



EUROPEAN COURT OF HUMAN RIGHTS
COUR EUROPÉENNE DES DROITS DE L'HOMME

GRAND CHAMBER

CASE OF UKRAINE AND THE NETHERLANDS v. RUSSIA

(Applications nos. 8019/16, 43800/14, 28525/20 and 11055/22)

ANNEX B TO THE JUDGMENT

STRASBOURG

9 July 2025

Table of Contents

INTRODUCTION	5
RELEVANT EVIDENCE.....	5
I. RELEVANT DOMESTIC LAW AND PRACTICE	5
A. Law of Ukraine	5
B. Law of the Russian Federation	5
C. “Treaties” between the Russian Federation and the self-proclaimed “authorities” in the east of Ukraine.....	12
D. “Legal acts” issued by self-proclaimed “authorities” in the east of Ukraine.....	13
II. INTERNATIONAL LEGAL AND POLITICAL MATERIALS	19
A. Treaties and declarations.....	19
B. Jurisdiction and application of international human rights law in the context of an armed conflict	26
C. International humanitarian law	46
D. United Nations	84
E. Material by UN specialised agencies and related organisations	101
F. International tribunals	111
G. International Law Commission (ILC).....	128
H. Council of Europe	131
I. European Union (EU)	149
J. Organisation for Security and Co-operation in Europe (OSCE)	163
K. North Atlantic Treaty Organisation (NATO)	167
L. Multilateral political declarations and political statements by States	168
III. MATERIAL CONCERNING THE CRIMINAL INVESTIGATION INTO THE DOWNING OF FLIGHT MH17	174
A. Judgment of the first instance court of The Hague of 17 November 2022.....	174
B. The 2022 Joint Investigation Team (“JIT”)	178
C. Legal proceedings in the International Civil Aviation Organization (ICAO) Council	187
D. Victim impact statements before the first instance court of The Hague	187
E. Statements by and medical information concerning relatives of victims of flight MH17	189
F. Reports and studies	203
IV. FACT-FINDING AND INVESTIGATIONS BY INTERGOVERNMENTAL ORGANISATIONS	209
A. The Independent International Commission of Inquiry on Ukraine (“the Commission of Inquiry”)	209
B. The UN Human Rights Monitoring Mission in Ukraine	209
C. OSCE	330

D. Other	520
V. PUBLIC STATEMENTS BY GOVERNMENT FIGURES IN THE RUSSIAN FEDERATION.....	543
A. Statements by the President of the Russian Federation, Vladimir Putin	543
B. Statements by the Ministry of Foreign Affairs of the Russian Federation	569
C. Statements by the Deputy Chair of the Russian National Security Council Dmitry Medvedev	576
D. Statements by the Russian Presidential Commissioner for Children’s Rights Maria Lvova-Belova.....	583
VI. REPORTS AND OTHER MATERIAL BY INTERNATIONAL AND UKRAINIAN NON-GOVERNMENTAL ORGANISATIONS, RESEARCH collectives, academic institutions, etc.	591
A. Human Rights Watch (HRW).....	591
B. Amnesty International.....	629
C. Centre for Civil Liberties et al.	642
D. Coalition of public organisations and initiatives “Justice for Peace in Donbas”.....	643
E. Freedom House et al.	644
F. Forum 18.....	644
G. Crimea SOS	654
H. Institute for the Study of War (ISW)	655
I. International Partnership for Human Rights (IPHR) and Truth Hounds.....	681
J. Ukraine Crisis Media Centre (UCMC).....	687
K. Médecins sans frontières (MSF).....	688
L. International Committee of the Red Cross.....	690
M. War Crimes Watch Ukraine.....	692
N. Committee to Protect Journalists (CPJ).....	700
O. World Organisation Against Torture (OMCT).....	702
P. Reporters Without Borders/Reporters sans Frontières (RSF).....	703
Q. Direct Relief.....	704
R. Save the Children.....	705
S. Kyiv School of Economics	706
T. Foreign Policy Council “Ukrainian Prism”	707
U. New Lines Institute for Strategy and Policy and the Raoul Wallenberg Centre for Human Rights	707
V. Armed Conflict Location & Event Data Project (ACLED).....	710
W. Bellingcat	711
X. Centre for Information Resilience (CIR).....	712
Y. ACAPS.....	714

UKRAINE AND THE NETHERLANDS v. RUSSIA - ANNEX B TO THE JUDGMENT

Z.	Yale School of Public Health: Humanitarian Research Lab (“the Yale HRL”)	716
AA.	Institute for Religious Freedom	721
BB.	Royal United Services Institute (RUSI)	726
CC.	Ukraine 5 AM Coalition	729
DD.	International Centre for Defence and Security (ICDS)	731
EE.	ZMINA Human Rights Centre	733
FF.	Religious Information Service of Ukraine (RISU)	741
VII.	MATERIAL AND STATEMENTS BY UKRAINIAN STATE BODIES	743
A.	President of Ukraine	743
B.	Mission of the President of Ukraine in the Autonomous Republic of Crimea - Occupied Crimea and Sevastopol	748
C.	Mission of Ukraine to NATO	752
D.	Ministry of Foreign Affairs of Ukraine (“MFAU”)	752
E.	Ministry for Reintegration of the Temporary Occupied Territories (“MinTOT”)	753
F.	Ministry of Defence of Ukraine	757
G.	General Staff of the Armed Forces of Ukraine	763
H.	Coordination Headquarters for the Treatment of Prisoners of War (“the Coordination Headquarters”)	763
I.	Ministry of Internal Affairs of Ukraine	764
J.	Prosecutor General’s Office of Ukraine	764
K.	State Security Service of Ukraine (“SBU”)	765
L.	State Emergency Service of Ukraine	773
M.	Ukrainian Parliament Commissioner for Human Rights (“the Commissioner”)	776
N.	State Nuclear Regulatory Inspectorate of Ukraine (“SNRIU”)	780
O.	National Council of Television and Radio Broadcasting (“NCTRB”)	782
P.	State Language Protection Commissioner	783
Q.	Government online-portal childrenofwar.gov.ua	785
R.	State Enterprise “National Nuclear Energy Generating Company ‘Energoatom’” (“Energoatom”)	786
S.	State-owned company Naftogaz	787
VIII.	CRIMINAL PROCEEDINGS CONDUCTED BY UKRAINIAN AUTHORITIES	789
A.	The Chernihiv Region	789
B.	The Zhytomyr Region	804
C.	The Vinnytsya Region	808
D.	The Lviv Region	809
E.	The Luhansk Region	810

UKRAINE AND THE NETHERLANDS v. RUSSIA - ANNEX B TO THE JUDGMENT

F. The Dnipropetrovsk Region.....	812
G. The Zaporizhzhya Region.....	813
H. The Sumy Region	819
I. The Kherson Region	819
J. The Kyiv Region.....	825
K. The Donetsk Region	842
L. The Kharkiv Region.....	877
M. Letters from the Office of the Prosecutor General of Ukraine	907
IX. WITNESS STATEMENTS	910
A. Events before 24 February 2022	910
B. Events after 24 February 2022	913
X. MEDIA REPORTS	946
A. Media reports concerning general developments	946
B. Media reports concerning military attacks.....	956
C. Media reports concerning allegations of killing, abduction, ill-treatment and detention	1064
D. Media reports concerning allegations of displacement.....	1110
E. Media reports concerning allegations under Article 9 of the Convention.....	1116
F. Media reports concerning allegations under Article 10 of the Convention.....	1118
G. Media reports concerning allegations under Article 11 of the Convention.....	1122
H. Media reports concerning allegations under Article 1 of Protocol No. 1 to the Convention.....	1126
I. Media reports concerning allegations of abduction and forced transfer of children	1129
XI. MISCELLANEOUS	1133
A. Reports and statements by Ukrainian non-governmental actors.....	1133
B. Social media posts.....	1136

INTRODUCTION

The references in the judgment in the form “B.XXX” refer to paragraph XXX in this Annex B.

RELEVANT EVIDENCE

I. RELEVANT DOMESTIC LAW AND PRACTICE

A. Law of Ukraine

Criminal liability for violating the laws and customs of war

1. Article 438 of the Criminal Code of Ukraine (“Violations of the laws and customs of war”) establishes criminal liability for “ill-treatment of prisoners of war or civilians, expulsion of civilians for forced labour, looting of nationally valuable property in the occupied territories, use of means of warfare prohibited by international law, or other violations of the laws or customs of war envisaged by treaties the binding nature of which has been approved by the Verkhovna Rada of Ukraine, as well as the issuance of an order to take such actions”.

B. Law of the Russian Federation

1. Constitution of the Russian Federation of 12 December 1993

2. On 5 October 2022 Article 65 of the Constitution of the Russian Federation was amended to include four new constituent entities – the “Donetsk People’s Republic”, the “Lugansk People’s Republic”, the “Zaporozhye Region” and the “Kherson Region”.

2. Federal constitutional laws

(a) Federal Constitutional Law no. 1-FKZ of 30 January 2002 on martial law

3. Sections 7(2)(16) and 14(2)(13) of this Law provide that in a territory where martial law is in force, foreign citizens of a State that is at war with Russia may be interned (isolated) in accordance with generally recognised principles and norms of international law, pursuant to decrees of the President of the Russian Federation.

- (b) **Federal Constitutional Laws no. 5-FKZ “on the accession of the Donetsk People’s Republic to the Russian Federation and the creation of a new constituent entity of the Russian Federation – the Donetsk People’s Republic”, no. 6-FKZ “on the accession of the Lugansk People’s Republic to the Russian Federation and the creation of a new constituent entity of the Russian Federation – the Lugansk People’s Republic”, no. 7-FKZ “on the accession of the Zaporozhye Region to the Russian Federation and the creation of a new constituent entity of the Russian Federation – the Zaporozhye Region”, and no. 8-FKZ “on the accession of the Kherson Region to the Russian Federation and the creation of a new constituent entity of the Russian Federation – the Kherson Region”, of 4 October 2022**

4. These federal constitutional laws provided the legal basis for the accession of the “DPR” and “LPR”, as well as the Kherson and Zaporizhzhya regions of Ukraine, to the Russian Federation and the creation of the respective constituent entities of the Russian Federation. The laws listed the following grounds for such accession:

- (1) the results of the “referendums” held in the respective territories;
- (2) the “Declarations of independence” and/or “sovereignty” issued by the territories;
- (3) the “proposals” by the territories about their accession to the Russian Federation;
- (4) the “accession treaties” between the Russian Federation and the respective territories; and
- (5) the Laws themselves.

5. The Laws also regulated a number of issues, including the dates of the territories’ “accession”, their borders, legal systems, State and local authorities, military service obligations, the applicability of Russian law and the legal force of official documents issued by Ukrainian authorities prior to the “accession”, social, labour and healthcare guarantees, financial and banking systems, real estate and entrepreneurship, environmental issues, and protection of cultural heritage. Section 31 of each of the four Laws contained provisions specific to each of the “acceded” territories.

6. The Laws specified that Ukrainian citizens and stateless persons who had been residing in the four respective regions as of 4 October 2022 or who had fled to the Russian Federation were to become citizens of the Russian Federation if they took the relevant oath. Children under 14 were exempt from the duty to pledge an oath, thus automatically becoming Russian nationals.

3. Federal laws

(a) Federal Law no. 5-FZ of 12 January 1995 on veterans

7. Veteran soldiers are categorised under several provisions of the Federal Law on Veterans and include:

- (a) Federal Security Service personnel, including those retired or discharged into the reserve, who were engaged in countering armed invasions of the Russian Federation territory, armed provocations along the State border

and in border territories adjacent to special military operation zones within Ukraine, the “Donetsk People’s Republic” and the “Lugansk People’s Republic”, starting from 24 February 2022 (subsection 1.1 of section 3, in accordance with Federal Law no. 360-FZ enacted on 4 August 2022);

(b) individuals who joined volunteer units established by the Russian State authorities to support the Russian Federation’s Armed Forces during the special military operation in Ukraine, the “Donetsk People’s Republic” and the “Lugansk People’s Republic” from 24 February 2022, and in the territories of the “Zaporozhye and Kherson Regions” from 30 September 2022 (subsection 2.2 of section 3, in accordance with Federal Law no. 450-FZ of 21 November 2022, amended by Federal Law no. 639-FZ enacted on 25 December 2023);

(c) individuals who, pursuant to directives from the “Donetsk People’s Republic” and “Lugansk People’s Republic” State authorities, engaged in hostilities as members of the “Donetsk People’s Republic Armed Forces”, the “Lugansk People’s Republic People’s Militia”, and other military units and institutions of both republics starting from 11 May 2014 (subsection 2.3 of section 3, introduced by Federal Law no. 148-FZ on 28 April 2023);

(d) individuals who entered into contracts (or were otherwise legally involved) with entities aiding the execution of assignments given to the Russian Federation’s Armed Forces during the special military operation in Ukraine, the “Donetsk People’s Republic” and the “Lugansk People’s Republic” from 24 February 2022, and in the territories of the “Zaporozhye and Kherson Regions” from 30 September 2022 (subsection 2.4 of section 3, introduced by Federal Law no. 148-FZ on 28 April 2023);

(e) individuals dispatched to assist in the special military operation in the territories of Ukraine, the “Donetsk People’s Republic” and the “Lugansk People’s Republic” since 24 February 2022, who have completed their duties or were reassigned for valid reasons (subsection 2.9 of section 3, introduced by Federal Law no. 281-FZ on 14 July 2022).

8. All these categories of veteran soldiers also qualify as “disabled military personnel” under the relevant provisions of section 4 of the Federal Law if they sustained injuries or became disabled as a result of their participation in hostilities or fulfilment of assignments, as outlined above.

9. Veteran soldiers are eligible for a range of social security benefits and additional support measures under the Federal Law.

10. Section 3 of the Annex to the Federal Law contains a list of States, cities, territories, and periods of hostilities involving citizens of the Russian Federation, which include:

(a) the special military operation in the territories of Ukraine, the “Donetsk People’s Republic” and the “Lugansk People’s Republic” from 24 February 2022, and in the territories of the “Zaporozhye and Kherson Regions” from 30 September 2022 (as amended by Federal Law no. 450-FZ enacted on 21 November 2022); and

(b) fulfilment of assignments in the territories of Ukraine, the “Donetsk People’s Republic” and the “Lugansk People’s Republic” in collaboration with the “Donetsk People’s Republic Armed Forces”, the “Lugansk People’s Republic People’s Militia”, and other military units and institutions of both republics, from 11 May 2014 (as introduced by Federal Law no. 148-FZ on 28 April 2023).

(b) Federal Law no. 395-FZ of 31 July 2023 “on the application of the provisions of the Criminal Code of the Russian Federation and the Code of Criminal Procedure of the Russian Federation in the territories of the Donetsk People’s Republic, the Lugansk People’s Republic, the Zaporozhye Region and the Kherson Region”

11. This Federal Law read, in so far as relevant:

Section 2

“1. The criminal nature and punishability of acts committed in the territories of the Donetsk People’s Republic, the Lugansk People’s Republic, the Zaporozhye Region and the Kherson Region before 30 September 2022 shall be determined on the basis of the criminal legislation of the Russian Federation. A turn for the worse is not allowed.

...

3. Crimes committed before 30 September 2022 against the interests of the Donetsk People’s Republic and the Lugansk People’s Republic shall be considered to have been committed against the interests of the Russian Federation. For the purposes of the Criminal Code of the Russian Federation, persons who had been citizens of the Donetsk People’s Republic or the Lugansk People’s Republic and committed such crimes shall be considered citizens of the Russian Federation.

...”

Section 8

“1. Court decisions given in the territories of the Donetsk People’s Republic, the Lugansk People’s Republic, the Zaporozhye Region and the Kherson Region before 30 September 2022 that have become legally binding shall have the same legal force (including for the purposes of executing criminal punishments) as court decisions given in the territory of the Russian Federation.”

4. *Decrees of the President of the Russian Federation*

(a) Decrees of the President of the Russian Federation no. 71 “on recognition of the Lugansk People’s Republic” and no. 72 “on recognition of the Donetsk People’s Republic” of 21 February 2022

12. These decrees recognised the “Donetsk People’s Republic” and “Lugansk People’s Republic” as “sovereign and independent states”. Article 1 of the respective decrees stated that the recognition was based on the “declaration of will” by the inhabitants of the “DPR” and “LPR” and Ukraine’s refusal to pursue a peaceful settlement as envisaged by the Minsk agreements. Article 4 of the decrees instructed the Ministry of Defence of the

Russian Federation to carry out “functions on supporting peace” in the “DPR” and “LPR”.

(b) Decrees of the President of the Russian Federation no. 685 “on recognition of the Zaporozhye Region” and no. 686 “on recognition of the Kherson Region” of 29 September 2022

13. These decrees recognised the “state sovereignty” and “independence” of the “Zaporozhye and Kherson Regions”. According to the preamble of the decrees, the recognition was based on general principles and norms of international law, specifically the principle of equality and self-determination of peoples contained in the Charter of the United Nations (UN). The preamble also mentioned the referendums held in the Kherson and Zaporizhzhya Regions of Ukraine of 27 September 2022.

(c) Decrees of the President of the Russian Federation concerning the procedure of applying for Russian nationality

(i) Decree no. 183 of 24 April 2019 governing the simplified procedure of applying for citizenship of the Russian Federation “for humanitarian purposes”

14. This Decree provided for a simplified procedure for granting Russian nationality to certain individuals “for humanitarian purposes”. The Decree established that individuals permanently residing in certain territories of the Donetsk and Luhansk Regions of Ukraine were eligible for Russian citizenship under the expedited procedure. Along with an application to the Russian Ministry of Internal Affairs, applicants had to provide personal records, including a valid identity document as recognised by the Russian Federation, as well as documents confirming their place of residence in the Donetsk and Luhansk Regions.

(ii) Decree no. 187 of 29 April 2019 governing the simplified procedure of applying for citizenship of the Russian Federation

15. This Decree provided for a simplified procedure for certain categories of individuals to acquire Russian nationality, including, *inter alia*:

(a) Ukrainian citizens and stateless persons who had been born and lived in Crimea but had left before 18 March 2014, and their close family members, and

(b) Ukrainian citizens and other people temporarily or permanently residing in Russia, if they had permanently lived in the Donetsk and Luhansk Regions of Ukraine as of April 2014, and their close family members.

16. These people were entitled to have their application for Russian citizenship processed within three months.

(iii) Decree no. 304 of 25 May 2022 amending the Decree of the President of the Russian Federation no. 183 of 24 April 2019

17. The amendments set out in this Decree widened the scope of Presidential Decree no. 183 to include individuals permanently residing in certain territories of the Zaporizhzhya and Kherson Regions of Ukraine among those eligible to apply for Russian citizenship under a simplified procedure.

(iv) Decree no. 330 of 30 May 2022 amending the Decrees of the President of the Russian Federation no. 183 of 24 April 2019 and no. 187 of 29 April 2019

18. These two Presidential Decrees were amended to entitle orphans, children left without parental care and legally incapacitated persons who had been holding the citizenship of the “DPR”, the “LPR” or Ukraine to obtain the citizenship of the Russian Federation in a simplified fashion. The amending decree authorised the guardianship authorities located in those areas to apply to the Russian Ministry of the Interior for Russian citizenship for children in their care. The decree granted a wide discretion to the guardianship authorities in determining whether a child was orphaned or without parental care. Children aged between 14 and 18 had to formally consent to obtaining Russian citizenship. The Russian authorities were obliged to process citizenship applications within three months.

(v) Decree no. 951 of 26 December 2022 on questions relating to obtaining citizenship of the Russian Federation

19. This Decree provided that people over 14 years of age who had obtained the citizenship of the Russian Federation pursuant to Federal Laws no. 5-FKZ, 6-FKZ, 7-FKZ and 8-FKZ of 4 October 2022 were entitled to receive a Russian passport within ten days of having submitted an application to that effect to a territorial branch of the Russian Ministry of the Interior. The application had to be accompanied by documents confirming the applicant’s identity, citizenship and residence in the territory of the “DPR”, the “LPR” or the Zaporizhzhya or Kherson Regions of Ukraine issued no later than 30 September 2022. A refusal to be photographed, provide fingerprints or take the oath of a Russian citizen precluded an applicant from obtaining a Russian passport.

20. On behalf of children under 14 years of age the relevant applications were to be made by parents, guardians or guardianship authorities. When receiving a Russian passport, a person could at the same time make a declaration to a territorial branch of the Russian Ministry of the Interior of “unwillingness to be a Ukrainian citizen”.

(d) Decree of the President of the Russian Federation no. 307 of 27 April 2023 “on the peculiarities of the legal status of certain categories of foreign citizens and stateless persons in the Russian Federation”

21. This Decree provided that citizens of Ukraine, the “DPR”, the “LPR” and stateless persons would remain such if they declared their desire to preserve their citizenship or lack thereof or failed to take the oath of a Russian citizen. Such people were allowed to continue residing in the “DPR”, the “LPR” and the Zaporizhzhya and Kherson Regions until 1 July 2024.

(e) Decree of the President of the Russian Federation no. 991 of 19 November 2024 “on the approval of the fundamentals of the State policy of Russia in the field of nuclear deterrence”

22. This Decree amended the previous Russian nuclear doctrine adopted in 2020. It expanded the categories of States in respect of which nuclear deterrence was exercised to include States which provided territory, airspace and/or maritime space and resources for preparing an aggression against Russia. It also provided that an aggression against Russia by any State that was part of a military alliance was to be regarded as an aggression by that military alliance as a whole. Similarly, an aggression against Russia by any non-nuclear State with the participation or support of a nuclear State was to be regarded as a joint attack by those States against Russia.

23. The Decree added the following military threats to those subject to neutralisation by nuclear deterrence measures: (a) creating new or expanding existing military alliances which would lead to their military infrastructure approaching Russian borders; (b) actions aimed at isolating part of the Russian territory, which would include blocking access to vital transport facilities; (c) actions aimed at destroying ecologically hazardous objects on Russian territory, which could lead to ecological, technogenic or social disasters; (d) planning and conducting large-scale military exercises in close proximity to Russian borders; and (e) uncontrolled proliferation of weapons of mass destruction, their delivery systems, and technologies and equipment for their manufacture. Moreover, the Decree enshrined Russia’s right to use nuclear weapons in the event of an aggression against it and/or Belarus as a member of the Union State creating a critical threat to their sovereignty and/or territorial integrity. Lastly, it added a new condition for using nuclear weapons, namely the receipt of reliable information about a massive launch of air and space attack weapons and their crossing of Russian borders (including strategic and tactical aircraft, cruise missiles, unmanned aerial vehicles, and hypersonic and other aircraft).

5. *Resolution of the Government of the Russian Federation no. 349 of 12 March 2022 “on distribution around the constituent entities of the Russian Federation of citizens of Russia, Ukraine, the Donetsk People’s Republic and the Lugansk People’s Republic ... who had to flee from the territory of Ukraine, the Donetsk People’s Republic or the Lugansk People’s Republic as a matter of urgency and who arrived in the Russian Federation in sheer numbers”*

24. This Resolution provided a plan for the distribution and settlement of people fleeing from Ukraine around Russia. The plan specified the number of people to be allocated to each constituent entity of the Russian Federation. It envisaged the distribution and settlement of a total of 95,909 newly arrived people around Russia.

C. “Treaties” between the Russian Federation and the self-proclaimed “authorities” in the east of Ukraine

1. *“Treaty of Friendship, Cooperation and Mutual Assistance between the Russian Federation and the Donetsk People’s Republic”; “Treaty of Friendship, Cooperation and Mutual Assistance between the Russian Federation and the Lugansk People’s Republic”*

25. These “treaties” established that the Russian Federation and the “DPR” and “LPR” should build their relations as friendly “States”, guided by the principles of mutual respect for sovereignty and territorial integrity, peaceful settlement of disputes and non-use of force, equality and non-interference in internal affairs, as well as observance and protection of human rights and fundamental freedoms. The “treaties” provided for broad cooperation in the political, economic, social, military and humanitarian areas between the parties. The “treaties” were concluded for a period of ten years and could be automatically extended for subsequent five-year periods if none of the parties declared their desire to terminate them.

26. The “treaties” were signed by the Russian President and the “DPR” and “LPR” “leaders” on 21 February 2022 and ratified by the State Duma of the Russian Federation on 22 February 2022.

2. *“Treaties” “the accession of the Donetsk People’s Republic to the Russian Federation and the establishment of a new constituent entity of the Russian Federation, the Donetsk People’s Republic”; on “the accession of the Lugansk People’s Republic to the Russian Federation and the establishment of a new constituent entity of the Russian Federation, the Lugansk People’s Republic”; on “the accession of the Zaporozhye Region to the Russian Federation and the establishment of a new constituent entity of the Russian Federation, the Zaporozhye Region”; on “the accession of the Kherson Region to the Russian Federation and the establishment of a new constituent entity of the Russian Federation, the Kherson Region”, of 30 September 2022*

27. These “treaties” provided for the accession of the “Donetsk People’s Republic”, the “Lugansk People’s Republic” and the “Zaporozhye and Kherson Regions” to the Russian Federation from the date of their signature and the establishment, as a result, of the four new constituent entities of the Russian Federation from the same date.

28. The “treaties” also regulated a number of issues pertaining to the consequences of the territories’ accession to Russia, namely official language, territorial borders, elections, military service, integration into Russia’s economic, financial and legal systems, and State and local authorities, as well as the applicability of Russian law and the imposition of Russian citizenship.

29. The “treaties” were signed by the President of the Russian Federation and the “heads” of the respective territories on 30 September 2022.

D. “Legal acts” issued by self-proclaimed “authorities” in the east of Ukraine

1. *Resolution of the “Council of Ministers of the DPR” no. 35-8 of 26 September 2014 “on the procedure for introducing temporary state administrations in enterprises and institutions”*

30. By this resolution the procedure of “temporary state administrations” in private enterprises and institutions in the “DPR” was established. In accordance with the resolution,

“temporary administration is a special management regime introduced by the Prime Minister of the Donetsk People’s Republic Government with the aim of implementing economic and social policies, through the appointment of a temporary administrator to manage property located in the territory of the Donetsk People’s Republic and belonging to non-resident legal entities, non-resident individual entrepreneurs, as well as managing economic entities (organisations) that are residents.”

31. The resolution stated that “temporary state administrations” could be introduced to manage the “DPR’s” enterprises and institutions in the following cases:

- (a) self-removal of administration of an enterprise (or institution);
- (b) activities of an enterprise, or inactivity of its management, that may create a threat of a man-made or ecological disaster;
- (c) concealing of accounts, assets, registries, reports or documents by an enterprise (or institution);
- (d) transactions that do not correspond to the criteria of prudent management in relation to the main production activities of an enterprise (or institution);
- (e) activities by an enterprise (or institution) with a high level of risk, which have led or may lead to the loss of assets or income;
- (f) the minutes of a general meeting of an enterprise’s staff signed by no fewer than 51% of the total number of employees of the enterprise; or
- (g) non-compliance of the administration of an enterprise (or institution) with the “Constitution, laws, and resolutions of the Council of Ministers of the Donetsk People’s Republic, as well as normative and legal acts that have the same legal force”.

2. *Resolution of the “Council of Ministers of the DPR” no. 5-29 of 9 April 2015 “on the implementation of temporary state administration”*

32. By this resolution, the “Council of Ministers of the DPR” introduced “temporary administration” of the properties of the ATB Market LLC superstore chain, which included ninety stores located within the territory of the “DPR”.

3. *Resolution of the “Council of Ministers of the DPR” no. 5-30 of 9 April 2015 “on the implementation of temporary state administration”*

33. By this resolution, the “Council of Ministers of the DPR” introduced “temporary administration” of the public joint-stock company Heidelberg Cement Ukraine, located in Novoamvrosiivske, Donetsk Region, owing to the self-removal of its administration.

4. *Resolution of the “Council of Ministers of the DPR” no. 6-6 of 18 April 2015 “on the implementation of temporary state administration”*

34. By this resolution, the “Council of Ministers of the DPR” introduced “temporary administration” of the properties of the Kyivstar private joint-stock company – a mobile connection service provider – as a result of the self-removal of its administration and the cessation of its activities in the

“DPR”, and also in order to provide the “DPR” population with communication services.

5. *Resolution of the “Council of Ministers of the DPR” no. 10-23 of 2 June 2015 “on the implementation of temporary state administration”*

35. By this resolution, the “Council of Ministers of the DPR” introduced “temporary administration” of the State enterprise Donbass Bus Stations in connection with “the self-removal of the administrations of the bus stations located in the DPR, those administrations’ failure to comply with the Constitution of the DPR and Resolutions of the Council of Ministers of the DPR, and also in order to increase the effectiveness of monitoring compliance and implementation of the State policy in the field of passenger transportation in the territory of the DPR”.

6. *Resolution of the “Council of Ministers of the DPR” no. 10-28 of 3 June 2015 “on the implementation of temporary state administration”*

36. By this resolution, the “Council of Ministers of the DPR” introduced “temporary administration” at the Starobeshevskaya Thermal Power Plant, which was a structural unit of the Donbassenergo public joint-stock company, as a result of its administration’s non-compliance with the “Constitution and laws of the DPR”.

7. *Resolution of the “Council of Ministers of the DPR” no. 17-13 of 2 September 2015 on the “temporary procedure for adoption and control over the living conditions and upbringing of adopted children in families of adoptive parents on the territory of the Donetsk People’s Republic”, as amended on 6 March 2019*

37. The procedure set out in this resolution, in so far as relevant, may be summarised as follows.

38. Adoption is the preferred form of placement for orphans and children deprived of parental care (§ 1.1).

39. The following categories of children can be adopted: (1) orphans; (2) children deprived of parental care; and (3) children whose parents have given consent to adoption (§ 2.2).

40. Depending on the category, the following types of documents may be required: verification of parents’ death, disappearance or lack of legal capacity; proof of deprivation of parental rights; parents’ written and notarised consent to adoption; or, for parents who themselves are minors residing in a social institution, consent of the director of the institution (§ 2.3). For an abandoned or a found child whose parents are unknown, the required documents are a report drawn up in the appropriate form and a certificate

issued by the civil registration authority confirming that the entry about the child's parents was made by order of the head of the local administration (§ 2.3.3 of the original text before the amendments). For a child who was left in a healthcare institution, the required documents are a report on an abandoned or a found child indicating the documents on the basis of which information about the child's mother was recorded; a certificate from the civil registration authority, as well as the mother's (or parents') written and notarised consent for adoption; or a court decision depriving the mother (or parents) of parental rights; or a certificate issued by the Ministry of Internal Affairs that the whereabouts of the mother (or parents) are unknown (§ 2.3.4 of the original text before the amendments).

41. Persons registered and residing permanently (more than 180 calendar days per year) in the territory of the "DPR" have the right to adopt a child (§ 3.1).

42. Persons willing to adopt a child must provide, *inter alia*, their "DPR" passport, income, marriage, health and criminal background records, and proof of housing (§ 3.2).

43. The factors that rule out adoption include a record of certain types of criminal offences under the "DPR Criminal Code", illnesses included in a list approved by the "DPR ministry of health", and an age difference of less than fifteen years between the child and the person willing to adopt him or her (§ 3.7).

44. The right of priority to adopt a child lies with his or her relatives (§ 4.2). An abandoned child may be adopted after two months have elapsed since his or her abandonment or discovery (§ 4.3). Consent for adoption is required for children who have reached an age and level of development that allows them or her to express consent. The child's consent to adoption is provided in writing or orally, depending on his or her age and state of health (§ 6.3).

45. Separation of siblings is prohibited unless

- one of them has a severe illness that requires special care;
- a child's sibling(s) live(s) with families registered and residing in the "DPR" for more than 180 days a year; or
- there are other circumstances preventing siblings from being placed with one family,

and only after all possibilities of placing the siblings with one family have been exhausted (§ 6.5).

46. Upon receiving an adoption certificate from a local "department for family and children's affairs" of the "DPR", prospective adoptive parents are required to proceed through "DPR" "courts", which rule on adoption (§ 6.7).

47. Chapter X lists the reasons based on which adoption may be annulled or cancelled and specifies who may initiate such a procedure; this list includes the adopted child him- or herself after he or she has reached the age of 14.

8. *Resolution of the “Council of Ministers of the LPR” no. 206/17 of 18 April 2017 on the “temporary procedure for adoption and control over the living conditions and upbringing of adopted children in families of adoptive parents on the territory of the Lugansk People’s Republic”*

48. According to the “Resolution”, the temporary adoption procedure was to remain in effect until the “LPR Civil Code”, “LPR Family Code” and “LPR Civil Procedure Code” came into effect (§ 1.3). The procedure, in so far as relevant, may be summarised as follows.

49. The following categories of children are eligible for adoption: (1) orphans; (2) children deprived of parental care as a result of deprivation of parental rights by a court decision that became final before 18 May 2014; (3) children deprived of parental care registered as found or abandoned; (4) children left in healthcare institutions by their parents or other relatives; and (5) children whose parents have consented to adoption (§ 1.4).

50. Registration of children who can be adopted is the responsibility of the local authorities (§ 2.1). A child is placed on the register of candidates for adoption on the basis of his or her birth certificate and a document certifying his or her belonging to one of the above categories (§ 2.4).

51. Persons registered and permanently residing in the territory of the “LPR” as of 18 May 2014 are eligible to be adoptive parents (§ 3.1).

52. Registration of persons who can adopt is the responsibility of the local authorities. A person is placed on the register of candidates for adoptive parents on the basis of a written application accompanied by the following documents: passport or ID document; records of income, marriage, health and criminal background; proof of housing; and autobiography (§§ 3.1 and 3.2).

53. Among the factors that rule out placement on the register of candidates for adoptive parents are: an age difference of less than sixteen years between the child and the person intending to adopt; cancellation or nullification, through the fault of the candidate, of a previously initiated adoption; one of the diseases from a list approved by the “LPR ministry of healthcare”; and a record of certain types of criminal offences under the “LPR Criminal Code” (§ 3.7).

54. Candidates for adoptive parents must undergo appropriate training upon referral from the local authorities (§ 3.6).

55. The priority right to adopt a child lies with his or her relatives (§ 4.2). Children left in healthcare institutions may be adopted upon reaching the age of two months. Found or abandoned children may be adopted after two months have elapsed since their discovery (§ 4.3). Adoption is preceded by meeting the child to be adopted and establishing contact with him or her (Chapter V). Consent for adoption is required for children who have reached an age and level of development that allows them to express consent. The child’s consent to adoption is provided in writing or orally, depending on his or her age and state of health (§ 6.3).

56. Separation of siblings is prohibited save for the following cases, provided that all possibilities of placing them in one family have been exhausted:

- one of them suffers from a serious disease that requires special care;
- one of them is being raised in a children's or other institution, while his or her siblings live with families registered and permanently residing in the territory of the "LPR"; or
- there are other circumstances preventing them from being placed in one family (§ 6.5).

57. In each case, the local authorities draw up a conclusion on the advisability of adoption and its compliance with the interests of the child (§ 6.6).

58. Prospective adoptive parents must submit an application for adoption accompanied by the above conclusion to the "Commission for consideration of adoption cases", which rules on adoption (§ 6.7). This "Commission" is set up under the "Council of Ministers of the 'LPR'" and is headed by its "Deputy Chairman". The "Commission" meets in closed session (§ 1.7). Its "decisions" are binding on all "LPR state bodies" (§ 1.8) and may be appealed against to the "Chairman" of the "Council of Ministers of the 'LPR'" (§ 1.9).

59. Adoption may be nullified or cancelled by the "Commission". Chapter X of the Resolution lists the reasons based on which the nullification or cancellation may take place and specifies who may initiate such a procedure. The list includes the adopted child him- or herself after he or she has reached the age of 16.

9. Resolutions of the "Government of the LPR" no. 216/17 of 26 April 2017 "on the procedure for introducing external management of property on the territory of LPR", and no. 630/22 of 19 August 2022 "on the procedure for administering property of persons, irrespective of the form of incorporation and ownership, in the territory of the Lugansk People's Republic"

60. Resolution no. 216/17 introduced external management of property in the "LPR" territory. It was amended in August 2022 to establish a "procedure for administration of property", which could be introduced in any of the following cases:

- (a) failing to register the entity in the territory of the "LPR";
- (b) self-removal of the owner or administration of the entity from its management;
- (c) activities of the owner or administration of the entity that could cause a public safety threat or damage State security;
- (d) activities of an entity aimed at concealing, removing or destroying documents or assets;
- (e) activities of the owner or administration of the entity that had led or could lead to the entity's bankruptcy;

(f) presence among the entity's owners of persons who had been economically sanctioned by the Russian government; or

(g) any other reasons provided for by the "legal acts of the 'LPR'".

In such cases, a "property administrator" was entitled to use the entity and receive profit from its operations. Part of the profit was to be transferred to the "state budget of the 'LPR'".

61. This Resolution ceased to have effect pursuant to Resolution no.28/23 of 25 July 2023.

II. INTERNATIONAL LEGAL AND POLITICAL MATERIALS

A. Treaties and declarations

1. *Charter of the United Nations*

62. Article 2 § 4 of the UN Charter provides:

"All Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the Purposes of the United Nations."

2. *Statute of the Council of Europe*

63. The Preamble to the Statute provides:

"The Governments of ...,

Convinced that the pursuit of peace based upon justice and international co-operation is vital for the preservation of human society and civilisation;

Reaffirming their devotion to the spiritual and moral values which are the common heritage of their peoples and the true source of individual freedom, political liberty and the rule of law, principles which form the basis of all genuine democracy; ..."

64. Paragraph 1 of Article 1 of the Statute provides:

"The aim of the Council of Europe is to achieve a greater unity between its members for the purpose of safeguarding and realising the ideals and principles which are their common heritage and facilitating their economic and social progress."

65. Article 3 of the Statute provides as follows:

"Every member of the Council of Europe must accept the principles of the rule of law and of the enjoyment by all persons within its jurisdiction of human rights and fundamental freedoms, and collaborate sincerely and effectively in the realisation of the aim of the Council as specified in Chapter I."

66. Article 7 of the Statute states:

"Any member of the Council of Europe may withdraw by formally notifying the Secretary General of its intention to do so. Such withdrawal shall take effect at the end of the financial year in which it is notified, if the notification is given during the first nine months of that financial year. If the notification is given in the last three months of the financial year, it shall take effect at the end of the next financial year."

67. Article 8 of the Statute provides:

“Any member of the Council of Europe which has seriously violated Article 3 may be suspended from its rights of representation and requested by the Committee of Ministers to withdraw under Article 7. If such member does not comply with this request, the Committee may decide that it has ceased to be a member of the Council as from such date as the Committee may determine.”

3. *Statute of the International Criminal Court*

(a) **Crimes against humanity**

68. Article 7 (“Crimes against humanity”) of the Statute of the International Criminal Court (ICC) reads as follows:

“1. For the purpose of this Statute, ‘crime against humanity’ means any of the following acts when committed as part of a widespread or systematic attack directed against any civilian population, with knowledge of the attack:

(a) Murder;

...

(c) Enslavement;

(d) Deportation or forcible transfer of population;

(e) Imprisonment or other severe deprivation of physical liberty in violation of fundamental rules of international law;

(f) Torture;

(g) Rape, sexual slavery, enforced prostitution, forced pregnancy, enforced sterilization, or any other form of sexual violence of comparable gravity;

...

(i) Enforced disappearance of persons;

...

(k) Other inhumane acts of a similar character intentionally causing great suffering, or serious injury to body or to mental or physical health.

2. For the purpose of paragraph 1:

...

(d) “Deportation or forcible transfer of population” means forced displacement of the persons concerned by expulsion or other coercive acts from the area in which they are lawfully present, without grounds permitted under international law;

...

(i) “Enforced disappearance of persons” means the arrest, detention or abduction of persons by, or with the authorization, support or acquiescence of, a State or a political organization, followed by a refusal to acknowledge that deprivation of freedom or to give information on the fate or whereabouts of those persons, with the intention of removing them from the protection of the law for a prolonged period of time.”

(b) War crimes

69. Article 8 (“War crimes”) of the ICC Statute reads:

“1. The Court shall have jurisdiction in respect of war crimes in particular when committed as part of a plan or policy or as part of a large-scale commission of such crimes.

2. For the purpose of this Statute, “war crimes” means:

(a) Grave breaches of the Geneva Conventions of 12 August 1949, namely, any of the following acts against persons or property protected under the provisions of the relevant Geneva Convention:

- (i) Wilful killing;
- (ii) Torture or inhuman treatment, including biological experiments;
- (iii) Wilfully causing great suffering, or serious injury to body or health;
- (iv) Extensive destruction and appropriation of property, not justified by military necessity and carried out unlawfully and wantonly;
- (v) Compelling a prisoner of war or other protected person to serve in the forces of a hostile Power;
- (vi) Wilfully depriving a prisoner of war or other protected person of the rights of fair and regular trial;
- (vii) Unlawful deportation or transfer or unlawful confinement;
- (viii) Taking of hostages.

(b) Other serious violations of the laws and customs applicable in international armed conflict, within the established framework of international law, namely, any of the following acts:

- (i) Intentionally directing attacks against the civilian population as such or against individual civilians not taking direct part in hostilities;
- (ii) Intentionally directing attacks against civilian objects, that is, objects which are not military objectives;
- (iii) Intentionally directing attacks against personnel, installations, material, units or vehicles involved in a humanitarian assistance or peacekeeping mission in accordance with the Charter of the United Nations, as long as they are entitled to the protection given to civilians or civilian objects under the international law of armed conflict;
- (iv) Intentionally launching an attack in the knowledge that such attack will cause incidental loss of life or injury to civilians or damage to civilian objects or widespread, long-term and severe damage to the natural environment which would be clearly excessive in relation to the concrete and direct overall military advantage anticipated;
- (v) Attacking or bombarding, by whatever means, towns, villages, dwellings or buildings which are undefended and which are not military objectives;
- (vi) Killing or wounding a combatant who, having laid down his arms or having no longer means of defence, has surrendered at discretion;

- (vii) Making improper use of a flag of truce, of the flag or of the military insignia and uniform of the enemy or of the United Nations, as well as of the distinctive emblems of the Geneva Conventions, resulting in death or serious personal injury;
- (viii) The transfer, directly or indirectly, by the Occupying Power of parts of its own civilian population into the territory it occupies, or the deportation or transfer of all or parts of the population of the occupied territory within or outside this territory;
- (ix) Intentionally directing attacks against buildings dedicated to religion, education, art, science or charitable purposes, historic monuments, hospitals and places where the sick and wounded are collected, provided they are not military objectives;
- (x) Subjecting persons who are in the power of an adverse party to physical mutilation or to medical or scientific experiments of any kind which are neither justified by the medical, dental or hospital treatment of the person concerned nor carried out in his or her interest, and which cause death to or seriously endanger the health of such person or persons;
- (xi) Killing or wounding treacherously individuals belonging to the hostile nation or army;
- (xii) Declaring that no quarter will be given;
- (xiii) Destroying or seizing the enemy's property unless such destruction or seizure be imperatively demanded by the necessities of war;
- (xiv) Declaring abolished, suspended or inadmissible in a court of law the rights and actions of the nationals of the hostile party;
- (xv) Compelling the nationals of the hostile party to take part in the operations of war directed against their own country, even if they were in the belligerent's service before the commencement of the war;
- (xvi) Pillaging a town or place, even when taken by assault;
- (xvii) Employing poison or poisoned weapons;
- (xviii) Employing asphyxiating, poisonous or other gases, and all analogous liquids, materials or devices;
- (xix) Employing bullets which expand or flatten easily in the human body, such as bullets with a hard envelope which does not entirely cover the core or is pierced with incisions;
- (xx) Employing weapons, projectiles and material and methods of warfare which are of a nature to cause superfluous injury or unnecessary suffering or which are inherently indiscriminate in violation of the international law of armed conflict, provided that such weapons, projectiles and material and methods of warfare are the subject of a comprehensive prohibition and are included in an annex to this Statute, by an amendment in accordance with the relevant provisions set forth in articles 121 and 123;
- (xxi) Committing outrages upon personal dignity, in particular humiliating and degrading treatment;
- (xxii) Committing rape, sexual slavery, enforced prostitution, forced pregnancy, as defined in article 7, paragraph 2 (f), enforced sterilization, or any other form of sexual violence also constituting a grave breach of the Geneva Conventions;

(xxiii) Utilizing the presence of a civilian or other protected person to render certain points, areas or military forces immune from military operations;

(xxiv) Intentionally directing attacks against buildings, material, medical units and transport, and personnel using the distinctive emblems of the Geneva Conventions in conformity with international law;

(xxv) Intentionally using starvation of civilians as a method of warfare by depriving them of objects indispensable to their survival, including wilfully impeding relief supplies as provided for under the Geneva Conventions;

(xxvi) Conscripting or enlisting children under the age of fifteen years into the national armed forces or using them to participate actively in hostilities;

(xxvii) Employing weapons, which use microbial or other biological agents, or toxins, whatever their origin or method of production.

(xxviii) Employing weapons the primary effect of which is to injure by fragments which in the human body escape detection by X-rays.

(xxix) Employing laser weapons specifically designed, as their sole combat function or as one of their combat functions, to cause permanent blindness to unenhanced vision, that is to the naked eye or to the eye with corrective eyesight devices.

(c) In the case of an armed conflict not of an international character, serious violations of article 3 common to the four Geneva Conventions of 12 August 1949, namely, any of the following acts committed against persons taking no active part in the hostilities, including members of armed forces who have laid down their arms and those placed hors de combat by sickness, wounds, detention or any other cause:

(i) Violence to life and person, in particular murder of all kinds, mutilation, cruel treatment and torture;

(ii) Committing outrages upon personal dignity, in particular humiliating and degrading treatment;

(iii) Taking of hostages;

(iv) The passing of sentences and the carrying out of executions without previous judgement pronounced by a regularly constituted court, affording all judicial guarantees which are generally recognized as indispensable.”

(c) Crime of aggression

70. Article 8 *bis* (“Crime of aggression”) of the ICC Statute reads:

“1. For the purpose of this Statute, “crime of aggression” means the planning, preparation, initiation or execution, by a person in a position effectively to exercise control over or to direct the political or military action of a State, of an act of aggression which, by its character, gravity and scale, constitutes a manifest violation of the Charter of the United Nations.

2. For the purpose of paragraph 1, “act of aggression” means the use of armed force by a State against the sovereignty, territorial integrity or political independence of another State, or in any other manner inconsistent with the Charter of the United Nations. Any of the following acts, regardless of a declaration of war, shall, in accordance with United Nations General Assembly resolution 3314 (XXIX) of 14 December 1974, qualify as an act of aggression:

(a) The invasion or attack by the armed forces of a State of the territory of another State, or any military occupation, however temporary, resulting from such invasion or attack, or any annexation by the use of force of the territory of another State or part thereof;

(b) Bombardment by the armed forces of a State against the territory of another State or the use of any weapons by a State against the territory of another State;

(c) The blockade of the ports or coasts of a State by the armed forces of another State;

(d) An attack by the armed forces of a State on the land, sea or air forces, or marine and air fleets of another State;

(e) The use of armed forces of one State which are within the territory of another State with the agreement of the receiving State, in contravention of the conditions provided for in the agreement or any extension of their presence in such territory beyond the termination of the agreement;

(f) The action of a State in allowing its territory, which it has placed at the disposal of another State, to be used by that other State for perpetrating an act of aggression against a third State;

(g) The sending by or on behalf of a State of armed bands, groups, irregulars or mercenaries, which carry out acts of armed force against another State of such gravity as to amount to the acts listed above, or its substantial involvement therein.”

(d) Elements of Crimes, 2010

71. Article 9 § 1 of the ICC Statute states that Elements of Crimes are to assist the ICC in the interpretation and application of Articles 6, 7 and 8 of the Statute. They must be adopted by a two-thirds majority of the members of the Assembly of States Parties.

72. The Elements of Crimes adopted at the 2010 Review Conference are replicated from the Official Records of the Review Conference of the Rome Statute of the International Criminal Court, Kampala, 31 May-11 June 2010.

