
https://commons.wikimedia.org/wiki/File:Theatre_Mariupol_east.jpg



The theatre and Theatre Square before 2022

V1snyk · 2021-06-20 · CC BY-SA 4.0
https://commons.wikimedia.org/wiki/File:Mariupol_theatre_day.jpg



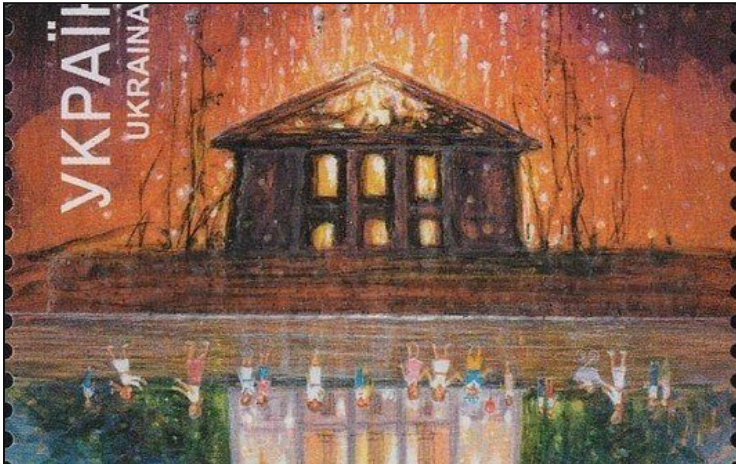
The theatre and the surrounding square — the space where "CHILDREN" was later written

Федоров Микита · 2022-10-27 · CC BY-SA 4.0
https://commons.wikimedia.org/wiki/File:%D0%92%D0%B8%D0%B4_%D0%BD%D0%B0_%D0%9C%D0%B0%D1%80%D1%96%D1%83%D0%BF%D0%BE%D0%BB%D1%8C%D1%81%D1%8C%D0%BA%D0%B8%D0%B9_%D0%B4%D1%80%D0%B0%D0%BC%D0%B0%D1%82%D0%B8%D1%87%D0%BD%D0%B8%D0%B9_%D1%82%D0%B5%D0%B0%D1%82%D1%80_%D1%82%D0%B0_%D0%BF%D1%80%D0%B8%D0%BB%D0%B5%D0%B3%D0%BB%D1%83_%D1%82%D0%B5%D1%80%D0%B8%D1%82%D0%BE%D1%80%D1%96%D1%8E.jpg



The theatre in April 2022, after the strike of 16 March

ОленаСугак · 2022-04-12 · CC BY-SA 4.0
https://commons.wikimedia.org/wiki/File:%D0%94%D1%80%D0%B0%D0%BС%D1%82%D0%B5%D0%B0%D1%82%D1%80_%D0%9A%D0%B2%D1%96%D1%82%D0%B5%D0%BD%D1%8C_2022_%D1%80%D0%BE%D0%BA%D1%83.jpg



Ukrainian postage stamp "Cities of Heroes. Mariupol", 2025

Scanned by Roysma · 2025-03-23 · Public domain
https://commons.wikimedia.org/wiki/File:Stamp_of_Ukraine_s2152.jpg