73. Addressing the war crime of pillaging, the Elements of Crimes specify that the appropriation must be done “for private or personal use” in order for it to amount to pillage.

4. Vienna Convention on the Law of Treaties of 23 May 1969 (“the Vienna Convention”)

74. Article 31 of the Vienna Convention provides as follows:

General Rule of Interpretation

“1. A treaty shall be interpreted in good faith in accordance with the ordinary meaning to be given to the terms of the treaty in their context and in the light of its object and purpose.

2. The context for the purpose of the interpretation of a treaty shall comprise, in addition to the text, including its preamble and annexes:

(a) Any agreement relating to the treaty which was made between all the parties in connexion with the conclusion of the treaty;

(b) Any instrument which was made by one or more parties in connexion with the conclusion of the treaty and accepted by the other parties as an instrument related to the treaty.

3. There shall be taken into account, together with the context:

(a) Any subsequent agreement between the parties regarding the interpretation of the treaty or the application of its provisions;

(b) Any subsequent practice in the application of the treaty which establishes the agreement of the parties regarding its interpretation;

(c) Any relevant rules of international law applicable in the relations between the parties.

4. A special meaning shall be given to a term if it is established that the parties so intended.”

75. Article 32 of the Vienna Convention provides:

Supplementary means of interpretation

“Recourse may be had to supplementary means of interpretation, including the preparatory work of the treaty and the circumstances of its conclusion, in order to confirm the meaning resulting from the application of article 31, or to determine the meaning when the interpretation according to article 31:

(a) leaves the meaning ambiguous or obscure; or

(b) leads to a result which is manifestly absurd or unreasonable.”

76. Article 70 of the Vienna Convention, entitled “Consequences of the termination of a treaty”, provides in paragraph 1:

“Unless the treaty otherwise provides or the parties otherwise agree, the termination of a treaty under its provisions or in accordance with the present Convention:

(a) releases the parties from any obligation further to perform the treaty;

(b) does not affect any right, obligation or legal situation of the parties created through the execution of the treaty prior to its termination.”

5. Convention on International Civil Aviation

77. The Convention on International Civil Aviation (“the Chicago Convention”) was signed on 7 December 1944 and entered into force in 1947. The International Civil Aviation Organization (ICAO) subsequently became a specialised UN agency. The Chicago Convention now has 193 States Parties. Article 3 bis provides:

“a) The contracting States recognize that every State must refrain from resorting to the use of weapons against civil aircraft in flight and that, in case of interception, the lives of persons on board and the safety of aircraft must not be endangered. This provision shall not be interpreted as modifying in any way the rights and obligations of States set forth in the Charter of the United Nations.

...”

6. Regional treaties and declarations

(a) American Convention on Human Rights

78. Article 1 § 1 of the American Convention on Human Rights of 1969 (“Pact of San José”) provides:

“The States Parties to this Convention undertake to respect the rights and freedoms recognized herein and to ensure to all persons subject to their jurisdiction the free and full exercise of those rights and freedoms, without any discrimination for reasons of race, color, sex, language, religion, political or other opinion, national or social origin, economic status, birth, or any other social condition.”

(b) American Declaration of the Rights and Duties of Man

79. Article I of the Declaration states that “Every human being has the right to life, liberty and the security of his person”.

80. Article XXV reads as follows:

“No person may be deprived of his liberty except in the cases and according to the procedures established by pre-existing law.

No person may be deprived of liberty for nonfulfillment of obligations of a purely civil character.

Every individual who has been deprived of his liberty has the right to have the legality of his detention ascertained without delay by a court, and the right to be tried without undue delay or, otherwise, to be released. He also has the right to humane treatment during the time he is in custody.”

B. Jurisdiction and application of international human rights law in the context of an armed conflict

1. Application of the International Covenant on Civil and Political Rights in armed conflict

81. The International Covenant on Civil and Political Rights (ICCPR) contains a number of equivalent provisions to the Articles of the Convention which are relevant in the present case.

(a) Jurisdiction (Article 2)

82. Article 2 § 1 of the ICCPR provides:

“Each State Party to the present Covenant undertakes to respect and to ensure to all individuals within its territory and subject to its jurisdiction the rights recognized in the present Covenant ...”

83. The UN Human Rights Committee adopted its General Comment No. 31 on “The Nature of the General Legal Obligation Imposed on States Parties to the Covenant” in 2004 (UN Doc. CCPR/C/21/Rev.1/Add. 13). Paragraph 10 states:

“States Parties are required by article 2, paragraph 1, to respect and to ensure the Covenant rights to all persons who may be within their territory and to all persons subject to their jurisdiction. This means that a State party must respect and ensure the rights laid down in the Covenant to anyone within the power or effective control of that State Party, even if not situated within the territory of the State Party ... This principle also applies to those within the power or effective control of the forces of a State Party acting outside its territory, regardless of the circumstances in which such power or effective control was obtained, such as forces constituting a national contingent of a State Party assigned to an international peace-keeping or peace-enforcement operation.”

84. Paragraph 11 includes the following passage:

“...As implied in General Comment 29, the Covenant applies also in situations of armed conflict to which the rules of international humanitarian law are applicable. While, in respect of certain Covenant rights, more specific rules of international humanitarian law may be specially relevant for the purposes of the interpretation of Covenant rights, both spheres of law are complementary, not mutually exclusive.”

(b) Derogation (Article 4)

85. Article 4 of the ICCPR sets out the scope for derogation from the Covenant’s substantive guarantees and reads as follows:

“1. In time of public emergency which threatens the life of the nation and the existence of which is officially proclaimed, the States Parties to the present Covenant may take measures derogating from their obligations under the present Covenant to the extent strictly required by the exigencies of the situation, provided that such measures are not inconsistent with their other obligations under international law and do not involve discrimination solely on the ground of race, colour, sex, language, religion or social origin.

2. No derogation from articles 6, 7, 8 (paragraphs 1 and 2), 11, 15, 16 and 18 may be made under this provision.

3. Any State Party to the present Covenant availing itself of the right of derogation shall immediately inform the other States Parties to the present Covenant, through the intermediary of the Secretary-General of the United Nations, of the provisions from which it has derogated and of the reasons by which it was actuated. A further communication shall be made, through the same intermediary, on the date on which it terminates such derogation.”

86. The UN Human Rights Committee adopted its General Comment No. 29 on “Article 4: Derogations during a State of Emergency” in 2001 (UN Doc. CCPR/C/21/Rev.1/Add.11). Paragraph 2 explains:

“Measures derogating from the provisions of the Covenant must be of an exceptional and temporary nature. Before a State moves to invoke article 4, two fundamental conditions must be met: the situation must amount to a public emergency which threatens the life of the nation, and the State party must have officially proclaimed a state of emergency. The latter requirement is essential for the maintenance of the principles of legality and rule of law at times when they are most needed. When proclaiming a state of emergency with consequences that could entail derogation from any provision of the Covenant, States must act within their constitutional and other provisions of law that govern such proclamation and the exercise of emergency powers;

it is the task of the Committee to monitor the laws in question with respect to whether they enable and secure compliance with article 4. In order that the Committee can perform its task, States parties to the Covenant should include in their reports submitted under article 40 sufficient and precise information about their law and practice in the field of emergency powers.”

87. Paragraph 3 further explains:

“... During armed conflict, whether international or non-international, rules of international humanitarian law become applicable and help, in addition to the provisions in article 4 and article 5, paragraph 1, of the Covenant, to prevent the abuse of a State’s emergency powers. The Covenant requires that even during an armed conflict measures derogating from the Covenant are allowed only if and to the extent that the situation constitutes a threat to the life of the nation...”

88. Paragraph 7 addresses the position of non-derogable rights:

“Article 4, paragraph 2, of the Covenant explicitly prescribes that no derogation from the following articles may be made: article 6 (right to life), article 7 (prohibition of torture or cruel, inhuman or degrading punishment, or of medical or scientific experimentation without consent), article 8, paragraphs 1 and 2 (prohibition of slavery, slave-trade and servitude), article 11 (prohibition of imprisonment because of inability to fulfil a contractual obligation), article 15 (the principle of legality in the field of criminal law, i.e. the requirement of both criminal liability and punishment being limited to clear and precise provisions in the law that was in place and applicable at the time the act or omission took place, except in cases where a later law imposes a lighter penalty), article 16 (the recognition of everyone as a person before the law), and article 18 (freedom of thought, conscience and religion). The rights enshrined in these provisions are non-derogable by the very fact that they are listed in article 4, paragraph 2.”

89. Paragraph 6 emphasises the importance of international humanitarian law in the context of derogation:

“Furthermore, article 4, paragraph 1, requires that no measure derogating from the provisions of the Covenant may be inconsistent with the State party’s other obligations under international law, particularly the rules of international humanitarian law...”

90. Lastly, in terms of issues of procedure, paragraph 17 states:

“In paragraph 3 of article 4, States parties, when they resort to their power of derogation under article 4, commit themselves to a regime of international notification. A State party availing itself of the right of derogation must immediately inform the other States parties, through the United Nations Secretary-General, of the provisions it has derogated from and of the reasons for such measures. Such notification is essential not only for the discharge of the Committee’s functions, in particular in assessing whether the measures taken by the State party were strictly required by the exigencies of the situation, but also to permit other States parties to monitor compliance with the provisions of the Covenant. In view of the summary character of many of the notifications received in the past, the Committee emphasizes that the notification by States parties should include full information about the measures taken and a clear explanation of the reasons for them, with full documentation attached regarding their law. Additional notifications are required if the State party subsequently takes further measures under article 4, for instance by extending the duration of a state of emergency. The requirement of immediate notification applies equally in relation to the termination of derogation. These obligations have not always been respected: States parties have

failed to notify other States parties, through the Secretary-General, of a proclamation of a state of emergency and of the resulting measures of derogation from one or more provisions of the Covenant, and States parties have sometimes neglected to submit a notification of territorial or other changes in the exercise of their emergency powers. Sometimes, the existence of a state of emergency and the question of whether a State party has derogated from provisions of the Covenant have come to the attention of the Committee only incidentally, in the course of the consideration of a State party's report. The Committee emphasizes the obligation of immediate international notification whenever a State party takes measures derogating from its obligations under the Covenant. The duty of the Committee to monitor the law and practice of a State party for compliance with article 4 does not depend on whether that State party has submitted a notification."

(c) The right to life (Article 6)

91. Article 6 § 1 provides for the right to life under the Covenant:

"Every human being has the inherent right to life. This right shall be protected by law. No one shall be arbitrarily deprived of his life."

92. General Comment No. 36 on "Article 6: right to life" was adopted by the UN Human Rights Committee in 2019 (UN Doc. CCPR/C/GC/36). Paragraph 2 of the General Comment emphasises the following:

"2. Article 6 of the International Covenant on Civil and Political Rights recognizes and protects the right to life of all human beings. The right to life is the supreme right from which no derogation is permitted, even in situations of armed conflict and other public emergencies that threaten the life of the nation ..."

93. As to the structure and operation of Article 6 § 1, the General Comment explains, in so far as relevant:

"10. Although it inheres in every human being, the right to life is not absolute. While the Covenant does not enumerate the permissible grounds for deprivation of life, by requiring that deprivations of life must not be arbitrary, article 6 (1) implicitly recognizes that some deprivations of life may be non-arbitrary ... Even those exceptional measures leading to deprivations of life that are not arbitrary per se must be applied in a manner that is not arbitrary in fact. Such exceptional measures should be established by law and accompanied by effective institutional safeguards designed to prevent arbitrary deprivations of life ...

11. The second sentence of article 6 (1) requires that the right to life be protected by law, while the third sentence requires that no one be arbitrarily deprived of life. The two requirements partly overlap in that a deprivation of life that lacks a legal basis or is otherwise inconsistent with life-protecting laws and procedures is, as a rule, arbitrary in nature ...

12. Deprivation of life is, as a rule, arbitrary if it is inconsistent with international law or domestic law. A deprivation of life may, nevertheless, be authorized by domestic law and still be arbitrary. The notion of 'arbitrariness' is not to be fully equated with 'against the law', but must be interpreted more broadly to include elements of inappropriateness, injustice, lack of predictability and due process of law, as well as elements of reasonableness, necessity and proportionality ...

94. Regarding extra-territoriality, the General Comment states, in so far as relevant:

“22. States parties must take appropriate measures to protect individuals against deprivation of life by other States, international organizations and foreign corporations operating within their territory or in other areas subject to their jurisdiction. They must also take appropriate legislative and other measures to ensure that all activities taking place in whole or in part within their territory and in other places subject to their jurisdiction, but having a direct and reasonably foreseeable impact on the right to life of individuals outside their territory, including activities undertaken by corporate entities based in their territory or subject to their jurisdiction, are consistent with article 6, taking due account of related international standards of corporate responsibility and of the right of victims to obtain an effective remedy.

...

63. In light of article 2 (1) of the Covenant, a State party has an obligation to respect and ensure the rights under article 6 of all persons who are within its territory and all persons subject to its jurisdiction, that is, all persons over whose enjoyment of the right to life it exercises power or effective control. This includes persons located outside any territory effectively controlled by the State whose right to life is nonetheless affected by its military or other activities in a direct and reasonably foreseeable manner (see para. 22 above) ... Furthermore, States parties must respect and protect the lives of individuals located in places that are under their effective control, such as occupied territories, and in territories over which they have assumed an international obligation to apply the Covenant ... Given that the deprivation of liberty brings a person within a State's effective control, States parties must respect and protect the right to life of all individuals arrested or detained by them, even if held outside their territory.”

95. Concerning the application of Article 6 in the context of armed conflict, the General Comment explains:

“64. Like the rest of the Covenant, article 6 continues to apply also in situations of armed conflict to which the rules of international humanitarian law are applicable, including to the conduct of hostilities. While rules of international humanitarian law may be relevant for the interpretation and application of article 6 when the situation calls for their application, both spheres of law are complementary, not mutually exclusive. Use of lethal force consistent with international humanitarian law and other applicable international law norms is, in general, not arbitrary. By contrast, practices inconsistent with international humanitarian law, entailing a risk to the lives of civilians and other persons protected by international humanitarian law, including the targeting of civilians, civilian objects and objects indispensable to the survival of the civilian population, indiscriminate attacks, failure to apply the principles of precaution and proportionality, and the use of human shields would also violate article 6 of the Covenant. States parties should, in general, disclose the criteria for attacking with lethal force individuals or objects whose targeting is expected to result in deprivation of life, including the legal basis for specific attacks, the process of identification of military targets and combatants or persons taking a direct part in hostilities, the circumstances in which relevant means and methods of warfare have been used, and whether less harmful alternatives were considered. They must also investigate alleged or suspected violations of article 6 in situations of armed conflict in accordance with the relevant international standards ...

...

67. Article 6 is included in the list of non-derogable rights in article 4 (2) of the Covenant. Hence, the guarantees against arbitrary deprivation of life contained in article 6 continue to apply in all circumstances, including in situations of armed conflict and other public emergencies. The existence and nature of a public emergency that threatens the life of the nation may, however, be relevant to a determination of whether a particular act or omission leading to deprivation of life is arbitrary and to a determination of the scope of the positive measures that States parties must take ...”

96. Lastly, the General Comment addresses the role of *jus ad bello* in the interpretation of “arbitrary” in Article 6 § 1 of the ICCPR as follows:

“69. Wars and other acts of mass violence continue to be a scourge of humanity resulting in the loss of many thousands of lives every year. Efforts to avert the risks of war and any other armed conflict, and to strengthen international peace and security, are among the most important safeguards of the right to life.

70. States parties engaged in acts of aggression as defined in international law, resulting in deprivation of life, violate *ipso facto* article 6 of the Covenant. At the same time, all States are reminded of their responsibility as members of the international community to protect lives and to oppose widespread or systematic attacks on the right to life, including acts of aggression, international terrorism, genocide, crimes against humanity and war crimes, while respecting all of their obligations under international law. States parties that fail to take all reasonable measures to settle their international disputes by peaceful means might fall short of complying with their positive obligation to ensure the right to life.”

(d) The right to liberty and security of person (Article 9)

97. Article 9 of the Covenant deals with the right to liberty and security of person and provides, in so far as relevant:

“1. Everyone has the right to liberty and security of person. No one shall be subjected to arbitrary arrest or detention. No one shall be deprived of his liberty except on such grounds and in accordance with such procedure as are established by law.

...

4. Anyone who is deprived of his liberty by arrest or detention shall be entitled to take proceedings before a court, in order that that court may decide without delay on the lawfulness of his detention and order his release if the detention is not lawful.”

98. The UN Human Rights Committee’s General Comment No. 35 on “Article 9 (Liberty and security of person)” was adopted in 2014 (UN Doc. CCPR/C/GC/35). As to the structure and operation of Article 9, the General Comment explains in so far as relevant, as follows:

“12. An arrest or detention may be authorized by domestic law and nonetheless be arbitrary. The notion of ‘arbitrariness’ is not to be equated with ‘against the law’, but must be interpreted more broadly to include elements of inappropriateness, injustice, lack of predictability and due process of law, as well as elements of reasonableness, necessity and proportionality. For example, remand in custody on criminal charges must be reasonable and necessary in all the circumstances. Aside from judicially imposed sentences for a fixed period of time, the decision to keep a person in any form of detention is arbitrary if it is not subject to periodic re-evaluation of the justification for continuing the detention.

...

14. The Covenant does not provide an enumeration of the permissible reasons for depriving a person of liberty. Article 9 expressly recognizes that individuals may be detained on criminal charges, and article 11 expressly prohibits imprisonment on ground of inability to fulfil a contractual obligation. Other regimes involving deprivation of liberty must also be established by law and must be accompanied by procedures that prevent arbitrary detention. The grounds and procedures prescribed by law must not be destructive of the right to liberty of person. The regime must not amount to an evasion of the limits on the criminal justice system by providing the equivalent of criminal punishment without the applicable protections. Although conditions of detention are addressed primarily by articles 7 and 10, detention may be arbitrary if the manner in which the detainees are treated does not relate to the purpose for which they are ostensibly being detained. The imposition of a draconian penalty of imprisonment for contempt of court without adequate explanation and without independent procedural safeguards is arbitrary.

15. To the extent that States parties impose security detention (sometimes known as administrative detention or internment) not in contemplation of prosecution on a criminal charge, the Committee considers that such detention presents severe risks of arbitrary deprivation of liberty. Such detention would normally amount to arbitrary detention as other effective measures addressing the threat, including the criminal justice system, would be available. If, under the most exceptional circumstances, a present, direct and imperative threat is invoked to justify the detention of persons considered to present such a threat, the burden of proof lies on States parties to show that the individual poses such a threat and that it cannot be addressed by alternative measures, and that burden increases with the length of the detention. States parties also need to show that detention does not last longer than absolutely necessary, that the overall length of possible detention is limited and that they fully respect the guarantees provided for by article 9 in all cases. Prompt and regular review by a court or other tribunal possessing the same attributes of independence and impartiality as the judiciary is a necessary guarantee for those conditions, as is access to independent legal advice, preferably selected by the detainee, and disclosure to the detainee of, at least, the essence of the evidence on which the decision is taken.”

99. Paragraph 63 of the General Comment briefly addresses extra-territoriality:

“In the light of article 2, paragraph 1, of the Covenant, States parties have an obligation to respect and to ensure the rights under article 9 to all persons who may be within their territory and to all persons subject to their jurisdiction. Given that arrest and detention bring a person within a State’s effective control, States parties must not arbitrarily or unlawfully arrest or detain individuals outside their territory ...”

100. As regards detention in the context of armed conflict, the General Comment states:

“64. With regard to article 4 of the Covenant, the Committee first observes that, like the rest of the Covenant, article 9 applies also in situations of armed conflict to which the rules of international humanitarian law are applicable. While rules of international humanitarian law may be relevant for the purposes of the interpretation of article 9, both spheres of law are complementary, not mutually exclusive. Security detention authorized and regulated by and complying with international humanitarian law in principle is not arbitrary. In conflict situations, access by the International Committee

of the Red Cross to all places of detention becomes an essential additional safeguard for the rights to liberty and security of person.

65. Article 9 is not included in the list of non-derogable rights of article 4, paragraph 2, of the Covenant, but there are limits on States parties' power to derogate. States parties derogating from normal procedures required under article 9 in circumstances of armed conflict or other public emergency must ensure that such derogations do not exceed those strictly required by the exigencies of the actual situation. Derogating measures must also be consistent with a State party's other obligations under international law, including provisions of international humanitarian law relating to deprivation of liberty, and non-discriminatory. The prohibitions against taking of hostages, abductions or unacknowledged detention are therefore not subject to derogation.

66. There are other elements in article 9 that in the Committee's opinion cannot be made subject to lawful derogation under article 4. The fundamental guarantee against arbitrary detention is non-derogable, insofar as even situations covered by article 4 cannot justify a deprivation of liberty that is unreasonable or unnecessary under the circumstances. The existence and nature of a public emergency which threatens the life of the nation may, however, be relevant to a determination of whether a particular arrest or detention is arbitrary ... During international armed conflict, substantive and procedural rules of international humanitarian law remain applicable and limit the ability to derogate, thereby helping to mitigate the risk of arbitrary detention ..."

2. *Case-law of the ICJ on the application of international human rights law in a context of armed conflict*

(a) **Advisory Opinion on the Legality of the Threat or use of Nuclear Weapons, 8 July 1996**

101. In this advisory opinion, responding to an argument that the threat or use of nuclear weapons would violate the right to life guaranteed by Article 6 ICCPR, the ICJ stated as follows:

"25. The Court observes that the protection of the International Covenant of Civil and Political Rights does not cease in times of war, except by operation of Article 4 of the Covenant whereby certain provisions may be derogated from in a time of national emergency. Respect for the right to life is not, however, such a provision. In principle, the right not arbitrarily to be deprived of one's life applies also in hostilities. The test of what is an arbitrary deprivation of life, however, then falls to be determined by the applicable *lex specialis*, namely, the law applicable in armed conflict which is designed to regulate the conduct of hostilities. Thus whether a particular loss of life, through the use of a certain weapon in warfare, is to be considered an arbitrary deprivation of life contrary to Article 6 of the Covenant, can only be decided by reference to the law applicable in armed conflict and not deduced from the terms of the Covenant itself."

102. Commenting on the principle of distinction contained in the international humanitarian law, the ICJ stated:

"78. The cardinal principles contained in the texts constituting the fabric of humanitarian law are the following. The first is aimed at the protection of the civilian population and civilian objects and establishes the distinction between combatants and non-combatants; States must never make civilians the object of attack and must consequently never use weapons that are incapable of distinguishing between civilian and military targets ...

In conformity with the aforementioned principles, humanitarian law, at a very early stage, prohibited certain types of weapons ... because of their indiscriminate effect on combatants and civilians ... If an envisaged use of weapons would not meet the requirements of humanitarian law, a threat to engage in such use would also be contrary to that law.”

(b) Advisory Opinion on the Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, 9 July 2004

103. In this advisory opinion the ICJ examined whether the international human rights conventions to which Israel was party applied within the Occupied Palestinian Territory. It stated:

“104. In order to determine whether these texts are applicable in the Occupied Palestinian Territory, the Court will first address the issue of the relationship between international humanitarian law and human rights law and then that of the applicability of human rights instruments outside national territory.”

104. The ICJ cited paragraph 25 of its *Legality of the Threat or Use of Nuclear Weapons* advisory opinion (see paragraph 101 above) and continued:

“106. More generally, the Court considers that the protection offered by human rights conventions does not cease in case of armed conflict, save through the effect of provisions for derogation of the kind to be found in Article 4 of the International Covenant on Civil and Political Rights. As regards the relationship between international humanitarian law and human rights law, there are thus three possible situations: some rights may be exclusively matters of international humanitarian law; others may be exclusively matters of human rights law; yet others may be matters of both these branches of international law. In order to answer the question put to it, the Court will have to take into consideration both these branches of international law, namely human rights law and, as *lex specialis*, international humanitarian law.”

105. What remained to be determined, the ICJ stated, was:

“107. ... whether the two international Covenants and the Convention on the Rights of the Child are applicable only on the territories of the States parties thereto or whether they are also applicable outside those territories and, if so, in what circumstances.”

106. After considering the *travaux préparatoires* and the approach of the Human Rights Committee, the ICJ concluded, at paragraph 111, that the ICCPR was “applicable in respect of acts done by a State in the exercise of its jurisdiction outside its own territory”.

107. As regards the International Covenant on Economic, Social and Cultural Rights (ICESCR), it contained no provision on its scope of application. This, the ICJ suggested, might be explicable by the fact that the ICESCR guaranteed rights which were essentially territorial. However, it was “not to be excluded that it applies both to territories over which a State party has sovereignty and to those over which that State exercises territorial jurisdiction”. It noted that in the context of exchanges between Israel and the Committee on Economic, Social and Cultural Rights, the latter had taken the view that “the State party’s obligations under the Covenant apply to all territories and populations under its effective control”. The ICJ observed that

the territories occupied by Israel had for over thirty-seven years been subject to its territorial jurisdiction as the occupying power. In the exercise of the powers available to it on this basis, the ICJ found that Israel was bound by the provisions of the ICESCR.

108. As regards the Convention on the Rights of the Child (“the CRC”), Article 2 of that instrument stated that “States Parties shall respect and ensure the rights set forth in the ... Convention to each child within their jurisdiction ...”. The ICJ therefore held that the CRC was applicable within the Occupied Palestinian Territory.

(c) Judgment on *Armed Activities on the territory of the Congo (DRC v. Uganda)*, 19 December 2005

109. This case concerned proceedings brought by the Democratic Republic of the Congo (DRC) against Uganda “for acts of armed aggression committed... in flagrant breach of the United Nations Charter and of the Charter of the Organization of African Unity”. The DRC alleged breaches of humanitarian and international human rights law by the Uganda Peoples’ Defence Forces (“the UPDF”).

110. The ICJ noted:

“179. The Court, having concluded that Uganda was an occupying Power in Ituri [DRC] at the relevant time, finds that Uganda’s responsibility is engaged both for any acts of its military that violated its international obligations and for any lack of vigilance in preventing violations of human rights and international humanitarian law by other actors present in the occupied territory, including rebel groups acting on their own account.

180. The Court notes that Uganda at all times has responsibility for all actions and omissions of its own military forces in the territory of the DRC in breach of its obligations under the rules of international human rights law and international humanitarian law which are relevant and applicable in the specific situation.”

111. It then turned to examine the allegations by the DRC concerning violations by Uganda of its obligations under international human rights law and international humanitarian law during its military intervention in the DRC. As to the inter-relationship between the two bodies of law, the ICJ expressed itself as follows:

“216. The Court first recalls that it had occasion to address the issues of the relationship between international humanitarian law and international human rights law and of the applicability of international human rights law instruments outside national territory in its Advisory Opinion of 9 July 2004 on the *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory*. In this Advisory Opinion the Court found that

‘the protection offered by human rights conventions does not cease in case of armed conflict, save through the effect of provisions for derogation of the kind to be found in Article 4 of the International Covenant on Civil and Political Rights. As regards the relationship between international humanitarian law and human rights law, there are thus three possible situations: some rights may be exclusively matters of international

humanitarian law; others may be exclusively matters of human rights law; yet others may be matters of both these branches of international law.’ (I.C.J. Reports 2004, p. 178, para. 106.)

It thus concluded that both branches of international law, namely international human rights law and international humanitarian law, would have to be taken into consideration. The Court further concluded that international human rights instruments are applicable ‘in respect of acts done by a State in the exercise of its jurisdiction outside its own territory’, particularly in occupied territories (ibid., pp. 178-181, paras. 107-113).’’

112. The ICJ listed the instruments in the fields of international humanitarian law and international human rights law it considered to be applicable and relevant and concluded as follows:

“220. ... Uganda is internationally responsible for violations of international human rights law and international humanitarian law committed by the UPDF and by its members in the territory of the DRC and for failing to comply with its obligations as an occupying Power in Ituri in respect of violations of international human rights law and international humanitarian law in the occupied territory.”

3. *Case-law and soft law of human rights bodies*

(a) **Communications No. 79/2019 and No. 109/2019 of the UN Committee under the Optional Protocol to the Convention on the Rights of the Child on a communications procedure (UN Doc. CRC/C/85/D/79/2019-CRC/C/85/D/109/2019)**

113. Before considering any claim contained in a communication, the Committee had to decide whether the communication was admissible under the Optional Protocol, and in particular the issue of jurisdiction. It noted as follows:

“9.5 As to the issue of jurisdiction, the Committee notes the State party’s argument that it cannot be held accountable for situations that it did not create, over which it has no effective control and that are the actions of other States or non-State actors, solely on the ground that the children are its nationals. The State party further argues that the children are not under the jurisdiction of the State party because they are not under the effective control of the State party, either through its agents or through a local authority over which the State party has control.

9.6 The Committee is being called upon to determine if the State party has competence *ratione personae* over the children detained in the camps in north-eastern Syrian Arab Republic. The Committee recalls that, under the Convention, States have the obligation to respect and ensure the rights of the children within their jurisdiction, but the Convention does not limit a State’s jurisdiction to ‘territory’. A State may also have jurisdiction in respect of acts that are performed, or that produce effects, outside its national borders....

9.7 In the present case, the Committee notes that it is uncontested that the State party was informed by the authors of the situation of extreme vulnerability of the children, who were detained in refugee camps in a conflict zone. Detention conditions have been internationally reported as deplorable and have been brought to the attention of the State party’s authorities through the various complaints filed by the authors at the national level. The detention conditions pose an imminent risk of irreparable harm to the

children's lives, their physical and mental integrity and their development. The Committee recognizes that the effective control over the camps was held by a non-State actor that had made it publicly known that it did not have the means or the will to care for the children and women detained in the camps and that it expected the detainees' countries of nationality to repatriate them. The Committee also notes that the Independent International Commission of Inquiry on the Syrian Arab Republic has recommended that countries of origin of foreign fighters take immediate steps towards repatriating such children as soon as possible. In the circumstances of the present case, the Committee observes that the State party, as the State of the children's nationality, has the capability and the power to protect the rights of the children in question by taking action to repatriate them or provide other consular responses. These circumstances include the State party's rapport with the Kurdish authorities, the latter's willingness to cooperate and the fact that the State party has already repatriated at least 17 French children from the camps in Syrian Kurdistan since March 2019."

(b) Application of the African Charter on Human and Peoples' Rights in armed conflict

114. The African Charter on Human and People's Rights contains a provision equivalent to Article 2 of the Convention which is relevant in the present case. In particular, Article 4 of the African Charter provides for the right to life under the Charter:

"Human beings are inviolable. Every human being shall be entitled to respect for his life and the integrity of his person. No one may be arbitrarily deprived of this right."

115. General Comment No. 3 on the African Charter on Human And Peoples' Rights: The Right to Life (Article 4) was adopted by the African Commission on Human and Peoples' Rights in 2015. Paragraph 1 of the General Comment emphasises the following:

"1. The African Commission on Human and Peoples' Rights (the Commission) has described the right to life as the fulcrum of all other rights. It is non-derogable, and applies to all persons at all times..."

116. Paragraph 7 of the General Comment continues:

"7. ... Derogation from the right to life is not permissible in a time of emergency, including a situation of armed conflict, or in response to threats such as terrorism."

117. As to the scope of the prohibition of "arbitrary" deprivation of life, the General Comment explains, in so far as relevant:

"12. A deprivation of life is arbitrary if it is impermissible under international law, or under more protective domestic law provisions. Arbitrariness should be interpreted with reference to considerations such as appropriateness, justice, predictability, reasonableness, necessity and proportionality. Any deprivation of life resulting from a violation of the procedural or substantive safeguards in the African Charter, including on the basis of discriminatory grounds or practices, is arbitrary and as a result unlawful."

13. The right to life continues to apply during armed conflict. During the conduct of hostilities, the right to life needs to be interpreted with reference to the rules of international humanitarian law. In all other situations the intentional deprivation of life is prohibited unless strictly unavoidable to protect another life or other lives."

118. Regarding extraterritoriality, the General Comment states, in so far as relevant:

“14. A State shall respect the right to life of individuals outside its territory. A State also has certain obligations to protect the right to life of such individuals. The nature of these obligations depends for instance on the extent that the State has jurisdiction or otherwise exercises effective authority, power, or control over either the perpetrator or the victim (or the victim’s rights), or exercises effective control over the territory on which the victim’s rights are affected, or whether the State engages in conduct which could reasonably be foreseen to result in an unlawful deprivation of life. In any event, customary international law prohibits, without territorial limitation, arbitrary deprivation of life.

...

18. States must hold to account private individuals and corporations, including private military and security companies, that are responsible for causing or contributing to arbitrary deprivations of life in the State’s territory or jurisdiction. Home States also should ensure accountability for any extraterritorial violations of the right to life, including those committed or contributed to by their nationals or by businesses domiciled in their territory or jurisdiction.”

119. As regards the application of Article 4 of the African Charter in the context of armed conflict, the General Comment explains:

“32. In armed conflict, what constitutes an ‘arbitrary’ deprivation of life during the conduct of hostilities is to be determined by reference to international humanitarian law. This law does not prohibit the use of force in hostilities against lawful targets (for example combatants or civilians directly participating in hostilities) if necessary from a military perspective, provided that, in all circumstances, the rules of distinction, proportionality and precaution in attack are observed. Any violation of international humanitarian law resulting in death, including war crimes, will be an arbitrary deprivation of life.

33. International humanitarian law on the conduct of hostilities must only be applied during an armed conflict and where the use of force is part of the armed conflict. In all other situations of violence, including internal disturbances, tensions or riots, international human rights rules governing law enforcement operations apply.

34. Where military necessity does not require parties to an armed conflict to use lethal force in achieving a legitimate military objective against otherwise lawful targets, but allows the target for example to be captured rather than killed, the respect for the right to life can be best ensured by pursuing this option.

35. The use during hostilities of new weapons technologies such as remote controlled aircraft should only be envisaged if they strengthen the protection of the right to life of those affected. Any machine autonomy in the selection of human targets or the use of force should be subject to meaningful human control. The use of such new technologies should follow the established rules of international law.”

(c) Inter-American Commission on Human Rights (“IACmHR”), Report no. 109/99 Coard et al. v. the United States [of America], Case 10.951 of 29 September 1999

120. The relevant part of this report concerning jurisdiction reads as follows:

“37. While the extraterritorial application of the American Declaration has not been placed at issue by the parties, the Commission finds it pertinent to note that, under certain circumstances, the exercise of its jurisdiction over acts with an extraterritorial locus will not only be consistent with but required by the norms which pertain. The fundamental rights of the individual are proclaimed in the Americas on the basis of the principles of equality and non-discrimination – ‘without distinction as to race, nationality, creed or sex’. Given that individual rights inhere simply by virtue of a person's humanity, each American State is obliged to uphold the protected rights of any person subject to its jurisdiction. While this most commonly refers to persons within a state's territory, it may, under given circumstances, refer to conduct with an extraterritorial locus where the person concerned is present in the territory of one state, but subject to the control of another state – usually through the acts of the latter's agents abroad. In principle, the inquiry turns not on the presumed victim's nationality or presence within a particular geographic area, but on whether, under the specific circumstances, the State observed the rights of a person subject to its authority and control.”

121. Furthermore, in respect of the application of the American Declaration of Human Rights in the context of armed conflict, the relevant part of the report reads as follows:

“38. In terms of the law applicable to the present case, the petitioners invoked the provisions of the American Declaration as governing their claims. The United States argued that the situation denounced was governed wholly by international humanitarian law, a body of law which the Commission lacks the jurisdiction or specialized expertise to apply. In accordance with the normative framework of the system, when examining individual cases concerning non-parties to the American Convention, the Commission looks to the American Declaration as the primary source of international obligation and applicable law. This does not mean, as the United States argued, that the Commission may not make reference to other sources of law in effectuating its mandate, including international humanitarian law.

39. First, while international humanitarian law pertains primarily in times of war and the international law of human rights applies most fully in times of peace, the potential application of one does not necessarily exclude or displace the other. There is an integral linkage between the law of human rights and humanitarian law because they share a ‘common nucleus of non-derogable rights and a common purpose of protecting human life and dignity,’ and there may be a substantial overlap in the application of these bodies of law. Certain core guarantees apply in all circumstances, including situations of conflict, and this is reflected, *inter alia*, in the designation of certain protections pertaining to the person as peremptory norms (*jus cogens*) and obligations *erga omnes*, in a vast body of treaty law, in principles of customary international law, and in the doctrine and practice of international human rights bodies such as this Commission. Both normative systems may ... thus be applicable to the situation under study.

40. Second, it would be inconsistent with general principles of law for the Commission to construe and exercise its Charter-based mandate without taking into account other international obligations of member states which may be relevant. ‘[A]n international instrument must be interpreted and applied within the overall framework of the juridical system in force at the time of the interpretation.’

41. Third, the State's assertion that the application of humanitarian law would wholly displace the application of the Declaration is also inconsistent with the doctrine and practice of the system. The Commission has encountered situations requiring reference to Article XXVIII of the Declaration, which specifies that ‘[t]he rights of man are

limited by the rights of others, by the security of all, and by the just demands of the general welfare and the advancement of democracy' since the inception of its case system. The Declaration was not designed to apply in absolute terms or in a vacuum, and the Commission has necessarily monitored the observance of its terms with reference to its doctrine on permissible and non-permissible limitations, and to other relevant obligations which bear on that question, including humanitarian law.

42. Fourth, in a situation of armed conflict, the test for assessing the observance of a particular right, such as the right to liberty, may, under given circumstances, be distinct from that applicable in a time of peace. For that reason, the standard to be applied must be deduced by reference to the applicable *lex specialis*. The American Declaration is drawn in general terms, and does not include specific provisions relating to its applicability in conflict situations. As will be seen in the analysis which follows, the Commission determined that the analysis of the petitioners' claims under the Declaration within their factual and legal context requires reference to international humanitarian law, which is a source of authoritative guidance and provides the specific normative standards which apply to conflict situations. In the present case, the standards of humanitarian law help to define whether the detention of the petitioners was 'arbitrary' or not under the terms of Articles I and XXV of the American Declaration. As a general matter, while the Commission may find it necessary to look to the applicable rules of international humanitarian law when interpreting and applying the norms of the inter-American human rights system, where those bodies of law provide levels of protection which are distinct, the Commission is bound by its Charter-based mandate to give effect to the normative standard which best safeguards the rights of the individual."

(d) IACmHR, *Saldaño v. Argentina*, Inadmissibility Report no. 38/99 of 11 May 1999

122. The relevant parts of this report read as follows:

"15. Before proceeding to examine the alleged violations of judicial guarantees and the right to life, the Commission must determine whether the victim is subject to the jurisdiction of the Argentine State as required by Article 1(1) of the Convention. This provision establishes: The States Parties to this Convention undertake to respect the rights and freedoms recognized herein and to ensure to all persons subject to their jurisdiction the free and full exercise of those rights and freedoms, without any discrimination for reasons of race, color, sex, language, religion, political or other opinion, national or social origin, economic status, birth, or any other social condition.

16. Accordingly, States Parties have undertaken to respect and ensure the substantive guarantees enshrined in the Convention in favour of persons 'subject to their jurisdiction.' As implicitly established by the case law of the Commission and the Inter-American Court, this protection must extend to all human beings present within their national territory, irrespective of their nationality or status.

17. The Commission does not believe, however, that the term 'jurisdiction' in the sense of Article 1(1) is limited to or merely coextensive with national territory. Rather, the Commission is of the view that a state party to the American Convention may be responsible under certain circumstances for the acts and omissions of its agents which produce effects or are undertaken outside that state's own territory. This position finds support in the decisions of European Court and Commission of Human Rights which have interpreted the scope and meaning of Article 1 of the European Convention for the Protection of Human Rights and Fundamental Duties (European Convention). Article 1 of that instrument, on which Article 1(1) of the American Convention was largely

patterned, stipulates that the high contracting parties ‘shall secure to everyone within their jurisdiction the rights and freedoms defined in Section 1 of this Convention.’

18. The European Commission addressed this issue in the interstate complaint Cyprus lodged against Turkey following Turkey’s invasion of that island. In that complaint, Cyprus charged Turkey with violations of the European Convention in that part of Cypriot territory invaded by Turkish armed forces. For its part, Turkey claimed that under Article 1 of the European Convention the Commission’s competence is limited to the examination of acts allegedly committed by a state party in its own national territory and that its responsibility could not be engaged under the Convention since it had not extended its jurisdiction to any part of Cyprus. The Commission rejected this argument stating:

‘In Article 1 of the Convention, the High Contracting Parties undertake to secure the rights and freedoms defined in Section 1 to everyone “within their jurisdiction” (in the French text: “*relevant de leur [jurisdiction]*”). The Commission finds that this term is not, as submitted by the respondent Government, equivalent to or limited to the national territory of the High contracting Party concerned. It is clear from the language, in particular of the French text, and the object of this article, and from the purpose of the Convention as a whole, that the High contracting Parties are bound to secure the said rights and freedoms to all persons under their actual authority and responsibility, whether that authority is exercised within their own territory or abroad ...’

19. This understanding of jurisdiction – and therefore responsibility for compliance with international obligations – as a notion linked to authority and effective control, and not merely to territorial boundaries, has been confirmed and elaborated on in other cases decided by the European Commission and Court.

20. This Commission also recognizes that the nationals of a state party to the American Convention are subject to that state’s jurisdiction in certain respects when domiciled abroad or otherwise temporarily outside their country or State and that a state party must accord them, when abroad, the exercise of certain convention based rights. For example, a state party is obliged to accord such persons, based on their nationality, the right to enter the country of which they are citizens (Article 22(5)) and the right not to be arbitrarily deprived of one’s nationality or of the right to change it (Article 20(3)). Thus, the capricious refusal of a state party’s consular official to grant or renew a passport to one of that state’s nationals residing abroad, which prevents him from returning to his country, might well engage that state party’s responsibility for violation of the American Convention.”

(e) IACmHR, Case of *Armando Alejandro Jr. et al. v. Cuba*, Merits Report no. 86/99 of 29 September 1999

123. The relevant parts of this report read as follows:

“23. In terms of its competence *ratione loci*, clearly the Commission is competent with respect to human rights violations that occur within the territory of OAS member states, whether or not they are parties to the Convention. It should be specified, however, that under certain circumstances the Commission is competent to consider reports alleging that agents of an OAS member state have violated human rights protected in the inter-American system, even when the events take place outside the territory of that state. In fact, the Commission would point out that, in certain cases, the exercise of its jurisdiction over extraterritorial events is not only consistent with but required by the applicable rules. The essential rights of the individual are proclaimed in the Americas on the basis of equality and non-discrimination, ‘without distinction as to

race, nationality, creed, or sex.’ Because individual rights are inherent to the human being, all the American states are obligated to respect the protected rights of any person subject to their jurisdiction. Although this usually refers to persons who are within the territory of a state, in certain instances it can refer to extraterritorial actions, when the person is present in the territory of a state but subject to the control of another state, generally through the actions of that state’s agents abroad. In principle, the investigation refers not to the nationality of the alleged victim or his presence in a particular geographic area, but to whether, in those specific circumstances, the state observed the rights of a person subject to its authority and control.

24. The European Commission on Human Rights has ruled on this matter in the case brought by Cyprus against Turkey following the Turkish invasion of that island. In its complaint, Cyprus alleged that the European Convention had been violated in the part of its territory occupied by Turkish forces. Turkey, for its part, maintained that, under Article 1 of the European Convention, the competence of the Commission was limited to the examination of actions allegedly committed by a state party in its own national territory and that Turkey could not be found to have violated the Convention since it had not extended its jurisdiction to Cyprus. The European Commission rejected that argument, as follows:

‘In Article 1 of the Convention, the High Contracting Parties undertake to secure the rights and freedoms defined in Section 1 to everyone “within their jurisdiction” (in the French text: “*relevant de leur [jurisdiction]*”). The Commission finds that this term is not, as submitted by the respondent Government, equivalent to or limited to the national territory of the High contracting Party concerned. It is clear from the language, in particular of the French text, and the object of this article, and from the purpose of the Convention as a whole, that the High contracting Parties are bound to secure the said rights and freedoms to all persons under their actual authority and responsibility, whether that authority is exercised within their own territory or abroad.’

25. In the case *sub lite*, the petitioners stated that their allegations were guided by the provisions of the American Declaration of the Rights and Duties of Man. The Commission has examined the evidence and finds that the victims died as a consequence of direct actions taken by agents of the Cuban State in international airspace. The fact that the events took place outside Cuban jurisdiction does not limit the Commission's competence *ratione loci*, because, as previously stated, when agents of a state, whether military or civilian, exercise power and authority over persons outside national territory, the state's obligation to respect human rights continues – in this case the rights enshrined in the American Declaration. The Commission finds conclusive evidence that agents of the Cuban State, although outside their territory, placed the civilian pilots of the ‘Brothers to the Rescue’ organization under their authority. Consequently, the Commission is competent *ratione loci* to apply the American Convention extraterritorially to the Cuban State in connection with the events that took place in international airspace on February 24, 1996.”

(f) Inter-American Court of Human Rights (“IACHR”), Case of *Las Palmeras v. Colombia*, Judgment of 4 February 2000

124. The relevant part of this judgment reads as follows:

“32. The American Convention is an international treaty according to which States Parties are obliged to respect the rights and freedoms embodied in it and to guarantee their exercise to all persons subject to their jurisdiction. The Convention provides for the existence of the Inter-American Court to hear ‘all cases concerning the interpretation and application’ of its provisions (Article 62.3). When a State is a Party

to the American Convention and has accepted the contentious jurisdiction of the Court, the Court may examine the conduct of the State to determine whether it conforms to the provisions of the Convention, even when the issue may have been definitively resolved by the domestic legal system. The Court is also competent to determine whether any norm of domestic or international law applied by a State, in times of peace or armed conflict, is compatible or not with the American Convention. In this activity, the Court has no normative limitation: any legal norm may be submitted to this examination of compatibility.

33. In order to carry out this examination, the Court interprets the norm in question and analyzes it in the light of the provisions of the Convention. The result of this operation will always be an opinion in which the Court will say whether or not that norm or that fact is compatible with the American Convention. The latter has only given the Court competence to determine whether the acts or the norms of the States are compatible with the Convention itself, and not with the 1949 Geneva Conventions.”

(g) IACHR, *Franklin Guillermo Aisalla Molina (Ecuador v. Colombia)*, Admissibility Report no. 112/10 of 21 October 2011

125. The relevant parts of this report read as follows:

“91. In international law, the bases of jurisdiction are not exclusively territorial, but may be exercised on several other bases as well. In this sense, the IACHR has established that ‘under certain circumstances, the exercise of its jurisdiction over acts with an extraterritorial locus will not only be consistent with but required by the norms which pertain.’ Thus, although jurisdiction usually refers to authority over persons who are within the territory of a State, human rights are inherent in all human beings and are not based on their citizenship or location. Under Inter-American human rights law, each American State is obligated therefore to respect the rights of all persons within its territory and of those present in the territory of another state but subject to the control of its agents. This position accords with that of other international organizations that in analyzing the sphere of application of international human rights instruments have assessed their extraterritoriality.

...

98. In a way similar to the international organs previously mentioned, the Inter-American Commission has considered that it has competence *ratione loci* with respect to a State for acts occurring on the territory of another State, when the alleged victims were subjected to the authority and control of its agents. There would otherwise be a legal lacuna in the protection of those individuals' human rights that the American Convention seeks to protect, which would run counter to the object and purpose of this instrument.”

(h) IACHR, Advisory Opinion OC-23/17 of 15 November 2017, requested by the Republic of Colombia

126. In this advisory opinion, addressing the interpretation of Article 1 § 1 of the Pact of San José, the court held (footnotes omitted):

“73 In this regard, the Inter-American Court has indicated that the use of the word ‘jurisdiction’ in Article 1(1) of the American Convention signifies that the State obligation to respect and to ensure human rights applies to every person who is within

the State's territory or who is in any way subject to its authority, responsibility or control.

74. The Court recalls that the fact that a person is subject to the jurisdiction of a State does not mean that he or she is in its territory. According to the rules for the interpretation of treaties, as well as the specific rules of the American Convention ..., the ordinary meaning of the word 'jurisdiction', interpreted in good faith and taking into account the context, object and purpose of the American Convention, signifies that it is not limited to the concept of national territory, but covers a broader concept that includes certain ways of exercising jurisdiction beyond the territory of the State in question."

127. It observed that that interpretation coincided with the sense that the Inter-American Commission had given to the word "jurisdiction" in Article 1 § 1 of the American Convention in its decisions, referring to *Franklin Guillermo Aisalla Molina and Coard et al.* It further referred to the *travaux préparatoires* and the deletion of the words "in their territory" from the initial proposed text of Article 1 § 1. It continued:

"77. ... Accordingly, the margin of protection for the rights recognized in the American Convention was expanded insofar as the States Parties' obligations are not restricted to the geographical space corresponding to their territory, but encompass those situations where, even outside a State's territory, a person is subject to its jurisdiction. In other words, States may not only be found internationally responsible for acts or omissions attributed to them within their territory, but also for those acts or omissions committed outside their territory, but under their jurisdiction."

128. It therefore concluded that the "jurisdiction" referred to in Article 1 § 1 of the American Convention was not limited to the national territory of a State but contemplated circumstances in which the extraterritorial conduct of a State constituted an exercise of its jurisdiction.

129. The court went on to examine the approach of other international bodies to jurisdiction in respect of extraterritorial conduct of a State, examining the case-law of this Court, of the HRC and of the IACHR (see paragraph above). It considered that most of the situations addressed in that case-law involved military actions or actions by State security forces that indicated "control", "power" or "authority" in the execution of the extraterritorial conduct. It further noted that the situations in which the extraterritorial conduct of a State constituted the exercise of its jurisdiction were exceptional and, as such, were to be interpreted restrictively. To examine the possibility of extraterritorial exercise of jurisdiction in the context of compliance with environmental obligations, the obligations derived from the American Convention had to be analysed in the light of the State obligations in that regard. In addition, the possible grounds for jurisdiction that arose from this systematic interpretation had to be justified on the basis of the particular circumstances of the specific case. The Inter-American Court found that a person was subject to the "jurisdiction" of a State in relation to an act committed outside the territory of that State (extraterritorial action) or with effects beyond this territory, when the State in

question was exercising authority over that person or when that person was under its effective control, either within or outside its territory.

4. *Other legal material*

Legal analysis on “Extra-territorial jurisdiction of States over children and their guardians in camps, prisons, or elsewhere in the northern Syrian Arab Republic” by Fionnuala Ní Aoláin, UN Special Rapporteur on the promotion and protection of human rights while countering terrorism, and Agnès Callamard, UN Special Rapporteur on extrajudicial, summary or arbitrary executions, issued in 2020

130. This document was issued by the two Special Rapporteurs to set out their views, a significant portion of which were already in the public domain, concerning the legal status of children and their mothers who were located in camps, prisons, or elsewhere in the northern Syrian Arab Republic. The relevant parts of the report read as follows:

“8. A State’s jurisdiction under human rights law is primarily territorial. However, it is well established that a State may also have jurisdiction in respect of acts which are performed, or which produce effects, outside its national borders. A guiding principle when considering extra-territorial jurisdiction is the need to avoid allowing a State to perpetrate violations on the territory of another State, which it could not perpetrate on its own.

...

11. International human rights law recognises a number of ways in which states may assume extraterritorial jurisdiction, including cases involving detention overseas, use of force by state agents abroad, consular and diplomatic agents acting abroad, and the exercise of law enforcement and other legislative and administrative powers, including the issuance of passports. The consistent theme in cases before other international human rights bodies is to examine the extent of the state’s control over the applicant – or over some of their rights.

12. When a State exercises authority and control over some but not all of an individual’s rights, the State will have jurisdiction over just those rights over which it has control – in this way, Convention rights can be ‘divided and tailored.’ When assessing a State’s jurisdiction a court must therefore consider the extent of the State’s control in order to assess what extra-territorial obligations it owes. In relation to the situation of a child held in the camps in the northern Syrian Arab Republic, a State might, for example, have sufficient control over the child’s right to enter their own country in order to have jurisdiction in respect of that right, but not have sufficient control over their right to property to have an obligation to guarantee that right while they remain in the camp.

...

15. A State’s responsibility to protect may thus be invoked extra-territorially in circumstances where that particular State has the capacity to protect the right to life against an immediate or foreseeable threat to life. The determination of whether States have acted with due diligence to protect against unlawful death is based on an assessment of: (a) how much the State knew or should have known of the risks; (b) the risks or likelihood of foreseeable harm; and (c) the seriousness of the harm.

...

34. To the extent that a State directly impacts the rights of an individual in the camps, for example through law enforcement, or the issue or refusal of identification documents, or giving consent and capacity by allowing medical staff to ascertain parentage, that individual may fall under the jurisdiction of the State in relation to the rights affected by the State's conduct.

...

36. States that have de facto control over the human rights of children and their guardians in camps in the northern Syrian Arab Republic have positive obligations to prevent violations of those rights. Whether a State has such control is a question of fact. Relevant factors are likely to include the proximity between the acts of the State and the alleged violation, the degree and extent of cooperation, engagement and communications with the authorities detaining children and their guardians, the extent to which the home State is able to put an end to the violation of the individual's rights by exercising or refusing any positive interventions to protect and promote the rights of their nationals, and the extent to which another State or non-state actor has control over the rights."

C. International humanitarian law

1. Concerning the lawfulness of acts of the occupying power

131. The relevant parts of the Regulations concerning the Laws and Customs of War on Land, annexed to the 1907 Convention (IV) respecting the Laws and Customs of War on Land ("the Hague Regulations") provide:

Article 42

"Territory is considered occupied when it is actually placed under the authority of the hostile army.

The occupation extends only to the territory where such authority has been established and can be exercised."

Article 43

"The authority of the legitimate power having in fact passed into the hands of the occupant, the latter shall take all the measures in his power to restore, and ensure, as far as possible, public order and safety, while respecting, unless absolutely prevented, the laws in force in the country."

132. Article 64 of the Convention (IV) relative to the Protection of Civilian Persons in Time of War. Geneva, of 12 August 1949 ("GC IV") provides:

"The penal laws of the occupied territory shall remain in force, with the exception that they may be repealed or suspended by the Occupying Power in cases where they constitute a threat to its security or an obstacle to the application of the present Convention. Subject to the latter consideration and to the necessity for ensuring the

effective administration of justice, the tribunals of the occupied territory shall continue to function in respect of all offences covered by the said laws.

The Occupying Power may, however, subject the population of the occupied territory to provisions which are essential to enable the Occupying Power to fulfil its obligations under the present Convention, to maintain the orderly government of the territory, and to ensure the security of the Occupying Power, of the members and property of the occupying forces or administration, and likewise of the establishments and lines of communication used by them.”

2. Concerning the obligation to investigate

133. Article 49 of the Convention (I) for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field, Geneva, 12 August 1949 (“GC I”), Article 50 of the Convention (II) for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea, Geneva, 12 August 1949 (“GC II”), Article 129 of the Convention (III) relative to the Treatment of Prisoners of War, Geneva, 12 August 1949 (“GC III”) and Article 146 of GC IV each read as follows:

“The High Contracting Parties undertake to enact any legislation necessary to provide effective penal sanctions for persons committing, or ordering to be committed, any of the grave breaches of the present Convention defined in the following Article.

Each High Contracting Party shall be under the obligation to search for persons alleged to have committed, or to have ordered to be committed, such grave breaches, and shall bring such persons, regardless of their nationality, before its own courts. It may also, if it prefers, and in accordance with the provisions of its own legislation, hand such persons over for trial to another High Contracting Party concerned, provided such High Contracting Party has made out a *prima facie* case.

Each High Contracting Party shall take measures necessary for the suppression of all acts contrary to the provisions of the present Convention other than the grave breaches defined in the following Article.

...”

3. Concerning allegations of bombing and shelling

134. The relevant parts of the study by the International Committee of the Red Cross (ICRC) on customary international humanitarian law read as follows:

Rule 2

“Acts or threats of violence the primary purpose of which is to spread terror among the civilian population are prohibited.”

Rule 7

“The parties to the conflict must at all times distinguish between civilian objects and military objectives. Attacks may only be directed against military objectives. Attacks must not be directed against civilian objects.”

Rule 8

“In so far as objects are concerned, military objectives are limited to those objects which by their nature, location, purpose or use make an effective contribution to military action and whose partial or total destruction, capture or neutralisation, in the circumstances ruling at the time, offers a definite military advantage.”

Rule 11

“Indiscriminate attacks are prohibited.”

Rule 12

“Indiscriminate attacks are those:

- (a) which are not directed at a specific military objective;
- (b) which employ a method or means of combat which cannot be directed at a specific military objective; or
- (c) which employ a method or means of combat the effects of which cannot be limited as required by international humanitarian law; and consequently, in each such case, are of a nature to strike military objectives and civilians or civilian objects without distinction.”

Rule 53

“The use of starvation of the civilian population as a method of warfare is prohibited.”

Rule 54

“Attacking, destroying, removing or rendering useless objects indispensable to the survival of the civilian population are prohibited.”

135. The relevant provisions of the Hague Regulations provide:

Article 23

“In addition to the prohibitions provided by special Conventions, it is especially forbidden

- (a) To employ poison or poisoned weapons;
- (b) To kill or wound treacherously individuals belonging to the hostile nation or army;
- (c) To kill or wound an enemy who, having laid down his arms, or having no longer means of defence, has surrendered at discretion;
- (d) To declare that no quarter will be given;
- (e) To employ arms, projectiles, or material calculated to cause unnecessary suffering;
- (f) To make improper use of a flag of truce, of the national flag or of the military insignia and uniform of the enemy, as well as the distinctive badges of the Geneva Convention;
- (g) To destroy or seize the enemy’s property, unless such destruction or seizure be imperatively demanded by the necessities of war;

(h) To declare abolished, suspended, or inadmissible in a court of law the rights and actions of the nationals of the hostile party. A belligerent is likewise forbidden to compel the nationals of the hostile party to take part in the operations of war directed against their own country, even if they were in the belligerent's service before the commencement of the war.”

Article 27

“In sieges and bombardments all necessary steps must be taken to spare, as far as possible, buildings dedicated to religion, art, science, or charitable purposes, historic monuments, hospitals, and places where the sick and wounded are collected, provided they are not being used at the time for military purposes.

It is the duty of the besieged to indicate the presence of such buildings or places by distinctive and visible signs, which shall be notified to the enemy beforehand.”

136. Article 15 of GC I reads:

“At all times, and particularly after an engagement, Parties to the conflict shall, without delay, take all possible measures to search for and collect the wounded and sick, to protect them against pillage and ill-treatment, to ensure their adequate care, and to search for the dead and prevent their being despoiled.

Whenever circumstances permit, an armistice or a suspension of fire shall be arranged, or local arrangements made, to permit the removal, exchange and transport of the wounded left on the battlefield.

Likewise, local arrangements may be concluded between Parties to the conflict for the removal or exchange of wounded and sick from a besieged or encircled area, and for the passage of medical and religious personnel and equipment on their way to that area.”

137. Article 18 of GC II provides:

“After each engagement, Parties to the conflict shall, without delay, take all possible measures to search for and collect the shipwrecked, wounded and sick, to protect them against pillage and ill-treatment, to ensure their adequate care, and to search for the dead and prevent their being despoiled.

Whenever circumstances permit, the Parties to the conflict shall conclude local arrangements for the removal of the wounded and sick by sea from a besieged or encircled area and for the passage of medical and religious personnel and equipment on their way to that area.”

138. The relevant parts of GC IV provide:

Article 17

“The Parties to the conflict shall endeavour to conclude local agreements for the removal from besieged or encircled areas, of wounded, sick, infirm, and aged persons, children and maternity cases, and for the passage of ministers of all religions, medical personnel and medical equipment on their way to such areas.”

Article 146

[quoted in paragraph 133 above]

Article 147

“Grave breaches to which the preceding Article relates shall be those involving any of the following acts, if committed against persons or property protected by the present Convention: wilful killing, torture or inhuman treatment, including biological experiments, wilfully causing great suffering or serious injury to body or health, unlawful deportation or transfer or unlawful confinement of a protected person, compelling a protected person to serve in the forces of a hostile Power, or wilfully depriving a protected person of the rights of fair and regular trial prescribed in the present Convention, taking of hostages and extensive destruction and appropriation of property, not justified by military necessity and carried out unlawfully and wantonly”

139. The Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts, of 8 June 1977 (“AP I”), reads as follows in respect of the rules of warfare:

Article 35 – Basic rules [Methods and means of warfare]

“1. In any armed conflict, the right of the Parties to the conflict to choose methods or means of warfare is not unlimited.

2. It is prohibited to employ weapons, projectiles and material and methods of warfare of a nature to cause superfluous injury or unnecessary suffering.

3. It is prohibited to employ methods or means of warfare which are intended, or may be expected, to cause widespread, long-term and severe damage to the natural environment.”

Article 37 – Prohibition of perfidy

“1. It is prohibited to kill, injure or capture an adversary by resort to perfidy. Acts inviting the confidence of an adversary to lead him to believe that he is entitled to, or is obliged to accord, protection under the rules of international law applicable in armed conflict, with intent to betray that confidence, shall constitute perfidy. The following acts are examples of perfidy:

- a) the feigning of an intent to negotiate under a flag of truce or of a surrender;
- b) the feigning of an incapacitation by wounds or sickness;
- c) the feigning of civilian, non-combatant status; and
- d) the feigning of protected status by the use of signs, emblems or uniforms of the United Nations or of neutral or other States not Parties to the conflict.

2. Ruses of war are not prohibited. Such ruses are acts which are intended to mislead an adversary or to induce him to act recklessly but which infringe no rule of international law applicable in armed conflict and which are not perfidious because they do not invite the confidence of an adversary with respect to protection under that law. The following are examples of such ruses: the use of camouflage, decoys, mock operations and misinformation.”

Article 40 – Quarter

“It is prohibited to order that there shall be no survivors, to threaten an adversary therewith or to conduct hostilities on this basis.”

Article 41 – Safeguard of an enemy *hors de combat*

“1. A person who is recognized or who, in the circumstances, should be recognized to be *hors de combat* shall not be made the object of attack.

2. A person is *hors de combat* if:

a) he is in the power of an adverse Party;

b) he clearly expresses an intention to surrender; or

c) he has been rendered unconscious or is otherwise incapacitated by wounds or sickness, and therefore is incapable of defending himself; provided that in any of these cases he abstains from any hostile act and does not attempt to escape.

3. When persons entitled to protection as prisoners of war have fallen into the power of an adverse Party under unusual conditions of combat which prevent their evacuation as provided for in Part III, Section I, of the Third Convention, they shall be released and all feasible precautions shall be taken to ensure their safety.”

140. The provisions of AP I relevant to the protection of civilian population and civilian objects read as follows:

Article 48 – Basic rule [General protection of civilian population against effects of hostilities]

“In order to ensure respect for and protection of the civilian population and civilian objects, the Parties to the conflict shall at all times distinguish between the civilian population and combatants and between civilian objects and military objectives and accordingly shall direct their operations only against military objectives.”

Article 50 – Definition of civilians and civilian population

“1. A civilian is any person who does not belong to one of the categories of persons referred to in Article 4 A 1), 2), 3) and 6) of the Third Convention and in Article 43 of this Protocol. In case of doubt whether a person is a civilian, that person shall be considered to be a civilian.

2. The civilian population comprises all persons who are civilians.

3. The presence within the civilian population of individuals who do not come within the definition of civilians does not deprive the population of its civilian character.”

Article 51 – Protection of the civilian population

“1. The civilian population and individual civilians shall enjoy general protection against dangers arising from military operations. To give effect to this protection, the following rules, which are additional to other applicable rules of international law, shall be observed in all circumstances.

2. The civilian population as such, as well as individual civilians, shall not be the object of attack. Acts or threats of violence the primary purpose of which is to spread terror among the civilian population are prohibited.

3. Civilians shall enjoy the protection afforded by this Section, unless and for such time as they take a direct part in hostilities.

4. Indiscriminate attacks are prohibited. Indiscriminate attacks are:

- a) those which are not directed at a specific military objective;
- b) those which employ a method or means of combat which cannot be directed at a specific military objective; or
- c) those which employ a method or means of combat the effects of which cannot be limited as required by this Protocol; and consequently, in each such case, are of a nature to strike military objectives and civilians or civilian objects without distinction.

5. Among others, the following types of attacks are to be considered as indiscriminate:

- a) an attack by bombardment by any methods or means which treats as a single military objective a number of clearly separated and distinct military objectives located in a city, town, village or other area containing a similar concentration of civilians or civilian objects; and
- b) an attack which may be expected to cause incidental loss of civilian life, injury to civilians, damage to civilian objects, or a combination thereof, which would be excessive in relation to the concrete and direct military advantage anticipated.

6. Attacks against the civilian population or civilians by way of reprisals are prohibited.

7. The presence or movements of the civilian population or individual civilians shall not be used to render certain points or areas immune from military operations, in particular in attempts to shield military objectives from attacks or to shield, favour or impede military operations. The Parties to the conflict shall not direct the movement of the civilian population or individual civilians in order to attempt to shield military objectives from attacks or to shield military operations.

8. Any violation of these prohibitions shall not release the Parties to the conflict from their legal obligations with respect to the civilian population and civilians, including the obligation to take the precautionary measures provided for in Article 57.”

Article 52 – General protection of civilian objects

“1. Civilian objects shall not be the object of attack or of reprisals. Civilian objects are all objects which are not military objectives as defined in paragraph 2.

2. Attacks shall be limited strictly to military objectives. In so far as objects are concerned, military objectives are limited to those objects which by their nature, location, purpose or use make an effective contribution to military action and whose total or partial destruction, capture or neutralization, in the circumstances ruling at the time, offers a definite military advantage.

3. In case of doubt whether an object which is normally dedicated to civilian purposes, such as a place of worship, a house or other dwelling or a school, is being used to make an effective contribution to military action, it shall be presumed not to be so used.”

Article 54 – Protection of objects indispensable to the survival of the civilian population

“1. Starvation of civilians as a method of warfare is prohibited.

2. It is prohibited to attack, destroy, remove or render useless objects indispensable to the survival of the civilian population, such as foodstuffs, agricultural areas for the production of foodstuffs, crops, livestock, drinking water installations and supplies and irrigation works, for the specific purpose of denying them for their sustenance value to the civilian population or to the adverse Party, whatever the motive, whether in order to starve out civilians, to cause them to move away, or for any other motive.

...”

Article 57 – Precautions in attack

“1. In the conduct of military operations, constant care shall be taken to spare the civilian population, civilians and civilian objects.

2. With respect to attacks, the following precautions shall be taken:

a) those who plan or decide upon an attack shall:

i) do everything feasible to verify that the objectives to be attacked are neither civilians nor civilian objects and are not subject to special protection but are military objectives within the meaning of paragraph 2 of Article 52 and that it is not prohibited by the provisions of this Protocol to attack them;

ii) take all feasible precautions in the choice of means and methods of attack with a view to avoiding, and in any event to minimizing, incidental loss of civilian life, injury to civilians and damage to civilian objects;

iii) refrain from deciding to launch any attack which may be expected to cause incidental loss of civilian life, injury to civilians, damage to civilian objects, or a combination thereof, which would be excessive in relation to the concrete and direct military advantage anticipated;

b) an attack shall be cancelled or suspended if it becomes apparent that the objective is not a military one or is subject to special protection or that the attack may be expected to cause incidental loss of civilian life, injury to civilians, damage to civilian objects, or a combination thereof, which would be excessive in relation to the concrete and direct military advantage anticipated;

c) effective advance warning shall be given of attacks which may affect the civilian population, unless circumstances do not permit.

3. When a choice is possible between several military objectives for obtaining a similar military advantage, the objective to be selected shall be that the attack on which may be expected to cause the least danger to civilian lives and to civilian objects.

4. In the conduct of military operations at sea or in the air, each Party to the conflict shall, in conformity with its rights and duties under the rules of international law applicable in armed conflict, take all reasonable precautions to avoid losses of civilian lives and damage to civilian objects.

5. No provision of this Article may be construed as authorizing any attacks against the civilian population, civilians or civilian objects.”

141. AP I reads as follows in respect of fundamental guarantees:

Article 75 – Fundamental guarantees

“1. In so far as they are affected by a situation referred to in Article 1 of this Protocol, persons who are in the power of a Party to the conflict and who do not benefit from

more favourable treatment under the Conventions or under this Protocol shall be treated humanely in all circumstances and shall enjoy, as a minimum, the protection provided by this Article without any adverse distinction based upon race, colour, sex, language, religion or belief, political or other opinion, national or social origin, wealth, birth or other status, or on any other similar criteria. Each Party shall respect the person, honour, convictions and religious practices of all such persons.

2. The following acts are and shall remain prohibited at any time and in any place whatsoever, whether committed by civilian or by military agents:

a) violence to the life, health, or physical or mental well-being of persons, in particular:

- i) murder;
- ii) torture of all kinds, whether physical or mental;
- iii) corporal punishment; and
- iv) mutilation;

b) outrages upon personal dignity, in particular humiliating and degrading treatment, enforced prostitution and any form of indecent assault;

- c) the taking of hostages;
- d) collective punishments; and
- e) threats to commit any of the foregoing acts.

3. Any person arrested, detained or interned for actions related to the armed conflict shall be informed promptly, in a language he understands, of the reasons why these measures have been taken. Except in cases of arrest or detention for penal offences, such persons shall be released with the minimum delay possible and in any event as soon as the circumstances justifying the arrest, detention or internment have ceased to exist.

4. No sentence may be passed and no penalty may be executed on a person found guilty of a penal offence related to the armed conflict except pursuant to a conviction pronounced by an impartial and regularly constituted court respecting the generally recognized principles of regular judicial procedure, which include the following:

a) the procedure shall provide for an accused to be informed without delay of the particulars of the offence alleged against him and shall afford the accused before and during his trial all necessary rights and means of defence;

b) no one shall be convicted of an offence except on the basis of individual penal responsibility;

c) no one shall be accused or convicted of a criminal offence on account of any act or omission which did not constitute a criminal offence under the national or international law to which he was subject at the time when it was committed; nor shall a heavier penalty be imposed than that which was applicable at the time when the criminal offence was committed; if, after the commission of the offence, provision is made by law for the imposition of a lighter penalty, the offender shall benefit thereby;

d) anyone charged with an offence is presumed innocent until proved guilty according to law;

e) anyone charged with an offence shall have the right to be tried in his presence; f) no one shall be compelled to testify against himself or to confess guilt;

g) anyone charged with an offence shall have the right to examine, or have examined, the witnesses against him and to obtain the attendance and examination of witnesses on his behalf under the same conditions as witnesses against him;

h) no one shall be prosecuted or punished by the same Party for an offence in respect of which a final judgement acquitting or convicting that person has been previously pronounced under the same law and judicial procedure;

i) anyone prosecuted for an offence shall have the right to have the judgement pronounced publicly; and

j) a convicted person shall be advised on conviction of his judicial and other remedies and of the time-limits within which they may be exercised.

5. Women whose liberty has been restricted for reasons related to the armed conflict shall be held in quarters separated from men's quarters. They shall be under the immediate supervision of women. Nevertheless, in cases where families are detained or interned, they shall, whenever possible, be held in the same place and accommodated as family units.

6. Persons who are arrested, detained or interned for reasons related to the armed conflict shall enjoy the protection provided by this Article until final release, repatriation or re-establishment, even after the end of the armed conflict."

142. AP I reads as follows in respect of breaches of the Protocol:

Article 85 – Repression of breaches of this Protocol

"1. The provisions of the Conventions relating to the repression of breaches and grave breaches, supplemented by this Section, shall apply to the repression of breaches and grave breaches of this Protocol.

2. Acts described as grave breaches in the Conventions are grave breaches of this Protocol if committed against persons in the power of an adverse Party protected by Articles 44, 45 and 73 of this Protocol, or against the wounded, sick and shipwrecked of the adverse Party who are protected by this Protocol, or against those medical or religious personnel, medical units or medical transports which are under the control of the adverse Party and are protected by this Protocol.

3. In addition to the grave breaches defined in Article 11, the following acts shall be regarded as grave breaches of this Protocol, when committed wilfully, in violation of the relevant provisions of this Protocol, and causing death or serious injury to body or health:

a) making the civilian population or individual civilians the object of attack;

b) launching an indiscriminate attack affecting the civilian population or civilian objects in the knowledge that such attack will cause excessive loss of life, injury to civilians or damage to civilian objects, as defined in Article 57, paragraph 2 a) iii);

c) launching an attack against works or installations containing dangerous forces in the knowledge that such attack will cause excessive loss of life, injury to civilians or damage to civilian objects, as defined in Article 57, paragraph 2 a) iii);

d) making non-defended localities and demilitarized zones the object of attack;

e) making a person the object of attack in the knowledge that he is *hors de combat*;

f) the perfidious use, in violation of Article 37, of the distinctive emblem of the red cross, red crescent or red lion and sun or of other protective signs recognized by the Conventions or this Protocol.

4. In addition to the grave breaches defined in the preceding paragraphs and in the Conventions, the following shall be regarded as grave breaches of this Protocol, when committed wilfully and in violation of the Conventions or the Protocol:

a) the transfer by the Occupying Power of parts of its own civilian population into the territory it occupies, or the deportation or transfer of all or parts of the population of the occupied territory within or outside this territory, in violation of Article 49 of the Fourth Convention;

b) unjustifiable delay in the repatriation of prisoners of war or civilians;

c) practices of apartheid and other inhuman and degrading practices involving outrages upon personal dignity, based on racial discrimination;

d) making the clearly-recognized historic monuments, works of art or places of worship which constitute the cultural or spiritual heritage of peoples and to which special protection has been given by special arrangement, for example, within the framework of a competent international organization, the object of attack, causing as a result extensive destruction thereof, where there is no evidence of the violation by the adverse Party of Article 53, subparagraph b), and when such historic monuments, works of art and places of worship are not located in the immediate proximity of military objectives;

e) depriving a person protected by the Conventions or referred to in paragraph 2 of this Article of the rights of fair and regular trial. 5. Without prejudice to the application of the Conventions and of this Protocol, grave breaches of these instruments shall be regarded as war crimes.”

Article 86 – Failure to act

“1. The High Contracting Parties and the Parties to the conflict shall repress grave breaches, and take measures necessary to suppress all other breaches, of the Conventions or of this Protocol which result from a failure to act when under a duty to do so.

2. The fact that a breach of the Conventions or of this Protocol was committed by a subordinate does not absolve his superiors from penal or disciplinary responsibility, as the case may be, if they knew, or had information which should have enabled them to conclude in the circumstances at the time, that he was committing or was going to commit such a breach and if they did not take all feasible measures within their power to prevent or repress the breach.”

Article 87 – Duty of commanders

“1. The High Contracting Parties and the Parties to the conflict shall require military commanders, with respect to members of the armed forces under their command and other persons under their control, to prevent and, where necessary, to suppress and report to competent authorities breaches of the Conventions and of this Protocol.

2. In order to prevent and suppress breaches, High Contracting Parties and Parties to the conflict shall require that, commensurate with their level of responsibility, commanders ensure that members of the armed forces under their command are aware of their obligations under the Conventions and this Protocol.

3. The High Contracting Parties and Parties to the conflict shall require any commander who is aware that subordinates or other persons under his control are going to commit or have committed a breach of the Conventions or of this Protocol, to initiate such steps as are necessary to prevent such violations of the Conventions or this Protocol, and, where appropriate, to initiate disciplinary or penal action against violators thereof.”

Article 88 – Mutual assistance in criminal matters

“1. The High Contracting Parties shall afford one another the greatest measure of assistance in connexion with criminal proceedings brought in respect of grave breaches of the Conventions or of this Protocol.

2. Subject to the rights and obligations established in the Conventions and in Article 85, paragraph 1, of this Protocol, and when circumstances permit, the High Contracting Parties shall co-operate in the matter of extradition. They shall give due consideration to the request of the State in whose territory the alleged offence has occurred.

3. The law of the High Contracting Party requested shall apply in all cases. The provisions of the preceding paragraphs shall not, however, affect the obligations arising from the provisions of any other treaty of a bilateral or multilateral nature which governs or will govern the whole or part of the subject of mutual assistance in criminal matters.”

143. As far as attacks on civilians and civilian objects were concerned, the International Criminal Tribunal for the former Yugoslavia (ICTY) consistently held that targeting them constituted an offence when not justified by military necessity (*Prosecutor v. Tihomir Blaškić*, IT-95-14-T, 3 March 2000, § 180; *Prosecutor v. Dario Kordić, Mario Čerkez*, IT-95-14/2-T, 26 February 2001, § 328). In *Prosecutor v. Pavle Strugar* (IT-01-42-T, 31 January 2005, § 282) the Trial Chamber of the ICTY, referring to its Statute, held:

“282. ... the crime of attacks on civilians or civilian objects ... is, as to *actus reus*, an attack directed against a civilian population or individual civilians, or civilian objects, causing death and/or serious injury within the civilian population or damage in the civilian objects. As regards *mens rea*, such an attack must have been conducted with the intent of making the civilian population or individual civilians, or civilian objects, the object of the attack.”

144. As regards attacks on civilian objects, such as hospitals, if they were used for hostile or harmful acts unrelated to their humanitarian function (for example, where a mortar shelling had been carried out from the territory of a hospital), in *Prosecutor v. Stanislav Galić* (IT-98-29-A, 30 November 2006, § 346), the Appeal Chamber of the ICTY held:

“346. ... a hospital becomes a legitimate target when used for hostile or harmful acts unrelated to its humanitarian function, but the opposing party must give warning before it attacks. In this case, the hospital was used as a base to fire mortars at the SRK forces ... At the same time, however, military activity does not permanently turn a protected facility into a legitimate military target. It remains a legitimate military target only as long as it is reasonably necessary for the opposing side to respond to the military

activity. Additionally, an attack must be aimed at the military objects in or around the facility, so only weaponry reasonably necessary for that purpose can be used.”

145. At the same time, in *Prosecutor v. Dragomir Milošević* (IT-98-2911-PT, 12 December 2007, § 149) the Trial Chamber of the ICTY convicted the defendant and found excessive bomb shelling of civilians and civilian infrastructure to be a war crime against the civilian population. In particular, it stated that a campaign of artillery and mortar and modified air bomb shelling onto civilian areas of Sarajevo which had been deliberate, indiscriminate, and/or excessive and disproportionate, amounted to a war crime.

146. Subsequently, in *Prosecutor v. Radovan Karadžić* (IT-95-5/18-T, 24 March 2016, §§ 449 and 452) the Trial Chamber of the ICTY, referring to Additional Protocols I and II to the Geneva Conventions, explained that the targeting of civilians was absolutely prohibited at all times and, as such, constituted a crime:

“452. ... The protection from attack afforded to individual civilians by Article 51 of Additional Protocol I continues until such time as they take direct part in hostilities, that is until they engage in acts of war which, by their very nature and purpose, are likely to cause actual harm to the personnel or materiel of the enemy forces. Thus, in order to establish that unlawful attacks against civilians have been committed, the Chamber has to find that the victims of these attacks were civilians and that they were not participating in the hostilities.”

4. *Concerning allegations under Articles 2 and 3 of the Convention*

147. The relevant parts of the Hague Regulations provide:

Article 4

“Prisoners of war are in the power of the hostile Government, but not of the individuals or corps who capture them. They must be humanely treated. All their personal belongings, except arms, horses, and military papers, remain their property.”

Article 7

“The Government into whose hands prisoners of war have fallen is charged with their maintenance. In the absence of a special agreement between the belligerents, prisoners of war shall be treated as regards board, lodging, and clothing on the same footing as the troops of the Government who captured them.”

Article 23

[quoted in paragraph 135 above]

Article 46

“Family honour and rights, the lives of persons, and private property, as well as religious convictions and practice, must be respected.

Private property cannot be confiscated.”

148. The relevant parts of GC I provide:

Article 3

“In the case of armed conflict not of an international character occurring in the territory of one of the High Contracting Parties, each Party to the conflict shall be bound to apply, as a minimum, the following provisions:

1) Persons taking no active part in the hostilities, including members of armed forces who have laid down their arms and those placed *hors de combat* by sickness, wounds, detention, or any other cause, shall in all circumstances be treated humanely, without any adverse distinction founded on race, colour, religion or faith, sex, birth or wealth, or any other similar criteria.

To this end, the following acts are and shall remain prohibited at any time and in any place whatsoever with respect to the above-mentioned persons:

- a) violence to life and person, in particular murder of all kinds, mutilation, cruel treatment and torture;
- b) taking of hostages;
- c) outrages upon personal dignity, in particular humiliating and degrading treatment;
- d) the passing of sentences and the carrying out of executions without previous judgment pronounced by a regularly constituted court, affording all the judicial guarantees which are recognized as indispensable by civilized peoples.

2) The wounded and sick shall be collected and cared for. An impartial humanitarian body, such as the International Committee of the Red Cross, may offer its services to the Parties to the conflict. The Parties to the conflict should further endeavour to bring into force, by means of special agreements, all or part of the other provisions of the present Convention. The application of the preceding provisions shall not affect the legal status of the Parties to the conflict.”

Article 12

“Members of the armed forces and other persons mentioned in the following Article, who are wounded or sick, shall be respected and protected in all circumstances.

They shall be treated humanely and cared for by the Party to the conflict in whose power they may be, without any adverse distinction founded on sex, race, nationality, religion, political opinions, or any other similar criteria. Any attempts upon their lives, or violence to their persons, shall be strictly prohibited; in particular, they shall not be murdered or exterminated, subjected to torture or to biological experiments; they shall not wilfully be left without medical assistance and care, nor shall conditions exposing them to contagion or infection be created.

Only urgent medical reasons will authorize priority in the order of treatment to be administered.

Women shall be treated with all consideration due to their sex.

The Party to the conflict which is compelled to abandon wounded or sick to the enemy shall, as far as military considerations permit, leave with them a part of its medical personnel and material to assist in their care.”

Article 50

“Grave breaches to which the preceding Article relates shall be those involving any of the following acts, if committed against persons or property protected by the Convention: wilful killing, torture or inhuman treatment, including biological experiments, wilfully causing great suffering or serious injury to body or health, and extensive destruction and appropriation of property, not justified by military necessity and carried out unlawfully and wantonly.”

149. Article 12 of GC II provides:

Article 12

“...

Such persons shall be treated humanely and cared for by the Parties to the conflict in whose power they may be, without any adverse distinction founded on sex, race, nationality, religion, political opinions, or any other similar criteria. Any attempts upon their lives, or violence to their persons, shall be strictly prohibited; in particular, they shall not be murdered or exterminated, subjected to torture or to biological experiments; they shall not wilfully be left without medical assistance and care, nor shall conditions exposing them to contagion or infection be created.

...”

150. The relevant parts of GC III concerning the treatment of prisoners of war provide:

Article 13

“Prisoners of war must at all times be humanely treated. Any unlawful act or omission by the Detaining Power causing death or seriously endangering the health of a prisoner of war in its custody is prohibited, and will be regarded as a serious breach of the present Convention. In particular, no prisoner of war may be subjected to physical mutilation or to medical or scientific experiments of any kind which are not justified by the medical, dental or hospital treatment of the prisoner concerned and carried out in his interest.

Likewise, prisoners of war must at all times be protected, particularly against acts of violence or intimidation and against insults and public curiosity.

Measures of reprisal against prisoners of war are prohibited.”

Article 14

“Prisoners of war are entitled in all circumstances to respect for their persons and their honour.

Women shall be treated with all the regard due to their sex and shall in all cases benefit by treatment as favourable as that granted to men.”

Article 17

“...

No physical or mental torture, nor any other form of coercion, may be inflicted on prisoners of war to secure from them information of any kind whatever. Prisoners of

war who refuse to answer may not be threatened, insulted, or exposed to any unpleasant or disadvantageous treatment of any kind.

...”

151. The relevant parts of GC III concerning detention conditions of prisoners of war provide:

Article 22

“Prisoners of war may be interned only in premises located on land and affording every guarantee of hygiene and healthfulness. Except in particular cases which are justified by the interest of the prisoners themselves, they shall not be interned in penitentiaries.

Prisoners of war interned in unhealthy areas, or where the climate is injurious for them, shall be removed as soon as possible to a more favourable climate.”

Article 23

“No prisoner of war may at any time be sent to, or detained in areas where he may be exposed to the fire of the combat zone, nor may his presence be used to render certain points or areas immune from military operations.

Prisoners of war shall have shelters against air bombardment and other hazards of war, to the same extent as the local civilian population. With the exception of those engaged in the protection of their quarters against the aforesaid hazards, they may enter such shelters as soon as possible after the giving of the alarm. Any other protective measure taken in favour of the population shall also apply to them.

Detaining Powers shall give the Powers concerned, through the intermediary of the Protecting Powers, all useful information regarding the geographical location of prisoner of war camps.

Whenever military considerations permit, prisoner of war camps shall be indicated in the day-time by the letters PW or PG, placed so as to be clearly visible from the air. The Powers concerned may, however, agree upon any other system of marking. Only prisoner of war camps shall be marked as such.”

Article 25

“Prisoners of war shall be quartered under conditions as favourable as those for the forces of the Detaining Power who are billeted in the same area. The said conditions shall make allowance for the habits and customs of the prisoners and shall in no case be prejudicial to their health.

The foregoing provisions shall apply in particular to the dormitories of prisoners of war as regards both total surface and minimum cubic space, and the general installations, bedding and blankets.

The premises provided for the use of prisoners of war individually or collectively, shall be entirely protected from dampness and adequately heated and lighted, in particular between dusk and lights out.

All precautions must be taken against the danger of fire. In any camps in which women prisoners of war, as well as men, are accommodated, separate dormitories shall be provided for them.”

Article 26

“The basic daily food rations shall be sufficient in quantity, quality and variety to keep prisoners of war in good health and to prevent loss of weight or the development of nutritional deficiencies. Account shall also be taken of the habitual diet of the prisoners.

The Detaining Power shall supply prisoners of war who work with such additional rations as are necessary for the labour on which they are employed.

Sufficient drinking water shall be supplied to prisoners of war. The use of tobacco shall be permitted.

Prisoners of war shall, as far as possible, be associated with the preparation of their meals; they may be employed for that purpose in the kitchens. Furthermore, they shall be given the means of preparing, themselves, the additional food in their possession.

Adequate premises shall be provided for messing.

Collective disciplinary measures affecting food are prohibited.”

Article 27

“Clothing, underwear and footwear shall be supplied to prisoners of war in sufficient quantities by the Detaining Power, which shall make allowance for the climate of the region where the prisoners are detained. Uniforms of enemy armed forces captured by the Detaining Power should, if suitable for the climate, be made available to clothe prisoners of war.

The regular replacement and repair of the above articles shall be assured by the Detaining Power. In addition, prisoners of war who work shall receive appropriate clothing, wherever the nature of the work demands.”

152. The relevant parts of GC III concerning medical assistance to prisoners of war provide:

Article 29

“The Detaining Power shall be bound to take all sanitary measures necessary to ensure the cleanliness and healthfulness of camps, and to prevent epidemics.

Prisoners of war shall have for their use, day and night, conveniences which conform to the rules of hygiene and are maintained in a constant state of cleanliness. In any camps in which women prisoners of war are accommodated, separate conveniences shall be provided for them.

Also, apart from the baths and showers with which the camps shall be furnished, prisoners of war shall be provided with sufficient water and soap for their personal toilet and for washing their personal laundry; the necessary installations, facilities and time shall be granted them for that purpose.”

Article 30

“Every camp shall have an adequate infirmary where prisoners of war may have the attention they require, as well as appropriate diet. Isolation wards shall, if necessary, be set aside for cases of contagious or mental disease.

Prisoners of war suffering from serious disease, or whose condition necessitates special treatment, a surgical operation or hospital care, must be admitted to any military

or civilian medical unit where such treatment can be given, even if their repatriation is contemplated in the near future. Special facilities shall be afforded for the care to be given to the disabled, in particular to the blind, and for their rehabilitation, pending repatriation.

Prisoners of war shall have the attention, preferably, of medical personnel of the Power on which they depend and, if possible, of their nationality.

Prisoners of war may not be prevented from presenting themselves to the medical authorities for examination. The detaining authorities shall, upon request, issue to every prisoner who has undergone treatment, an official certificate indicating the nature of his illness or injury, and the duration and kind of treatment received. A duplicate of this certificate shall be forwarded to the Central Prisoners of War Agency.

The costs of treatment, including those of any apparatus necessary for the maintenance of prisoners of war in good health, particularly dentures and other artificial appliances, and spectacles, shall be borne by the Detaining Power.”

153. The relevant parts of GC III concerning disciplining of prisoners of war provide:

Article 42

“The use of weapons against prisoners of war, especially against those who are escaping or attempting to escape, shall constitute an extreme measure, which shall always be preceded by warnings appropriate to the circumstances.”

Article 87

“...

Collective punishment for individual acts, corporal punishment, imprisonment in premises without daylight and, in general, any form of torture or cruelty, are forbidden.

...”

Article 89

“The disciplinary punishments applicable to prisoners of war are the following:

...

In no case shall disciplinary punishments be inhuman, brutal or dangerous to the health of prisoners of war.”

Article 100

“Prisoners of war and the Protecting Powers shall be informed as soon as possible of the offences which are punishable by the death sentence under the laws of the Detaining Power.

Other offences shall not thereafter be made punishable by the death penalty without the concurrence of the Power upon which the prisoners of war depend.

The death sentence cannot be pronounced on a prisoner of war unless the attention of the court has, in accordance with Article 87, second paragraph, been particularly called to the fact that since the accused is not a national of the Detaining Power, he is not

bound to it by any duty of allegiance, and that he is in its power as the result of circumstances independent of his own will.”

Article 103

“Judicial investigations relating to a prisoner of war shall be conducted as rapidly as circumstances permit and so that his trial shall take place as soon as possible. A prisoner of war shall not be confined while awaiting trial unless a member of the armed forces of the Detaining Power would be so confined if he were accused of a similar offence, or if it is essential to do so in the interests of national security. In no circumstances shall this confinement exceed three months.

Any period spent by a prisoner of war in confinement awaiting trial shall be deducted from any sentence of imprisonment passed upon him and taken into account in fixing any penalty.”

Article 108

“Sentence pronounced on prisoners of war after a conviction has become duly enforceable shall be served in the same establishments and under the same conditions as in the case of members of the armed forces of the Detaining Power. These conditions shall in all cases conform to the requirements of health and humanity.

...”

154. The relevant parts of GC III concerning grave breaches read as follows:

Article 130

“Grave breaches to which the preceding Article relates shall be those involving any of the following acts, if committed against persons or property protected by the Convention: wilful killing, torture or inhuman treatment, including biological experiments, wilfully causing great suffering or serious injury to body or health, compelling a prisoner of war to serve in the forces of the hostile Power, or wilfully depriving a prisoner of war of the rights of fair and regular trial prescribed in this Convention.”

155. The relevant parts of GC IV concerning the treatment of protected persons provide:

Article 5

“Where, in the territory of a Party to the conflict, the latter is satisfied that an individual protected person is definitely suspected of or engaged in activities hostile to the security of the State, such individual person shall not be entitled to claim such rights and privileges under the present Convention as would, if exercised in the favour of such individual person, be prejudicial to the security of such State.

Where in occupied territory an individual protected person is detained as a spy or saboteur, or as a person under definite suspicion of activity hostile to the security of the Occupying Power, such person shall, in those cases where absolute military security so requires, be regarded as having forfeited rights of communication under the present Convention.

In each case, such persons shall nevertheless be treated with humanity, and in case of trial, shall not be deprived of the rights of fair and regular trial prescribed by the present Convention. They shall also be granted the full rights and privileges of a protected person under the present Convention at the earliest date consistent with the security of the State or Occupying Power, as the case may be.”

Article 27

“Protected persons are entitled, in all circumstances, to respect for their persons, their honour, their family rights, their religious convictions and practices, and their manners and customs. They shall at all times be humanely treated, and shall be protected especially against all acts of violence or threats thereof and against insults and public curiosity.

Women shall be especially protected against any attack on their honour, in particular against rape, enforced prostitution, or any form of indecent assault.

Without prejudice to the provisions relating to their state of health, age and sex, all protected persons shall be treated with the same consideration by the Party to the conflict in whose power they are, without any adverse distinction based, in particular, on race, religion or political opinion.

However, the Parties to the conflict may take such measures of control and security in regard to protected persons as may be necessary as a result of the war.”

Article 31

“No physical or moral coercion shall be exercised against protected persons, in particular to obtain information from them or from third parties.”

Article 32

“The High Contracting Parties specifically agree that each of them is prohibited from taking any measure of such a character as to cause the physical suffering or extermination of protected persons in their hands. This prohibition applies not only to murder, torture, corporal punishment, mutilation and medical or scientific experiments not necessitated by the medical treatment of a protected person, but also to any other measures of brutality whether applied by civilian or military agents.”

156. The relevant parts of GC IV concerning conditions of detention of protected persons provide:

Article 76

“Protected persons accused of offences shall be detained in the occupied country, and if convicted they shall serve their sentences therein. They shall, if possible, be separated from other detainees and shall enjoy conditions of food and hygiene which will be sufficient to keep them in good health, and which will be at least equal to those obtaining in prisons in the occupied country.

They shall receive the medical attention required by their state of health.

They shall also have the right to receive any spiritual assistance which they may require.

Women shall be confined in separate quarters and shall be under the direct supervision of women.

Proper regard shall be paid to the special treatment due to minors.

Protected persons who are detained shall have the right to be visited by delegates of the Protecting Power and of the International Committee of the Red Cross, in accordance with the provisions of Article 143.

Such persons shall have the right to receive at least one relief parcel monthly.”

Article 81

“Parties to the conflict who intern protected persons shall be bound to provide free of charge for their maintenance, and to grant them also the medical attention required by their state of health.

No deduction from the allowances, salaries or credits due to the internees shall be made for the repayment of these costs.

The Detaining Power shall provide for the support of those dependent on the internees, if such dependents are without adequate means of support or are unable to earn a living.”

Article 82

“The Detaining Power shall, as far as possible, accommodate the internees according to their nationality, language and customs. Internees who are nationals of the same country shall not be separated merely because they have different languages.

Throughout the duration of their internment, members of the same family, and in particular parents and children, shall be lodged together in the same place of internment, except when separation of a temporary nature is necessitated for reasons of employment or health or for the purposes of enforcement of the provisions of Chapter IX of the present Section. Internees may request that their children who are left at liberty without parental care shall be interned with them.

Wherever possible, interned members of the same family shall be housed in the same premises and given separate accommodation from other internees, together with facilities for leading a proper family life.”

Article 83

“The Detaining Power shall not set up places of internment in areas particularly exposed to the dangers of war.”

Article 84

“Internees shall be accommodated and administered separately from prisoners of war and from persons deprived of liberty for any other reason.”

Article 85

“The Detaining Power is bound to take all necessary and possible measures to ensure that protected persons shall, from the outset of their internment, be accommodated in buildings or quarters which afford every possible safeguard as regards hygiene and

health, and provide efficient protection against the rigours of the climate and the effects of the war. In no case shall permanent places of internment be situated in unhealthy areas or in districts the climate of which is injurious to the internees. In all cases where the district, in which a protected person is temporarily interned, is in an unhealthy area or has a climate which is harmful to his health, he shall be removed to a more suitable place of internment as rapidly as circumstances permit.

The premises shall be fully protected from dampness, adequately heated and lighted, in particular between dusk and lights out. The sleeping quarters shall be sufficiently spacious and well ventilated, and the internees shall have suitable bedding and sufficient blankets, account being taken of the climate, and the age, sex, and state of health of the internees.

Internees shall have for their use, day and night, sanitary conveniences which conform to the rules of hygiene and are constantly maintained in a state of cleanliness. They shall be provided with sufficient water and soap for their daily personal toilet and for washing their personal laundry; installations and facilities necessary for this purpose shall be granted to them. Showers or baths shall also be available. The necessary time shall be set aside for washing and for cleaning.

Whenever it is necessary, as an exceptional and temporary measure, to accommodate women internees who are not members of a family unit in the same place of internment as men, the provision of separate sleeping quarters and sanitary conveniences for the use of such women internees shall be obligatory.”

Article 89

“Daily food rations for internees shall be sufficient in quantity, quality and variety to keep internees in a good state of health and prevent the development of nutritional deficiencies. Account shall also be taken of the customary diet of the internees.

...”

Article 90

“When taken into custody, internees shall be given all facilities to provide themselves with the necessary clothing, footwear and change of underwear, and later on, to procure further supplies if required. Should any internees not have sufficient clothing, account being taken of the climate, and be unable to procure any, it shall be provided free of charge to them by the Detaining Power.

...”

Article 91

“Every place of internment shall have an adequate infirmary, under the direction of a qualified doctor, where internees may have the attention they require, as well as an appropriate diet. Isolation wards shall be set aside for cases of contagious or mental diseases.

...”

157. The relevant parts of GC IV concerning disciplining internees provide:

Article 100

“The disciplinary regime in places of internment shall be consistent with humanitarian principles, and shall in no circumstances include regulations imposing on internees any physical exertion dangerous to their health or involving physical or moral victimization. Identification by tattooing or imprinting signs or markings on the body, is prohibited.

In particular, prolonged standing and roll- calls, punishment drill, military drill and manoeuvres, or the reduction of food rations, are prohibited.”

Article 119

“The disciplinary punishments applicable to internees shall be the following:

...

In no case shall disciplinary penalties be inhuman, brutal or dangerous for the health of internees. Account shall be taken of the internee’s age, sex and state of health.

...”

Article 147

[quoted in paragraph 138 above]

158. The relevant parts of AP I concerning the treatment of internees/detainees provide:

Article 11 – Protection of persons

“1. The physical or mental health and integrity of persons who are in the power of the adverse Party or who are interned, detained or otherwise deprived of liberty as a result of a situation referred to in Article 1 shall not be endangered by any unjustified act or omission. Accordingly, it is prohibited to subject the persons described in this Article to any medical procedure which is not indicated by the state of health of the person concerned and which is not consistent with generally accepted medical standards which would be applied under similar medical circumstances to persons who are nationals of the Party conducting the procedure and who are in no way deprived of liberty.

2. It is, in particular, prohibited to carry out on such persons, even with their consent:

a) physical mutilations;

b) medical or scientific experiments;

c) removal of tissue or organs for transplantation, except where these acts are justified in conformity with the conditions provided for in paragraph 1.

3. Exceptions to the prohibition in paragraph 2 c) may be made only in the case of donations of blood for transfusion or of skin for grafting, provided that they are given voluntarily and without any coercion or inducement, and then only for therapeutic purposes, under conditions consistent with generally accepted medical standards and controls designed for the benefit of both the donor and the recipient.

4. Any wilful act or omission which seriously endangers the physical or mental health or integrity of any person who is in the power of a Party other than the one on which he depends and which either violates any of the prohibitions in paragraphs 1 and 2 or fails to comply with the requirements of paragraph 3 shall be a grave breach of this Protocol.

5. The persons described in paragraph 1 have the right to refuse any surgical operation. In case of refusal, medical personnel shall endeavour to obtain a written statement to that effect, signed or acknowledged by the patient.

6. Each Party to the conflict shall keep a medical record for every donation of blood for transfusion or skin for grafting by persons referred to in paragraph 1, if that donation is made under the responsibility of that Party. In addition, each Party to the conflict shall endeavour to keep a record of all medical procedures undertaken with respect to any person who is interned, detained or otherwise deprived of liberty as a result of a situation referred to in Article 1. These records shall be available at all times for inspection by the Protecting Power.”

Article 51 – Protection of the civilian population

[quoted in paragraph 140 above]

Article 75 – Fundamental guarantees

[quoted in paragraph 141 above]

Article 76 – Protection of women

“1. Women shall be the object of special respect and shall be protected in particular against rape, forced prostitution and any other form of indecent assault.

2. Pregnant women and mothers having dependent infants who are arrested, detained or interned for reasons related to the armed conflict, shall have their cases considered with the utmost priority.

3. To the maximum extent feasible, the Parties to the conflict shall endeavour to avoid the pronouncement of the death penalty on pregnant women or mothers having dependent infants, for an offence related to the armed conflict. The death penalty for such offences shall not be executed on such women.”

Article 77 – Protection of children

“1. Children shall be the object of special respect and shall be protected against any form of indecent assault. The Parties to the conflict shall provide them with the care and aid they require, whether because of their age or for any other reason.

2. The Parties to the conflict shall take all feasible measures in order that children who have not attained the age of fifteen years do not take a direct part in hostilities and, in particular, they shall refrain from recruiting them into their armed forces. In recruiting among those persons who have attained the age of fifteen years but who have not attained the age of eighteen years, the Parties to the conflict shall endeavour to give priority to those who are oldest.

3. If, in exceptional cases, despite the provisions of paragraph 2, children who have not attained the age of fifteen years take a direct part in hostilities and fall into the power of an adverse Party, they shall continue to benefit from the special protection accorded by this Article, whether or not they are prisoners of war.”

159. In its judgment in *Prosecutor v. Jean-Paul Akayesu* (ICTR-96-4-T, 2 September 1998, § 598), the Trial Chamber of the International Criminal Tribunal for Rwanda (ICTR), referring to its Statute, defined rape as:

“598. ... physical invasion of a sexual nature, committed on a person under circumstances which are coercive. Sexual violence which includes rape, is considered to be any act of a sexual nature which is committed on a person under circumstances which are coercive. This act must be committed:

- (a) as part of a wide spread or systematic attack;
- (b) on a civilian population;
- (c) on certain catalogued discriminatory grounds, namely: national, ethnic, political, racial, or religious ground.”

160. The issue of rape was subsequently deliberated by the ICTY with its objective elements defined in *Prosecutor v. Anto Furundžija* (IT-95-17/1-T, 10 December 1998, § 185) and its definition was then widened in *Prosecutor v. Dragoljub Kunarac, Radomir Kovač and Zoran Vuković* (IT-06-23-T and IT-96-23/1-T, 22 February 2001, § 438) to include not just coercive but any non-consensual sexual penetration. This updated definition also included the objective elements defined in *Furundžija*:

“438. ... the *actus reus* of the crime of rape in international law is constituted by: the sexual penetration, however slight: (a) of the vagina or anus of the victim by the penis of the perpetrator or any other object used by the perpetrator; or (b) of the mouth of the victim by the penis of the perpetrator; where such sexual penetration occurs without the consent of the victim. Consent for this purpose must be consent given voluntarily, as a result of the victim’s free will, assessed in the context of the surrounding circumstances. The *mens rea* is the intention to effect this sexual penetration, and the knowledge that it occurs without the consent of the victim.”

5. Concerning allegations under Article 4 § 2 of the Convention

161. See the content of Article 23 of the Hague Regulations in paragraph 135 above.

162. The provisions of GC III in respect of the labour of prisoners of war provide:

Article 49

“The Detaining Power may utilize the labour of prisoners of war who are physically fit, taking into account their age, sex, rank and physical aptitude, and with a view particularly to maintaining them in a good state of physical and mental health.

Non-commissioned officers who are prisoners of war shall only be required to do supervisory work. Those not so required may ask for other suitable work which shall, so far as possible, be found for them.

If officers or persons of equivalent status ask for suitable work, it shall be found for them, so far as possible, but they may in no circumstances be compelled to work.”

Article 50

“Besides work connected with camp administration, installation or maintenance, prisoners of war may be compelled to do only such work as is included in the following classes:

- a) agriculture;
- b) industries connected with the production or the extraction of raw materials, and manufacturing industries, with the exception of metallurgical, machinery and chemical industries; public works and building operations which have no military character or purpose;
- c) transport and handling of stores which are not military in character or purpose;
- d) commercial business, and arts and crafts;
- e) domestic service;
- f) public utility services having no military character or purpose.

Should the above provisions be infringed, prisoners of war shall be allowed to exercise their right of complaint, in conformity with Article 78.”

Article 51

“Prisoners of war must be granted suitable working conditions, especially as regards accommodation, food, clothing and equipment; such conditions shall not be inferior to those enjoyed by nationals of the Detaining Power employed in similar work; account shall also be taken of climatic conditions.

The Detaining Power, in utilizing the labour of prisoners of war, shall ensure that in areas in which prisoners are employed, the national legislation concerning the protection of labour, and, more particularly, the regulations for the safety of workers, are duly applied.

Prisoners of war shall receive training and be provided with the means of protection suitable to the work they will have to do and similar to those accorded to the nationals of the Detaining Power. Subject to the provisions of Article 52, prisoners may be submitted to the normal risks run by these civilian workers.

Conditions of labour shall in no case be rendered more arduous by disciplinary measures.”

Article 52

“Unless he be a volunteer, no prisoner of war may be employed on labour which is of an unhealthy or dangerous nature.

No prisoner of war shall be assigned to labour which would be looked upon as humiliating for a member of the Detaining Power’s own forces.

The removal of mines or similar devices shall be considered as dangerous labour.”

Article 53

“The duration of the daily labour of prisoners of war, including the time of the journey to and from, shall not be excessive, and must in no case exceed that permitted for civilian workers in the district, who are nationals of the Detaining Power and employed on the same work.

Prisoners of war must be allowed, in the middle of the day's work, a rest of not less than one hour. This rest will be the same as that to which workers of the Detaining Power are entitled, if the latter is of longer duration. They shall be allowed in addition a rest of twenty-four consecutive hours every week, preferably on Sunday or the day of rest in their country of origin. Furthermore, every prisoner who has worked for one year shall be granted a rest of eight consecutive days, during which his working pay shall be paid him.

If methods of labour such as piece work are employed, the length of the working period shall not be rendered excessive thereby."

Article 54

"The working pay due to prisoners of war shall be fixed in accordance with the provisions of Article 62 of the present Convention.

Prisoners of war who sustain accidents in connection with work, or who contract a disease in the course, or in consequence of their work, shall receive all the care their condition may require. The Detaining Power shall furthermore deliver to such prisoners of war a medical certificate enabling them to submit their claims to the Power on which they depend, and shall send a duplicate to the Central Prisoners of War Agency provided for in Article 123."

Article 55

"The fitness of prisoners of war for work shall be periodically verified by medical examinations at least once a month. The examinations shall have particular regard to the nature of the work which prisoners of war are required to do.

If any prisoner of war considers himself incapable of working, he shall be permitted to appear before the medical authorities of his camp. Physicians or surgeons may recommend that the prisoners who are, in their opinion, unfit for work, be exempted therefrom."

Article 62

"Prisoners of war shall be paid a fair working rate of pay by the detaining authorities direct. The rate shall be fixed by the said authorities, but shall at no time be less than one-fourth of one Swiss franc for a full working day. The Detaining Power shall inform prisoners of war, as well as the Power on which they depend, through the intermediary of the Protecting Power, of the rate of daily working pay that it has fixed.

Working pay shall likewise be paid by the detaining authorities to prisoners of war permanently detailed to duties or to a skilled or semi-skilled occupation in connection with the administration, installation or maintenance of camps, and to the prisoners who are required to carry out spiritual or medical duties on behalf of their comrades.

The working pay of the prisoners' representative, of his advisers, if any, and of his assistants, shall be paid out of the fund maintained by canteen profits. The scale of this working pay shall be fixed by the prisoners' representative and approved by the camp commander. If there is no such fund, the detaining authorities shall pay these prisoners a fair working rate of pay."

Article 130

[quoted in paragraph 154 above]

163. The relevant provisions of GC IV concerning the labour of protected persons read:

Article 40

“Protected persons may be compelled to work only to the same extent as nationals of the Party to the conflict in whose territory they are.

If protected persons are of enemy nationality, they may only be compelled to do work which is normally necessary to ensure the feeding, sheltering, clothing, transport and health of human beings and which is not directly related to the conduct of military operations.

In the cases mentioned in the two preceding paragraphs, protected persons compelled to work shall have the benefit of the same working conditions and of the same safeguards as national workers, in particular as regards wages, hours of labour, clothing and equipment, previous training and compensation for occupational accidents and diseases.”

Article 51

“The Occupying Power may not compel protected persons to serve in its armed or auxiliary forces. No pressure or propaganda which aims at securing voluntary enlistment is permitted. The Occupying Power may not compel protected persons to work unless they are over eighteen years of age, and then only on work which is necessary either for the needs of the army of occupation, or for the public utility services, or for the feeding, sheltering, clothing, transportation or health of the population of the occupied country. Protected persons may not be compelled to undertake any work which would involve them in the obligation of taking part in military operations. The Occupying Power may not compel protected persons to employ forcible means to ensure the security of the installations where they are performing compulsory labour.

The work shall be carried out only in the occupied territory where the persons whose services have been requisitioned are. Every such person shall, so far as possible, be kept in his usual place of employment. Workers shall be paid a fair wage and the work shall be proportionate to their physical and intellectual capacities. The legislation in force in the occupied country concerning working conditions, and safeguards as regards, in particular, such matters as wages, hours of work, equipment, preliminary training and compensation for occupational accidents and diseases, shall be applicable to the protected persons assigned to the work referred to in this Article.

In no case shall requisition of labour lead to a mobilization of workers in an organization of a military or semi-military character.”

Article 95

“The Detaining Power shall not employ internees as workers, unless they so desire. Employment which, if undertaken under compulsion by a protected person not in internment, would involve a breach of Articles 40 or 51 of the present Convention, and employment on work which is of a degrading or humiliating character are in any case prohibited.

After a working period of six weeks, internees shall be free to give up work at any moment, subject to eight days’ notice.

These provisions constitute no obstacle to the right of the Detaining Power to employ interned doctors, dentists and other medical personnel in their professional capacity on behalf of their fellow internees, or to employ internees for administrative and maintenance work in places of internment and to detail such persons for work in the kitchens or for other domestic tasks, or to require such persons to undertake duties connected with the protection of internees against aerial bombardment or other war risks. No internee may, however, be required to perform tasks for which he is, in the opinion of a medical officer, physically unsuited.

The Detaining Power shall take entire responsibility for all working conditions, for medical attention, for the payment of wages, and for ensuring that all employed internees receive compensation for occupational accidents and diseases. The standards prescribed for the said working conditions and for compensation shall be in accordance with the national laws and regulations, and with the existing practice; they shall in no case be inferior to those obtaining for work of the same nature in the same district. Wages for work done shall be determined on an equitable basis by special agreements between the internees, the Detaining Power, and, if the case arises, employers other than the Detaining Power, due regard being paid to the obligation of the Detaining Power to provide for free maintenance of internees and for the medical attention which their state of health may require. Internees permanently detailed for categories of work mentioned in the third paragraph of this Article shall be paid fair wages by the Detaining Power. The working conditions and the scale of compensation for occupational accidents and diseases to internees, thus detailed, shall not be inferior to those applicable to work of the same nature in the same district.”

Article 147

[quoted in paragraph 138 above]

6. Concerning allegations under Article 5 of the Convention

164. The content of Articles 64 and 147 of GC IV is set out in paragraphs 132 and 138 above. Other relevant provisions of GC IV read:

Article 34

“The taking of hostages is prohibited.”

Article 43

“Any protected person who has been interned or placed in assigned residence shall be entitled to have such action reconsidered as soon as possible by an appropriate court or administrative board designated by the Detaining Power for that purpose. If the internment or placing in assigned residence is maintained, the court or administrative board shall periodically, and at least twice yearly, give consideration to his or her case, with a view to the favourable amendment of the initial decision, if circumstances permit.

Unless the protected persons concerned object, the Detaining Power shall, as rapidly as possible, give the Protecting Power the names of any protected persons who have been interned or subjected to assigned residence, or who have been released from internment or assigned residence. The decisions of the courts or boards mentioned in the first paragraph of the present Article shall also, subject to the same conditions, be notified as rapidly as possible to the Protecting Power.”

Article 66

“In case of a breach of the penal provisions promulgated by it by virtue of the second paragraph of Article 64, the Occupying Power may hand over the accused to its properly constituted, non-political military courts, on condition that the said courts sit in the occupied country. Courts of appeal shall preferably sit in the occupied country.”

Article 68

“Protected persons who commit an offence which is solely intended to harm the Occupying Power, but which does not constitute an attempt on the life or limb of members of the occupying forces or administration, nor a grave collective danger, nor seriously damage the property of the occupying forces or administration or the installations used by them, shall be liable to internment or simple imprisonment, provided the duration of such internment or imprisonment is proportionate to the offence committed. Furthermore, internment or imprisonment shall, for such offences, be the only measure adopted for depriving protected persons of liberty. The courts provided for under Article 66 of the present Convention may at their discretion convert a sentence of imprisonment to one of internment for the same period.

The penal provisions promulgated by the Occupying Power in accordance with Articles 64 and 65 may impose the death penalty on a protected person only in cases where the person is guilty of espionage, of serious acts of sabotage against the military installations of the Occupying Power or of intentional offences which have caused the death of one or more persons, provided that such offences were punishable by death under the law of the occupied territory in force before the occupation began.

The death penalty may not be pronounced against a protected person unless the attention of the court has been particularly called to the fact that since the accused is not a national of the Occupying Power, he is not bound to it by any duty of allegiance.

In any case, the death penalty may not be pronounced against a protected person who was under eighteen years of age at the time of the offence.”

Article 71

“No sentence shall be pronounced by the competent courts of the Occupying Power except after a regular trial.

Accused persons who are prosecuted by the Occupying Power shall be promptly informed, in writing, in a language which they understand, of the particulars of the charges preferred against them, and shall be brought to trial as rapidly as possible. The Protecting Power shall be informed of all proceedings instituted by the Occupying Power against protected persons in respect of charges involving the death penalty or imprisonment for two years or more; it shall be enabled, at any time, to obtain information regarding the state of such proceedings. Furthermore, the Protecting Power shall be entitled, on request, to be furnished with all particulars of these and of any other proceedings instituted by the Occupying Power against protected persons.

The notification to the Protecting Power, as provided for in the second paragraph above, shall be sent immediately, and shall in any case reach the Protecting Power three weeks before the date of the first hearing. Unless, at the opening of the trial, evidence is submitted that the provisions of this Article are fully complied with, the trial shall not proceed. The notification shall include the following particulars:

- a) description of the accused;

- b) place of residence or detention;
- c) specification of the charge or charges (with mention of the penal provisions under which it is brought);
- d) designation of the court which will hear the case; e) place and date of the first hearing.”

Article 78

“If the Occupying Power considers it necessary, for imperative reasons of security, to take safety measures concerning protected persons, it may, at the most, subject them to assigned residence or to internment.

Decisions regarding such assigned residence or internment shall be made according to a regular procedure to be prescribed by the Occupying Power in accordance with the provisions of the present Convention. This procedure shall include the right of appeal for the parties concerned. Appeals shall be decided with the least possible delay. In the event of the decision being upheld, it shall be subject to periodical review, if possible every six months, by a competent body set up by the said Power.

Protected persons made subject to assigned residence and thus required to leave their homes shall enjoy the full benefit of Article 39 of the present Convention.”

Article 79

The Parties to the conflict shall not intern protected persons, except in accordance with the provisions of Articles 41, 42, 43, 68 and 78.”

165. The content of Article 75 of AP I is set out in paragraph 141 above.

166. Lastly, in relation to taking of hostages, a crime not explicitly mentioned in the Statute of the ICTY, the Trial Chamber in *Prosecutor v. Radovan Karadžić* (cited above, § 468), referring to Common Article 3 of the Geneva Conventions, held:

“468. The offence of hostage-taking requires the following elements. The actus reus of this offence is the detention of persons and the use of a threat concerning the detained persons, including a threat to kill, injure or continue to detain, in order to obtain a concession or gain an advantage. ... the prohibition on the taking of hostages ... applies to “all detained individuals, irrespective of whether their detention is explicitly sought in order to use them as hostages and irrespective of their prior status as combatants”. The mens rea required for hostage-taking is the intention to compel a third party to act or refrain from acting as a condition for the release of the detained persons.”

7. Concerning allegations under Article 8 of the Convention

167. The content of Article 46 of the Hague Regulations is set out in paragraph 147 above.

168. The content of Article 17 and 147 of the GC IV is set out in paragraph 138 above; the content of Article 27 is set out in paragraph 155 above and of Article 78 in paragraph 164 above.

169. Other relevant provisions of GC IV read:

Article 49

“Individual or mass forcible transfers, as well as deportations of protected persons from occupied territory to the territory of the Occupying Power or to that of any other country, occupied or not, are prohibited, regardless of their motive.

Nevertheless, the Occupying Power may undertake total or partial evacuation of a given area if the security of the population or imperative military reasons so demand. Such evacuations may not involve the displacement of protected persons outside the bounds of the occupied territory except when for material reasons it is impossible to avoid such displacement. Persons thus evacuated shall be transferred back to their homes as soon as hostilities in the area in question have ceased.

The Occupying Power undertaking such transfers or evacuations shall ensure, to the greatest practicable extent, that proper accommodation is provided to receive the protected persons, that the removals are effected in satisfactory conditions of hygiene, health, safety and nutrition, and that members of the same family are not separated.

The Protecting Power shall be informed of any transfers and evacuations as soon as they have taken place.

The Occupying Power shall not detain protected persons in an area particularly exposed to the dangers of war unless the security of the population or imperative military reasons so demand.

The Occupying Power shall not deport or transfer parts of its own civilian population into the territory it occupies.”

Article 76

“Protected persons accused of offences shall be detained in the occupied country, and if convicted they shall serve their sentences therein. ...”

170. In *Prosecutor v. Radovan Karadžić* (cited above), the ICTY described the elements of the *actus reus* of deportation and of forcible transfer as crimes against humanity and concluded on the following:

“488. The elements of deportation and forcible transfer are substantially similar. Deportation and forcible transfer are defined as: (i) the forced displacement of one or more persons by expulsion or other forms of coercion, (ii) from an area in which they are lawfully present, (iii) without grounds permitted under international law. There is an important distinction between the two crimes; for deportation, the displacement of persons must be across a *de jure* border between two states or, in certain circumstances, a *de facto* border, and for forcible transfer, the removal may take place within national boundaries.

489. To establish deportation and forcible transfer, there must be a forced displacement of persons carried out by expulsion or other forms of coercion. The term ‘forced’ may include physical force, as well as the threat of force or coercion, such as that caused by fear of violence, duress, detention, psychological oppression, or abuse of power, or the act of taking advantage of a coercive environment. The forced character of the displacement is determined by the absence of genuine choice by the victim in his or her displacement. As such, while persons may consent to, or even request, their removal, any consent or request to be displaced must be given voluntarily and as a result of the individual’s free will, assessed in light of the surrounding circumstances of the particular case....

492. International law recognises certain grounds permitting forced removals, such as the evacuation of: (i) a civilian population for its security or for imperative military reasons; and (ii) prisoners of war out of combat zones and into internment facilities, subject to the conditions set out therein. If an act of forced removal is carried out on such bases, that act cannot constitute the *actus reus* of deportation or forcible transfer. Evacuation is an exceptional measure which is permitted to protect the civilian population. However, it is unlawful to use evacuation measures based on imperative military reasons as a pretext to remove the civilian population and seize control over a desired territory. Although forced removal for humanitarian reasons is justifiable in certain situations, it is not justified where the humanitarian crisis that caused the displacement is itself the result of the perpetrator's own unlawful activity....

(2) Forcible nature of movement

2468. The Chamber finds that the Bosnian Muslims and Bosnian Croats referred to above were forcibly displaced. In reaching that conclusion, the Chamber had regard to the surrounding circumstances in the Municipalities and found that the Bosnian Muslims and Bosnian Croats were displaced as a result of physical force, threat of force, or coercion. Others fled out of fear. This fear was caused by ongoing violence and various crimes committed against non-Serbs including *inter alia*, killings, cruel and inhumane treatment, unlawful detention, rape and other acts of sexual violence, discriminatory measures, and wanton destruction of villages, houses and cultural monuments.

2469. Bosnian Muslims were often given limited time to leave their homes before being loaded onto trucks, buses or trains and transported out of the Municipalities....

2470. In many cases Bosnian Muslims and Bosnian Croats were forced to leave following attacks against their villages or after the take-over of towns by Serb Forces....

2471. The Chamber recalls its findings that in some Municipalities Bosnian Muslims may have requested assistance or permission to leave, and in some cases they paid exorbitant fees to do so. However, these departures were not voluntary and occurred under circumstances in which they had no real choice but to leave. Even when Bosnian Muslim leaders or other non-governmental organisations were involved in trying to evacuate Bosnian Muslims, this occurred in an environment of fear and threats which does not suggest that the population left voluntarily. The Chamber finds that even though non-governmental organisations may have been involved in facilitating some of these displacements, this does not render lawful what were otherwise unlawful transfers. The Chamber found that in other municipalities while the Bosnian Serb authorities referred to movement of the population as 'voluntary departure', in reality civilians were fleeing out of fear for their lives; this occurred in intimidating and violent circumstances which negated any suggestion of voluntariness in their departures.

2472. In addition the Chamber recalls its finding that even in municipalities where Bosnian Serb authorities did invite citizens to return, the number of those who returned was extremely limited, and the pattern of mistreatment, intimidation and expulsions continued.

2473. The Chamber finds that there is no indication that the forcible displacement of the Bosnian Muslim and Bosnian Croat population was carried out on any grounds permitted under international law.

2475.... As found above, this environment of fear was caused by ongoing violence, killings, cruel and inhumane treatment, unlawful detention, rape and other acts of sexual violence, discriminatory measures, and wanton destruction of villages, houses, and cultural monuments. In many cases the population fled following attacks against their

villages and homes by Serb Forces. The Chamber finds beyond reasonable doubt that these circumstances demonstrate the requisite intent to forcibly displace the population.”

171. In *Prosecutor v. Ratko Mladić* (Appeals Chamber judgment of 8 June 2021), the International Residual Mechanism for Criminal Tribunals held that:

“358.... [T]he Trial Chamber recalled that it was the conduct of the VRS that precipitated the humanitarian crises that preceded the displacements as well as the violent nature in which the VRS effected the displacements. The Trial Chamber concluded that, in such circumstances, the civilians who left Srebrenica in July 1995 ‘did not have a genuine choice but to leave’. Furthermore, in assessing displacements cumulatively, which included those related to Srebrenica in July 1995, the Trial Chamber found that the transfers were ‘not carried out for the security of the persons involved, but rather to transfer them out of certain municipalities’ and that no steps were taken to secure the return of those displaced. On this basis, the Trial Chamber concluded that there ‘were no circumstances that justified the displacement... as recognized by international law’.”

8. Concerning allegations under Article 9, 10 and 11 of the Convention

172. The content of Articles 43 and 46 of the Hague Regulations is set out in paragraphs 131 and 147 above, and the content of Article 27 and 64 of GC IV in paragraphs 155 and 132 above.

173. Other relevant provisions of the Hague Regulations read:

Article 45

“It is forbidden to compel the inhabitants of occupied territory to swear allegiance to the hostile Power.”

174. Other relevant provisions of GC IV read:

Article 38

“With the exception of special measures authorized by the present Convention, in particular by Articles 27 and 41 thereof, the situation of protected persons shall continue to be regulated, in principle, by the provisions concerning aliens in time of peace. In any case, the following rights shall be granted to them:

...

3) They shall be allowed to practise their religion and to receive spiritual assistance from ministers of their faith.

...”

Article 58

“The Occupying Power shall permit ministers of religion to give spiritual assistance to the members of their religious communities.

The Occupying Power shall also accept consignments of books and articles required for religious needs and shall facilitate their distribution in occupied territory.”

175. The content of Article 75 of AP I is set out in paragraph 141 above.

176. Other relevant provisions of AP I read:

Article 15 – Protection of civilian medical and religious personnel

“... ”

5. Civilian religious personnel shall be respected and protected. The provisions of the Conventions and of this Protocol concerning the protection and identification of medical personnel shall apply equally to such persons.”

Article 79 – Measures of protection for journalists

“1. Journalists engaged in dangerous professional missions in areas of armed conflict shall be considered as civilians within the meaning of Article 50, paragraph 1.

2. They shall be protected as such under the Conventions and this Protocol, provided that they take no action adversely affecting their status as civilians, and without prejudice to the right of war correspondents accredited to the armed forces to the status provided for in Article 4 A 4) of the Third Convention.

3. They may obtain an identity card similar to the model in Annex II of this Protocol. This card, which shall be issued by the government of the State of which the journalist is a national or in whose territory he resides or in which the news medium employing him is located, shall attest to his status as a journalist.”

9. Concerning allegations under Article 1 of Protocol No. 1 to the Convention

177. The content of Article 23 and 46 of the Hague Regulations is set out in paragraphs 135 and 147 above. Other relevant provisions of the Hague Regulations read:

Article 28

“The pillage of a town or place, even when taken by assault, is prohibited.”

Article 47

“Pillage is formally forbidden.”

Article 52

“Requisitions in kind and services shall not be demanded from municipalities or inhabitants except for the needs of the army of occupation. They shall be in proportion to the resources of the country, and of such a nature as not to involve the inhabitants in the obligation of taking part in military operations against their own country.

Such requisitions and services shall only be demanded on the authority of the commander in the locality occupied.

Contributions in kind shall as far as possible be paid for in cash; if not, a receipt shall be given and the payment of the amount due shall be made as soon as possible.”

Article 53

“An army of occupation can only take possession of cash, funds, and realizable securities which are strictly the property of the State, depots of arms, means of transport, stores and supplies, and, generally, all movable property belonging to the State which may be used for military operations.

All appliances, whether on land, at sea, or in the air, adapted for the transmission of news, or for the transport of persons or things, exclusive of cases governed by naval law, depots of arms, and, generally, all kinds of munitions of war, may be seized, even if they belong to private individuals, but must be restored and compensation fixed when peace is made.”

178. The content of Article 147 of GC IV is set out in paragraph 138 above.

179. Other relevant provisions of GC IV read:

Article 33

“...

Pillage is prohibited.

Reprisals against protected persons and their property are prohibited.”

Article 53

“Any destruction by the Occupying Power of real or personal property belonging individually or collectively to private persons, or to the State, or to other public authorities, or to social or co-operative organizations, is prohibited, except where such destruction is rendered absolutely necessary by military operations.”

10. Concerning allegations under Article 2 of Protocol No. 1 to the Convention

180. The content of Article 45 of the Hague Regulations is set out in paragraph 174 above.

181. The relevant provisions of GC IV read:

Article 24

“The Parties to the conflict shall take the necessary measures to ensure that children under fifteen, who are orphaned or are separated from their families as a result of the war, are not left to their own resources, and that their maintenance, the exercise of their religion and their education are facilitated in all circumstances. Their education shall, as far as possible, be entrusted to persons of a similar cultural tradition.

The Parties to the conflict shall facilitate the reception of such children in a neutral country for the duration of the conflict with the consent of the Protecting Power, if any, and under due safeguards for the observance of the principles stated in the first paragraph.

They shall, furthermore, endeavour to arrange for all children under twelve to be identified by the wearing of identity discs, or by some other means.”

Article 50

“The Occupying Power shall, with the co-operation of the national and local authorities, facilitate the proper working of all institutions devoted to the care and education of children.

The Occupying Power shall take all necessary steps to facilitate the identification of children and the registration of their parentage. It may not, in any case, change their personal status, nor enlist them in formations or organizations subordinate to it.

Should the local institutions be inadequate for the purpose, the Occupying Power shall make arrangements for the maintenance and education, if possible by persons of their own nationality, language and religion, of children who are orphaned or separated from their parents as a result of the war and who cannot be adequately cared for by a near relative or friend.

A special section of the Bureau set up in accordance with Article 136 shall be responsible for taking all necessary steps to identify children whose identity is in doubt. Particulars of their parents or other near relatives should always be recorded if available.

The Occupying Power shall not hinder the application of any preferential measures in regard to food, medical care and protection against the effects of war, which may have been adopted prior to the occupation in favour of children under fifteen years, expectant mothers, and mothers of children under seven years.”

11. Concerning allegations of abduction and forced transfer of children

182. The content of Articles 24, 49 and 50 of the GC IV is set out in paragraphs 169 and 181 above.

183. Other relevant provisions of GC IV read provides:

Article 26

“Each Party to the conflict shall facilitate enquiries made by members of families dispersed owing to the war, with the object of renewing contact with one another and of meeting, if possible. It shall encourage, in particular, the work of organizations engaged on this task provided they are acceptable to it and conform to its security regulations.”

Article 136

“Upon the outbreak of a conflict and in all cases of occupation, each of the Parties to the conflict shall establish an official Information Bureau responsible for receiving and transmitting information in respect of the protected persons who are in its power. Each of the Parties to the conflict shall, within the shortest possible period, give its Bureau information of any measure taken by it concerning any protected persons who are kept in custody for more than two weeks, who are subjected to assigned residence or who are interned. It shall, furthermore, require its various departments concerned with such matters to provide the aforesaid Bureau promptly with information concerning all changes pertaining to these protected persons, as, for example, transfers, releases, repatriations, escapes, admittances to hospitals, births and deaths.”

184. The content of Article 77 of AP I is set out in paragraph 158 above.

185. Other relevant provisions of AP I read as follows:

Article 32 – General principle

“In the implementation of [the Section on missing and dead persons], the activities of the High Contracting Parties, of the Parties to the conflict and of the international humanitarian organizations mentioned in the Conventions and in this Protocol shall be prompted mainly by the right of families to know the fate of their relatives.”

Article 74 – Reunion of dispersed families

“The High Contracting Parties and the Parties to the conflict shall facilitate in every possible way the reunion of families dispersed as a result of armed conflicts and shall encourage in particular the work of the humanitarian organizations engaged in this task in accordance with the provisions of the Conventions and of this Protocol and in conformity with their respective security regulations.”

Article 78 – Evacuation of children

“1. No Party to the conflict shall arrange for the evacuation of children, other than its own nationals, to a foreign country except for a temporary evacuation where compelling reasons of the health or medical treatment of the children or, except in occupied territory, their safety, so require. Where the parents or legal guardians can be found, their written consent to such evacuation is required. If these persons cannot be found, the written consent to such evacuation of the persons who by law or custom are primarily responsible for the care of the children is required. Any such evacuation shall be supervised by the Protecting Power in agreement with the Parties concerned, namely, the Party arranging for the evacuation, the Party receiving the children and any Parties whose nationals are being evacuated. In each case, all Parties to the conflict shall take all feasible precautions to avoid endangering the evacuation.

2. Whenever an evacuation occurs pursuant to paragraph 1, each child’s education, including his religious and moral education as his parents desire, shall be provided while he is away with the greatest possible continuity.

3. With a view to facilitating the return to their families and country of children evacuated pursuant to this Article, the authorities of the Party arranging for the evacuation and, as appropriate, the authorities of the receiving country shall establish for each child a card with photographs, which they shall send to the Central Tracing Agency of the International Committee of the Red Cross. Each card shall bear, whenever possible, and whenever it involves no risk of harm to the child, the following information:

- a) surname(s) of the child;
- b) the child’s first name(s);
- c) the child’s sex;
- d) the place and date of birth (or, if that date is not known, the approximate age);
- e) the father’s full name;
- f) the mother’s full name and her maiden name;
- g) the child’s next of kin;
- h) the child’s nationality;
- i) the child’s native language, and any other languages he speaks;
- j) the address of the child’s family;

- k) any identification number for the child;
- l) the child's state of health;
- m) the child's blood group;
- n) any distinguishing features;
- o) the date on which and the place where the child was found;
- p) the date on which and the place from which the child left the country;
- q) the child's religion, if any;
- r) the child's present address in the receiving country;
- s) should the child die before his return, the date, place and circumstances of death and place of internment."

D. United Nations

1. UN Security Council

(a) Coverage of the 8979th meeting of the UN Security Council, SC/14808, of 25 February 2022

186. At its meeting on 25 February 2022, the Security Council rejected a draft resolution intended to deplore, in the strongest terms, the Russian Federation's aggression as being in violation of Article 2, paragraph 4, of the Charter of the United Nations – the obligation to refrain from the threat or use of force against the territorial integrity or political independence of any State – and to call on Russia to immediately cease its use of force against Ukraine, and withdraw all its military forces immediately, completely, and unconditionally from that country's territory. The draft, submitted by Albania and the United States, gathered support from eleven members but was vetoed by the Russian Federation. China, India and the United Arab Emirates abstained.

(b) Resolution 2623 (2022) of 27 February 2022 adopted at the 8980th meeting of the UN Security Council (S/RES/2623 (2022))

187. The full text of this resolution reads:

"The Security Council,

Having considered the item on the agenda of its 8979th meeting, as contained in document S/Agenda/8979,

Taking into account that the lack of unanimity of its permanent members at the 8979th meeting has prevented it from exercising its primary responsibility for the maintenance of international peace and security,

Decides to call an emergency special session of the General Assembly to examine the question contained in document S/Agenda/8979."

(c) Coverage of the 8986th meeting of the UN Security Council, SC/14819, of 4 March 2022

188. During this emergency meeting, the UN Under-Secretary-General for Political and Peacebuilding Affairs, Rosemary DiCarlo, told the Security Council that fierce overnight fighting at the Zaporizhzhya Nuclear Power Plant (“the ZNPP”) on 3 March 2022 had resulted in a fire. Ms DiCarlo called this “unacceptable” and “highly irresponsible”.

189. According to the Director General of the International Atomic Energy Agency (IAEA), Rafael Mariano Grossi, Russian forces that had moved into the area of the ZNPP had been met with opposition by Ukrainian civilians, but in recent hours a projectile had hit a building near the power plant’s nuclear reactors, resulting in a fire that had then been extinguished. While the plant’s operations continued normally, he emphasised that “there is no normalcy about this situation when there are military forces in charge of the site”.

190. Ms DiCarlo also stated that over one million people had fled to Europe from Ukraine as of 4 March 2022.

(d) Coverage of the 9126th meeting of the UN Security Council, SC/15023, of 7 September 2022

191. The meeting was called following reports of Ukrainian civilians having been subjected to forced displacement, deportation and “filtration” camps by Russian authorities. During the meeting, Rosemary DiCarlo, Under-Secretary-General for Political and Peacebuilding Affairs, stated that the war had caused 13, 917 verified civilian casualties, over 6.9 million internally displaced persons (“IDPs”) and over 7 million refugees.

192. The representative of Ukraine, Khrystyna Hayovyshyn, reported as follows:

“Russian Federation has continued the forcible deportation of Ukrainian citizens to isolated and depressed regions, including Siberia and the Far East. According to available data, nearly 2.5 million Ukrainians, including about 38,000 children, have been transferred from southern and eastern regions of Ukraine. As part of the forced evacuation and deportation, the Russian Federation is detaining refugees in so-called ‘filtration camps’. According to Ukraine’s Prosecutor-General, these camps have been set up in the cities of Makiivka, Snizhne, Torez, Shakhtarsk, Khartsysk, Novoazovsk and Berdyansk, as well as the villages of Nikolske, Bezimenne, Yuryivka. The Ministry of Reintegration of the Temporarily Occupied Territories of Ukraine states that only about 16,000 deported citizens were able to return to Ukraine. According to their accounts, most of those transferred to the Russian Federation have no travel documents. This makes people wishing to return back home literally trapped in the Russian Federation.”

193. Ilze Brands Kehris, Assistant Secretary-General for Human Rights and Head of the Office of the UN High Commissioner for Human Rights (OHCHR) in New York, reported that OHCHR had verified that Russian armed forces and affiliated armed groups had been subjecting civilians to

“filtration” – a system of security checks and personal data collection. According to her, during the “filtration” process, persons had been undergoing body searches along with detailed interrogations about personal background, family ties, political views and allegiances. She also stated that women and girls had been at risk of sexual abuse and women and men had been subjected to arbitrary detention, torture, ill-treatment and forced disappearance because of their ties to the Ukrainian Armed Forces (“the UAF”), Ukrainian State institutions and/or having pro-Ukrainian views.

194. The representative of Ukraine also said that the Russian Federation had regularly targeted educational facilities while also continuing its “Russification” of education in the territories they had occupied. She also stated that 2,177 educational facilities had been damaged and 284 educational facilities had been destroyed.

195. The representative of the Russian Federation, Mr Nebenzya, pointed out that the term “filtration” did not have a clear definition in international humanitarian law. He continued:

“If we are talking about identifying nationalistic battalion fighters or Ukrainian Armed Forces soldiers involved in crimes against civilians among Ukrainian citizens wishing to leave for Russia, then this is normal practice for any army in the world.

...

Against this background, the attempts ... to make the ignorant public believe in the existence of terrible camps where peaceful Ukrainian citizens are being tortured, deceived or forced to go to Russia are especially cynical. ... The Russian Federation, as is known, is the largest recipient of Ukrainian refugees. In total, more than 3,700 thousand people arrived in Russia from Ukraine, the DPR and LPR, of which 600 thousand were children. ... And these people are not kept in prisons... but live freely and voluntarily in Russia. No one prohibits them from moving or leaving the country. Even the OHCHR representative confirmed this today.

Do you seriously think that such a number of people can be brought in by force and forced to remain silent? Many of them describe their impressions and assessments on social media, give interviews, express words of gratitude to our country. From their publications it is clear that people are fleeing Ukraine out of fear for their lives, escaping the criminal regime that did not allow them to evacuate and used them as a ‘human shield’.

There are over 1,500 temporary accommodation points with a total capacity of over 95 thousand people in ... the Russian Federation. Rail transport is allocated to delivering refugees to places of temporary residence. 38 trains are used for this purpose. A telephone hotline is in operation, processing over 250 requests from citizens daily. Refugees and displaced persons are provided with financial, legal, psychological and medical assistance.

We pay special attention to the fate of children. They are provided with all the opportunities to continue their studies at school.

...

Naturally, at the border with Russia, the displaced people are registered, after which those in need are helped to get to temporary accommodation points. We draw the attention of those who are trying to substitute concepts: Ukrainians and residents of the

DPR and LPR arriving in Russia undergo a registration procedure, not ‘filtration’. As far as we can judge, similar procedures are applied in Poland and other EU countries in relation to Ukrainian refugees, but let them tell us about this themselves.

... [A] huge number of Ukrainian citizens are trying ... to get from Ukraine to the territories liberated by Russia. A long line is formed at the checkpoint in Zaporozhye, through which up to 700 people return home every day, having learned objective information from friends and relatives about the peaceful life in their hometowns and villages. This, in particular, was confirmed by IAEA experts who had passed this line on their way to the Zaporozhye nuclear power plant and had the opportunity to talk to ordinary people. This is a clear indicator that many Ukrainians already now prefer to live with Russia, not trusting the corrupt and criminal Kyiv regime.”

2. *United Nations General Assembly (UNGA)*

(a) **Resolution 3314 (XXIX) “Definition of Aggression” of 14 December 1974**

196. This Resolution reads as follows:

Article 1

“Aggression is the use of armed force by a State against the sovereignty, territorial integrity or political independence of another State, or in any other manner inconsistent with the Charter of the United Nations, as set out in this Definition.

...”

Article 2

“The first use of armed force by a State in contravention of the Charter shall constitute *prima facie* evidence of an act of aggression although the Security Council may, in conformity with the Charter, conclude that a determination that an act of aggression has been committed would not be justified in the light of other relevant circumstances, including the fact that the acts concerned or their consequences are not of sufficient gravity.”

Article 3

“Any of the following acts, regardless of a declaration of war, shall, subject to and in accordance with the provisions of article 2, qualify as an act of aggression:

(a) The invasion or attack by the armed forces of a State of the territory of another State, or any military occupation, however temporary, resulting from such invasion or attack, or any annexation by the use of force of the territory of another State or part thereof,

(b) Bombardment by the armed forces of a State against the territory of another State or the use of any weapons by a State against the territory of another State;

(c) The blockade of the ports or coasts of a State by the armed forces of another State;

(d) An attack by the armed forces of a State on the land, sea or air forces, or marine and air fleets of another State;

(e) The use of armed forces of one State which are within the territory of another State with the agreement of the receiving State, in contravention of the conditions provided

for in the agreement or any extension of their presence in such territory beyond the termination of the agreement;

(f) The action of a State in allowing its territory, which it has placed at the disposal of another State, to be used by that other State for perpetrating an act of aggression against a third State;

(g) The sending by or on behalf of a State of armed bands, groups, irregulars or mercenaries, which carry out acts of armed force against another State of such gravity as to amount to the acts listed above, or its substantial involvement therein.”

Article 4

“The acts enumerated above are not exhaustive and the Security Council may determine that other acts constitute aggression under the provisions of the Charter.”

Article 5

“1. No consideration of whatever nature, whether political, economic, military or otherwise, may serve as a justification for aggression.

2. A war of aggression is a crime against international peace. Aggression gives rise to international responsibility.

3. No territorial acquisition or special advantage resulting from aggression is or shall be recognized as lawful.”

Article 6

“Nothing in this Definition shall be construed as in any way enlarging or diminishing the scope of the Charter, including its provisions concerning cases in which the use of force is lawful.”

Article 7

“Nothing in this Definition, and in particular article 3, could in any way prejudice the right to self-determination, freedom and independence, as derived from the Charter, of peoples forcibly deprived of that right and referred to in the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations, particularly peoples under colonial and racist regimes or other forms of alien domination: nor the right of these peoples to struggle to that end and to seek and receive support, in accordance with the principles of the Charter and in conformity with the above-mentioned Declaration.”

(b) Resolution A/RES/ES-11/1 “Aggression against Ukraine” of 2 March 2022

197. On 2 March 2022 the UNGA adopted Resolution ES-11/1 “Aggression against Ukraine”. It condemned the 24 February 2022 declaration by the Russian Federation of a “special military operation” in Ukraine and reaffirmed that no territorial acquisition resulting from the threat or use of force would be recognised as legal. It also expressed grave concern at reports of attacks on civilian facilities such as residences, schools and hospitals, and of civilian casualties, including women, older persons, persons

with disabilities, and children. The preamble to the resolution continued as follows:

“Recognizing that the military operations of the Russian Federation inside the sovereign territory of Ukraine are on a scale that the international community has not seen in Europe in decades and that urgent action is needed to save this generation from the scourge of war,

Endorsing the Secretary-General’s statement of 24 February 2022 in which he recalled that the use of force by one country against another is the repudiation of the principles that every country has committed to uphold and that the present military offensive of the Russian Federation is against the [UN] Charter,

Condemning the decision of the Russian Federation to increase the readiness of its nuclear forces,

Expressing grave concern at the deteriorating humanitarian situation in and around Ukraine, with an increasing number of internally displaced persons and refugees in need of humanitarian assistance ...”

198. The UNGA reaffirmed its commitment to the sovereignty, independence, unity and territorial integrity of Ukraine within its internationally recognised borders, extending to its territorial waters, and “deplored in the strongest terms the aggression by the Russian Federation against Ukraine in violation of Article 2(4) of the UN Charter”. It demanded that the Russian Federation immediately cease its use of force against Ukraine, refrain from any further unlawful threat or use of force against any Member State and “immediately, completely and unconditionally” withdraw all of its military forces from the territory of Ukraine within its internationally recognised borders. The UNGA also demanded that the Russian Federation reverse the decision relating to the status of certain areas of the Donetsk and Luhansk Regions of Ukraine. It further condemned all violations of international humanitarian law and violations and abuses of human rights and called upon all parties to respect strictly the relevant provisions of international humanitarian law and international human rights law.

(c) Resolution A/RES/ES-11/2 “Humanitarian consequences of the aggression against Ukraine” of 24 March 2022

199. During an emergency special session on 24 March 2022 the UNGA adopted Resolution ES-11/2, “Humanitarian consequences of the aggression against Ukraine”. Among other things, it deplored the dire humanitarian consequences of the hostilities by the Russian Federation against Ukraine, including the besiegement of and shelling and air strikes in densely populated cities of Ukraine, in particular Mariupol, as well as attacks striking civilians and civilian objects. It also expressed grave concern at the deteriorating humanitarian situation in and around Ukraine, in particular at the high number of civilian casualties and the increasing number of internally displaced persons and refugees in need of humanitarian assistance. It demanded an immediate cessation of the hostilities by the Russian Federation against

Ukraine, in particular of any attacks against civilians and civilian objects, and called for an end to sieges of cities that further aggravated the humanitarian situation for the civilian population and hampered evacuation efforts. The UNGA further condemned all violations of international humanitarian law and violations and abuses of human rights, and called upon all parties to the armed conflict to strictly respect international humanitarian law.

(d) Resolution A/RES/ES-11/3 “Suspension of the rights of membership of the Russian Federation in the Human Rights Council” of 7 April 2022

200. In this resolution, the UNGA decided to suspend the Russian Federation’s rights of membership of the Human Rights Council in the light of grave concern at the ongoing human rights and humanitarian crisis in Ukraine, in particular at the reports of violations and abuses of human rights and violations of international humanitarian law by the Russian Federation, including “gross and systematic violations and abuses of human rights”, the strong expressions of concern in statements by the Secretary-General and by the United Nations High Commissioner for Human Rights, and the latest update on the human rights situation in Ukraine by the UN human rights monitoring mission in Ukraine.

(e) Resolution A/RES/ES-11/4 “Territorial integrity of Ukraine: defending the principles of the Charter of the United Nations” of 12 October 2022

201. The relevant parts of this resolution provided:

“The General Assembly,

Recalling the obligation of all States under Article 2 of the Charter of the United Nations to refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State ...

Reaffirming the principle of customary international law, as restated in its resolution 2625 (XXV) of 24 October 1970, entitled ‘Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations’, that no territorial acquisition resulting from the threat or use of force shall be recognized as legal,

...

1. Reaffirms its commitment to the sovereignty, independence, unity and territorial integrity of Ukraine within its internationally recognized borders, extending to its territorial waters;

2. Condemns the organization by the Russian Federation of illegal so-called referendums in regions within the internationally recognized borders of Ukraine and the attempted illegal annexation of the Donetsk, Kherson, Luhansk and Zaporizhzhia regions of Ukraine, following the organization of the above-mentioned referendums;

3. Declares that the unlawful actions of the Russian Federation with regard to the illegal so-called referendums held from 23 to 27 September 2022 in parts of the Donetsk, Kherson, Luhansk and Zaporizhzhia regions of Ukraine that, in part, are or have been under the temporary military control of the Russian Federation, and the

subsequent attempted illegal annexation of these regions, have no validity under international law and do not form the basis for any alteration of the status of these regions of Ukraine;

4. Calls upon all States, international organizations and United Nations specialized agencies not to recognize any alteration by the Russian Federation of the status of any or all of the Donetsk, Kherson, Luhansk or Zaporizhzhia regions of Ukraine, and to refrain from any action or dealing that might be interpreted as recognizing any such altered status;

5. Demands that the Russian Federation immediately and unconditionally reverse its decisions of 21 February and 29 September 2022 related to the status of certain areas of the Donetsk, Kherson, Luhansk and Zaporizhzhia regions of Ukraine, as they are a violation of the territorial integrity and sovereignty of Ukraine and inconsistent with the principles of the Charter of the United Nations, and immediately, completely and unconditionally withdraw all of its military forces from the territory of Ukraine within its internationally recognized borders[.]”

(f) Resolution A/RES/ES-11/5 “Furtherance of remedy and reparation for aggression against Ukraine” of 14 November 2022

202. The relevant parts of this resolution read as follows:

“The General Assembly,

...

Recalling also its resolutions ES-11/1 of 2 March 2022, entitled ‘Aggression against Ukraine’, ES-11/2 of 24 March 2022, entitled ‘Humanitarian consequences of the aggression against Ukraine’, and ES-11/4 of 12 October 2022, entitled ‘Territorial integrity of Ukraine: defending the principles of the Charter of the United Nations’, in which, among other things, it reaffirmed its commitment to the sovereignty, independence, unity and territorial integrity of Ukraine,

...

Expressing grave concern at the loss of life, civilian displacement, destruction of infrastructure and natural resources, loss of public and private property, and economic calamity caused by the aggression by the Russian Federation against Ukraine,

...

2. *Recognizes* that the Russian Federation must be held to account for any violations of international law in or against Ukraine, including its aggression in violation of the Charter of the United Nations, as well as any violations of international humanitarian law and international human rights law, and that it must bear the legal consequences of all of its internationally wrongful acts, including making reparation for the injury, including any damage, caused by such acts;

3. *Recognizes* also the need for the establishment, in cooperation with Ukraine, of an international mechanism for reparation for damage, loss or injury, and arising from the internationally wrongful acts of the Russian Federation in or against Ukraine;

4. *Recommends* the creation by Member States, in cooperation with Ukraine, of an international register of damage to serve as a record, in documentary form, of evidence and claims information on damage, loss or injury to all natural and legal persons concerned, as well as the State of Ukraine, caused by internationally wrongful acts of

the Russian Federation in or against Ukraine, as well as to promote and coordinate evidence-gathering[.]”

(g) Resolution A/RES/ES-11/6 “Principles of the Charter of the United Nations underlying a comprehensive, just and lasting peace in Ukraine” of 23 February 2023

203. This resolution read, in so far as relevant:

“The General Assembly,

...

1. Underscores the need to reach, as soon as possible, a comprehensive, just and lasting peace in Ukraine in line with the principles of the Charter of the United Nations;

2. Welcomes and expresses strong support for the efforts of the Secretary-General and Member States to promote a comprehensive, just and lasting peace in Ukraine, consistent with the Charter, including the principles of sovereign equality and territorial integrity of States;

3. Calls upon Member States and international organizations to redouble support for diplomatic efforts to achieve a comprehensive, just and lasting peace in Ukraine, consistent with the Charter;

4. Reaffirms its commitment to the sovereignty, independence, unity and territorial integrity of Ukraine within its internationally recognized borders, extending to its territorial waters;

5. Reiterates its demand that the Russian Federation immediately, completely and unconditionally withdraw all of its military forces from the territory of Ukraine within its internationally recognized borders, and calls for a cessation of hostilities;

6. Demands that the treatment by the parties to the armed conflict of all prisoners of war be in accordance with the provisions of the Geneva Convention relative to the Treatment of Prisoners of War of 12 August 1949² and Additional Protocol I to the Geneva Conventions of 1949,³ and calls for the complete exchange of prisoners of war, the release of all unlawfully detained persons and the return of all internees and of civilians forcibly transferred and deported, including children;

7. Calls for full adherence by the parties to the armed conflict to their obligations under international humanitarian law to take constant care to spare the civilian population and civilian objects, to ensure safe and unhindered humanitarian access to those in need, and to refrain from attacking, destroying, removing or rendering useless objects indispensable to the survival of the civilian population;

8. Also calls for an immediate cessation of the attacks on the critical infrastructure of Ukraine and any deliberate attacks on civilian objects, including those that are residences, schools and hospitals;

9. Emphasizes the need to ensure accountability for the most serious crimes under international law committed on the territory of Ukraine through appropriate, fair and independent investigations and prosecutions at the national or international level, and ensure justice for all victims and the prevention of future crimes;

10. Urges all Member States to cooperate in the spirit of solidarity to address the global impacts of the war on food security, energy, finance, the environment and nuclear security and safety, underscores that arrangements for a comprehensive, just and lasting peace in Ukraine should take into account these factors, and calls upon

Member States to support the Secretary-General in his efforts to address these impacts[.]”

3. *UN Secretary-General*

“Women, Peace and Security”: Study submitted by the Secretary-General to the Security Council pursuant to Security Council Resolution 1325 (2000)

204. The relevant parts of this study read as follows:

“7. The changes in armed conflict over the last decade have affected women and girls. Women and girls are often viewed as bearers of cultural identity and thus become prime targets. Gender-based and sexual violence have increasingly become weapons of warfare and are one of the defining characteristics of contemporary armed conflict. Rape, forced impregnation, forced abortion, trafficking, sexual slavery and the intentional spread of sexually transmitted infections (STIs), including human immunodeficiency virus/acquired immunodeficiency syndrome (HIV/AIDS), are elements of contemporary conflict.

...

59. Men and adolescent boys are also subject to gender-based and sexual torture. The sexual abuse, torture and mutilation of male detainees or prisoners is often carried out to attack and destroy their sense of masculinity or manhood. Abuse and torture of female members of a man’s family in front of him is used to convey the message that he has failed in his role as protector. These forms of humiliation and violence take on powerful political and symbolic meanings. The deliberate initiation and endorsement of these acts by military commanders and political leaders underscores the significance of these acts as more than random assaults.

60. Throughout history women, adolescent girls and to a lesser extent girls have been subjected to rape, including mass rape. The raping of women is a means for the aggressor to symbolically and physically humiliate the defeated men. Rape or the threat of rape is also used to drive communities off lands or to heighten terror during attacks. In recent years rape has also been used to wilfully transmit HIV. In Sierra Leone, women and adolescent girls suffered beatings, food deprivation, and physical and sexual torture if they resisted rape by armed groups. In Uganda, women and adolescent girls captured by the rebels ‘were routinely raped by numbers of rebels and any reluctance or attempt to resist usually meant summary execution’. Throughout the genocide in Rwanda, the rape and mutilation of women and girls by opposing groups was carried out, not only as an attack against these females, but as a means to exercise power over and demoralize the men in the women’s family, clan and ethnic group.

...

62. Sexual slavery is another form of gender-based violence experienced by women and girls during armed conflict. Examples of women and adolescent girls being forced into sexual slavery include East Timorese women abducted during the occupation of the island region, and Rwandan ‘ceiling women’ who were kept in the space between the rafters and roof while their captors were away and then brought down for sexual and domestic slave labour upon the captors’ return. Women and adolescent girls are also forced to serve as sexual slaves when they are abducted and given as ‘wives’ to reward fighters. The sexual abuse of women and adolescent girls who have been abducted by fighting forces and groups appears widespread, as in the Democratic Republic of the Congo, Sierra Leone and Uganda.”

4. *UN Human Rights Council (UN HRC)*

(a) **Guiding Principles on Internal Displacement of 11 February 1998 (E/CN.4/1998/53/Add.2)**

205. The Guiding Principles on Internal Displacement were developed by the Representative of the UN Secretary General on Internally Displaced Persons and presented to the UN Commission on Human Rights (replaced by the UN HRC in 2006) pursuant to its Resolution 1997/39.

206. The Guiding Principles read as follows, in so far as relevant:

Principle 5

“All authorities and international actors shall respect and ensure respect for their obligations under international law, including human rights and humanitarian law, in all circumstances, so as to prevent and avoid conditions that might lead to displacement of persons.”

Principle 6

“1. Every human being shall have the right to be protected against being arbitrarily displaced from his or her home or place of habitual residence.

2. The prohibition of arbitrary displacement includes displacement:

... (b) In situations of armed conflict, unless the security of the civilians involved or imperative military reasons so demand;

3. Displacement shall last no longer than required by the circumstances.”

(b) **Resolution 49/1 “Situation of human rights in Ukraine stemming from the Russian aggression” of 4 March 2022 (A/HRC/RES/49/1)**

207. The full text of this resolution is reproduced in Annex C. The resolution condemned “in the strongest possible terms the human rights violations and abuses and violations of international humanitarian law resulting from the aggression against Ukraine by the Russian Federation”. It expressed grave concern at the documented harm to the enjoyment of many human rights, including the rights to life, to education, and to the highest attainable standard of physical and mental health, caused by Russian shelling and bombing in populated areas. It urgently established an Independent International Commission of Inquiry on Ukraine, comprised of three human rights experts, to investigate all alleged violations and abuses of human rights and violations of international humanitarian law, and related crimes in the context of the aggression against Ukraine by the Russian Federation, and to establish the facts, circumstances and root causes of any such violations and abuses.

(c) **Resolution S-34/1 “The deteriorating human rights situation in Ukraine stemming from the Russian aggression” of 12 May 2022 (A/HRC/RES/S-34/1)**

208. This resolution read, insofar as relevant:

“The Human Rights Council,

...

Expressing deep concern at the alarming number of civilian casualties caused by the aggression against Ukraine and strongly condemning attacks against civilians and civilian objects, including those involving attacks on residential areas, schools, kindergartens and medical facilities, and those carried out through the use of cluster munitions, air strikes and artillery, as well as the use of torture and other cruel, inhuman or degrading treatment, arbitrary and extrajudicial executions, enforced disappearances, sexual and gender-based violence, forced transfers and forced displacements of population, and violations and abuses committed against children,

...

Strongly condemning the reported violations and abuses of human rights and serious violations of international humanitarian law, documented by the High Commissioner, that were committed in the areas of Kyiv, Chernihiv, Kharkiv and Sumy regions under the control of Russian armed forces in late February and in March 2022, including a large number of reported cases of summary executions of men, women and children, of sexual and gender-based violence, of the use of torture and other cruel, inhuman and degrading treatment, and of other violations that may amount to crimes against humanity, war crimes, and related crimes,

Deeply concerned at the grave human rights and humanitarian situation in the city of Mariupol, the near total destruction of its residential and civilian infrastructure caused by Russian bombing and shelling, reports of tens of thousands of civilian casualties and of mass graves near the city, and the limited progress in securing safe and unhindered evacuations to safe areas under the control of the Government of Ukraine,

...

1. Reiterates its demand for the immediate cessation of military hostilities against Ukraine and for all parties to the conflict to respect the fundamental principles and rules of international humanitarian law, including to refrain from any attacks against civilians and civilian objects, and to refrain from any human rights violations and abuses in Ukraine;

2. Stresses the need to refrain from any State-sponsored disinformation, propaganda for war or advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence, relating to the aggression against Ukraine

3. Urges the Russian Federation to provide representatives and staff of international human rights and humanitarian institutions, including United Nations specialized agencies, with unhindered, timely, immediate, unrestricted and safe access to persons who have been transferred from conflict-affected areas of Ukraine and are held on the territory of the Russian Federation or areas controlled or occupied by the Russian Federation, and to share with relevant parties a comprehensive list of such transferred persons and their whereabouts;

4. Requests the independent international commission of inquiry on Ukraine to conduct an inquiry, consistent with its mandate and international standards, and in coordination with other national and international mechanisms, to address the events in the areas of the Kyiv, Chernihiv, Kharkiv and Sumy regions in late February and in March 2022, including their gender dimension, with a view to holding those responsible to account, and also requests the commission to brief the Human Rights Council on the progress of that inquiry as part of the oral update to the Council at its fifty-first session,

and to include its findings after the completion of the inquiry in its report to the Council at its fifty-second session;

5. Requests the United Nations High Commissioner for Human Rights to present an oral update on the grave human rights and humanitarian situation in Mariupol, including an assessment of the nature and causes of violations or abuses of human rights and of violations of international humanitarian law committed there, to the Human Rights Council at its fiftieth session under item 2, to be followed by an interactive dialogue;

...”

(d) Report of the Special Rapporteur in the field of cultural rights submitted to the UN HRC on 9 August 2013 (A/68/296)

209. The Report of the Special Rapporteur in the field of cultural rights was based on an expert meeting and a public consultation. It reads as follows:

“22. State practices leading to revisionism, meaning intentional, tendentious and politically orchestrated changes of the images of the past impervious to evidence, are of concern. Such practices include fabricating historical facts and highlighting and decontextualizing facts that confirm the desired narrative while omitting those that question it. Revisionism often occurs during or after major political upheavals. Too frequently, the diversity of historical facts and interpretations is replaced by a single interpretation of the past that accords with a particular philosophy or ideology. In many cases, the State’s promotion of a single interpretation is reinforced by banning or systematically marginalizing alternative narratives.

...

27. Following the cessation of armed conflicts (and sometimes even during conflicts), history textbooks may gain a new mission: that of laying the ground for a potential future ‘payback’ for past events. The teaching of history may serve as the continuation of war by other means, given that books continue to construct the image of the enemy, preparing future generations for the continuation of hostilities, with even the most ancient past being readjusted to accommodate the needs of contemporary politics and future conflict.

...

55. International instruments contain important indications regarding the objectives of education. Of particular relevance is article 29 of the Convention on the Rights of the Child, under which States parties agree that education is to be directed to the development of the child’s personality, talents and mental and physical abilities to their fullest potential; respect for human rights and fundamental freedoms; respect for the child’s parents, his or her own cultural identity, language and values, for the national values of the country in which the child is living, the country from which he or she may originate, and for civilizations different from his or her own; and the preparation of the child for responsible life in a free society, in the spirit of understanding, peace, tolerance, equality of sexes, and friendship among all peoples, ethnic, national and religious groups and persons of indigenous origin.

...

87. The right of children to develop their own historical perspective throughout education is to be considered an integral part of the right to education. Indoctrination on any grounds, including political or religious ideology, should not be tolerated in

either public or private schools. History teaching should be based on the understanding of history as an academic discipline.”

5. *News and press releases by UN bodies, UN specialised agencies and related organisations*

(a) **UN Security Council**

UN Security Council press statement on killing of bus passengers in Donetsk region, Ukraine, of 13 January 2015 (SC/11733)

210. The UN Security Council President stated that “the members of the Security Council condemned in the strongest terms the killing of 11 and injuring of 17 civilians, among them women and children, as a result of shelling of a passenger bus in Volnovakha, Donetsk region, on 13 January 2015”. He underlined the need to conduct an objective investigation and bring perpetrators of this reprehensible act to justice, as well as the need for strict observation of the Minsk Protocol of 5 September 2014 and its implementing memorandum of 19 September 2014.

(b) **UN Secretary-General**

(i) *The UN Secretary-General’s press conference on the war in Ukraine, 28 March 2022*

211. During this press encounter, the UN Secretary-General stated that since 24 February 2022, the war had led to the displacement of ten million people, mainly women and children.

(ii) *News article “Ukraine invasion: Guterres appeals for ‘immediate humanitarian ceasefire’” of 28 March 2022*

212. According to this article, the UN Secretary-General Antonio Guterres stated that since 24 February 2022, the war had led to “the systematic destruction of essential infrastructure”.

(iii) *The UN Secretary-General’s remarks at the UN Security Council Meeting on Ukraine, 5 April 2022*

213. The Secretary-General’s main remarks were about the fact that the war had led to massive increases in prices of food, energy and fertilisers, had disrupted supply chains, and had increased the cost of transportation. He urged all countries to keep markets open, resist unjustified and unnecessary export restrictions, make reserves available to countries at risk of hunger and famine and accelerate the deployment of renewable energy. He also urged the G20 and international financial institutions to increase liquidity and fiscal space so that governments could provide safety nets for the poorest and most vulnerable. He briefly stated that the war had led to senseless loss of life,

massive devastation in urban centres, and destruction of civilian infrastructure.

214. The Secretary-General in his speech also referred to seeing horrifying images of civilians killed in Bucha and to receiving personal testimony of rape and sexual violence. He stated that the war in Ukraine had displaced more than ten million people in just one month, which he called the fastest forced population movement since the Second World War.

(iv) Press statement “Ukraine: UN condemns deadly attack on train station, dozens of civilians killed”, 8 April 2022

215. The Spokesperson of the UN Secretary-General, Mr Guterres, stated that the strike on the Kramatorsk railway station in eastern Ukraine had killed and injured scores of civilians waiting to be evacuated. “It was widely reported over the last two days that the station and surrounding area had been full of civilians attempting to flee intensifying hostilities,” the UN Crisis Coordinator for Ukraine, Mr Awad, said in an earlier statement.

(c) United Nations High Commissioner for Human Rights

UN High Commissioner’s Statement to the United Nations Human Rights Council on Mariupol, Ukraine, 16 June 2022

216. According to the High Commissioner, OHCHR had verified 1,348 individual civilian deaths directly in hostilities in Mariupol, including seventy children. The deaths had been caused by air strikes, tank and artillery shelling and small arms and light weapons during street fighting. The actual death toll of hostilities on civilians was likely thousands higher.

217. The High Commissioner stated that all hospitals able to receive injured civilians in Mariupol had been damaged or destroyed. By the end of March 2022, hospitals had effectively ceased to function as a result of the damage and destruction coupled with the lack of electricity and medical supplies.

218. OHCHR assessed that up to 90% of residential buildings in Mariupol had been damaged or destroyed.

(d) Other

(i) News article “UN political affairs chief warns of ‘utter devastation’ facing Ukrainian cities by Russian forces”, 11 March 2022

219. According to this news article, at a meeting called by Russia to address its claims of the United States’ support for military biological research in Ukraine, the UN Political Affairs Chief Rosemary DiCarlo stated that OHCHR had received credible reports of Russian forces using cluster munitions in populated areas – indiscriminate attacks prohibited under international humanitarian law.

220. Ms DiCarlo also stated that most casualties had been caused by explosive weapons with a wide impact area, including heavy artillery, multi-launch rocket systems and air strikes. She reported that as of 10 March 2022 the World Health Organization had verified twenty-six attacks on health facilities, health workers and ambulances, causing twelve deaths and thirty-four injuries, including the bombing of the Mariupol maternity hospital on 9 March 2022.

221. The article also reported that since 24 February 2022 OHCHR had recorded 1,546 civilian casualties, which consisted of 564 dead and 982 injured.

(ii) News article “Ukraine: Hundreds more reach safety after fleeing besieged Mariupol”, 6 April 2022

222. According to this news article, the city of Mariupol had been shelled since Russian forces had invaded Ukraine on 24 February 2022, with houses and public buildings flattened.

223. The news article also reported that the ICRC had been unable to enter Mariupol owing to the security conditions. After a humanitarian convoy of 500 people in buses and cars had left Mariupol on its own, the ICRC had led that convoy to Zaporizhzhya. The ICRC warned that “thousands more civilians” had been trapped inside “the devastated” city of Mariupol.

224. The article reported that a Lithuanian media worker, Mantas Kvedaravičius, had been killed trying to escape from the besieged and battered city of Mariupol. It was reported that he had died in his car as he had been driving out of Mariupol. The UNESCO Director-General Audrey Azoulay emphasised the “urgent need to protect media workers, especially in conflict”.

(iii) News article “Ukraine: UN relief chief joins call for probe after ‘horrific’ visit to Bucha”, 7 April 2022

225. According to this news article, on 7 April 2022 the UN Emergency Relief Coordinator and Under-Secretary-General for Humanitarian Affairs, Martin Griffiths, had visited Bucha and Irpin and described the visit as “horrific”. On 7 April 2022, during his daily briefing in New York, the UN Spokesperson Stéphane Dujarric reported that Mr Griffiths had seen a “mass grave with bodies wrapped in plastic, dozens of apartment blocks and houses destroyed, and burned-out cars in the street”.

(iv) News article “Ukraine war: Trauma ‘risks destroying a generation’, Security Council hears”, 11 April 2022

226. This article quoted a statement by the Executive Director of UN Women, Sima Bahous, according to whom reports of rape and other crimes had been emerging “as huge numbers of displaced Ukrainians continued

fleeing their homes amid the presence of conscripted soldiers and mercenaries”.

227. The article also quoted Kateryna Cherepakha, the President of the women’s organisation La Strada-Ukraine, as saying that despite clear indications of their civilian status, unarmed Ukrainian women carrying children had been brutally killed by Russian troops. She pointed to the attacks on the railway station in Kramatorsk, as well as a maternity hospital, kindergartens and shelters in Mariupol. The article also separately mentioned the 8 April 2022 Kramatorsk attack, during which dozens of women and children had been killed while waiting for evacuation.

228. According to this article, the UN had verified a total of 142 children who had been killed and 229 other children who had been injured as of 10 April 2022.

(v) *Press briefing by the Head of UN Human Rights Monitoring Mission in Ukraine (HRMMU), 10 May 2022*

229. In early May 2022 the Head of HRMMU, Matilda Bogner, visited fourteen towns in the Kyiv and Chernihiv Regions that had been occupied by the Russian Armed Forces until the end of March 2022.

230. During this press briefing, Ms Bogner stated that “[t]he high number of civilian casualties and the extent of destruction and damage to civilian objects strongly suggest violations of the principles governing the conduct of hostilities, namely distinction, including the prohibition of indiscriminate attacks, proportionality and precautions.”

(vi) *News article “UN’s Bachelet concerned over Ukraine orphans ‘deported’ to Russia for adoption”, 15 June 2022*

231. According to this news item, the UN High Commissioner for Human Rights Michelle Bachelet was looking into allegations that “youngsters ha[d] been taken from orphanages in Donbas”. “We are concerned about the alleged plans of the Russian authorities to allow the movement of children from Ukraine to families in the Russian Federation, which do not appear to include steps for family reunification or respect the best interests of the child”, Ms Bachelet said.

232. The article also reported a UNICEF statement that it had been aware of reports that Russia “may be modifying existing legislation to facilitate the fast-tracking of adoption” of orphans from the Donbas. “Children separated from their parents during a humanitarian emergency cannot be assumed to be orphans. Every opportunity should be provided for family reunification”, the article read.

233. According to the article, the Chair of the UN Commission of Inquiry on Ukraine reported that testimonies it had received indicated that “there [had

been] a significant number of children disappeared in temporarily occupied territories, particularly children from institutions”.

234. The Commission had also received information about arbitrary killing of civilians, destruction and looting of property, as well as attacks on civilian infrastructure, including schools, in Bucha and Irpin.

E. Material by UN specialised agencies and related organisations

1. United Nations Children’s Fund (UNICEF)

(a) Geneva Palais briefing note on the situation of children in Ukraine, 25 February 2022

235. On 25 February 2022 Afshan Khan, UNICEF Regional Director for Europe and Central Asia, stated that the military operation in Ukraine posed an immediate threat to the lives and well-being of 7.5 million children. She also said that major attacks in Kyiv had created great fear and panic among the population, particularly families with children. Ms Khan stated that UNICEF had provided life-saving programmes for children from eastern Ukraine during the last eight years. She also noted that the needs of children and families had been escalating in line with the conflict. Ms Khan stated that UNICEF and other UN agencies would be working on providing support and essential services for families and children in Ukraine. Article “Terrified families seek shelter underground in Ukraine capital”, 25 February 2022

236. According to this news article, Afshan Khan, UNICEF Regional Director for Europe and Central Asia, stated that major attacks on Kyiv had caused fear and panic among the population, with families sheltering underground in subways and shelters in the capital.

237. According to the article, the OHCHR spokesperson Ravina Shamdasani stated that there had been at least 127 civilian casualties – twenty-five killed and 102 injured – as a result of shelling and airstrikes.

238. The article also quoted the UNHCR spokesperson, Shabia Mantoo, who had stated that “there are more than 100,000 who we estimate have lost their homes and are displaced inside [the] country and we are also aware of several thousand who have crossed international borders in the region”.

(b) Article “Far from home, Ukrainian children fear for the future”, 6 April 2022

239. UNICEF reported that as of 30 March 2022, two million children had been forced to flee their homes because of shelling, kidnapping, murder and rape. Many of them had been deprived of such necessities as water, food, light and gas. UNICEF estimated that more than 2.5 million children had been internally displaced within Ukraine. It was reported that families with children who had fled continued to face challenges, for example a lack of belongings or resources for living abroad, separation of children from their parents, and the need to raise children as single parents.

(c) Article “War in Ukraine a ‘nightmare for Ukraine’s children’”, 11 April 2022

240. On 11 April 2022 the UNICEF Emergency Programmes Director, Manuel Fontaine, reported on the devastating impact of the war in Ukraine on the country’s children following his ten-day visit to Ukraine. He stated that more than 4.5 million people, over 90% of whom were women and children, had fled as refugees, and, according to the International Organisation for Migration, 7.1 million people had become internally displaced.

241. As of April 2022, the UN had verified that 142 children had been killed and nearly 230 others had been injured. Mr Fontaine stated that victims had been hurt in their homes, emergency shelters and even hospitals. He said that places where civilians had sought refuge, namely schools, hospitals, water systems and power plants, had also been targets for attack. Quoting a witness who was the head of a hospital, Mr Fontaine stated that twenty-two children had lost limbs because of the hostilities. He also said that in Ukraine, children faced severely curtailed access to essential services such as healthcare, protection, water, sanitation, and education.

(d) Briefing note on the situation of children in Ukraine, 14 June 2022

242. On 14 June 2022 Afshan Khan, UNICEF Regional Director for Europe and Central Asia, visited two schools in Irpin, Kyiv Region, which had been damaged in the course of hostilities. She stated that, consequently, the education of almost 2,000 children had been put at risk. Ms. Khan also said that while the UNICEF had not verified how many schools had suffered damage in Ukraine, the number had likely run to thousands.

2. UNESCO

(a) Press statement “Damaged cultural sites in Ukraine verified by UNESCO”, 12 April 2022

243. In this press statement, UNESCO reported that it had verified damage to ninety cultural sites in the Chernihiv, Kyiv, Kharkiv, Zaporizhzhya, Zhytomyr, Donetsk, Luhansk and Sumy Regions since 24 February 2022. Forty-four of them had been religious buildings. According to the press release, between 24 February and 12 April 2022 no UNESCO World Heritage sites appeared to have been damaged.

**(b) Press statement “Damaged cultural sites in Ukraine verified by UNESCO”,
21 June 2022**

244. In this press statement, UNESCO reported that it had verified damage to 151 cultural sites in the Chernihiv, Kyiv, Kharkiv, Zaporizhzhya, Zhytomyr, Donetsk, Luhansk, Sumy and Mykolaiv Regions since 24 February 2022. Seventy of them had been religious buildings.

3. World Health Organization (WHO)

(a) News release “Ukraine’s most vulnerable children in a Kherson home, designed to keep them safe and healthy”, 5 March 2022

245. This news release described the measures the staff of a children’s home in Kherson had taken to protect the fifty-eight children under four years of age in their care. According to the news release, when the shelling started, the staff had taken the children to the basement, but the conditions there were terrible. The children were then relocated to a church for shelter. The psychologist of the children’s home expressed her devastation by saying, “We are asking everyone, please let us leave the city and take the children to a safe place”.

(b) Emergency in Ukraine, External Situation Report No. 2, 11 March 2022

246. This report by the WHO stated that over two million refugees had been displaced to neighbouring countries as of 11 March 2022. At the same time, the report indicated that many older persons had not been able to flee the hostilities owing to reduced mobility and limited financial means.

247. According to the report, the displaced populations were at heightened risk for diseases because of the lack of shelter, inadequate sanitation, overcrowding, the lack of healthcare access and supplies, the cold winter weather, and the long waits to cross the border.

**(c) News release “WHO records 100th attack on health care in Ukraine”,
7 April 2022**

248. According to this news release, as of 7 April 2022 there had been 103 attacks on healthcare since 24 February 2022 verified by the WHO’s Surveillance System for Attacks on Health Care (SSA), which had been designed to collect primary source data of attacks on healthcare. According to the news release, the SSA’s methodology allowed the cataloguing of attacks and provided data based on a level of certainty for each incident.

249. The news release stated that the 103 attacks on Ukrainian healthcare had claimed seventy-three lives and injured fifty-one people. Eighty-nine of those attacks had impacted health facilities, and thirteen had impacted transport, including ambulances. The news release emphasised the lasting negative impact of such violence on Ukraine’s health care system and pointed

out that “[t]he mental health toll wreaked by the war cannot be underestimated, affecting civilians and the health workforce alike”.

4. *World Bank*

(a) Press statement “Russian invasion to shrink Ukraine economy by 45 percent this year”, 10 April 2022

250. On 10 April 2022 the World Bank issued a press release stating that the Russian invasion had caused the economy of Ukraine to shrink by 45% in 2022. Anna Bjerde, the World Bank Vice-President for the Europe and Central Asia region, said that the magnitude of the humanitarian crisis unleashed by the war had been staggering. The Russian invasion had delivered a massive blow to Ukraine’s economy, and it had inflicted enormous damage to infrastructure.

(b) Report of the World Bank, the Government of Ukraine and the European Commission “Ukraine rapid damage and needs assessment”, August 2022

251. This report stated that as of 1 June 2022, direct damage to Ukraine had reached 97 billion United States dollars (USD), with housing, transport, commerce and industry being the most affected sectors. The report further mentioned that disruptions to economic flows and production, as well as additional expenses associated with the war, had collectively been measured as losses and amounted to some USD 252 billion. In addition, reconstruction and recovery needs as of 1 June 2022 were estimated at about USD 349 billion, which was more than 1.6 times the GDP of Ukraine in 2021.

5. *International Atomic Energy Agency (IAEA)*

(a) IAEA Director General’s statement on the situation in Ukraine (Update 3), 27 February 2022

252. In an update posted on 27 February 2022, Rafael Mariano Grossi, Director General of the IAEA, stated that Ukraine had informed the IAEA that the site of a radioactive waste disposal facility in Kyiv had been hit by missiles. The previous day, an electrical transformer at a similar facility near Kharkiv had been hit too. The IAEA confirmed that there had been no reports of a radioactive release, while its Director General urged all parties to refrain from any action that could threaten such facilities.

(b) IAEA Director General’s statement on the situation in Ukraine (Update 10), 4 March 2022

253. In an update posted at 6:06 Central European Time (CET) on 4 March 2022, the IAEA Director General stated that Ukraine had informed IAEA that the site of the Zaporizhzhya Nuclear Power Plant (“the ZNPP”) had been shelled that night. The update also referred to the assessment by the Ukrainian regulator, according to which the fire had not affected “essential”

equipment. There had been no reported change in radiation levels at the ZNPP.

(c) IAEA Director General's statement on the situation in Ukraine (Update 11), 4 March 2022

254. In an update posted at 11:02 CET on 4 March 2022, the IAEA Director General stated that Ukraine had informed the IAEA that Russian forces had taken control of the site of the ZNPP. The ZNPP continued to be operated by its personnel and there had been no release of radioactive material. IAEA was also informed that a training building at the ZNPP had been hit, causing a localised fire which had been extinguished.

(d) IAEA Director General's statement on the situation in Ukraine (Update 13), 6 March 2022

255. In an update posted on 6 March 2022, the IAEA Director General stated that Ukraine had informed the IAEA that the management of the ZNPP had been subjected to the orders of the commander of the Russian forces, which had taken control of the ZNPP earlier that week. Ukraine also reported that the Russian forces had switched off some mobile networks and the internet, thus impeding the communications of the ZNPP's personnel with Ukrainian authorities. Problems with availability and supply of food to the ZNPP's personnel, working in three shifts, were also reported. Lastly, the IAEA update stated that Ukrainian authorities had been facing difficulties in communication with the Chornobyl Nuclear Power Plant ("the CNPP"), which had also been captured by the Russian forces.

(e) IAEA Director General's statement on the situation in Ukraine (Update 32), 25 March 2022

256. In an update posted on 25 March 2022 the IAEA Director General stated that Ukraine had informed the IAEA that there had been no rotation of personnel at the CNPP since 21 March 2022, as the workers had been prevented from travelling from their homes in Slavutych following shelling there. Also, the Ukrainian regulator had reported the looting of a laboratory in the town of Chornobyl with the fate of the radiation monitoring system unknown; IAEA assessed that this incident had not posed a significant radiological risk. Finally, the regulator had confirmed reports that an unexploded rocket from a Russian multiple rocket launch system had been "detected in the immediate vicinity" of a nuclear research facility in Kharkiv.

(f) IAEA Director General's statement on the situation in Ukraine (Update 38), 31 March 2022

257. In an update posted on 31 March 2022, the IAEA Director General stated that Ukraine had informed the IAEA that the Russian forces, which had been controlling the CNPP since 24 February 2022, had retreated to Belarus

and had transferred control of the CNPP to its personnel. The IAEA also stated that there had been no rotation of shifts at the CNPP since 20-21 March 2022. According to Ukraine, on 31 March 2022 another convoy of the Russian forces had left the town of Slavutych, where many workers of the CNPP were living.

(g) IAEA Director General’s statement on the situation in Ukraine (Update 48), 11 April 2022

258. In an update posted on 11 April 2022, the IAEA Director General stated that Ukraine had informed the IAEA that it had carried out the first staff rotation at the CNPP in three weeks, and only the second since late February 2022, when the Russian forces had seized control of the CNPP. At the same time, he noted, the fact that those workers had been transported to the CNPP by boat from Slavutych highlighted that the situation at the CNPP remained far from normal. Lastly, he stated that Ukraine had provided the IAEA with more information about the radiological and communication equipment that had been stolen, broken or otherwise disabled while the CNPP site had been under the control of the Russian forces.

(h) IAEA Director General’s summary report “Nuclear safety, security and safeguards in Ukraine”, 28 April 2022

259. On 28 April 2022 the IAEA’s Director General published a summary report on the situation in Ukraine regarding nuclear safety, security and safeguards of nuclear facilities and activities involving radioactive sources in Ukraine. According to the report, on 4 March 2022 Ukraine had informed the IAEA that Russian forces had taken control of the ZNPP site.

(i) IAEA Director General’s statement on the situation in Ukraine (Update 67), 29 April 2022

260. According to the update, the State Nuclear Regulatory Inspectorate of Ukraine had informed the IAEA in April 2022 that the personnel at the ZNPP had been “working under unbelievable pressure”.

(j) Press statement “Grossi expresses concern to IAEA Board about safeguards in Iran; nuclear safety, security and safeguards at Zaporizhzhya Nuclear Power Plant in Ukraine”, 6 June 2022

261. In his remarks delivered to the Board of Governors of the IAEA, the Director General of the IAEA stated that the Ukrainian regulator had earlier informed the IAEA that the Ukrainian authorities had “lost control over the [ZNPP’s] nuclear material”. He confirmed that the ZNPP had remained under the control of the Russian forces and pointed out the pressure on Ukrainian staff working at the ZNPP. The Director General also shared his concern that some spare parts had not been delivered to the ZNPP as a result of supply chain interruptions.

262. The IAEA Director General also reported on the work of the IAEA's immediate on-the-ground assistance at the CNPP and the Exclusion Zone, which was focusing on radiation protection, the safety of radioactive waste management, and strengthening nuclear security.

(k) IAEA Director General's statement on the situation in Ukraine (Update 88), 6 August 2022

263. In an update posted on 6 August 2022, the IAEA Director General expressed his grave concern about shelling at the ZNPP the previous day. According to information received from Ukraine, the shelling had damaged the external power supply system of the ZNPP, but two power lines remained operational. The emergency protection system of one of ZNPP's three operating reactors had been triggered, following which that unit had been disconnected from the grid. According to Ukraine, there had been no damage to the reactors themselves, no radiological release and no reports of injuries. In addition, a nitrogen-oxygen station and an auxiliary building had been damaged with a fire quickly extinguished. Lastly, the Director General said that any military action near the ZNPP should be avoided and that the IAEA mission should be allowed to visit the facility.

(l) IAEA Director General's statement on the situation in Ukraine (Update 89), 9 August 2022

264. In an update posted on 9 August 2022, the IAEA Director General stated that Ukraine had informed IAEA about the shelling of the ZNPP on 6 August 2022, which had left a Ukrainian security guard injured and had damaged walls, a roof and windows in the area of the spent fuel storage facility, as well as communication cables that were part of the ZNPP's radiation control system. According to Ukraine, there had been no visible damage to the containers with spent nuclear fuel or to the protective perimeter of the facility. The IAEA experts assessed that there was no immediate threat to nuclear safety. The Director General reiterated his grave concern about shelling at the ZNPP and called for any military action near the ZNPP to stop and for an IAEA mission to be allowed to visit the facility.

(m) Resolution of the IAEA Board of Directors "The safety, security and safeguards implications of the situation in Ukraine", 17 November 2022 (GOV/2022/71)

265. This resolution of the IAEA Board of Directors noted with serious concern the "dangerous, precarious, and challenging" situation at the ZNPP as a result of the duress on the ZNPP's operating staff due to Russia's attempts to take control of it. The Board expressed grave concern as to the repeated disruption of off-site power supply and the events of shelling which, in its view, "pose[d] serious and direct threats to the safety and security of the [ZNPP] and its personnel, thereby raising the risk of a nuclear accident or

incident, which endanger[ed] the population of Ukraine, neighbouring States and the international community”. Also, the Board urged Russia to withdraw from the ZNPP and return control over it to the competent Ukrainian authorities.

6. United Nations High Commissioner for Refugees (UNHCR)

(a) High Commissioner’s Statement to the United Nations Security Council on Ukraine, 28 February 2022

266. According to UNHCR, as of 28 February 2022 there were 520,000 refugees from Ukraine in neighbouring countries and that figure was rising exponentially.

(b) Ukrainian Situation Flash Update no. 7, 6 April 2022

267. According to this publication, as of 6 April 2022, over 4.3 million refugees had fled Ukraine, making this the fastest growing refugee crisis since the Second World War, and 7.1 million people had been displaced internally within Ukraine. UNHCR also provided key figures on how many people had evacuated and how many refugees had been registered for temporary protection in a number of refugee hosting countries.

268. This report also stated that more than 140 people had been killed by shelling in Lysychansk, Hirske Hromada, Popasna, Rubizhne and Sieverodonetsk in the Luhansk Region, and more than 5,000 people had been evacuated from the region between 30 March and 3 April 2022.

269. According to the report, in the city of Donetsk more than twenty buildings and a hospital had been affected by shelling, and 90,000 households had been affected by power cuts.

(c) UNHCR’s press briefing in Geneva, 8 April 2022

270. UNHCR’s spokesperson, Matthew Saltmarsh, said that, as of 8 April 2022, 4.3 million refugees had fled Ukraine and 7.1 million had been displaced internally. He also provided a detailed description of how the UNHCR had redoubled its aid in order to help Ukrainian IDPs and refugees.

(d) Ukrainian Situation Flash Update no. 30, 16 September 2022

271. According to this report, as of 16 September 2022 there were more than 7 million refugees present across Europe, over 4 million of whom had been registered for temporary protection or national protection schemes. The report stated that more than 12.7 million movements out of Ukraine had been recorded since 24 February 2022, with over 5.7 million movements back into the country.

272. UNHCR also provided an update on evacuee numbers and people registered for temporary protection in the main refugee hosting countries.

7. International Organisation for Migration (IOM)

(a) Situation report “Regional Ukraine Response”, 9 March 2022

273. According to this report, from 24 February until 7 March 2022 approximately 1,838,903 million people had left Ukraine and crossed into the neighbouring countries. Of these, approximately 1,067,000 persons had entered Poland (among them 1,000,342 Ukrainians, 6,436 Polish nationals and 12,638 third country nationals (“TCNs”)); approximately 154,660 persons had entered Romania (149,873 Ukrainians and 4,787 Romanian nationals); approximately 267,084 persons had entered the Republic of Moldova (267,009 Ukrainians, 12,399 Moldovan nationals, and 28,676 TCNs); approximately 956 persons had entered Belarus (283 Ukrainians, 475 Belarusian nationals, and 198 TCNs); and approximately 126,850 persons had entered Slovakia (113,316 Ukrainians, 896 Slovak nationals, and 12,638 TCNs).

(b) Information note “Resilience Under Fire: Saving Lives in War-Torn Ukraine Amidst Diminishing Resources”, 25 March 2022

274. According to this information note, as of March 2022 there were 6.48 million IDPs in Ukraine. About one-third of the displaced households had members with chronic illnesses, and almost 20% included persons with disabilities. The western city of Lviv hosted over 250,000 IDPs.

(c) Information note “Health in Peril as War Takes a Heavy Toll on Ukraine’s Environment”, 7 April 2022

275. The IOM reported that by 7 April 2022, 4 million people had fled Ukraine and 7.1 million people had been internally displaced. The note further described the adverse effect of the attacks against industrial facilities on the environmental situation in Ukraine.

(d) Regional Ukraine Response - Situation Report no. 20, 26 May 2022

276. The report laid out quantitative data representing the migration situation as of 26 May 2022. According to the report, there were 8.02 million IDPs in Ukraine and 6.64 million refugees had fled Ukraine.

277. The report stated that on 21 May 2022 Russian forces had blocked people attempting to evacuate from the Kherson Region to the Ukrainian-controlled territory. The convoys of cars were blocked for days. Those who remained in the region had experienced a critical shortage of medicines and harassment from Russian forces. The report indicated that Russian forces had redirected to Crimea those attempting to evacuate from the Kherson Region.

(e) Report “Ukraine Crisis 2022: 6 Months of Response”, 24 August 2022

278. This report provided a general description and some quantitative data intended to shed light on the adverse effects of the war on various areas

of life in Ukraine. According to the report, Russia's invasion of Ukraine had forced 6.6 million Ukrainians to flee the country and created an additional 6.6 million of IDPs. Nearly 17.7 million people, representing nearly one-quarter of the population, were in need of humanitarian assistance, according to the report. Furthermore, the invasion had deprived millions of "access to many necessities for life such as water, food, healthcare, sanitation, gas and electricity", and caused economic devastation with "nearly sixty per cent of the population [having] lost their jobs due to the war".

279. The psychological toll of the war was equally severe, with the Ukrainian Ministry of Health reporting that fifteen million people were in need of psychological support.

(f) Ukraine Internal Displacement Report, General Population Survey, Round 8, 23 August 2022

280. This report estimated the number of Ukrainian IDPs to be 6,975,000 as of 23 August 2022, amounting to 16% of the population. The report stated that the number of IDPs had increased by 330,000 since 23 July 2022. As of August 2022, the average duration of displacement among IDPs in Ukraine amounted to 140 days. According to the report, IDPs were in need of clothes and shoes, food, medicines and health services, hygiene items, drinking water, accommodation, transportation and financial support.

8. International Labour Organization

Brief "Violations of fundamental principles and rights at work at the Zaporizhzhia nuclear power plant and in Enerhodar city in Ukraine, temporarily occupied by the Russian Federation", May 2023

281. The International Labour Organization and the Global Union "IndustriALL" reported that workers at the Zaporizhzhia NPP had been subjected to forced labour. Most of the reported cases of forced labour concerned nuclear workers who had tried to leave the city but had been refused the right to leave the occupied territory. Other reports of forced labour concerned the right to freely choose employment. After Russian forces had occupied the power plant, workers had been refused the right to contact their Ukrainian employer, and the workers that operated the nuclear reactor installations and equipment had been subjected to threats.

F. International tribunals

1. *International Court of Justice (ICJ)*

(a) **Judgment on the merits regarding Military and Paramilitary Activities in and against Nicaragua (Nicaragua v. United States of America), 27 June 1986**

282. In this dispute concerning responsibility of the United States for military and paramilitary activities in and against Nicaragua, the ICJ concluded as follows:

“106. In the light of the evidence and material available to it, the Court is not satisfied that all the operations launched by the *contra* force, at every stage of the conflict, reflected strategy and tactics wholly devised by the United States. However, it is in the Court’s view established that the support of the United States authorities for the activities of the *contras* took various forms over the years, such as logistic support, the supply of information on the location and movements of the Sandinista troops, the use of sophisticated methods of communication, the deployment of field broadcasting networks, radar coverage, etc. The Court finds it clear that a number of military and paramilitary operations by this force were decided and planned, if not actually by United States advisers, then at least in close collaboration with them, and on the basis of the intelligence and logistic support which the United States was able to offer, particularly the supply aircraft provided to the *contras* by the United States.”

283. The ICJ further noted:

“109. What the Court has to determine at this point is whether or not the relationship of the *contras* to the United States Government was so much one of dependence on the one side and control on the other that it would be right to equate the *contras*, for legal purposes, with an organ of the United States Government, or as acting on behalf of that Government. Here it is relevant to note that in May 1983 the assessment of the Intelligence Committee, in the Report referred to in paragraph 95 above, was that the *contras* ‘constitute[d] an independent force’ and that the ‘only element of control that could be exercised by the United States’ was ‘cessation of aid’. Paradoxically this assessment serves to underline, *a contrario*, the potential for control inherent in the degree of the *contras*’ dependence on aid. Yet despite the heavy subsidies and other support provided to them by the United States, there is no clear evidence of the United States having actually exercised such a degree of control in all fields as to justify treating the *contras* as acting on its behalf.”

284. With reference to the level of dependence, the ICJ stated:

“110. So far as the potential control constituted by the possibility of cessation of United States military aid is concerned, it may be noted that after 1 October 1984 such aid was no longer authorized, though the sharing of intelligence, and the provision of ‘humanitarian assistance’ as defined in the above-cited legislation (paragraph 97) may continue. Yet, according to Nicaragua’s own case, and according to press reports, *contra* activity has continued. In sum, the evidence available to the Court indicates that the various forms of assistance provided to the *contras* by the United States have been crucial to the pursuit of their activities, but is insufficient to demonstrate their complete dependence on United States aid. On the other hand, it indicates that in the initial years of United States assistance the *contra* force was so dependent. However, whether the United States Government at any stage devised the strategy and directed the tactics of the *contras* depends on the extent to which the United States made use of the potential for control inherent in that dependence. The Court already indicated that it has

insufficient evidence to reach a finding on this point. It is a fortiori unable to determine that the *contra* force may be equated for legal purposes with the forces of the United States. This conclusion, however, does not of course suffice to resolve the entire question of the responsibility incurred by the United States through its assistance to the *contras*.”

285. The ICJ concluded:

“115. The Court has taken the view (paragraph 110 above) that United States participation, even if preponderant or decisive, in the financing, organizing, training, supplying and equipping of the *contras*, the selection of its military or paramilitary targets, and the planning of the whole of its operation, is still insufficient in itself, on the basis of the evidence in the possession of the Court, for the purpose of attributing to the United States the acts committed by the *contras* in the course of their military or paramilitary operations in Nicaragua. All the forms of United States participation mentioned above, and even the general control by the respondent State over a force with a high degree of dependency on it, would not in themselves mean, without further evidence, that the United States directed or enforced the perpetration of the acts contrary to human rights and humanitarian law alleged by the applicant State. Such acts could well be committed by members of the *contras* without the control of the United States. For this conduct to give rise to legal responsibility of the United States, it would in principle have to be proved that that State had effective control of the military or paramilitary operations in the course of which the alleged violations were committed.”

(b) Judgment in the case concerning Application of the Convention on the Prevention and Punishment of Genocide (Bosnia and Herzegovina v. Serbia and Montenegro), 26 February 2007

286. In this dispute, concerning alleged acts of genocide committed in Bosnia and Herzegovina by the Republika Srpska, the VRS (Army of the Republika Srpska) and paramilitary militias, the ICJ noted:

“390. The argument of the Applicant however goes beyond mere contemplation of the status, under the Respondent’s internal law, of the persons who committed the acts of genocide; it argues that Republika Srpska and the VRS, as well as the paramilitary militias known as the ‘Scorpions’, the ‘Red Berets’, the ‘Tigers’ and the ‘White Eagles’ must be deemed, notwithstanding their apparent status, to have been ‘*de facto* organs’ of the FRY, in particular at the time in question, so that all of their acts, and specifically the massacres at Srebrenica, must be considered attributable to the FRY, just as if they had been organs of that State under its internal law; reality must prevail over appearances. The Respondent rejects this contention, and maintains that these were not *de facto* organs of the FRY.

391. The first issue raised by this argument is whether it is possible in principle to attribute to a State conduct of persons – or groups of persons – who, while they do not have the legal status of State organs, in fact act under such strict control by the State that they must be treated as its organs for purposes of the necessary attribution leading to the State’s responsibility for an internationally wrongful act. The Court has in fact already addressed this question, and given an answer to it in principle, in its Judgment of 27 June 1986 in the case concerning *Military and Paramilitary Activities in and against Nicaragua (Nicaragua v. United States of America)* (*Merits, Judgment, I.C.J. Reports* 1986, pp. 62-64). In paragraph 109 of that Judgment the Court stated that it had to ‘determine... whether or not the relationship of the *contras* to the United States Government was so much one of dependence on the one side and control on the other

that it would be right to equate the *contras*, for legal purposes, with an organ of the United States Government, or as acting on behalf of that Government' (p. 62). Then, examining the facts in the light of the information in its possession, the Court observed that 'there is no clear evidence of the United States having actually exercised such a degree of control in all fields as to justify treating the *contras* as acting on its behalf' (para. 109), and went on to conclude that 'the evidence available to the Court... is insufficient to demonstrate [the *contras*'] complete dependence on United States aid', so that the Court was 'unable to determine that the *contra* force may be equated for legal purposes with the forces of the United States' (pp. 62- 63, para. 110).

392. The passages quoted show that, according to the Court's jurisprudence, persons, groups of persons or entities may, for purposes of international responsibility, be equated with State organs even if that status does not follow from internal law, provided that in fact the persons, groups or entities act in 'complete dependence' on the State, of which they are ultimately merely the instrument. In such a case, it is appropriate to look beyond legal status alone, in order to grasp the reality of the relationship between the person taking action, and the State to which he is so closely attached as to appear to be nothing more than its agent: any other solution would allow States to escape their international responsibility by choosing to act through persons or entities whose supposed independence would be purely fictitious.

393. However, so to equate persons or entities with State organs when they do not have that status under internal law must be exceptional, for it requires proof of a particularly great degree of State control over them, a relationship which the Court's Judgment quoted above expressly described as 'complete dependence'. It remains to be determined in the present case whether, at the time in question, the persons or entities that committed the acts of genocide at Srebrenica had such ties with the FRY that they can be deemed to have been completely dependent on it; it is only if this condition is met that they can be equated with organs of the Respondent for the purposes of its international responsibility."

287. With reference to Article 8 of the ILC Articles on State Responsibility, the ICJ stated:

"399. This provision must be understood in the light of the Court's jurisprudence on the subject, particularly that of the 1986 Judgment in the case concerning *Military and Paramilitary Activities in and against Nicaragua (Nicaragua v. United States of America)* referred to above (paragraph 391). In that Judgment the Court, as noted above, after having rejected the argument that the *contras* were to be equated with organs of the United States because they were 'completely dependent' on it, added that the responsibility of the Respondent could still arise if it were proved that it had itself 'directed or enforced the perpetration of the acts contrary to human rights and humanitarian law alleged by the applicant State' (*I.C.J. Reports 1986*, p. 64, para. 115); this led to the following significant conclusion:

'For this conduct to give rise to legal responsibility of the United States, it would in principle have to be proved that that State had effective control of the military or paramilitary operations in the course of which the alleged violations were committed.' (*Ibid.*, p. 65.)"

288. The ICJ thus concluded:

"400. The test thus formulated differs in two respects from the test – described above – to determine whether a person or entity may be equated with a State organ even if not having that status under internal law. First, in this context it is not necessary to show that the persons who performed the acts alleged to have violated international law were

in general in a relationship of ‘complete dependence’ on the respondent State; it has to be proved that they acted in accordance with that State’s instructions or under its ‘effective control’. It must however be shown that this ‘effective control’ was exercised, or that the State’s instructions were given, in respect of each operation in which the alleged violations occurred, not generally in respect of the overall actions taken by the persons or groups of persons having committed the violations.

401. The Applicant has, it is true, contended that the crime of genocide has a particular nature, in that it may be composed of a considerable number of specific acts separate, to a greater or lesser extent, in time and space. According to the Applicant, this particular nature would justify, among other consequences, assessing the ‘effective control’ of the State allegedly responsible, not in relation to each of these specific acts, but in relation to the whole body of operations carried out by the direct perpetrators of the genocide. The Court is however of the view that the particular characteristics of genocide do not justify the Court in departing from the criterion elaborated in the Judgment in the case concerning *Military and Paramilitary Activities in and against Nicaragua (Nicaragua v. United States of America)* (see paragraph 399 above). The rules for attributing alleged internationally wrongful conduct to a State do not vary with the nature of the wrongful act in question in the absence of a clearly expressed *lex specialis*. Genocide will be considered as attributable to a State if and to the extent that the physical acts constitutive of genocide that have been committed by organs or persons other than the State’s own agents were carried out, wholly or in part, on the instructions or directions of the State, or under its effective control. This is the state of customary international law, as reflected in the ILC Articles on State Responsibility.”

(c) Judgment on preliminary objections regarding Application of the International Convention on the Elimination of All Forms of Racial Discrimination (Qatar v. United Arab Emirates), 4 February 2021

289. The ICJ had to determine the meaning of “national origin” in the International Convention on the Elimination of All Forms of Racial Discrimination (“CERD”), and in particular whether it included nationality. Explaining its approach, the ICJ held:

“76. The Court will interpret the term ‘national origin’ by reference, first, to the elements set out in Article 31 of the Vienna Convention, which states the general rule of treaty interpretation. Only then will the Court turn to the supplementary means of interpretation provided for in Article 32 in order to confirm the meaning resulting from that process, or to remove ambiguity or obscurity, or to avoid a manifestly absurd or unreasonable result (*Immunities and Criminal Proceedings (Equatorial Guinea v. France)*, *Preliminary Objections, Judgment, I.C.J. Reports 2018 (I)*, p. 321, para. 91; *Application of the Convention on the Prevention and Punishment of the Crime of Genocide (Bosnia and Herzegovina v. Serbia and Montenegro)*, *Judgment, I.C.J. Reports 2007 (I)*, pp. 109-110, para. 160).

77. The Court will also examine the practice of the CERD Committee and of regional human rights courts. In their pleadings, the Parties expressed different opinions on that practice in relation to the interpretation of the term ‘national origin’ in Article 1, paragraph 1, of the Convention. The Court recalls that, in its jurisprudence, it has taken into account the practice of committees established under human rights conventions, as well as the practice of regional human rights courts, in so far as this was relevant for the purposes of interpretation (*Ahmadou Sadio Diallo (Republic of Guinea v. Democratic Republic of the Congo)*, *Compensation, Judgment, I.C.J. Reports 2012 (I)*, p. 331, para. 13; pp. 334-335, para. 24; p. 337, para. 33, and pp. 339-340, para. 40;

Questions relating to the Obligation to Prosecute or Extradite (Belgium v. Senegal), Judgment, I.C.J. Reports 2012 (II), pp. 457-458, para. 101; *Ahmadou Sadio Diallo (Republic of Guinea v. Democratic Republic of the Congo)*, Merits, Judgment, I.C.J. Reports 2010 (II), pp. 663-664, para. 66; *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory*, Advisory Opinion, I.C.J. Reports 2004 (I), p. 179, para. 109, and pp. 192-193, para. 136)."

290. The ICJ found that consequently, the term "national origin" in the CERD, in accordance with its ordinary meaning, read in its context and in the light of the object and purpose of the Convention, did not encompass current nationality. In the light of that conclusion, it was not necessary to resort to supplementary means of interpretation. However, it observed that the *travaux préparatoires* confirmed its interpretation of "national origin".

291. As regards the practice of the CERD Committee, which treated differential treatment on the basis of citizenship as falling within its scope, while the ICJ had in the *Diallo* case "ascribe[d] great weight" to the interpretation of the ICCPR by the Human Rights Committee, it had affirmed that it was "in no way obliged, in the exercise of its judicial functions, to model its own interpretation of the Covenant on that of the Committee". It therefore "carefully considered the position taken by the CERD Committee" but noted that by applying the relevant rules on treaty interpretation, it had come to its own conclusion on the basis of the reasons already explained.

292. Lastly, considering the case-law of regional human rights courts, the ICJ observed that while the CERD concerned only racial discrimination, human rights instruments were based on the Universal Declaration of Human Rights and concerned respect for human rights without distinction of any kind. Their purpose was to ensure a wide scope of protection of human rights and fundamental freedoms and was therefore of little help for the interpretation of the term "national origin" in the CERD.

(d) Judgment on Alleged violations of sovereign rights and maritime spaces in the Caribbean Sea (Nicaragua v. Colombia), 21 April 2022

293. The case, alleging violations of customary international law, came before the ICJ pursuant to a compulsory jurisdiction clause in the Pact of Bogotá ("the Pact"). Before the proceedings had been lodged, Colombia had submitted a notice of denunciation of the Pact, but pursuant to the relevant provisions of the Pact, the denunciation had not yet taken effect. In a preliminary objections judgment of 17 March 2016, the ICJ therefore found that it had jurisdiction in respect of the dispute.

294. A question subsequently arose as to whether the ICJ's jurisdiction over the dispute extended to facts or events that had allegedly occurred after 27 November 2013, the date on which the Pact ceased to be in force for Colombia. The ICJ took the view that there was nothing in its case-law to suggest that the lapse of the jurisdictional title after the institution of proceedings had the effect of limiting the Court's jurisdiction *ratione*

temporis to facts which had allegedly occurred before that lapse. In cases involving the adjudication of a claim or submission made after the filing of an application, the ICJ had previously considered whether such a claim or submission arose directly out of the question which was the subject matter of the application or whether entertaining such a claim or submission would transform the subject of the dispute originally submitted. With regard to facts or events subsequent to the filing of the application, the ICJ had affirmed the relevance of criteria relating to “continuity” and “connexity” for determining limits *ratione temporis* to its jurisdiction.

295. On the facts, the ICJ observed that the incidents said to have occurred after 27 November 2013 generally concerned alleged incidents of the same nature as those that had allegedly occurred before 26 November 2013. They all gave rise to the question whether Colombia had breached its international obligations under customary international law to respect Nicaragua’s rights in the latter’s exclusive economic zone, a question which concerned precisely the dispute over which the ICJ had found it had jurisdiction in the 2016 Judgment. The ICJ therefore concluded that the claims and submissions made by Nicaragua in relation to incidents that had allegedly occurred after 27 November 2013 arose directly out of the question which was the subject matter of the application, that those alleged incidents were connected to the alleged incidents that had already been found to fall within the ICJ’s jurisdiction, and that consideration of those alleged incidents did not transform the nature of the dispute between the parties in the present case. It therefore had jurisdiction *ratione temporis* over Nicaragua’s claims relating to those alleged incidents.

(e) Application of the International Convention for the Suppression of the Financing of Terrorism and of the International Convention on the Elimination of All Forms of Racial Discrimination (Ukraine v. Russian Federation)

(i) Press-release no. 2023/30 of 14 June 2023

296. In this press release the ICJ provided information about the conclusion of the public hearings on the merits of the case of *Ukraine v. Russian Federation concerning Application of the International Convention for the Suppression of the Financing of Terrorism* (“the ICSFT”) and of the *International Convention on the Elimination of All Forms of Racial Discrimination*. The hearings, which opened on 6 June 2023, comprised two rounds of oral argument. The final submissions of Ukraine and the Russian Federation were made on 12 and 14 June 2023 respectively. The ICJ then began its deliberations, the outcome of which was to be delivered at a public sitting, the date of which was to be announced in due course.

297. Earlier, on 8 November 2019, the ICJ had delivered its judgment on the preliminary objections to jurisdiction and the admissibility of Ukraine’s application in the case. The ICJ concluded that it had jurisdiction to entertain

the claims brought by Ukraine on the basis of the ICSFT (re Donbas) and the CERD (re Crimea), and dismissed the Russian Federation's objection to admissibility in respect of the claims brought by Ukraine under the CERD. Following this, the Parties had turned to the written proceedings that were concluded on 19 January 2023.

(ii) *Judgment of 31 January 2024*

298. On 31 January 2024 the ICJ delivered its judgment in the *Ukraine v. Russian Federation re Financing of Terrorism and Racial Discrimination* case. Ukraine's application in this case, lodged in 2017, concerned alleged violations by Russia of the ICSFT and the CERD. The ICJ rejected most of Ukraine's arguments under both Conventions, finding, however, that Russia had violated Article 9 § 1 of the ICSFT by failing to investigate the alleged acts of terrorism, and that it had violated Article 2 §1 (a) and Article 5 (e) (v) of the CERD by reorienting the Crimean educational system and thus adversely affecting the studies in the Ukrainian language.

299. The ICJ addressed allegations by Ukraine that thirteen acts of violence in Crimea had targeted ethnic Ukrainian activists and Crimean Tatars. The ICJ accepted that the evidence confirmed that several targeted persons were pro-Ukrainian activists, as well as members and affiliates of the *Mejlis*, and observed that reports of intergovernmental organisations and other publications indicated that the victims had been attacked for their political and ideological positions, in particular for their opposition to the March 2014 referendum held in Crimea and their support for the Ukrainian government. However, it observed that "the political identity or the political position of a person or a group is not a relevant factor for the determination of their 'ethnic origin' within the meaning of Article 1, paragraph 1, of CERD". It was, moreover, not convinced by the evidence placed before it that Crimean Tatars and ethnic Ukrainians had been subjected to acts of physical violence based on their ethnic origin. It observed:

"In fact, any disparate adverse effect on the rights of Crimean Tatars and ethnic Ukrainians can be explained by their political opposition to the conduct of the Russian Federation in Crimea and not by considerations relating to the prohibited grounds under CERD."

300. Apart from this, the ICJ also found that Russia had violated the Provisional Measures Order of 19 April 2017 by imposing limitations on *Mejlis*, the representative institution of the Crimean Tatar community, and taking actions further aggravating the dispute by recognising the "DPR" and "LPR" as independent States and launching its "special military operation" against Ukraine in February 2022. The ICJ concluded that by taking such actions Russia had "severely undermined the basis for mutual trust and co-operation and thus made the dispute more difficult to resolve".

301. With regard to the ICSFT, the claims under which had been based on events that had taken place in the east of Ukraine, the ICJ ruled the following. Beginning its analysis with the preliminary issues arising from the ICSFT, the ICJ disagreed with Ukraine's interpretation of the term "funds" as defined in Article 1 and used in Article 2 of that Convention. The ICJ concluded that this term referred only to monetary or financial resources and not the means used to commit the acts of terrorism (for example, weapons or training camps) as Ukraine had claimed. Second, the ICJ noted that it had not been provided with sufficient evidence to characterise any of the armed groups in the east of Ukraine as notorious for committing the acts of terrorism. For that reason, it held, any funds provided to such groups could not have qualified as financing terrorism *per se*, unless the funder had known that the funds would be purposefully used by those groups to carry out the acts of terrorism. The ICJ then largely relied on those two premises – the definition of "funds" and the "knowledge" of the funder – to make its further conclusions under the ICSFT.

302. Turning to the substantive issues raised under the ICSFT, the ICJ concluded that Russia had not breached its obligations under its Article 8 by not freezing the funds of individuals and organisations alleged to have been involved in financing terrorism. The ICJ stated that there had been insufficient evidence of the respective funders' knowledge that their resources were to be used to carry out acts of terrorism. At the same time, with regard to Article 9 of the ICSFT, the ICJ found that Russia had failed to investigate Ukraine's allegations of financing terrorism on its territory and thus found a violation under that Article. Turning to Article 10 of the ICSFT, the ICJ concluded that there had been no violation of the *aut dedere aut judicare* obligation enshrined in that provision as based on the information provided by Ukraine, and that Russia had had no reasonable grounds to suspect any persons of financing terrorism. The ICJ also rejected Ukraine's claim under Article 12 § 1 of the ICSFT, finding that Russia had not violated its obligation to assist Ukraine in investigations into terrorism financing. The ICJ noted that out of Ukraine's twelve requests for legal assistance, nine had not been related to the "funds" as defined by the ICJ. The ICJ found that the remaining three requests had not described any detail of the acts of terrorism or shown that the alleged offenders – members of the Russian State Duma and the Chief of the General Staff of the Russian Armed Forces – had had "knowledge" of such acts having been funded from their resources. Lastly, the ICJ found no violation of Article 18 § 1 of the ICSFT, which requires States to cooperate in prevention of terrorism financing, as the allegations made by Ukraine had either fallen outside of the scope of that Article (the alleged policy of financing armed groups in the east of Ukraine), or had lacked sufficient evidence to back them (such as the alleged lack of policing at the border or the alleged lack of monitoring and disruption of the "DPR"/"LPR" fundraising networks in Russia).

(f) Allegations of genocide under the Convention on the Prevention and Punishment of the Crime of Genocide (Ukraine v. Russian Federation)

(i) Application instituting proceedings submitted by Ukraine on 26 February 2022

303. On 26 February 2022 Ukraine lodged an application against the Russian Federation with the ICJ for alleged violations of the 1948 Convention on the Prevention and Punishment of the Crime of Genocide (“the Genocide Convention”). Relying on the Genocide Convention, Ukraine accused Russia of falsely claiming that Ukraine had committed acts of genocide in the Luhansk and Donetsk Regions of Ukraine – a claim which Russia had then relied on as *casus belli* for its “special military operation” in Ukraine. Ukraine further accused Russia of unlawful recourse to military force based on Russia’s false claim of a purported genocide.

304. Ukraine asked the ICJ to adjudge and declare that: (a) no acts of genocide had been committed in the Luhansk and Donetsk Regions of Ukraine; (b) Russia could not lawfully take any action under the Genocide Convention against Ukraine; (c) Russia’s recognition of the independence of the so-called “DPR” and “LPR” on 22 February 2022 had been based on a false claim of genocide and thus had had no basis under the Genocide Convention; (d) the “special military operation” declared and carried out by Russia on and after 24 February 2022 had been based on a false claim of genocide and thus had had no basis in the Genocide Convention; (e) Russia be required to provide assurances and guarantees of non-repetition of any unlawful measures in and against Ukraine; and (f) Russia be ordered to pay full reparation for all damage it caused.

(ii) Request for the indication of provisional measures submitted by Ukraine on 26 February 2022

305. On 26 February 2022, alongside the application instituting proceedings against the Russian Federation, Ukraine filed a request for the indication of provisional measures to be complied with by Russia. Relying on the Statute and the Rules of the ICJ, Ukraine requested the ICJ to hold an urgent hearing and adjudicate its request.

306. Stating that there was a risk of irreparable harm being caused to the Ukrainian people by Russia’s military operations based on its false claim of a purported genocide being committed by Ukraine in its Luhansk and Donetsk Regions, Ukraine requested the ICJ to indicate several provisional measures and to order that: (a) Russia immediately suspend its military operations commenced on 24 February 2022; (b) Russia immediately ensure that no military or irregular armed units directed or supported by it take any steps in furtherance of the military operations; (c) Russia refrain from any action and provide guarantees that no aggravating actions be taken by it; and (d) Russia provide a report to the ICJ on measures taken to implement its order sought by Ukraine.

(iii) Order of 16 March 2022 in respect of Ukraine's request for the indication of provisional measures

307. On 16 March 2022, following a public hearing held on 7 March 2022, the ICJ made an order in respect of Ukraine's request for the indication of provisional measures of 26 February 2022.

308. First, as to its jurisdiction to treat Ukraine's request, the ICJ stated that there were sufficient elements to establish *prima facie* the existence of a dispute between Ukraine and Russia relating to the interpretation, application or fulfilment of the Genocide Convention. Second, the ICJ found that there was a link between the right of Ukraine not to be subjected to military operations by the Russian Federation for the purpose of preventing and punishing an alleged genocide in the territory of Ukraine and the provisional measures requested by Ukraine. Next, the ICJ concluded that disregard of Ukraine's right could cause it irreparable prejudice and that there was urgency to preserve that right until the ICJ made a final decision in the case.

309. Lastly, the ICJ stated, on the basis of Article 75 § 2 of its Rules, that the provisional measures to be indicated did not need to be identical to those requested. It went on to indicate in part the measures requested by Ukraine as well as a measure to be taken by both Russia and Ukraine, namely:

“(1) By thirteen votes to two,

The Russian Federation shall immediately suspend the military operations that it commenced on 24 February 2022 in the territory of Ukraine;

...

(2) By thirteen votes to two,

The Russian Federation shall ensure that any military or irregular armed units which may be directed or supported by it, as well as any organizations and persons which may be subject to its control or direction, take no steps in furtherance of the military operations referred to in point 1 above;

...

(3) Unanimously,

Both Parties shall refrain from any action which might aggravate or extend the dispute before the Court or make it more difficult to resolve.”

310. As to the fourth measure sought by Ukraine requesting the ICJ to direct Russia to report on the measures taken to comply with its order, the ICJ decided to decline that request.

(iv) Order of 5 July 2023 in respect of the admissibility of the declarations of intervention

311. On 5 July 2023 the ICJ made an Order in respect of the declarations of intervention in the case of *Ukraine v. Russian Federation re Allegations of Genocide* as filed by thirty-three States between 21 July and 15 December 2022. By a majority vote, the declarations by thirty-two States were deemed

admissible, excluding the one by the United States of America, which was found inadmissible on account of its existing reservation under Article IX of the Genocide Convention. The declarations of intervention that had been submitted by Australia, Austria, Belgium, Bulgaria, Canada, Croatia, Cyprus, Czechia, Denmark, Estonia, Finland, France, Germany, Greece, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, the Netherlands, New Zealand, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden and the United Kingdom were declared admissible. The ICJ set 5 July 2023 as a time-limit for the States whose declarations of intervention had been deemed admissible to submit their written observations on the subject matter of the case.

(v) *Press-release no. 2023/49 of 27 September 2023*

312. In this press release the ICJ informed the public about the conclusion of the public hearings, opened on 18 September 2023, on preliminary objections raised by the Russian Federation in this case, referred to as *Ukraine v. Russian Federation: 32 States intervening*. The ICJ had begun its deliberations following the hearings. It was said that the decision following those deliberations would be delivered at a public sitting, with the date to be announced later.

313. In its submissions the Russian Federation requested the ICJ to find a lack of jurisdiction over Ukraine's claims or rule them inadmissible. Ukraine, in turn, requested that the ICJ dismiss the preliminary objections of the Russian Federation, adjudge and declare that it had jurisdiction over Ukraine's claims, and proceed to adjudicate the claims on the merits. The thirty-two intervening States presented their oral observations on the subject matter during a public sitting on 20 September 2023 as part of the public hearings held from 18 to 27 September 2023.

(vi) *Judgment of 2 February 2024 (preliminary objections)*

314. On 2 February 2024 the ICJ delivered its judgment on the preliminary objections raised by the Russian Federation. In this judgment, the ICJ addressed six such objections, in which the Russian Federation claimed: (a) that the ICJ lacked jurisdiction as there had been no dispute between the Parties under the Genocide Convention; (b) that it lacked jurisdiction *ratione materiae*; (c) that Ukraine had raised additional claims in its Memorial that should be declared inadmissible; (d) that Ukraine's claims should be declared inadmissible since the ICJ's potential judgment would have no practical effect; (e) that Ukraine's request for a declaration that it had not breached the Genocide Convention was inadmissible; and (f) that Ukraine's application constituted an abuse of process.

315. The ICJ dismissed Russia's first objection, stating that a dispute between the parties had existed as of the application date, 26 February 2022,

and had concerned the acts of genocide allegedly committed by Ukraine in the Donbas region and Russia's actions allegedly taken on the basis of such an accusation.

316. The ICJ decided to divide the subsequent objections, and the case as such, into two aspects owing to their distinct key characteristics. The first aspect concerned Ukraine's request for a declaration that it had not committed genocide. The second aspect involved Ukraine's request for a finding of violations of the Genocide Convention on the part of the Russian Federation, which had recognised the two "republics", the "DPR" and the "LPR", and had launched its "special military operation" against Ukraine.

317. The ICJ firstly reviewed Russia's remaining objections through the lens of the first aspect of the case and dismissed them all in that regard, confirming its jurisdiction to hear the dispute over the genocide allegedly committed by Ukraine in the Donbas region. As to the second aspect of the case, the ICJ concluded that it did not have jurisdiction *ratione materiae* to hear the respective claims of Ukraine concerning Russia's recognition of the "DPR" and the "LPR" and its use of force by way of the "special military operation", as they fell outside the scope of the Genocide Convention.

318. Consequently, the ICJ's further consideration of this case would be limited to Ukraine's request to "[a]djudge and declare that there is no credible evidence that Ukraine is responsible for committing genocide in violation of the Genocide Convention in the Donetsk and Luhansk oblasts of Ukraine", as well as the question of Russia's compliance with the ICJ's provisional measures ordered in this case on 16 March 2022.

(g) Advisory opinion on the legal consequences arising from the policies and practices of Israel in the Occupied Palestinian Territory, including East Jerusalem, 19 July 2024

319. Seeking to ascertain the status of the Occupied Palestinian Territory under international law, the ICJ addressed the meaning of the term "occupation":

"86. The questions posed by the General Assembly are premised on the assumption that the Occupied Palestinian Territory is occupied by Israel. In its *Wall* Advisory Opinion, the Court set out the circumstances under which a state of occupation is established:

'[U]nder customary international law as reflected... in Article 42 of the Regulations Respecting the Laws and Customs of War on Land annexed to the Fourth Hague Convention of 18 October 1907..., territory is considered occupied when it is actually placed under the authority of the hostile army, and the occupation extends only to the territory where such authority has been established and can be exercised.' (*I.C.J. Reports 2004 (I)*, p. 167, para. 78; see also *Armed Activities on the Territory of the Congo (Democratic Republic of the Congo v. Uganda)*, *Judgment*, *I.C.J. Reports 2005*, p. 229, para. 172)"

320. Explaining the criteria for establishing the state of occupation under international law, the ICJ stated:

“90. In these circumstances, the Court must determine whether and how Israel’s withdrawal of its physical military presence on the ground from the Gaza Strip in 2004-2005 affected its obligations under the law of occupation in that area. As the Court observed above (see paragraph 86), territory is occupied when it is actually placed under the authority of the hostile army. A State occupies territory that is not its own when, and to the extent that, it exercises effective control over it. A State therefore cannot be considered an occupying Power unless and until it has placed territory that is not its own under its effective control (see *Armed Activities on the Territory of the Congo (Democratic Republic of the Congo v. Uganda)*, Judgment, I.C.J. Reports 2005, p. 230, para. 173).

91. Where a State has placed territory under its effective control, it might be in a position to maintain that control and to continue exercising its authority despite the absence of a physical military presence on the ground. Physical military presence in the occupied territory is not indispensable for the exercise by a State of effective control, as long as the State in question has the capacity to enforce its authority, including by making its physical presence felt within a reasonable time (for example, see United States Military Tribunal, *USA v. Wilhelm List and others (Hostage case)* (19 February 1948), *Trials of War Criminals before the Nuremberg Military Tribunals under Control Council Law No. 10*, Vol. XI, p. 1243; International Criminal Tribunal for the former Yugoslavia, *Prosecutor v. Mladen Naletilić and Vinko Martinović*, IT-98-34-T, Trial Chamber, Judgment, 31 March 2003, para. 217).

92. The foregoing analysis indicates that, for the purpose of determining whether a territory remains occupied under international law, the decisive criterion is not whether the occupying Power retains its physical military presence in the territory at all times but rather whether its authority “has been established and can be exercised” (Article 42 of the Regulations Respecting the Laws and Customs of War on Land annexed to the Fourth Hague Convention of 18 October 1907; hereinafter the “Hague Regulations”). Where an occupying Power, having previously established its authority in the occupied territory, later withdraws its physical presence in part or in whole, it may still bear obligations under the law of occupation to the extent that it remains capable of exercising, and continues to exercise, elements of its authority in place of the local government.”

321. In the light of the above, the ICJ continued:

“93. Based on the information before it, the Court considers that Israel remained capable of exercising, and continued to exercise, certain key elements of authority over the Gaza Strip, including control of the land, sea and air borders, restrictions on movement of people and goods, collection of import and export taxes, and military control over the buffer zone, despite the withdrawal of its military presence in 2005 ...

94. In light of the above, the Court is of the view that Israel’s withdrawal from the Gaza Strip has not entirely released it of its obligations under the law of occupation. Israel’s obligations have remained commensurate with the degree of its effective control over the Gaza Strip.”

322. Explaining the meaning of the term “annexation” and of its legal consequences, the ICJ stated:

“158. By the term ‘annexation’, in the present context, the Court understands the forcible acquisition by the occupying Power of the territory that it occupies, namely its integration into the territory of the occupying Power. Annexation, then, presupposes the intent of the occupying Power to exercise permanent control over the occupied territory.

159. The Court recalls, in this regard, that, under the law of occupation, the control of the occupied territory by the occupying Power must be temporary in character. Thus, the law is based on the principle that the occupying Power shall preserve the *status quo ante* in the occupied territory. This is evidenced, *inter alia*, by the limited range of powers vested in the occupying Power under the law of occupation, some of which have been discussed above (see paragraphs 104-110 and 134). Regardless of the circumstances in which the occupation was brought about, the fact of the occupation alone cannot confer sovereign title to the occupying Power. Consequently, conduct by the occupying Power that displays an intent to exercise permanent control over the occupied territory may indicate an act of annexation.

160. The assertion by the occupying Power of permanent control of the occupied territory may manifest itself in a variety of ways. In this connection, the Court notes that a distinction between ‘*de jure*’ and ‘*de facto*’ annexation is occasionally made, including by some of the participants in these proceedings. According to this distinction, *de jure* annexation consists in the formal declaration by the occupying Power of sovereignty over the occupied territory, whereas *de facto* annexation comprises acts short of a formal declaration that create a ‘*fait accompli*’ on the ground and that consolidate the occupying Power’s permanent control over the occupied territory. Although differing in terms of the means through which the annexation is carried out, both types of annexation share the same objective – the assertion of permanent control over the occupied territory.

...

174. Many participants have argued that belligerent occupation can in no way serve as a basis for the acquisition of territory; it does not confer on the occupying Power title to the occupied territory; nor does it erase the rightful title.

175. The annexation of occupied territory by an occupying Power is unlawful. Under the principle enshrined in Article 2, paragraph 4, of the Charter of the United Nations,

‘[a]ll Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the Purposes of the United Nations’.

Resolution 2625 (XXV) of 24 October 1970, entitled “Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations”, emphasized with reference to this principle that “[n]o territorial acquisition resulting from the threat or use of force shall be recognized as legal” (General Assembly resolution 2625 (XXV), Annex, first principle). As the Court has affirmed, the prohibition of territorial acquisition resulting from the threat or use of force, as a corollary of the prohibition of the threat or use of force, is a principle of customary international law (*Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, Advisory Opinion, I.C.J. Reports 2004 (I)*, p. 171, para. 87).

...

253. The Court observes that an occupation involves, by its very nature, a continued use of force in foreign territory. Such use of force is, however, subject to the rules of international law governing the legality of the use of force or *jus ad bellum*. As indicated in Part V.C. above, these rules prohibit the use of force to acquire territory. Under contemporary international law as contained in the Charter of the United Nations and reflected in customary international law, occupation can under no circumstances serve as the source of title to territory or justify its acquisition by the occupying Power.”

2. International Criminal Court (ICC)

(a) Office of the ICC Prosecutor's Report on Preliminary Examination Activities, 12 November 2015

323. This report, which covered the ICC Prosecutor's preliminary examination activities in 2015, stated that following the decision of the Ukrainian Government of 21 November 2013 not to sign an Association Agreement with the European Union, mass protests had begun in Independence Square, Kyiv. The report continued as follows:

"84. Violent clashes in the context of the Maidan protests continued over the following weeks, resulting in injuries both to protesters and members of the security forces, and the death of some protesters. On the evening of 18 February 2014, the authorities reportedly initiated an operation to try to clear the square of protesters. The violence escalated sharply from that time onwards, causing scores of deaths and hundreds of injuries within the following three days. On 21 February 2014, under European Union mediation, President Yanukovych and opposition representatives agreed on a new government and fixed Presidential elections for May 2014. However, on 22 February 2014, the Ukrainian Parliament voted to remove President Yanukovych, who left the country that day."

(b) Office of the ICC Prosecutor's Report on Preliminary Examination Activities, 5 December 2018

324. This report, which covered the ICC Prosecutor's preliminary examination activities in 2018, concluded that from 14 July 2014 at the latest, direct military engagement between the armed forces of the Russian Federation and Ukraine had indicated the existence of an international armed conflict in eastern Ukraine, in parallel to the non-international armed conflict.

(c) Statement by Prosecutor Karim A. A. Khan KC on the situation in Ukraine, 28 February 2022

325. In this statement, the ICC Prosecutor announced that on 28 February 2022 he had decided to proceed with the opening of an investigation into the Situation in Ukraine as rapidly as possible. The statement read as follows:

"I have reviewed the Office's conclusions arising from the preliminary examination of the Situation in Ukraine, and have confirmed that there is a reasonable basis to proceed with opening an investigation. In particular, I am satisfied that there is a reasonable basis to believe that both alleged war crimes and crimes against humanity have been committed in Ukraine in relation to the events already assessed during the preliminary examination by the Office. Given the expansion of the conflict in recent days, it is my intention that this investigation will also encompass any new alleged crimes falling within the jurisdiction of my Office that are committed by any party to the conflict on any part of the territory of Ukraine."

(d) Press release “Statement on the situation in Ukraine: Receipt of Referrals from 39 States Parties and the Opening of an Investigation”, 2 March 2022

326. In his statement to the press the ICC Prosecutor announced that following referrals from thirty-nine States Parties he had proceeded to open an investigation into the situation in Ukraine pursuant to Article 14 of the Rome Statute. According to the Prosecutor, the investigation was to encompass any past or present allegations of war crimes, crimes against humanity, or genocide committed on any part of the territory of Ukraine by any person from 21 November 2013 onwards.

327. The Prosecutor also stated that “in its preliminary examination of the Situation in Ukraine, my Office had already found a reasonable basis to believe crimes within the jurisdiction of the Court had been committed, and had identified potential cases that would be admissible”.

(e) Press statement “Situation in Ukraine: ICC judges issue arrest warrants against Vladimir Vladimirovich Putin and Maria Alekseyevna Lvova-Belova”, 17 March 2023

328. According to this press statement, on 17 March 2023 Pre-Trial Chamber II of the ICC issued warrants of arrest for the President of the Russian Federation, Vladimir Putin, and the Commissioner for Children’s Rights in the Office of the President of the Russian Federation, Maria Lvova-Belova. The statement indicated that there were reasonable grounds to believe that each suspect “[bore] responsibility for the war crime of unlawful deportation of population and that of unlawful transfer of population from occupied areas of Ukraine to the Russian Federation under articles 8(2)(a)(vii) and 8(2)(b)(viii) of the Rome Statute, in prejudice of Ukrainian children”. The statement pointed out that those crimes had allegedly been committed “in Ukrainian occupied territory at least from 24 February 2022”.

(f) Statement by Prosecutor Karim A. A. Khan KC on the issuance of arrest warrants against President Vladimir Putin and Ms Maria Lvova-Belova, 17 March 2023

329. This statement by the ICC Prosecutor read as follows:

“On the basis of evidence collected and analysed by my Office pursuant to its independent investigations, the Pre-Trial Chamber has confirmed that there are reasonable grounds to believe that President Putin and Ms Lvova-Belova bear criminal responsibility for the unlawful deportation and transfer of Ukrainian children from occupied areas of Ukraine to the Russian Federation, contrary to article 8(2)(a)(vii) and article 8(2)(b)(viii) of the Rome Statute.

Incidents identified by my Office include the deportation of at least hundreds of children taken from orphanages and children’s care homes. Many of these children, we allege, have since been given for adoption in the Russian Federation. The law was changed in the Russian Federation, through Presidential decrees issued by President Putin, to expedite the conferral of Russian citizenship, making it easier for them to be adopted by Russian families.

My Office alleges that these acts, amongst others, demonstrate an intention to permanently remove these children from their own country. At the time of these deportations, the Ukrainian children were protected persons under the Fourth Geneva Convention.

We also underlined in our application that most acts in this pattern of deportations were carried out in the context of the acts of aggression committed by Russian military forces against the sovereignty and territorial integrity of Ukraine which began in 2014.

In September last year, I addressed the United Nations Security Council and emphasised that the investigation of alleged illegal deportation of children from Ukraine was a priority for my Office. The human impact of these crimes was also made clear during my most recent visit to Ukraine. While there, I visited one of the care homes from which children were allegedly taken, close to the current frontlines of the conflict. The accounts of those who had cared for these children, and their fears as to what had become of them, underlined the urgent need for action.”

(g) Press release “Situation in Ukraine: ICC judges issue arrest warrants against Sergei Ivanovich Kobylash and Viktor Nikolayevich Sokolov”, 5 March 2024

330. According to this press release, on 5 March 2024 Pre-Trial Chamber II of the ICC had issued warrants of arrest for two individuals, Mr Sergei Ivanovich Kobylash, a Lieutenant General in the Russian Armed Forces, who at the relevant time had been the Commander of Long-Range Aviation of the Aerospace Force, and Mr Viktor Nikolayevich Sokolov, an admiral in the Russian Navy, who at the relevant time had been the Commander of the Black Sea Fleet. The press release indicated that there were reasonable grounds to believe that the two suspects bore responsibility for missile strikes carried out by the forces under their command against the Ukrainian electric infrastructure from at least 10 October 2022 until at least 9 March 2023. In that respect, the two suspects were allegedly responsible for the war crime of directing attacks at civilian objects, the war crime of causing excessive incidental harm to civilians or damage to civilian objects (article 8(2)(b)(ii) of the Rome Statute), the war crime of causing excessive incidental harm to civilians or damage to civilian objects (article 8(2)(b)(iv) of the Rome Statute), and the crime against humanity of inhumane acts (under article 7(1)(k) of the Rome Statute). The ICC found that there were reasonable grounds to believe that the alleged strikes had been directed against civilian objects, and for those installations that might have qualified as military objectives at the relevant time, the expected incidental civilian harm and damage “would have been clearly excessive to the anticipated military advantage”. The ICC also considered that the alleged strikes qualified as a course of conduct involving the multiple commission of acts against a civilian population, carried out pursuant to a State policy.

(h) Press release “Situation in Ukraine: ICC judges issue arrest warrants against Sergei Kuzhugetovich Shoigu and Valery Vasilyevich Gerasimov”, 25 June 2024

331. According to this press release, on 24 June 2024 Pre-Trial Chamber II of the ICC had issued warrants of arrest for two individuals, Mr Sergei Kuzhugetovich Shoigu, Minister of Defence of the Russian Federation at the relevant time, and Mr Valery Vasilyevich Gerasimov, Chief of the General Staff of the Armed Forces of the Russian Federation and First Deputy Minister of Defence of the Russian Federation at the relevant time. The ICC considered that there were reasonable grounds to believe that the two suspects bore responsibility for the missile strikes carried out by the forces under their command against the Ukrainian electric infrastructure from at least 10 October 2022 until at least 9 March 2023 (see paragraph 330 above).

G. International Law Commission (ILC)

1. Fragmentation of International Law: Difficulties Arising from the Diversification and Expansion of International Law – Report of the Study Group of the International Law Commission

332. The International Law Commission in 2002 established a Study Group to examine the topic of fragmentation of international law. A report was finalised in 2006 by Martti Koskeniemi (UN Doc. A/CN.4/L.682). The relevant part of the report read:

2. The function and scope of the *lex specialis* maxim

“56. The principle that special law derogates from general law is a widely accepted maxim of legal interpretation and technique for the resolution of normative conflicts. It suggests that if a matter is being regulated by a general standard as well as a more specific rule, then the latter should take precedence over the former. The relationship between the general standard and the specific rule may, however, be conceived in two ways. One is the case where the specific rule should be read and understood within the confines or against the background of the general standard, typically as an elaboration, updating or a technical specification of the latter. The specific and the general point, as it were, in the same direction.

57. Sometimes *lex specialis* is, however, understood more narrowly to cover the case where two legal provisions that are both valid and applicable, are in no express hierarchical relationship, and provide incompatible direction on how to deal with the same set of facts. In such case, *lex specialis* appears as a conflict-solution technique. It suggests that instead of the (general) rule, one should apply the (specific) exception. In both cases, however, priority falls on the provision which is “special”, that is, the rule with a more precisely delimited scope of application.

58. Nonetheless, the maxim does not admit of automatic application. ...”

333. The report further noted:

“88. There are two ways in which law may take account of the relationship of a particular rule to general one. A particular rule may be considered an *application* of a general standard in a given circumstance. The special relates to the general as does administrative regulation to law in domestic legal order. Or it may be considered as a *modification, overruling* or a *setting aside* of the latter. The first case is sometimes seen as not a situation of normative conflict at all but is taken to involve the *simultaneous* application of the special and the general standard. ...

89. Something like this may have been the assumption within the International Law Commission during the drafting of article 55 of the draft articles on responsibility of States for internationally wrongful acts. In its commentary, the Commission explained that:

‘For the *lex specialis* principle to apply it is not enough that the same subject matter is dealt with by two provisions; there must be some actual inconsistency between them, or else a discernible intention that one provision is to exclude the other.’

...

96. Or what to say of the place of *lex specialis* in the *Legality of the Threat or Use of Nuclear Weapons* case (1996)? Here the ICJ observed that both human rights law (namely the International Covenant on Civil and Political Rights) and the laws of armed conflict both applied ‘in times of war’. Nevertheless, when it came to determine what was an ‘arbitrary deprivation of life’ under Article 6 (1) of the Covenant, this fell ‘to be determined by the applicable *lex specialis*, namely the law applicable to armed conflict’. In this respect, the two fields of law applied concurrently, or within each other. From another perspective, however, the law of armed conflict – and in particular its more relaxed standard of killing – set aside whatever standard might have been provided under the practice of the Covenant.

97. It follows that whether a rule is seen as an ‘application’, ‘modification’ or ‘exception’ to another rule, depends on how we view those rules in the environment in which they are applied, including what we see as their object and purpose. Because separating ‘application’ from ‘setting aside’ would be artificial and distort the context in which the question of *lex specialis* emerges, it is proposed to include all of these questions under the *lex specialis* study.

...

104. The example of the laws of war focuses on a case where the rule itself identifies the conditions in which it is to apply, namely the presence of an ‘armed conflict’. Owing to that condition, the rule appears more ‘special’ than if no such condition had been identified. To regard this as a situation of *lex specialis* draws attention to an important aspect of the operation of the principle. Even as it works so as to justify recourse to an exception, what is being set aside does not vanish altogether. The Court was careful to point out that human rights law *continued to apply* within armed conflict. The exception – humanitarian law – only affected one (albeit important) aspect of it, namely the relative assessment of ‘arbitrariness’. Humanitarian law as *lex specialis* did not suggest that human rights were abolished in war. It did not function in a formal or absolute way but as an aspect of the pragmatics of the Court’s reasoning. However desirable it might be to discard the difference between peace and armed conflict, the exception that war continues to be to the normality of peace could not be simply overlooked when determining what standards should be used to judge behaviour in those (exceptional) circumstances. *Legality of Nuclear Weapons* was a ‘hard case’ to the extent that a choice had to be made by the Court between different sets of rules none of which could fully extinguish the others. *Lex specialis* did hardly

more than indicate that though it might have been desirable to apply only human rights, such a solution would have been too idealistic, bearing in mind the speciality and persistence of armed conflict. So the Court created a systemic view of the law in which the two sets of rules related to each other as today's reality and tomorrow's promise, with a view to the overriding need to ensure 'the survival of a State'."

334. The relevant conclusions of the work of the Study Group (Un Doc. A.CN.4/L.702) read as follows:

"(4) *The principle of harmonization*. It is a generally accepted principle that when several norms bear on a single issue they should, to the extent possible, be interpreted so as to give rise to a single set of compatible obligations.

...

(8) *Functions of lex specialis*. Most of international law is dispositive. This means that special law may be used to apply, clarify, update or modify as well as set aside general law.

(9) *The effect of lex specialis on general law*. The application of the special law does not normally extinguish the relevant general law. That general law will remain valid and applicable and will, in accordance with the principle of harmonization under conclusion (4) above, continue to give direction for the interpretation and application of the relevant special law and will become fully applicable in situations not provided for by the latter."

2. *Draft articles on the effects of armed conflicts on treaties 2011, with commentaries*

335. The draft articles on the effects of armed conflicts on treaties with commentaries thereto were adopted by the ILC at its sixty-third session, in 2011, and submitted to the UN General Assembly as a part of the ILC's report covering the work of that session (Un Doc. A/66/10).

336. Article 2 provides a definition for the term "armed conflict". As explained in the commentary on this provision, the use of this definition is without prejudice to the rules of international humanitarian law, which constitute the *lex specialis* governing the conduct of hostilities.

337. Article 4 makes it clear that where a treaty itself contains provisions on its operation in situations of armed conflict, those provisions apply. As explained in the commentary on the latter provision:

"Article 4 recognizes the possibility of treaties expressly providing for their continued operation in situations of armed conflict. It lays down the general rule that where a treaty so provides it continues to operate in situations of armed conflict. The effect of this rule is that, in principle, the first step of the inquiry should be to establish whether the treaty so provides, since it will, depending on the terms of the provision and its scope, settle the question of continuity."

338. According to Article 6 of the draft articles, in order to ascertain whether a treaty is susceptible to termination, withdrawal or suspension in the event of an armed conflict, regard shall be had to all relevant factors, including its object and purpose.

339. Article 15 of the draft articles provides:

“A State committing aggression within the meaning of the Charter of the United Nations and resolution 3314 (XXIX) of the General Assembly of the United Nations shall not terminate or withdraw from a treaty or suspend its operation as a consequence of an armed conflict that results from the act of aggression if the effect would be to the benefit of that State.”

340. paragraph 47 of the commentary on the Annex to the draft articles, the 1985 resolution of the Institute of International Law was quoted, according to which “[t]he existence of an armed conflict does not entitle a party unilaterally to terminate or to suspend the operation of treaty provisions relating to the protection of the human person, unless the treaty otherwise provides”.

341. The following statement, reflected in paragraph 50 of the commentary on the Annex, is also worth recalling:

“However, the competence to derogate ‘in time of war or other public emergency threatening the life of the nation’ certainly provides evidence that an armed conflict as such may not result in suspension or termination.”

H. Council of Europe

1. Fourth Summit of Heads of State and Government

(a) Declaration of the 4th Summit of Heads of State and Government of the Council of Europe of May 2023 (“Reykjavík Declaration”)

342. On 16-17 May 2023 the Heads of State and Government of the Council of Europe gathered in Reykjavík to stand united against Russia’s war of aggression against Ukraine and to give further priority to the Council of Europe’s work. In the Reykjavík Declaration, adopted as a result, they expressed their full support to Ukraine and underlined the need for accountability as a prerequisite for lasting peace. The declaration read, in so far as relevant:

“The Council of Europe was founded in the wake of the Second World War, born out of the conviction that ‘the pursuit of peace based upon justice and international cooperation is vital for the preservation of human society and civilisation’. It is a peace project, built on the promise of ‘never again’, a promise that has been fundamentally challenged by Russia’s war of aggression against Ukraine.

It underpins why we, the Leaders of Europe, have come together to state our resolve to unite around our values and against Russia’s war of aggression against Ukraine, a flagrant violation of international law and everything we stand for. We have a common responsibility to fight autocratic tendencies and growing threats to human rights, democracy and the rule of law. Those core values are the bedrock of our continued freedom, peace, prosperity and security for Europe.

As we approach the 75th anniversary of the Council of Europe, our vision for the Organisation remains the same. Our European democracies are not established once and for all. We need to strive to uphold them each and every day, continuously, in all parts of our continent. The Council of Europe remains the guiding light that assists us in fostering greater unity among us for the purpose of safeguarding and realising these ideals and principles which are our common heritage ...

We reaffirm our deep and abiding commitment to the European Convention on Human Rights and the European Court of Human Rights as the ultimate guarantors of human rights across our continent, alongside our domestic democratic and judicial systems. We reaffirm our primary obligation under the Convention to secure to everyone within our jurisdiction the rights and freedoms defined in the Convention ...

Only by respecting the right to truth, to justice, to reparation and to guarantees of non-repetition will it be possible to overcome the past and create solid foundations to build unity in the spirit of harmony and co-operation with respect for human rights, democracy and the rule of law.”

(b) Declaration in support of the Enlarged Partial Agreement on the Register of Damage Caused by the Aggression of the Russian Federation Against Ukraine, annexed to the Reykjavik Declaration of May 2023

343. The Heads of State and Government condemned all violations of international law, including international human rights law and international humanitarian law, in particular attacks against civilians and civilian objects, including civilian infrastructure, cultural and religious heritage and the environment of Ukraine, and expressed their conviction of the exigent necessity to ensure comprehensive accountability in the context of the Russian Federation’s aggression against Ukraine. In view of the above, they expressed their political support by having joined or intending to join the Enlarged Partial Agreement on the Register of Damage Caused by the Aggression of the Russian Federation against Ukraine established within the institutional framework of the Council of Europe.

2. Committee of Ministers

(a) Decision CM/Del/Dec (2022) 1426bis/2.3 of 24 February 2022

344. On 24 February 2022, at its 1426bis meeting, the Committee of Ministers of the Council of Europe adopted a decision on the situation in Ukraine. It condemned in the strongest terms the armed attack on Ukraine by the Russian Federation in violation of international law and the recognition by the Russian Federation of the Ukrainian regions of Donetsk and Luhansk as independent entities. It further decided to examine without delay, and in close coordination with the Parliamentary Assembly and the Secretary General, the measures to be taken in response to the serious violation by the Russian Federation of its statutory obligations as a Council of Europe member State.

345. The Ministers’ Deputies reiterated their unwavering commitment to the independence, sovereignty, and territorial integrity of Ukraine within its internationally recognised borders. They also urged the Russian Federation to immediately and unconditionally cease its military operations in Ukraine.

(b) Decision CM/Del/Dec (2022) 1426ter/2.3 of 25 February 2022

346. On 25 February 2022, following an exchange of views with the Parliamentary Assembly, the Committee of Ministers of the Council of Europe, at its 1426ter meeting, adopted a decision on the situation in Ukraine and measures to be taken, including under Article 8 of the Statute of the Council of Europe. The Ministers' Deputies agreed to suspend the Russian Federation from its rights of representation in the Council of Europe in accordance with Article 8 of the Statute of the Council of Europe. This suspension took immediate effect in respect of the rights of representation of the Russian Federation in the Committee of Ministers and in the Parliamentary Assembly of the Council of Europe.

(c) Decision CM/Del/Dec (2022) 1428bis/2.3 of 10 March 2022

347. On 10 March 2022, at its 1428bis meeting, the Committee of Ministers of the Council of Europe adopted a decision on the consequences of the aggression of the Russian Federation against Ukraine. The Ministers' Deputies expressed their deep concern about the fate of the civilian population victim of the aggression of the Russian Federation against Ukraine, in particular the most vulnerable persons such as the elderly, the disabled and children; and in this context, deplored the atrocious bombing of a maternity/paediatric hospital in Mariupol on 9 March 2022.

348. The decision strongly urged the Russian Federation to implement the interim measures indicated by the European Court of Human Rights on 1 and 4 March 2022, including with a view to ensure access of civilian population to safe evacuation routes as well as to ensure rapid passage of humanitarian assistance.

349. The Committee of Ministers also agreed to consult the Parliamentary Assembly on potential further use of Article 8 of the Statute of the Council of Europe.

(d) Decision CM/Del/Dec (2022) 1428ter/2.3 of 16 March 2022

350. On 16 March 2022, at its 1428ter meeting, the Committee of Ministers of the Council of Europe decided to adopt Resolution CM/Res(2022)2 on the cessation of the membership of the Russian Federation to the Council of Europe, under Article 8 of its Statute.

(e) Resolution CM/Res (2022)2 on the cessation of the membership of the Russian Federation to the Council of Europe of 16 March 2022

351. On 16 March 2022 the Committee of Ministers decided, in the context of the procedure launched under Article 8 of the Statute of the Council of Europe, that the Russian Federation ceased to be a member of the Council of Europe from 16 March 2022.

(f) Resolution CM/Res(2023)3 establishing the Enlarged Partial Agreement on the Register of Damage Caused by the Aggression of the Russian Federation against Ukraine of 12 May 2023, as amended on 27 September 2023

352. The relevant parts of this resolution read as follows:

“...Resolve to establish the Enlarged Partial Agreement on the Register of Damage Caused by the Aggression of the Russian Federation against Ukraine (hereinafter ‘the Register’), governed by the Statute appended hereto that shall serve as a record, in documentary form, of evidence and claims information on damage, loss or injury caused to all natural and legal persons concerned, as well as the State of Ukraine (including its regional and local authorities, State-owned or controlled entities), caused on or after 24 February 2022 in the territory of Ukraine within its internationally recognised borders, extending to its territorial waters, by Russian Federation’s internationally wrongful acts in or against Ukraine;

... Agree to continue working, in co-operation with Ukraine and relevant international organisations and bodies, towards the establishment by a separate international instrument of a future international compensation mechanism, which may include a claims commission and a compensation fund, of which the work of the Register, including its digital platform with all data about claims and evidence recorded therein is intended to constitute an integral part.

Statute of the Register of Damage Caused by the Aggression of the Russian Federation against Ukraine

Article 1 – Mandate of the Register of Damage

1.1. The Register of Damage Caused by the Aggression of the Russian Federation against Ukraine (hereinafter ‘the Register’) shall serve as a record, in documentary form, of evidence and claims information on damage, loss or injury caused, on or after 24 February 2022, in the territory of Ukraine within its internationally recognised borders, extending to its territorial waters, to all natural and legal persons concerned, as well as the State of Ukraine, including its regional and local authorities, state-owned or controlled entities, by the Russian Federation’s internationally wrongful acts in or against Ukraine.

1.2. The Register shall be established as a platform for intergovernmental co-operation, acting within the institutional framework of the Council of Europe.

Article 2 – Functions of the Register of Damage

... 2.5. The work of the Register, including its digital platform with all data about claims and evidence recorded therein, is intended to constitute the first component of a future international compensation mechanism to be established by a separate international instrument in co-operation with Ukraine (hereinafter ‘a Compensation Mechanism’). The exact form of a future Compensation Mechanism is to be determined, but may include a claims commission and compensation fund mandated to examine and adjudicate claims and/or pay compensation for damage, loss or injury caused by the Russian Federation’s internationally wrongful acts in or against Ukraine. The Register, through its Executive Director and with the support of its Secretariat, shall participate in and facilitate, as appropriate, the work aimed at the establishment of such a Compensation Mechanism, and take the necessary steps to prepare for the Register to be transferred to a Compensation Mechanism in accordance with this Statute.”

(g) Decision CM/Del/Dec(2025)134/2a of 14 May 2025

353. On 14 May 2025 at its 134th Session, the Committee of Ministers of the Council of Europe adopted a decision concerning the role of the Council of Europe in the new geopolitical context, which read in its relevant part as follows:

“The Committee of Ministers...

2. reaffirming the commitment to pursuing accountability for all international crimes and other violations of international law, committed in or against Ukraine, remained gravely concerned by mounting evidence of attacks by the Russian forces deliberately targeting civilians, including children, in blatant disregard for international humanitarian law, and called on Russia to immediately cease its war of aggression against Ukraine and all forms of violence against civilians;

3. welcomed that the Register of Damage Caused by the Aggression of the Russian Federation against Ukraine is fully operational and that tens of thousands of claims have already been submitted to it, while the Register’s Board is making progress in issuing decisions on the recording of these claims;

4. welcomed the ongoing efforts to achieve agreement on the establishment of a Claims Commission for Ukraine, possibly under the auspices of the Council of Europe, and encouraged timely completion of this work, while ensuring the widest possible participation and support;

5. welcomed the finalisation, within the Core Group, of the draft legal instruments required to establish a Special Tribunal for the Crime of Aggression against Ukraine within the framework of the Council of Europe consisting of an agreement between Ukraine and the Council of Europe, a Statute of such a Tribunal and an Enlarged Partial Agreement governing the modalities of support to such a Tribunal, its financing and other administrative aspects;

6. confirmed the receipt of a letter from Ukraine requesting the establishment of a Special Tribunal for the Crime of Aggression against Ukraine within the framework of the Council of Europe, on the basis of the abovementioned draft legal instruments;

7. acknowledged that the establishment of a Special Tribunal for the Crime of Aggression against Ukraine within the framework of the Council of Europe is a priority issue for the Committee of Ministers and the whole Council of Europe. In this context, invited the Secretary General of the Council of Europe to steer the process for the establishment of a Special Tribunal for the Crime of Aggression against Ukraine within the Council of Europe ...”

3. Parliamentary Assembly of the Council of Europe

(a) Opinion 300 (2022) on Consequences of the Russian Federation’s aggression against Ukraine, 15 March 2022

354. In this Opinion the Parliamentary Assembly noted that the conduct of the Russian Federation showed disregard for the very essence of the Council of Europe:

“1. In continuation of the war of aggression waged by the Russian Federation against Ukraine since 20 February 2014, as of 24 February 2022, the Russian Federation has escalated its military activities against Ukraine to unprecedented levels, causing

thousands of civilian casualties, displacing millions of people and devastating the country. In launching this further military aggression, the Russian Federation has chosen recourse to force over dialogue and diplomacy to achieve its foreign policy objectives, in violation of the legal and moral norms that govern the peaceful coexistence of States. This conduct shows disregard for the very essence of the Council of Europe, as enshrined in its Statute (ETS No. 1), which is the conviction that the pursuit of peace based upon justice and international co-operation is vital for the preservation of human society and civilisation.”

355. The Assembly condemned, in the strongest terms, the Russian Federation’s aggression against Ukraine. The Assembly considered that the Russian Federation’s armed attack on Ukraine had been in breach of the Charter of the United Nations, had qualified as a “crime against peace” under the Charter of the International Military Tribunal and had constituted an “aggression” under the terms of Resolution 3314 (XXIX) of the UNGA, adopted in 1974. The Assembly also called the attack a serious breach of Article 3 of the Statute of the Council of Europe and a violation of the obligations and commitments that the Russian Federation had accepted upon becoming a member of the Organisation, including the commitments to settle international and internal disputes by peaceful means and to denounce the concept of treating neighbouring States as a zone of special influence called the “near abroad”.

356. The Assembly further deplored that, despite many appeals to cease the hostilities and to comply with international law, the Russian leadership had “persisted in its aggression, escalating the violence in Ukraine and making threats should other States interfere”. It continued:

“5. ... Through its attitude and actions, the leadership of the Russian Federation poses a blatant menace to security in Europe, following a path which also includes the act of military aggression against the Republic of Moldova and in particular the occupation of its Transnistrian region, the act of military aggression against Georgia and the subsequent occupation of two of its regions in 2008, the illegal annexation of Crimea and the Russian Federation’s role in eastern Ukraine, which culminated in the illegal recognition of the self-proclaimed republics of Donetsk and Luhansk as ‘independent States’.”

357. The Assembly was deeply disturbed by evidence of serious violations of human rights and international humanitarian law by the Russian Federation, including attacks against civilian targets; indiscriminate use of artillery, missiles and bombs, including cluster bombs; attacks on humanitarian corridors intended to allow civilians to escape from besieged towns and cities; and hostage-taking. It noted “with shock the reckless attacks by Russian armed forces on nuclear facilities in Ukraine”.

358. The Assembly expressed regret that the Russian Federation had failed to implement numerous decisions of the European Court of Human Rights, including its interim measures, asking the Russian Federation to refrain from military attacks against civilians and civilian objects, including residential premises, emergency vehicles and other specially protected

civilian objects such as schools and hospitals, and to immediately ensure the safety of the medical establishments, personnel and emergency vehicles within the territory under attack or siege by Russian troops.

359. The Opinion also included the following passages:

“9. The Assembly is deeply concerned about the situation of Ukrainians who have been forced to flee their country in fear of their lives, in the biggest refugee exodus seen in Europe since the Second World War. The Assembly applauds the generosity and solidarity shown by neighbouring countries that continue to take in hundreds of thousands of refugees, most of them women and children ...

10. The Assembly notes that the unfolding Russian aggression in Ukraine has been very widely condemned by the international community, in particular by States and international organisations ...

11. In the Russian Federation, however, anti-war protests are stifled. The Assembly condemns the measures taken by the Russian authorities to further curtail freedom of expression and freedom of assembly through the closure of almost all remaining independent news organisations, the intensifying crackdown on civil society, the harsh repression of peaceful protests and severe restrictions on access to social media. It deplores the fact that, as a result, the Russian population is deprived of information from independent sources and is exposed only to State-controlled media that amplify a distorted narrative of the war.

12. These tragic events confirm the relevance of and continuing need for the Council of Europe as a value-based intergovernmental organisation working to promote democracy, human rights and the rule of law. Through its numerous bodies and institutions, and in accordance with its remit and mission, the Council of Europe should be on the front line in providing assistance and expertise to support Ukraine and Ukrainians.”

360. The Assembly called on the Russian Federation to cease hostilities against Ukraine and immediately, completely and unconditionally withdraw its military forces from the territory of Ukraine within its internationally recognised borders; comply strictly with its obligations under human rights and international humanitarian law; refrain from attacks against civilians; comply with the interim measures indicated by the European Court of Human Rights; not hinder the prompt delivery of humanitarian assistance; co-operate with the investigations and proceedings that had been initiated; ensure the safety and security of Ukraine’s nuclear facility; immediately release local representatives and activists; and ensure full respect for freedom of expression and association.

361. Taking into account all of the above and that the Russian Federation had committed serious violations of the Statute of the Council of Europe that were incompatible with the status of a Council of Europe member State, had not honoured its undertakings to the Council of Europe and had not complied with its commitments, the Assembly considered that the Russian Federation could no longer be a member State of the Organisation. The Assembly expressed the opinion that the Committee of Ministers should request the Russian Federation to immediately withdraw from the Council of Europe. If the Russian Federation did not comply with the request, the Assembly

suggested that the Committee of Ministers determine the immediate possible date from which the Russian Federation would cease to be a member of the Organisation.

(b) Resolution 2448 (2022) on Humanitarian consequences and internal and external displacement in connection with the aggression of the Russian Federation against Ukraine, 22 June 2022

362. The relevant parts of this Resolution read as follows:

“2. The Assembly strongly condemns the forced deportation by the Russian Federation of more than 1 million Ukrainians from the temporarily occupied territories of Ukraine to its territory under the guise of ‘peaceful evacuation’ and is struck by the fact that 183 000 children are among them.

...

6. The Assembly is impressed by the admirable efforts made by Ukraine, which, in addition to defending its territory and the values of freedom and democracy it holds dear, has to meet the needs of the 7 to 9 million displaced persons who have found refuge in regions hitherto relatively untouched by the war.

...

19. Understandably, people who have fled Ukraine face a dilemma of wishing to return as quickly as possible on the one hand and needing to integrate on the other. The Assembly recognises displaced persons’ desire for a safe, voluntary and dignified return, while being aware, just as they are, of the unstable security situation. It believes it is essential for people who have fled abroad to escape the war to find their place in the host society during their stay.

19.1 Therefore, as soon as possible and at the latest after completing their school year based on the Ukrainian curriculum, children should be encouraged to attend school in the country in which they are living at the beginning of the 2022 school year. The summer holidays could provide an opportunity to prepare them for starting school in their host country. The language education and linguistic integration tools for children developed by the Council of Europe should be used systematically. On their return to Ukraine, the learning acquired should be recognised by the Ukrainian school system. Access for their children to pre-school facilities is also very important for many women arriving with young children, for whom the lack of this type of childcare would make their integration and access to the labour market even more difficult.

19.2 The Assembly is also aware that access to employment in host countries remains a major challenge for refugees from Ukraine, in particular with regard to the recognition of their qualifications. It welcomes the efforts already undertaken to strengthen the abilities of professionals in qualification recognition in order to facilitate the efficient, professional and fair processing of Ukrainian qualifications, and is pleased that the European Qualifications Passport for Refugees can assist refugees and host governments in the near future. Already, 16 European countries have joined this Council of Europe project and the Assembly encourages others to do so in order to assess the qualifications of Ukrainian people who have been forced to flee the war, even in the absence of full documentation.

19.3 Local authorities, in co-operation with Ukrainian diaspora organisations and other civil society representatives, should support the opening of ‘Ukrainian houses’, integration centres for displaced Ukrainian people to better facilitate their socialisation

and psychological assistance, as well as their linguistic preparation with a view to employment; national authorities should facilitate the resolution of the housing problems faced by displaced Ukrainian persons, including through programmes to partially subsidise rental costs.

19.4 An assessment of the needs, both material and psychological, of those who go back to Ukraine should be carried out by the relevant bodies and international support programmes to ensure that these people do not face hardship on their return.

19.5 Special online educational programmes for Ukrainian children should be funded so that they can continue their education according to the Ukrainian system.

20. The Assembly is concerned about the mining of Ukraine's territory by Russia in the context of creating conditions for the safe return of displaced persons and calls for intensified efforts to assist Ukraine in accelerating the demining process of its own territories.”

(c) Resolution 2452 (2022) on Ensuring accountability for the downing of flight MH17, 23 June 2022

363. This Resolution read, in so far as relevant:

“8. The Assembly is appalled by the failure of the Russian authorities to co-operate in good faith with the air safety investigation by the OVV and the criminal investigation by the JIT. Instead of providing reliable information to the competent investigative bodies, the Russian authorities spread disinformation, including successive contradictory versions of the events designed to create confusion. As demonstrated by open-source intelligence published in numerous reports, the Russian authorities even went so far as to submit manipulated radar, satellite and other data in order to obfuscate the truth. In particular, the versions according to which a Ukrainian Su-25 or MiG-29 fighter jet had shot down flight MH17 have been thoroughly disproved, as has been the version that a Ukrainian Buk missile fired from government-controlled territory was to blame. The Assembly calls on the Russian Federation to provide all satellite and radar data to the OVV and the JIT.

9. Disinformation by the Russian authorities and State-controlled media and the disrespectful treatment of the bodily remains of the crash victims by the military units controlled by the Russian Federation who were in control of the crash site have greatly aggravated and prolonged the suffering of the crash victims’ relatives and friends. In order to find closure, they desperately need to know the truth of what happened to their loved ones – and how and why – and they need a measure of accountability to be borne by the perpetrators.

10. The Assembly therefore calls on the Russian Federation to co-operate henceforth in good faith with the JIT by providing it with all the information requested and rectifying the falsified or otherwise misleading data already provided, and to formally apologise to the crash victims’ relatives and friends for the pain and suffering caused by earlier disinformation.

11. It commends the Dutch authorities for their important contribution to the international investigations and for their manifold support for the victims’ families and friends, providing them with as much information as possible without endangering the ongoing investigations and making psychological, legal and financial assistance available to them.”

364. In the explanatory memorandum to the draft resolution, the rapporteur noted Russia's unwillingness to cooperate with the investigations into the downing of flight MH17. The memorandum read, in so far as relevant:

“2.4. Different versions of the events spread by Russian authorities and media

43. The Russian Federation rejects the findings of the Dutch OVV, the accusations made by the JIT and the information and analysis published by Bellingcat outright.

44. In particular, the Russian Ministry of Defence stated that no Russian army missile system had ever crossed the Ukrainian border. At a press conference on 21 July 2014, the MoD presented satellite imagery to show that a Buk battery belonging to the Ukrainian military might have brought down MH17 (this was rebutted by Bellingcat, see above). At the same press conference, the MoD presented images purporting to show that the video showing the transport of a Buk battery through (separatist-held) Donetsk was in fact filmed in (government-held) Krasnoarmeysk, as evidenced by a billboard purportedly showing the address of a car dealership in this town. But in its article of 16 July 2015 ‘Russia’s Colin Powell Moment – How the Russian Government’s MH17 Lies Were Exposed’, Bellingcat convincingly established that the video was indeed filmed in Donetsk and that the images presented by the MoD were manipulated.

45. In June 2015, Almaz-Antey (the State-owned Russian manufacturer of Buk missile systems) held a press conference in Moscow presenting the results of their own investigation into the destruction of MH17 which confirmed that it was hit by a Buk 9M38M1 surface-to-air missile armed with a 9H314M warhead. Shrapnel holes in the plane were consistent with that kind of missile and warhead, it said. Such missiles had not been produced in the Russian Federation since 1999 and the last ones were delivered to foreign customers. Almaz-Antey added that the Russian armed forces now mainly use a 9M317M warhead with the Buk system. It also said that Ukraine’s armed forces still had nearly 1 000 such missiles in its arsenal in 2005, when it held talks with Almaz-Antey on prolonging their lifespan. But the Russian military still has 9H314M warheads for Buk missiles, too. The Almaz-Antey study also postulates an alternative zone for possible launch sites.

46. To further bolster the thesis that a Ukrainian Buk brought down MH17, the Russian Ministry of Defence presented additional radar data ‘accidentally discovered’ in September 2016 during ‘scheduled maintenance’ which purports to show the missile coming from Ukrainian Government-held territory, namely from a field south of Zaroshchenske. But this radar data is considered inconclusive by the JIT and other international experts. Given the fact that Zaroshchenske itself and its surrounding areas were held by separatist forces around 17 July 2014, this location would have been an unlikely choice for the Ukrainian military to expose a vulnerable and valuable missile system. Also, the field south of Zaroshchenske was not within the area of possible launch sites depicted in the investigation by Almaz-Antey. Bellingcat, with the help of commercial satellite imagery of the same area at different times, demonstrated conclusively that satellite images provided by the Russian Ministry of Defence in support of its ‘Ukrainian Buk theory’ were misdated.

47. In an article dated 22 April 2016, Bellingcat published a detailed response by the Russian Ministry of Foreign Affairs to Bellingcat’s findings until then, followed by a rejoinder refuting the MFA’s replies point-by-point. The MFA’s reply to Bellingcat is the closest I could find in terms of an engagement of the Russian authorities with the findings of the various international investigations.

48. As to the purported ‘motive’ for Ukrainian forces shooting at an airliner mentioned by Russian sources – namely that Ukraine intended to shoot down a plane carrying President Putin (who was travelling around this time from Moscow to Warsaw) – experts pointed out that a missile fired from Zaroshchenske could not possibly reach a plane flying much further north between Moscow and Warsaw.

49. Another ‘version’ spread by Russian officials was that flight MH17 was shot down by a Ukrainian fighter jet. But that version was also widely rejected by international experts. The type of aircraft allegedly used (a SU-25 ground attack plane) was technically not capable of carrying out such a high-altitude attack, and the purported ‘witness’, Evgeny Agapov, who described how a Ukrainian pilot (Captain Voloshin) returned from a combat mission distraught and with a missile missing from its plane did not withstand scrutiny; nor did the radar and satellite imagery and the tweet of a Spanish air traffic controller in Kyiv presented in support of this version. Another variant of the ‘jet fighter version’ purportedly involved a Ukrainian MiG29 or SU-27 fighter jet, both of which are technically capable of high-altitude attacks. Russian State TV showed satellite images purporting to show MH17 and an approaching fighter jet. But a closer look at the images revealed that they were clearly manipulated: the Boeing in the picture did not have the Malaysian Airlines markings in the right place and the scale of the planes, in relation to features visible on the ground, was completely wrong.

50. In my above-mentioned letter, I asked the competent Russian authorities for clarification regarding the obvious contradictions between different ‘versions’ and supporting materials presented to the international investigators. I did not receive any answer. In light of all available information, it appears that the one or the other, if not all of the different ‘versions’ spread by the Russian authorities are false. Such misleading statements, let alone the presentation of manipulated radar and satellite data, clearly contravene the Russian Federation’s international obligations to co-operate in the establishment of the truth.

...

3. Conclusions and final comments

...

55. One of the key takeaways from my information visits is the unanimous view of all my interlocutors that the Russian authorities failed to provide data they must have in their possession, such as relevant primary radar data, and that they were generally not responsive or co-operative, but responded in a dilatory and formalistic manner. One mutual legal assistance request from the Netherlands to interrogate certain individuals in the Russian Federation was refused outright, with the tell-tale explanation that answering it would run against the interests of the Russian Federation. I was told that the information submitted by the Russian Federation was never sufficient or complete; sometimes it was even wrong. They had ‘only bad memories’, and the Dutch OVV even discovered an attempt to hack into its server emanating from a Russian location. My Dutch interlocutors expressed their frustration with the ‘bad faith’ of their Russian counterparts in even stronger terms than the Ukrainian officials who, in light of their previous experiences, had clearly not expected any better from the Russian Federation. By contrast, the Dutch and Ukrainian officials were all pleased with the level of co-operation they received from each other.”

(d) Resolution 2495 (2023) on Deportations and forcible transfers of Ukrainian children and other civilians to the Russian Federation or to temporarily occupied Ukrainian territories: create conditions for their safe return, stop these crimes and punish the perpetrators, 27 April 2023

365. The relevant parts of this Resolution stated:

“1. ... The forced displacement of Ukrainian civilians, particularly of children from an early age up to 17 years, to the Russian Federation or within temporarily occupied Ukrainian territories, is an especially serious feature of this aggression ...

2. The United Nations, the Council of Europe, the European Parliament and the Organization for Security and Co-operation in Europe have firmly condemned, over recent months and weeks, the practice of forcible transfer and deportation of civilians, in particular children, by the Russian Federation. While imposing these practices, the Russian Federation often forces Russian citizenship on them, which also leads to violation of the children’s right to identity and promotes illegal adoptions of Ukrainian children by Russian families. Such practices are prohibited under international humanitarian, human rights and criminal law and deserve prosecution as war crimes and crimes against humanity. In the case of forcibly transferred children, the crime of genocide has reared its head and must be thoroughly investigated and prosecuted.

3. The Ukrainian authorities and national and international human rights organisations are working intensively to document and investigate the forcible transfer and deportation of civilians and to find, support and extricate the victims and reunite them with their families and home environments. Their efforts are hampered by the extremely difficult, hostile context and conditions of subterfuge under which the Russian Federation is applying these practices.

4. The practice of unlawful deportations of Ukrainians to the Russian Federation from the temporarily occupied territories in the Donetsk and Luhansk regions had started before the Russian Federation’s full-scale aggression against Ukraine began on 24 February 2022, taking the form of deportation to the Russian Federation of children from orphanages and of children with disabilities from specialised institutions. These practices have intensified and evolved further since that date and are clearly being planned and organised in a systematic way, within the framework of a State policy. They involve all levels of political decision making from the top down and implementation by administrative bodies and State institutions of the Russian Federation, especially as regards the forcible transfer, deportation and indoctrination of Ukrainian children.

5. In determining the extent and scale of the forcible transfers and deportations, precise figures are difficult to establish given the ongoing aggression, lack of access to the temporarily occupied territories of Ukraine and subterfuge on the part of the Russian Federation as to the circumstances of forcible transfers and deportations and the current whereabouts of the victims. Nonetheless, various sources and data demonstrate that many thousands of Ukrainians are victims of such practices and that the human cost and consequences of these practices, today and for the future, are immense. As of mid-April 2023, the Ukrainian Government stated that it had collected reports of over 19 384 children classified as “deported” to the Russian Federation, only 361 of whom have since returned home, according to the authorities. Therefore, there are still many thousands of children and other civilians whose fate must be clarified.

6. The Parliamentary Assembly condemns the actions of the Russian authorities in violation of their obligations under international humanitarian law, which consist in unjustified delays in the repatriation of children and obstacles to the reunification of

families separated as a result of this armed conflict. It also condemns the violation of the rights of deported Ukrainian children to preserve their identity, defined by the United Nations Convention on the Rights of the Child (Article 8), by the practice of forced acceptance of Russian citizenship and placement of children for upbringing in the families of citizens of the Russian Federation.

7. Despite the difficulties in establishing definitive data on numbers involved or on the current fate of the victims, the evidence indicates various practices which are widely reported by victims and witnesses and which point to systematic policy by the Russian Federation. These include:

7.1 through the deliberate targeting and destruction of civilian infrastructure, extreme pressure being exerted by the Russian military and Russian-affiliated officials to force Ukrainian civilians to flee hostilities with only the option of relocation to the Russian Federation, to Russian-occupied territories of Ukraine or to Belarus;

7.2 ‘filtration’ of Ukrainian civilians by the Russian military and Russian-affiliated officials, including intrusive searches of their bodies and belongings, aggressive interrogation and the extraction of vast amounts of personal and biometric data. In some cases, civilians have been subjected to torture and ill-treatment; many have been detained and some have disappeared, according to family members;

7.3 the forcible transfer of children to the Russian Federation and within temporarily occupied territories of Ukraine, to be placed in foster families, Russian-run orphanages or residential facilities, including ‘summer camps’, and the facilitation of adoption of such children by Russian families. This includes orphans and children with disabilities, as well as children who have been moved either with or without their parents and children whose parents have agreed to let the occupying authorities transport them to ‘holiday’ camps from which they have never returned;

7.4 the practice of ‘re-education’ of the children thus removed from their homes and families, both in residential facilities and in foster or adoptive families. This practice is called ‘russification’, which implies a prohibition from speaking the Ukrainian language or expressing in any way their Ukrainian identity and culture, compulsory exposure to the Russian language and culture through classes, blanket exposure to the prevailing propaganda through the media, teaching of the Russian version of history, visits to ‘patriotic’ sites, military training and denigration of the Ukrainian language, culture and history. In some cases, children have been (often falsely) informed that their parents have died; most have no means of knowing where they are or how to contact their families or obtain any help, and many suffer from bullying and psychological harassment.

8. The organised and systematic nature of the practices involved and the similar characteristics of such operations, both geographically (across different temporarily occupied regions) and over time (including before the full-scale aggression which began in February 2022), point to the conclusion that these crimes are neither random nor unplanned. These crimes indicate an intention to destroy Ukraine and the Ukrainian identity as well as the cultural and linguistic characteristics of its people. The forcible transfers, unlawful deportations and ‘re-education’ of children, who are especially vulnerable and in need of protection, are abhorrent in their aim of annihilating the children’s every link to and feature of their Ukrainian identity.

...

17. The Assembly calls upon the Russian Federation to:

17.1 as concerns the particularly urgent situation of Ukrainian children in the hands of the Russian Federation, cease immediately and unconditionally unlawful forcible transfer and deportation of Ukrainian children to the Russian Federation, Belarus or within temporarily occupied Ukrainian territories; halt any adoption procedures underway; stop the imposition of Russian citizenship; re-establish the children's links with their parents or carers and repatriate them to their homeland or release them to a safe third country;

17.2 provide representatives and staff of relevant United Nations bodies and other international human rights and humanitarian mechanisms and organisations, such as the International Committee of the Red Cross, with unhindered, immediate and safe access; provide reliable and comprehensive information about the number and the whereabouts of Ukrainian children; and ensure their dignified treatment and their safe return;

17.3 fully co-operate with the Committee on the Rights of the Child of the United Nations in the establishment of facts on the basis of the report submitted to the latter by Human Rights Watch in November 2022 on the review of Russia's compliance with the Convention on the Rights of the Child;

17.4 halt all practices linked to the process of 'filtration', unlawful deportation and forcible transfer of civilians and other protected persons from Ukrainian territories and release all those that are still in 'filtration' points; ensure that evacuation of civilians from danger zones is on the basis of their full knowledge and consent and with the option of relocating within Ukraine or to safe destinations of their choice."

4. *European Court of Human Rights*

(a) Press release issued by the Registrar, "The European Court grants urgent interim measures in application concerning Russian military operation on Ukrainian territory, ECHR 068 (2022)", 1 March 2022

366. On 28 February 2022 the Court received a request from the Ukrainian Government to indicate urgent interim measures to the Government of the Russian Federation, under Rule 39 of the Rules of Court, in relation to "massive human rights violations being committed by the Russian troops in the course of the military aggression against the sovereign territory of Ukraine". The request was registered under application no. 11055/22, *Ukraine v. Russia (X)*.

367. On 1 March 2022 the Court decided under Rule 39 of the Rules of Court to indicate to the Government of Russia that it should refrain from military attacks against civilians and civilian objects, including residential premises, emergency vehicles and other specially protected civilian objects such as schools and hospitals, and ensure immediately the safety of the medical establishments, personnel, and emergency vehicles within the territory under attack or siege by Russian troops.

368. The Court had regard to the military action which had commenced on 24 February 2022 in various parts of Ukraine and considered that it had given rise to a real and continuing risk of serious violations of the rights of the civilian population, in particular, under Articles 2, 3 and 8 of the Convention. The Court requested the Russian Federation to inform it as soon

as possible of the measures taken to ensure full compliance with the Convention.

- (b) Press release issued by the Registrar, “Decision of the Court on requests for interim measures in individual applications concerning Russian military operations on Ukrainian territory, ECHR 073 (2022)”, 4 March 2022**

369. On 4 March 2022 the Court decided to indicate to the Government of the Russian Federation, under Rule 39 of the Rules of Court, that, in accordance with its engagements under the Convention, notably in respect of Articles 2, 3 and 8, it should ensure unimpeded access of the civilian population to safe evacuation routes, healthcare, food and other essential supplies, rapid and unconstrained passage of humanitarian aid and movement of humanitarian workers.

- (c) Press release issued by the Registrar, “The European Court of Human Rights decides to suspend examination of all applications against the Russian Federation”, 16 March 2022**

370. On 16 March 2022 the Court decided to suspend the examination of all applications against the Russian Federation pending its consideration of the legal consequences of Resolution CM/Res(2022)2 (see paragraphs 350-351 above) for its work.

- (d) Resolution on the consequences of the cessation of membership of the Russian Federation to the Council of Europe in light of Article 58 of the European Convention on Human Rights, 22 March 2022**

371. On 22 March 2022 the Court, sitting in plenary session in accordance with Rule 20 § 1 of the Rules of Court, declared the following:

“1. The Russian Federation ceases to be a High Contracting Party to the Convention on 16 September 2022.

2. The Court remains competent to deal with applications directed against the Russian Federation in relation to acts or omissions capable of constituting a violation of the Convention provided that they occurred until 16 September 2022.

3. The suspension of the examination of all applications against the Russian Federation pursuant to the decision of the President of the Court of 16 March 2022 is lifted with immediate effect.

4. The present Resolution is without prejudice to the consideration of any legal issue, related to the consequences of the cessation of the Russian Federation’s membership to the Council of Europe, which may arise in the exercise by the Court of its competence under the Convention to consider cases brought before it.”

(e) Press release issued by the Registrar, “Expansion of interim measures in relation to Russian military action in Ukraine, ECHR 116 (2022)”, 1 April 2022

372. On 16 March 2022 the Government of Ukraine asked the European Court of Human Rights to indicate to the Government of the Russian Federation a number of interim measures in addition to those which the Court had indicated on 1 March 2022. On 24 March 2022 the Court invited the Government of the Russian Federation to provide their comments on those requests and to reply to a number of specific questions relating to the requests. The Government of the Russian Federation have not provided any replies to those requests.

373. On 1 April 2022 the Court reiterated its interim measures of 1 and 4 March 2022. As to the interim measure of 1 March 2022, the Court considered that it should be understood to cover any and all attacks against civilians, including with the use of any form of prohibited weapons, measures targeting particular civilians due to their status, and the destruction of civilian objects under the control of Russian forces. The Court further indicated to the Government of the Russian Federation, under Rule 39 of the Rules of Court, that evacuation routes should allow civilians to seek refuge in safer regions of Ukraine.

5. Council of Europe Commissioner for Human Rights

Statement “Justice needed for residents of Bucha and all other victims of the war in Ukraine”, 6 April 2022

374. Dunja Mijatović, the then Council of Europe Commissioner for Human Rights, stated that the images of lifeless bodies of civilians, brutally killed in Bucha, rendered her speechless. They provided a haunting illustration to shocking reports of violations of human rights and breaches of international humanitarian law, such as summary executions, abductions, torture, sexual violence, and attacks against the civilian infrastructures, committed in areas of Ukraine previously under the control of Russian troops.

375. The Commissioner further asserted that the terrible acts committed against the civilian populations of Bucha, Borodyanka, Trostyanets and many other cities might have constituted war crimes.

6. European Commission for Democracy through Law (Venice Commission)

Opinion on the law on supporting the functioning of the Ukrainian language as the state language, no. 960/2019 (CDL-AD(2019)032) of 9 December 2019

376. This opinion summarised Ukrainian laws governing language policy in the following way:

“9. Several articles of the Ukrainian Constitution deal with the protection of linguistic rights and freedoms. Article 10 is the key provision from this perspective, as it lays down the basic/constitutional principles for the operation of languages in Ukraine: ‘The State language of Ukraine shall be the Ukrainian language. The State shall ensure comprehensive development and functioning of the Ukrainian language in all spheres of social life throughout the entire territory of Ukraine. Free development, use, and protection of Russian and other languages of national minorities of Ukraine shall be guaranteed in Ukraine. The State shall promote the learning of languages of international communication. The use of languages in Ukraine shall be guaranteed by the Constitution of Ukraine and shall be determined by law.’

...

19. In 2012, the Ukrainian Parliament adopted the Law on the Principles of the State Language Policy. The Venice Commission had the occasion to examine in 2011 two draft versions of that law. In its March 2011 opinion, the Commission found the draft unbalanced, as its provisions were disproportionately strengthening the position of the Russian language, without taking appropriate measures to confirm the role of Ukrainian as the State language, and without duly ensuring protection of other regional and minority languages. It questioned the preferential protection conferred on the Russian language in the Ukrainian context where the use of Russian is already an everyday fact and expressed concern that, based on such an approach, the draft might increase existing linguistic divisions in the country rather than decrease them.

...

22. In the aftermath of the Euromaidan protests in February 2014, the Ukrainian Parliament voted for the abrogation of this Law, but this abrogation was not signed by the then acting President of Ukraine. The 2012 Law was nevertheless declared unconstitutional by the Constitutional Court in February 2018 on the ground that the procedure for the consideration and adoption of the Law established by the Constitution was violated. The legal situation after the cancellation of the 2012 Law until the adoption of the State Language Law in 2019 is unclear.

23. On 5 September 2017, the Parliament adopted the Law on Education, which regulates in its Article 7 the use of languages in education. Article 7 (which is reflected in Article 21 of the State Language Law) establishes different regimes for the teaching of and in the languages of indigenous peoples of Ukraine, the official languages of the EU, and the languages of national minorities which are not the official languages of the EU.”

7. Committee of the Parties to the Council of Europe Convention on the protection of children against sexual exploitation and sexual abuse (“the Lanzarote Committee”)

Statement of 26 September 2023 regarding cooperation by the Russian Federation in the context of the questions addressed to it under Rule 28 of the Rules of Procedure (T-ES(2023)16_en)

377. The relevant parts of this statement read as follows:

“The Lanzarote Committee:

- notes that the communications received from the Russian Federation on 28 July and 15 September 2023 in response to the questions addressed to it by the Committee under

Rule 28 of its Rules of Procedure on special reports and urgent situations contain merely a partial response to only one of the questions posed;

- deplores the lack of appropriate response in a matter of such urgency and importance, contrary to Article 38 of the Convention. By not co-operating with the Committee, the Russian Federation deprives it of the possibility to effectively fulfil its role under the Convention and thwarts the achievement of the ‘common goal of protecting children against sexual exploitation and sexual abuse’ as set out in the preamble to the Convention;

- expresses concern that the Ukrainian children who have been unlawfully transferred or deported to the Russian Federation or to the areas temporarily controlled or occupied by it may be at risk of sexual exploitation and sexual abuse; to immediately return these children and reunite them with their families would reduce such a risk;

- urges the Russian Federation to co-operate fully with the Committee, in conformity with its obligations under the Convention, by providing an effective response to the questions addressed to it on 2 June 2023. Failure to do so will amount to a clear situation of non-compliance with those obligations;

- declares more generally that it remains ready to consider, under the Convention and the Rules of Procedure, any relevant and credible information concerning cases of sexual exploitation and sexual abuse of unlawfully deported and transferred children brought to its attention.”

8. Committee of Experts of the European Charter for Regional or Minority Language

Statement of 26 June 2023 (MIN-LANG (2023) 15)

378. On 26 June 2023 the Committee of Experts of the European Charter for Regional or Minority Languages published a statement on the legal framework for the implementation of the European Charter for Regional or Minority Languages in Ukraine, which included the following comments:

“The Committee of Experts finds unacceptable the instrumentalization by the Russian Federation of the presence of Russian as a minority language in Ukraine as a pretext for aggression.

...

The Committee of Experts underlines that, according to the Charter, the teaching in and of minority languages is without prejudice to the teaching of Ukrainian, whichever the model chosen.”

I. European Union (EU)

1. European Parliament

- (a) **Regulation (EU) 2022/838 of the European Parliament and of the Council of 30 May 2022 amending Regulation (EU) 2018/1727 as regards the preservation, analysis and storage at Eurojust of evidence relating to genocide, crimes against humanity, war crimes and related criminal offences**

379. This Regulation referred to there being “a reasonable basis to believe that crimes against humanity and war crimes have been and are being committed in Ukraine in the context of the current hostilities”. Pursuant to the amendments, the operational functions of Eurojust included supporting member States’ action in combating genocide, crimes against humanity, war crimes and related criminal offences, including by preserving, analysing and storing evidence related to those crimes and related criminal offences and enabling the exchange of such evidence with, or otherwise making it directly available to, competent national authorities and international judicial authorities, in particular the International Criminal Court. Under the amended regulation, Eurojust was authorised to establish an automated data management and storage facility for that purpose. The amendments also authorised Eurojust to process and store satellite images, photographs, videos and audio recordings for that purpose.

(b) Resolutions

- (i) *Resolution of 16 December 2021 on the situation at the Ukrainian border and in Russian-occupied territories of Ukraine (2021/3010(RSP))*

380. The relevant parts of this Resolution read as follows:

“The European Parliament,

...

B. whereas against the backdrop of a crisis on the EU-Belarusian border, the Russian Federation has been steadily increasing its military presence along the borders of Ukraine, amassing a current total of around 100 000 troops, and in the Donetsk and Luhansk areas of Ukraine that are currently occupied by Russian-backed forces, and has significantly increased the scale of its military activities in occupied Crimea, as well as in the Black Sea basin; whereas this military build-up was confirmed by recent commercial satellite imagery; whereas the recent build-up is considered to be more substantial than the previous military build-up of spring this year;

C. whereas US intelligence reports assess that Russia could this time be deploying up to 175 000 troops by early 2022; whereas these offensive developments may be interpreted either as preparations for a multi-front military offensive aggression or as a threat to use force against neighbouring Ukraine with the aim of interfering with the latter’s sovereignty and political independence, which is in contradiction with the Russian Federation’s international obligations; whereas Aliaksandr Lukashenka has announced full-scale support for Russia in the event of military action against Ukraine;

D. whereas the recent movements of Russian troops near the Ukrainian border have been matched by enhanced interference and disinformation campaigns by Russian proxies and media outlets in the EU, Ukraine and Russia itself; whereas such hybrid tactics have included an increase in denigrating content towards NATO and Ukraine, attempts to assign the blame for potential future Russian military escalation on Ukraine and NATO, and the spread of false narratives, including by President Putin and former President Medvedev personally;

...

G. whereas the presence of employees from the Russian private military company the Wagner Group alongside pro-Russian separatists in eastern Ukraine has been reported since 2014, beginning with around 250 fighters initially and now amounting to 2 500 individuals;

...

2. Condemns the current large Russian military build-up along the borders with Ukraine and rejects any Russian justification for it; recalls that this is the second such occurrence this year; underscores that this military build-up has been accompanied by a dramatic increase in belligerent rhetoric on the Russian side;

3. Demands that the Russian Federation immediately and fully withdraw its military forces, cease its threat against the territorial integrity of Ukraine, which has a destabilising effect for the whole region and beyond, stop all measures that further aggravate the conflict and de-escalate tensions in line with Russia's international obligations; emphasises the need for a peaceful political solution to the conflict;

4. Underlines that the Russian military build-up also presents a threat to the overall peace, stability and security of Europe and calls on Russia to abide by its international obligations, such as the principles and commitments of the Organization for Security and Co-operation in Europe (OSCE) on the transparency of military movements, including the Vienna Document[.]”

(ii) Resolution of 1 March 2022 on the Russian aggression against Ukraine (2022/2564(RSP))

381. This Resolution reads, in so far as relevant:

“The European Parliament,

...

1. Condemns in the strongest possible terms the Russian Federation's illegal, unprovoked and unjustified military aggression against and invasion of Ukraine, as well as the involvement of Belarus in this aggression;

2. Demands that the Russian Federation immediately terminate all military activities in Ukraine, unconditionally withdraw all military and paramilitary forces and military equipment from the entire internationally recognised territory of Ukraine, and fully respect Ukraine's territorial integrity, sovereignty and independence within its internationally recognised borders;

3. Underlines that the military aggression and invasion constitute a serious violation of international law, and in particular the UN Charter, and calls on the Russian Federation to return to fulfilling the responsibilities of a permanent member of the United Nations Security Council in maintaining peace and security and to respecting its commitments under the Helsinki Final Act, the Charter of Paris for a New Europe and

the Budapest Memorandum; considers the Russian invasion in Ukraine an attack not only against a sovereign country but also against the principles and mechanism of cooperation and security in Europe and the rules-based international order, as defined by the UN Charter;

4. Firmly condemns the Russian military's use of Belarusian territory, with the support of Belarusian forces, to launch a military aggression against Ukraine, and expresses deep concern about the risks posed by Belarus abandoning its neutrality and hosting the Russian military;

...

7. Urges continued diplomatic efforts to stop the Russian aggression against Ukraine and find a peaceful solution based on respect for Ukraine's sovereignty and territorial integrity and the principles of international law, as well as Ukraine's right to decide on future alliances without external interference; urges the Russian Federation to return to the path of dialogue and diplomacy in order to save the people in Ukraine and beyond, as well as its own people, from the scourge of war;

8. Denounces the unilateral recognition by the Russian Federation of the independence of the Russian-occupied areas of the Donetsk and Luhansk regions of Ukraine and urges all countries to refrain from joining it in this recognition; reiterates that the EU does not recognise and continues to condemn the illegal annexation of Crimea as a violation of international law and remains committed to fully implementing its non-recognition policy, including through restrictive measures and cooperation in international forums;

9. Categorically rejects the Russian rhetoric hinting at the possible resort to weapons of mass destruction, in the context of an already deteriorated and eroded global non-proliferation, disarmament and arms control architecture; reminds the Russian Federation of its international obligations and warns of the dangers of a nuclear escalation of the conflict; expresses concern about the Russian Federation raising the level of alert of its nuclear arsenal; reminds the Russian Federation that any provocations at the border of any Member State or attacks on vessels in the Black Sea basin may lead to further escalation of the conflict;

10. Expresses its inconsolable grief at the tragic loss of life and human suffering caused by the Russian aggression and stresses that attacks against civilians and civilian infrastructure as well as indiscriminate attacks are prohibited under international humanitarian law and therefore constitute war crimes;

...

15. Welcomes the swift adoption of sanctions by the Council with the aim of persuading the Russian Federation to cease its attacks against Ukraine; insists, however, in light of the latest attacks, including those against residential areas and civilian infrastructure, on the need to adopt additional severe sanctions;

...

20. Calls for an immediate and unconditional ceasefire; demands that channels of communication with Russia remain open and that the parties concerned be prepared for dialogue and negotiations until a ceasefire is in force and the war ended[.]”

(iii) Resolution of 15 September 2022 on human rights violations in the context of the forced deportation of Ukrainian civilians to and the forced adoption of Ukrainian children in Russia (2022/2825(RSP))

382. The relevant parts of this Resolution read as follows:

“The European Parliament,

...

B. whereas the Ukrainian Parliament Commissioner for Human Rights (Ombudsman) estimates that since 24 February 2022 more than 1 million Ukrainians have been forcibly deported to the Russian Federation, often as far as to the far east of Russia; whereas different sources indicate that these numbers are an underestimate, with the highest estimates putting the numbers at 2,5 million, and that the numbers are constantly increasing;

...

D. whereas the Office of the High Commissioner for Human Rights of the United Nations (OHCHR) verified the existence of so-called ‘filtration’, involving large-scale, compulsory, punitive, and abusive security screening that has resulted in numerous human rights violations against Ukrainian citizens; whereas Ukrainian civilians were effectively interned as they waited to undergo this process, which varied in duration from a few hours to almost a month; whereas during ‘filtration’, Ukrainian citizens are subjected to detailed interrogation, body searches, sometimes involving forced nudity, and torture; whereas in such circumstances, Ukrainian women and girls are at risk of sexual exploitation;

E. whereas the ‘filtration’ process is systematic and represents a mass illegal data collection exercise, providing the Russian authorities with vast amounts of personal data about Ukrainian civilians, including their biometric data; whereas this is a clear violation of the right to privacy and could put those subjected to it at risk of being targeted in the future;

F. whereas during this process, the Russian authorities often confiscate Ukrainian passports and coerce Ukrainians into signing agreements to stay in Russia, hindering their ability to return home, in an apparent effort to change the demographic make-up of Ukraine; whereas, in addition to forced deportations and adoptions, Russia in its geopolitical concept of ‘Russkij mir’ (‘Russian world’) in the occupied territories of Ukraine is conducting accelerated Russification;

G. whereas Ukrainian citizens who ‘fail’ the ‘filtration’ process are detained and transferred to Russian detention centres and penal colonies, and are at risk of grave harm, including torture and ill treatment, or are forcibly disappeared; whereas the OHCHR has documented credible reports of children being separated from their families when the accompanying adult did not pass the ‘filtration’ process;

H. whereas children fleeing the war, especially when unaccompanied, are at increased risk of violence, abuse and exploitation, as well as of going missing and falling victim to trafficking, especially when moving across borders, and girls in particular are at risk of gender-based violence;

I. whereas the Ukrainian Ombudsman, on 3 September 2022, claimed that more than 200 000 children had already been forcibly taken to the Russian Federation with the intention of making them available for adoption by Russian families and could verify the circumstances of the forced deportation of 7 000 Ukrainian children; whereas the Russian authorities are deliberately separating Ukrainian children from their parents

and abducting others from orphanages, other children's institutions and hospitals before putting them up for adoption inside Russia; whereas this action by the Russian Federation is systematic and large-scale in nature, and includes the eradication of the deportees' personal records, among other offences;

...

K. whereas once children are in the Russian-occupied territories or in Russia itself, the process of leaving or reuniting with their guardians is incredibly complex; whereas without formal procedures in place to return Ukrainian children to Ukraine or to reunite them with their guardians and caregivers, the process largely falls on individuals with support from local volunteers, NGOs and back-channel negotiations;

L. whereas on 25 and 30 May 2022, President Vladimir Putin signed decrees simplifying the procedure for granting Russian citizenship to Ukrainian citizens, including children without parental care, and for Ukrainian children's adoption by Russian families, thereby further complicating their return to Ukraine and facilitating the process of enforced assimilation of Ukrainian children; whereas hundreds of Ukrainian children have since received Russian citizenship and have been sent to new parents across the different regions of Russia;

...

O. whereas elderly people, persons with disabilities and other vulnerable groups appear to be at particular risk of becoming trapped in the Russian-occupied areas or in Russia, as they are often placed against their will in facilities such as nursing homes located in Russia or the Russian-occupied areas; whereas these facilities are closed institutions, and placing vulnerable people there fundamentally undermines their right to freedom of movement;

P. whereas Ukrainian citizens in Russia and the Russian-occupied territories face significant difficulties, such as a lack of the means of subsistence, the inability to exchange Ukrainian hryvnias or withdraw funds using bank cards, a lack of clothing and hygiene items, and the inability to contact relatives; whereas Ukrainian civilians are being forcibly relocated to economically depressed or isolated areas in Russia, often in Siberia, and left with no means of returning; whereas those who try to leave Russia often face difficulties crossing from Russia because they lack proper identification documents, having left them behind in Ukraine when fleeing the war or having had them confiscated by the Russian authorities;

...

2. Strongly condemns the reported atrocities committed by the Russian Armed Forces, their proxies and the various occupation authorities, in particular the forcible deportation of Ukrainian civilians, including children, to Russia, as well as Russia's abhorrent practices in the so-called 'filtration camps' where families are separated and those who are deemed 'unreliable' disappear;

3. Calls on Russia to fully abide by its obligations under international law and immediately cease the forced deportation and forcible transfer of Ukrainian civilians to Russia and the Russian-occupied territories, all forced transfers of children to the Russian-occupied territories and the Russian Federation, as well as any inter-country adoptions of children transferred from Ukraine's entire internationally recognised territory; calls on Russia to repeal all legislation facilitating the adoption of Ukrainian children;

...

5. Demands that the Russian Federation immediately provide information about the names, whereabouts and well-being of all Ukrainians detained or deported, and allow and enable the safe return of all Ukrainian civilians, including children, in particular those who were forcefully deported to the territory of the Russian Federation or to the Ukrainian territories currently occupied by the Russian Federation, by establishing safe channels of communication and travel;

...

7. Demands that Russia fully abide by its obligations and stop systematic ‘filtration’ operations, that it halt all ongoing biometric data collection and retention processes, delete illegally collected data and ensure that civilians can leave in safety and under international supervision to Ukrainian-controlled territory if they so choose; calls on Russia to abandon any attempts at Russification and at depriving Ukrainians of their national identity;

8. Emphasises that children separated from their parents during war or a humanitarian emergency cannot be assumed to be orphans and must be allowed and enabled to return and be reunited with their parents or legal guardians promptly;

9. Urges the authorities of the Russian Federation to immediately grant international organisations such as the OHCHR and UNICEF access to all Ukrainian children who have been forcefully deported to the Russian-occupied territories and Russia; calls on the Russian authorities to ensure the safety and well-being of Ukrainian children while in Russia and in the Russian-occupied territories, and to protect them from the dangers arising from the war and its consequences;

...

14. Strongly condemns the Russian Presidential decrees of 25 May and 30 May 2022;

15. Urges Russia to abandon its passportisation policy and allow Ukrainians to keep their original identification documents;

16. ... [N]otes that the forced relocation and deportation of Ukrainian children, including those from institutions, to the Russian Federation and the Russian-occupied territories and their forced adoption by Russian families is in breach of Ukrainian and international law, in particular Article II of the UN Convention on the Prevention and Punishment of the Crime of Genocide[.]”

(iv) Resolution of 23 November 2022 on recognising the Russian Federation as a state sponsor of terrorism (2022/2896(RSP))

383. This Resolution reads, in so far as relevant:

“The European Parliament,

...

1. Reiterates its unwavering support for the independence, sovereignty and territorial integrity of Ukraine, within its internationally recognised borders; reiterates its condemnation of Russia’s illegal, unprovoked and unjustified war of aggression against Ukraine; demands that Russia and its proxy forces cease all military actions, in particular the attacks against residential areas and civilian infrastructure, and that Russia withdraw all military forces, proxies and military equipment from the entire internationally recognised territory of Ukraine, end the forced deportations of Ukrainian civilians and the forced adoptions of Ukrainian children, release all the persons it has

detained in Ukraine and permanently cease violating or threatening the sovereignty, independence and territorial integrity of Ukraine;

2. Underlines that the deliberate attacks and atrocities carried out by the Russian Federation against the civilian population of Ukraine, the destruction of civilian infrastructure and other serious violations of human rights and international humanitarian law amount to acts of terror against the Ukrainian population and constitute war crimes; expresses its unreserved outrage at and condemnation of these attacks and atrocities and the other acts that Russia has committed in pursuit of its destructive political aims in Ukraine and on the territory of other countries; in the light of the above, recognises Russia as a state sponsor of terrorism and as a state which uses means of terrorism;

3. Reaffirms its unwavering solidarity with the people of Ukraine[;] ...

4. Calls for the EU and its Member States to develop an EU legal framework for the designation of states as sponsors of terrorism ...; calls on the Council to subsequently consider adding the Russian Federation to such an EU list of state sponsors of terrorism; calls on the EU's partners to adopt similar measures;

5. Calls for the EU and its Member States to take action to initiate a comprehensive international isolation of the Russian Federation, including with regard to Russia's membership of international organisations and bodies such as the United Nations Security Council, and to refrain from holding any formal events on the territory of the Russian Federation; calls for diplomatic relations with Russia to be reduced further and for contacts with its official representatives at all levels to be kept to the absolute minimum necessary; calls on EU Member States to close and ban Russian state-affiliated institutions, such as the Russian Centres for Science and Culture and Russian diaspora organisations and associations, which operate under the auspices and leadership of Russian diplomatic missions and promote Russian state propaganda around the world;

6. Calls on the Council to include the Wagner Group and the 141st Special Motorized Regiment, also known as the Kadyrovites, as well as other Russian-funded armed groups, militias and proxies such as those active in the occupied territories of Ukraine, on the EU list of persons, groups and entities involved in terrorist acts (EU terrorist list); welcomes the EU's decision of 13 December 2021 to sanction the Wagner Group itself, as well as eight individuals and three entities connected to it, under four different EU sanctions regimes; urges all countries to terminate their relationships with companies affiliated with the Wagner Group and to comply with their obligations under international law by holding to account all perpetrators of grave violations and abuses of human rights and violations of international humanitarian law committed on their territory;

7. Calls on the Council to take into account the Russian Federation's escalating acts of terror against the population of Ukraine and therefore to swiftly complete its work on a ninth sanctions package; calls on the Commission and the Member States to ensure swift implementation and strict enforcement of all sanctions;

...

9. Calls on the Council to expand the list of individuals targeted by the sanctions to include those involved in forced deportations, forced adoptions of Ukrainian children, the illegal 'referendums' in the Luhansk, Kherson, Zaporizhzhia and Donetsk regions, and the illegal 'elections' in Crimea and Sevastopol, as well as all members of State Duma parties who hold offices in elected parliaments at all levels, including at regional

and municipal levels; ... calls on the EU and its Member States to prohibit intentional public condoning or denial of Russia's military aggression and war crimes in any form;

...

11. Reiterates its firm demand that all persons responsible for committing, assisting or organising human rights violations, atrocities or war crimes in the context of Russia's war of aggression against Ukraine must be identified as swiftly as possible, prosecuted and held to account; calls for renewed support for the ongoing independent investigations of war crimes and crimes against humanity committed by Russia, which should ensure that those involved in planning, organising, committing or facilitating these crimes are individually held to account; calls on the EU and its Member States to provide the appropriate support for the establishment of a special tribunal dealing with the crime of aggression by Russia against Ukraine; calls on the Member States that have not yet done so to include the crime of aggression in their national law; fully supports the investigation launched by the ICC Prosecutor into the situation in Ukraine, the work of the Commission of Inquiry under the Office of the High Commissioner for Human Rights and the efforts of independent civil society organisations working to collect and preserve evidence of war crimes; encourages EU Member States to make even wider use of the principle of universal jurisdiction and to step up their support for international efforts to investigate and prosecute all the perpetrators of, and persons responsible for, war crimes in Ukraine; stresses the need for the EU to ensure the inclusion of a gender perspective in these investigations, including the prosecution of crimes of sexual violence against women, which can also constitute war crimes and crimes against humanity;

12. Calls on the Commission and the Member States to work towards the establishment of a comprehensive international compensation mechanism, including an international register of damage, and actively cooperate with the Ukrainian authorities on this matter; calls on the Commission and the co-legislators to complete the legal regime allowing for the confiscation of Russian assets frozen by the EU and for their use to address the various consequences of Russia's aggression against Ukraine, including the reconstruction of Ukraine and compensation for the victims of Russia's aggression;

...

15. Denounces the Russian occupation of the Zaporizhzhia power plant aimed at terrorising the Ukrainian population and condemns Russia for making power plants military targets[.]”

(v) Resolution of 19 January 2023 on the establishment of a tribunal on the crime of aggression against Ukraine (2022/3017(RSP))

384. The relevant parts of this Resolution read as follows:

“The European Parliament,

...

1. Reiterates its condemnation, in the strongest possible terms, of the Russian war of aggression against Ukraine, its unwavering support for Ukraine's independence, sovereignty and territorial integrity within its internationally recognised borders and its call on Russia to immediately terminate all military activities in Ukraine and unconditionally withdraw all forces and military equipment from the entire internationally recognised territory of Ukraine;

2. Emphasises that the Russian crime of aggression against Ukraine is a clear and undisputed breach of the UN Charter, which, in the interests of global security and the rules-based international order, cannot remain unanswered by the international community; reiterates its call on the Commission, the VP/HR and the Member States to support full accountability for all crimes committed by Russia and its allies and proxies during their war of aggression against Ukraine;

3. Underscores the urgent need for the EU and its Member States, in close cooperation with Ukraine and the international community, preferably through the UN, to push for the creation of a special international tribunal to prosecute the crime of aggression against Ukraine perpetrated by the political and military leadership of the Russian Federation and its allies and to find a legally sound, common way forward on this matter; believes that establishing such a tribunal would fill the large gap in the current institutional international criminal justice set-up and should be based on the standards and principles that apply to the ICC as set out in the Rome Statute;

4. Calls for the EU institutions and the Member States to work in close cooperation with Ukraine to seek and build political support in the UN General Assembly and other international forums, including the Council of Europe, the OSCE and the G7, for creating the special tribunal for the crime of aggression against Ukraine;

5. Considers that the establishment of the special tribunal would complement the investigative efforts of the ICC and its Prosecutor, as it would focus on alleged genocide, war crimes and crimes against humanity committed in Ukraine;

...

7. Underlines that, while the exact composition and methods of operation of the special tribunal remain to be determined, they will have to respect the highest criteria on transparency and impartiality; deems, furthermore, that the special international tribunal must have jurisdiction to investigate not only Vladimir Putin and the political and military leadership of the Russian Federation, but also Aliaksandr Lukashenka and the political and military leadership in Belarus, as an enabling state, from the territory of which and with the logistic support of which the Russian Federation is committing its war of aggression against Ukraine, as it falls under the description of a crime of aggression according to Article 8 bis of the Rome Statute;

...

10. Condemns the Russian practice of blocking any action at UN level aimed at holding it accountable for the war of aggression against Ukraine;

11. Emphasises the important role of a special tribunal on the crime of aggression against Ukraine in seeking justice for the Ukrainian people, in deterring other international actors from imitating Russia's illegal aggression and in facilitating the claim for reparations and any future reconciliation;

12. Invites the EU and the Member States, as well as their partners and allies, to engage in discussion on the legal possibility of using sovereign assets of the Russian state as reparations for the violations of international law by Russia in Ukraine, including potentially by denying such assets the protections of sovereign immunity or limiting such protections owing to the gross nature of these violations;

...

14. Supports the UN General Assembly recommendation as the first step towards the establishment by UN member states, in cooperation with Ukraine, of an international register of damage to serve as a record for future reparations[.]”

2. European Council

European Council conclusions on Russia's unprovoked and unjustified military aggression against Ukraine, 24 February 2022

385. The conclusions read, in so far as relevant:

“1. The European Council condemns in the strongest possible terms the Russian Federation's unprovoked and unjustified military aggression against Ukraine. By its illegal military actions, Russia is grossly violating international law and the principles of the UN Charter and undermining European and global security and stability. The European Council underlines that this includes the right of Ukraine to choose its own destiny. Russia bears full responsibility for this act of aggression and all the destruction and loss of life it will cause. It will be held accountable for its actions.

2. The European Council demands that Russia immediately ceases its military actions, unconditionally withdraws all forces and military equipment from the entire territory of Ukraine and fully respects Ukraine's territorial integrity, sovereignty and independence within its internationally recognised borders. The European Council calls on Russia and Russia-backed armed formations to respect international humanitarian law and stop their disinformation campaign and cyber-attacks.

3. The European Council deplores the tragic loss of life and human suffering caused by the Russian aggression. It stands in solidarity with the women, men and children whose lives have been affected by this unjustified and unjustifiable attack. It calls on Russia and Russia-backed armed formations to allow safe and unhindered humanitarian access and assistance to all persons in need.

4. The European Council also strongly condemns the involvement of Belarus in this aggression against Ukraine and calls on it to refrain from such action and to abide by its international obligations.

5. The EU has reacted swiftly and decisively to Russia's recognition of Ukraine's self-proclaimed separatist entities and deployment of its armed forces by adopting restrictive measures in response. The European Council today agrees on further restrictive measures that will impose massive and severe consequences on Russia for its action, in close coordination with our partners and allies.

...

7. The European Council reiterates its unwavering support for the independence, sovereignty and territorial integrity of Ukraine within its internationally recognised borders. It calls on all countries not to recognise the two self-proclaimed separatist entities and not to facilitate or in any way assist them.

8. The EU is united in its solidarity with Ukraine and will continue to support Ukraine and its people[.]”

3. *Council of the European Union*

(a) **Decisions concerning sanctions**

- (i) *Council Decision 2014/145/CFSP of 17 March 2014 and Council Regulation (EU) no. 269/2014 of 17 March 2014, both concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine*

386. On 17 March 2014, the Council adopted Decision 2014/145/CFSP providing for travel restrictions and for the freezing of funds and economic resources of certain persons responsible for actions which undermined or threatened the territorial integrity, sovereignty and independence of Ukraine, including actions on the future status of any part of the territory which were contrary to the Ukrainian Constitution, and natural or legal persons, entities or bodies associated with them. Those natural or legal persons, entities and bodies were listed in the Annex to that Decision.

387. With a view to ensuring the uniform application of above mentioned restrictions in all Member States, the Council adopted Regulation no. 269/2014, with the persons concerned listed in the Annex to that Regulation.

- (ii) *Council Decisions (CFSP) 2022/265 and 2022/267 amending Decision 2014/145/CFSP concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine and Council Implementing Regulations (EU) 2022/260 and 2022/261 of 23 February 2022 implementing Regulation (EU) no. 269/2014 concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine*

388. With the adoption of these amendments, on 23 February 2022 the Council adopted a package of measures to respond to the decision by the Russian Federation to proceed with the recognition of the non-government controlled areas of the Donetsk and Luhansk oblasts of Ukraine as independent entities, and the subsequent decision to send Russian troops into these areas. This became to be known as the “first sanctions package”.

389. Since then, by 20 May 2025, the Council has adopted a total of 17 packages of sanctions, which provide for EU restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine in respect of over 2,400 individuals and entities.

(iii) Council Decision (CFSP) 2022/1272 amending Decision 2014/145/CFSP concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine and Council Implementing Regulation (EU) 2022/1270 of 21 July 2022 implementing Regulation (EU) no. 269/2014 concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine

390. By virtue of this Decision and Regulation, the Council of the European Union added the Russian Presidential Commissioner for Children's Rights, Maria Lvova-Belova, to the list of persons who were subject to freezing of all funds and economic resources as a result of having been identified by the Council as being responsible for actions which undermined or threatened the territorial integrity, sovereignty and independence of Ukraine. The Decision and the Regulation read as follows:

“Maria Alexeyevna Lvova-Belova is a Presidential Commissioner for children's rights and initiated the simplification of the procedure for granting citizenship to orphaned children in Ukraine. She is one of the most involved persons in the illegal transportation of Ukrainian children to Russia and their adoption by Russian families. Maria Alexeyevna Lvova-Belova's actions violate the rights of Ukrainian children and infringe Ukrainian law and administrative order, therefore she is responsible for, supporting and implementing actions and policies which undermine the sovereignty and independence of Ukraine and stability and security in Ukraine.”

(b) Council Implementing Decision (EU) 2022/382 of 4 March 2022 establishing the existence of a mass influx of displaced persons from Ukraine within the meaning of Article 5 of Directive 2001/55/EC, and having the effect of introducing temporary protection

391. The relevant parts of this Implementing Decision read as follows:

“(1) On 24 February 2022, Russian armed forces launched a large-scale invasion of Ukraine at multiple locations from the Russian Federation, from Belarus and from non-government-controlled areas of Ukraine.

(2) As a result, substantial areas of Ukrainian territory now constitute areas of armed conflict from which thousands of persons have fled or are fleeing.

(3) ... The European Council also confirmed that the Russian government bears full responsibility for its act of aggression, which is causing human suffering and loss of lives, and that it will be held accountable for its actions. ...

(4) The Union has shown, and will continue to show, its resolute support for Ukraine and its citizens, faced with an unprecedented act of aggression by the Russian Federation. This Decision forms part of the Union's response to the migratory pressure resulting from the Russian military invasion of Ukraine.

(5) The conflict already has implications for the Union, including the likelihood of high migratory pressure on its Eastern borders as the conflict unfolds. As of 1 March 2022, more than 650 000 displaced persons had arrived in the Union from Ukraine through Poland, Slovakia, Hungary and Romania. Those numbers are expected to increase.

...

(7) Those figures show that the Union is likely to be faced with a situation that is characterised by a mass influx of displaced persons from Ukraine who are unable to return to their country or region of origin because of Russian military aggression.

...

(11) The object of this Decision is to introduce temporary protection for Ukrainian nationals residing in Ukraine who have been displaced on or after 24 February 2022 as a result of the military invasion by Russian armed forces that began on that date. ...

...

(21) In accordance with Directive 2001/55/EC, the duration of temporary protection should be for an initial period of one year. Unless terminated under the terms of Article 6(1), point (b), of that Directive, that period should be extended automatically by six monthly periods for a maximum of one year. ...”

(c) Council Implementing Decision (EU) 2024/1836 of 25 June 2024 extending temporary protection as introduced by Implementing Decision (EU) 2022/382

392. In accordance with Article 4(2) of Directive 2001/55/EC, the Council adopted Implementing Decision (EU) 2024/1836 further extending the temporary protection introduced by Implementing Decision (EU) 2022/382 until 4 March 2026. The Decision explained, as follows:

“(6) There are around 4,19 million displaced persons from Ukraine currently benefitting from temporary protection in the Union. The overall number of registrations of persons enjoying temporary protection has remained stable at around 4,19 million, with a slight constant upward trend, and with few persons reporting going home to Ukraine on a permanent basis. The situation in Ukraine does not allow for the return of displaced people to Ukraine in safe and durable conditions. The International Organization for Migration estimates that, as of March 2024, 3,6 million people are internally displaced within Ukraine. 80 % of all internally displaced persons reported having been displaced for 1 year or longer. ...

(7) Moreover, further arrivals on a large scale cannot be excluded, due to the difficult humanitarian conditions, broader volatility and the uncertainty of the situation in Ukraine as a result of Russia’s war of aggression, including intensified repeated air attacks against civilians across the country. The risk of escalation persists. ...”

4. Eurostat

Beneficiaries of temporary protection at the end of the month by citizenship, age and sex – monthly data

393. According to Eurostat, by September 2022, 3,894,775 Ukrainian nationals had been granted temporary protection in EU member States. By February 2024, this figure had risen to 4,226,085.

5. *EU news items*

- (a) **Press release of the Council of the European Union “EU adopts package of sanctions in response to Russian recognition of the non-government controlled areas of the Donetsk and Luhansk oblasts of Ukraine and sending of troops into the region”, 23 February 2022**

394. On 23 February 2022 the Council of the European Union adopted a package of measures to respond to the decision by the Russian Federation to proceed with the recognition of the non-government-controlled areas of the Donetsk and Luhansk Regions of Ukraine as independent entities, and the subsequent decision to send Russian troops into these areas. The package included targeted restrictive measures, restrictions on economic relations with the non-government-controlled areas of the Donetsk and Luhansk Regions and financial restrictions.

- (b) **Press statement “European Council conclusions on the Russian military aggression against Ukraine”, 24 March 2022**

395. On 24 March 2022 the European Council held an exchange of views with the President of the United States on transatlantic cooperation in the context of the Russian military aggression against Ukraine. The European Council urged Russia to urgently guarantee safe passage to civilians entrapped in all war zones to a destination of their choice and to immediately release all hostages.

396. The European Council stated that Russia’s war of aggression against Ukraine “grossly violate[d]” international law and had caused massive loss of life and injuries to civilians. The European Council also stated that Russia had been “directing attacks against the civilian population and ... targeting civilian objects, including medical facilities, schools and shelters”.

397. The European Council noted that the Russian military aggression against Ukraine had forced millions of people to flee their homes.

- (c) **Press statement by the Council of the European Union “Ukraine: Declaration by the High Representative on behalf of the EU on Russian atrocities committed in Bucha and other Ukrainian towns”, 4 April 2022**

398. On 4 April 2022 the European Union condemned in the strongest possible terms the reported atrocities committed by the Russian armed forces in a number of occupied Ukrainian towns that had been liberated. According to the statement, images of a large number of civilian deaths, casualties and destroyed property had shown the true face of the Russian war of aggression against Ukraine. The European Union expressed its support for all measures aimed at ensuring accountability for human rights violations in Ukraine by the Russian armed forces.

(d) Statement from the European Commission President, Ursula von der Leyen, following her phone call with President Zelenskyy concerning the Commission's reactions to the atrocities in Bucha, 4 April 2022

399. On 4 April 2022 the European Commission President spoke with the Ukrainian President about the dreadful murders that had been uncovered in Bucha. The European Union expressed its readiness to reinforce the efforts to collect evidence and investigate crimes against humanity by sending the investigation teams on the ground to support the Ukrainian prosecution services.

(e) Press statement by the European Council "Report by President Charles Michel to the European Parliament plenary session", 6 April 2022

400. On 6 April 2022 the President of the European Council, Charles Michel, expressed outrage at crimes against humanity against innocent civilians in Bucha and in many other Ukrainian cities. He stated that this was yet further proof of Russian brutality against the people of Ukraine. Charles Michel further asserted that the European Council was already supporting every effort to collect evidence.

(f) Briefing note from the European Parliament "EU sanctions against Russia 2025: State of play, perspectives and challenges", February 2025

401. By January 2025, the EU member States had adopted fifteen sanctions packages in swift succession in response to Russia's actions in Ukraine from February 2022. Each package had amended and broadened the scope of sanctions regimes adopted from 2014 onwards. The sanctions included individual "targeted" sanctions applicable to almost 2,400 individuals and entities considered to have undermined or threatened, by their actions, the territorial integrity of Ukraine.

J. Organisation for Security and Co-operation in Europe (OSCE)

1. Minutes of special meetings of the OSCE Permanent Council

(a) Minutes of the 1359th plenary meeting of 27 February 2022

402. On 27 February 2022 the OSCE Permanent Council held a special meeting concerning the Russian Federation's ongoing aggression against Ukraine. The following parties made statements: the Russian Federation, the European Union (with the candidate countries Albania, Montenegro and North Macedonia; the European Free Trade Association countries Iceland and Liechtenstein, members of the European Economic Area; as well as Georgia and Ukraine, in alignment), the United Kingdom, Canada, Türkiye, Albania, the United States of America, Norway, Belgium, Romania, France, Georgia, Austria, Latvia, Switzerland, Lithuania, Germany, the Republic of Moldova, San Marino, the Netherlands, the Czech Republic, Portugal,

Monaco, Italy, Malta, Bulgaria, Slovenia, Andorra, North Macedonia, Ireland, Estonia and Spain.

(b) Minutes of the 1361st plenary meeting of 7 March 2022

403. On 7 March 2022 the Permanent Council held a special meeting concerning the Russian Federation's ongoing aggression against Ukraine. The following parties made statements: the Russian Federation, Ukraine, Canada, the European Union, Türkiye, the United Kingdom, Switzerland, Georgia, the United States of America, San Marino, Liechtenstein, Montenegro and the Republic of Moldova.

(c) Minutes of the 1366th plenary meeting of 5 April 2022

404. On 5 April 2022 the Permanent Council held a special meeting concerning the Russian Federation's ongoing aggression against Ukraine. The following parties made statements: the Russian Federation, the European Union (with the candidate countries Albania, Montenegro and North Macedonia; the country of the Stabilisation and Association Process and potential candidate country Bosnia and Herzegovina; the European Free Trade Association countries Iceland and Liechtenstein, members of the European Economic Area; as well as Andorra, Georgia, Moldova, Monaco, San Marino and Ukraine, in alignment), Ukraine, the United States of America, the United Kingdom, Türkiye, Switzerland, Albania, Georgia, France, Iceland, Canada, Italy, Romania, the Republic of Moldova, Germany, Latvia and Japan.

(d) Minutes of the 1371st plenary meeting of 28 April 2022

405. On 28 April 2022 the Permanent Council held a special meeting concerning the Russian Federation's ongoing aggression against Ukraine. The following parties made statements: the Russian Federation, Ukraine, the European Union, the United States of America, the United Kingdom, Albania, Türkiye, Canada, Norway, Georgia, Iceland, Latvia and the Republic of Moldova. The Delegation of Ukraine stated that particular attention should be paid to the harrowing story of the forcible deportation to Russia of tens of thousands of Ukrainians from the temporarily occupied territories of Ukraine. The Ukrainian delegation called on the OSCE structures to closely monitor the forcible deportations.

2. Regular report to the Permanent Council for the period from 25 November 2021 to 19 May 2022 by the Representative on Freedom of the Media Teresa Ribeiro, 19 May 2022 (FOM.GAL/3/22/Rev. I/Corr.1)

406. In her third report to the Permanent Council, Ms Ribeiro stated that in the battle zones, media workers from Ukraine and from all over the world

had come to report. Journalists had been injured, abducted and attacked, and had even lost their lives. She mourned the committed media workers who had been killed while performing their duties.

3. OSCE press statements

(a) Press release “Head of OSCE Special Monitoring Mission to Ukraine on creation of humanitarian corridor in eastern Ukraine”, 4 February 2015

407. On 4 February 2015 the OSCE Special Monitoring Mission (SMM) to Ukraine reported that indiscriminate shelling around Debaltseve and other areas in eastern Ukraine had intensified, forcing innocent civilians to flee their homes. Many of them were in “mortal danger.” The Head of the OSCE SMM to Ukraine urged all sides in the strongest terms to stop the shelling of residential areas and all other military activities and to establish a temporary truce to allow for the immediate evacuation of the civilian population on humanitarian grounds.

(b) Press release “OSCE Special Monitoring Mission to Ukraine today monitors evacuation of civilians from Debaltseve”, 6 February 2015

408. On 6 February 2015 the OSCE SMM to Ukraine reported that its monitors had completed a full day of monitoring of the evacuation of civilians from the “heavily-shelled city of Debaltseve” after all sides had agreed to an eight-hour temporary truce. The truce allowed several hundred civilians to leave Debaltseve. While in Debaltseve, the mission had observed significant damage to civilian infrastructure and residences caused by artillery strikes.

(c) Press statement by Special Representative Heidi Grau after the regular meeting of the Trilateral Contact Group, 23 July 2020

409. On 23 July 2020 the Special Representative of the OSCE Chairperson-in-Office in Ukraine and in the Trilateral Contact Group, Ambassador Heidi Grau, announced that on 22 July 2020 the Trilateral Contact Group, with the participation of “DPR” and “LPR” representatives, had reached an agreement regarding additional measures to strengthen the ceasefire. The agreement had provided for the issuance and enactment of the ceasefire orders containing a number of ceasefire support measures from 00:01hrs (Kyiv time) on 27 July 2020.

(d) Press statement “Human impact of military action in Ukraine of increasing concern”, 25 February 2022

410. On 25 February 2022 the Director of the OSCE Office for Democratic Institutions and Human Rights (ODIHR), Matteo Mecacci, stated at the Winter Meeting of the OSCE Parliamentary Assembly that ODIHR was deeply concerned about the human impact of the military action initiated by the Russian Federation in Ukraine. There was already evidence of civilian

deaths and much suffering, with thousands of people displaced as they left their homes to seek safety.

411. The ODIHR called on the parties to the conflict to uphold the commitments they had made to human rights and fundamental freedoms and to observe all obligations under international humanitarian and human rights law.

(e) Press statement “OSCE mourns death of national mission member of the OSCE Special Monitoring Mission to Ukraine”, 2 March 2022

412. According to this news item, on 1 March 2022, Maryna Fenina, a national member of the OSCE SMM to Ukraine, had died as a result of shelling in Kharkiv. The OSCE Chairman-in-Office and Foreign Minister of Poland, Zbigniew Rau, and the OSCE Secretary General, Helga Maria Schmid, extended their most heartfelt condolences to Maryna’s loved ones.

(f) Press statement “OSCE Media Freedom Representative mourns journalists killed in Ukraine, warns of rapidly deteriorating safety situation for media workers”, 24 March 2022

413. The OSCE Representative on Freedom of the Media, Teresa Ribeiro, condemned the killing of Oksana Baulina, a journalist with *The Insider* investigative project, in Kyiv on 23 March 2022 and reiterated her serious concern about the safety of journalists in the context of the Russian military attack against Ukraine.

414. According to this news item, on 13 March 2022 a US journalist and filmmaker, Brent Renaud, who had been working in the region for *Time*, had been shot dead in the town of Irpin near Kyiv. On 15 March 2022 the Fox News cameraman Pierre Zakrzewski and journalist Oleksandra Kuvshinova had been killed by fire in Horenka, near Kyiv.

415. Ms Ribeiro further expressed her profound concern regarding the growing number of reports of disappearances and abductions of Ukrainian journalists.

(g) Press statement “OSCE Media Freedom Representative reiterates grave worries regarding safety of journalists in Ukraine”, 6 April 2022

416. On 6 April 2022 the OSCE Representative on Freedom of the Media, Teresa Ribeiro, expressed her deepest sympathies and condolences to the families of the well-known Ukrainian journalist Maksim Levin and the Lithuanian film director Mantas Kvedaravičius. On 2 April 2022 the Ukrainian Prosecutor’s Office had confirmed the death of Mr Levin, who had reportedly been killed by Russian military in the Kyiv region. Mr Kvedaravičius had been working in Mariupol, where, according to his colleagues and media reports, he was documenting the besieged city. Information about his death became public on 2 April 2022.

417. Ms Ribeiro further noted reports that at least three media workers had been injured while performing their journalistic duties. In addition, various reports also indicated continuing disappearances and abductions of Ukrainian journalists or their relatives by the Russian military.

(h) Press statement “Chairman-in-Office and Secretary General expressed regret that no consensus reached on extension of mandate of Special Monitoring Mission to Ukraine”, 31 March 2023

418. On 31 March 2022 the OSCE Chairman-in-Office and Polish Foreign Minister Zbigniew Rau, together with the Secretary General Helga Maria Schmid, expressed their sincere regret that no consensus had been reached on the extension of the mandate of the OSCE SMM to Ukraine. Mr Rau stated that he deeply regretted that it had not been possible to reach an agreement on the extension of the SMM’s mandate on account of the position of the Russian Federation. Mr Rau stressed that since its deployment in March 2014, the Mission had issued 2,432 daily reports and 242 spot reports.

K. North Atlantic Treaty Organisation (NATO)

1. Brussels Declaration on Transatlantic Security and Solidarity, 11 July 2018 (PR-CP(2018)094)

419. This Declaration was issued by the Heads of State and Government participating in the meeting of the North Atlantic Council in Brussels on 11-12 July 2018. It addressed NATO’s commitment to collective defence, defence spending, counterterrorism efforts and strengthening of partnerships with other countries and international organisations. Paragraph 22 of the Declaration stated:

“We fully support UNSCR 2166 concerning the downing of civilian flight MH-17 and call on the Russian Federation to accept its responsibility and to fully cooperate with all efforts to establish truth, justice, and accountability”.

2. Statement by NATO Heads of State and Government of 24 March 2022

420. On 24 March 2022 the Heads of State and Government of the thirty NATO Allies condemned Russia’s invasion of Ukraine and its attacks on civilians, including women, children and persons in vulnerable situations, and on civilian infrastructure.

3. Doorstep statement by the NATO Secretary General Jens Stoltenberg ahead of the meeting of NATO Ministers of Foreign Affairs on 6 and 7 April 2022

421. On 6 April 2022 the NATO Secretary General Jens Stoltenberg stated that the NATO Foreign Ministers were to meet on 6 and 7 April 2022

in order to address the war in Ukraine. He stated that “Russia [was] moving forces out of the north to reinforce them, to resupply them, to rearm them and then to move them into the east”. He also said that “President Putin’s aim [was] to try to control the whole of Donbas and to establish a land bridge”. Lastly, he stated that Mr Putin’s ambition was to control the whole of Ukraine and to rewrite the international order.

L. Multilateral political declarations and political statements by States

1. Press statement “G7 Leaders’ Statement in Brussels”, 24 March 2022

422. On 24 March 2022 the leaders of the G7 condemned Russia’s military aggression and the devastating attacks on the Ukrainian population and civilian infrastructure, including hospitals and schools. The G7 leaders emphasised Russia’s obligation to comply with the order of the ICJ to suspend the military operations it had commenced on 24 February 2022 in the territory of Ukraine.

2. Statement of the G7 Foreign Ministers “Russia’s war of aggression against Ukraine”, 7 April 2022

423. On 7 April 2022 the G7 Foreign Ministers and the High Representative of the European Union issued a joint statement condemning the violations of international law, including international humanitarian law and human rights law, committed by Russian forces in Bucha and other Ukrainian cities.

3. Political declaration of the Ministerial Ukraine Accountability Conference, 14 July 2022

424. On 14 July 2022 the Ukraine Accountability Conference took place in The Hague, coordinated by the Government of the Netherlands together with the Office of the Prosecutor of the International Criminal Court and the European Commission. The participants committed to working towards the establishment of a Dialogue Group on Accountability for Ukraine (“the Dialogue Group”) with the objective of promoting dialogue across the various relevant national, European and international accountability and documentation initiatives. The purpose was to achieve coherence, efficiency and effectiveness across the diverse range of actions currently being taken.

425. The representatives of the governments of Albania, Australia, Austria, Belgium, Colombia, Bosnia and Herzegovina, Bulgaria, Canada, Costa Rica, Croatia, Cyprus, Czechia, Denmark, Estonia, Finland, France, Germany, Georgia, Greece, Iceland, Ireland, Italy, Liechtenstein, Latvia, Lithuania, Luxembourg, Malta, Mexico, the Marshall Islands, Montenegro, New Zealand, North Macedonia, the Netherlands, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, Switzerland, Ukraine, the

United Kingdom and the United States agreed on the “Political Declaration of the Ministerial Ukraine Accountability Conference”, summarised below.

426. The participant States strongly condemned the acts of aggression of the Russian Federation against Ukraine and stated that all international crimes, such as war crimes and crimes against humanity, should be investigated and prosecuted in accordance with the relevant international standards. The participant States also condemned all forms of sexual and gender-based crimes and crimes against children, including conflict-related sexual violence, and all unlawful attacks on civilians and civilian objects, including medical personnel and facilities, schools and other educational institutions, and Ukrainian cultural heritage sites.

427. The participant States declared their commitment to work towards the establishment and definition of a Dialogue Group on Accountability for Ukraine, with the objective of promoting dialogue across the various national, European and international accountability and documentation initiatives relevant to the situation in Ukraine, as well as the identification of opportunities for enhanced coherence of action in those efforts.

4. Remarks by President Biden and President Duda of Poland at the briefing on the humanitarian efforts for Ukraine, 25 March 2022

428. President Joe Biden, at a meeting with the President of Poland, Andrzej Duda, pointed out that 10 million Ukrainian citizens had been displaced and 3.8 million people had fled abroad, including more than a million children. He also pointed out that there had been thousands of civilian casualties, that a million people were still in need of assistance, and that hundreds of thousands of people were cut off from help by Russian forces in places such as Mariupol. The President of Poland also stated that Poland had already welcomed 2.5 million people, including wounded and ill persons, who had undergone mental trauma after the experiences they had had.

5. Joint Statement of the Foreign Ministers Meeting on the conclusion of the work of the Core Group on the Establishment of a Special Tribunal for the Crime of Aggression against Ukraine (“Lviv Statement”), 9 May 2025

429. On 9 May 2024 the Ministers for Foreign Affairs and other representatives of the States participating in the Core Group on the Establishment of a Special Tribunal for the Crime of Aggression against Ukraine have adopted a joint statement, which was agreed in the presence of Kaja Kallas, High Representative of the Union for Foreign Affairs and Security Policy and Vice-President of the European Commission, and Michael McGrath, Commissioner for Democracy, Justice, the Rule of Law and Consumer Protection. In its relevant part, the statement reads as follows:

“Recalling United Nations General Assembly Resolution A/RES/ES-11/1 of 2 March 2022, entitled ‘Aggression against Ukraine’, which deplores in the strongest terms the aggression by the Russian Federation against Ukraine in violation of Article 2(4) of the Charter of the United Nations,

Recalling the United Nations General Assembly Resolution A/RES/ES-11/6 of 23 February 2023, entitled ‘Principles of the Charter of the United Nations underlying a comprehensive, just and lasting peace in Ukraine’, ...

We hereby declare the following:

1. We welcome the completion of the technical work on the draft legal instruments necessary to establish within the framework of the Council of Europe a Special Tribunal for the Crime of Aggression against Ukraine.

2. We reaffirm the critical importance of the Special Tribunal in delivering justice by holding accountable those who bear the greatest responsibility for this most serious international crime committed against Ukraine.

3. We underline that once established, in accordance with its Statute, the Special Tribunal will conduct its proceedings in full respect of international law and human rights, with the aim of securing accountability for the crime of aggression and strengthening the international legal order.

4. We express gratitude to all those who have actively contributed to the preparatory work on the draft legal instruments necessary for the establishment of the Special Tribunal, in particular the legal advisers participating in the Core Group.

5. We underline the central role of the Council of Europe in establishing the Special Tribunal and acknowledge the significant contribution of the European Commission and the European External Action Service, including their work on the draft Agreement between Ukraine and the Council of Europe on the establishment of the Special Tribunal, the draft Statute of the Special Tribunal, and the draft Enlarged Partial Agreement outlining the modalities of support for the Special Tribunal, including its funding and other administrative aspects.

6. We reaffirm our continued commitment to the process of establishing the Special Tribunal within the framework of the Council of Europe, to the swift commencement of its operations, and to supporting its effective functioning.

7. With a view to broadening international support for the Special Tribunal, we call upon other states and international organizations to join our efforts and actively support the Special Tribunal's activities.

8. Those of us who represent member States of the Council of Europe look forward to the meeting of the Committee of Ministers of the Council of Europe in Luxembourg on 13-14 May 2025, which will constitute the next step toward formalizing the establishment of the Special Tribunal within the framework of the Council of Europe.”

6. Türkiye

Turkish Foreign Ministry’s press release no. 120 of 6 April 2022 regarding images in the press from the Bucha and Irpin districts around Kyiv

430. In this press release the Turkish Foreign Ministry expressed its strongly negative attitude towards the massacre targeting innocent civilians which had taken place in Bucha and Irpin.

7. *United Kingdom (UK)*

(a) Ministry of Defence publication “Government to protect Armed Forces from persistent legal claims in future overseas operations”, 4 October 2016

431. On 4 October 2016 the UK Ministry of Defence published a statement on its website indicating that the UK government planned to protect its Armed Forces from excessive legal claims during overseas operations by introducing a presumption of derogation from the Convention. This move followed concerns about the impact of legal claims on operational effectiveness. The measures were to include time-limits for claims, penalties for vexatious practices, and crackdowns on exploitative legal deals. The aim was to support troops while ensuring high standards and adherence to the rule of law.

(b) Foreign Secretary’s speech “OSCE meeting on Russia’s military operation against Ukraine: UK Foreign Secretary’s statement”, 25 February 2022

432. On 25 February 2022, at a meeting of the OSCE, the UK Foreign Secretary Liz Truss remarked that Russia’s strikes had destroyed apartment blocks and had killed, wounded and displaced innocent civilians.

433. The Foreign Secretary condemned Russia’s invasion of Ukraine as an unprovoked breach of international law, the UN Charter and OSCE principles. According to Ms Truss, despite Russian denials and false assurances, the invasion revealed Russia’s insincerity and disregard for diplomacy. The speaker pledged unwavering support for Ukraine, rallying international allies to coordinate a response. Sanctions were announced to punish Russia economically and militarily, while reinforcing NATO’s eastern flank. The speaker warned that President Putin’s actions would have severe consequences, emphasising the need for unity in supporting Ukraine and upholding European stability and the rule of law.

(c) Ambassador to the OSCE, “Special OSCE meeting on Russia's ongoing aggression against Ukraine: UK statement”, 27 February 2022

434. On 27 February 2022, at a meeting of the OSCE, the UK Ambassador to the OSCE stated that Ukrainians had continued to flee the country. He pointed out that since the start of the invasion, more than 115,000 Ukrainians had fled to Poland, with the UN noting over 150,000 refugees into neighbouring countries generally.

435. The Ambassador condemned Russia’s disregard for international agreements and its aggression against peaceful Ukraine. He highlighted the humanitarian toll, including civilian casualties, the destruction of infrastructure, and the displacement of over 100,000 people. The Ambassador acknowledged the neighbouring countries’ efforts in receiving fleeing civilians and stressed the importance of supporting a safe passage for OSCE monitoring teams. He denounced the Russian military’s bombing of civilians

and destruction of infrastructure in Ukraine, highlighting the hypocrisy of labelling those actions as “demilitarisation” and “denazification”. He also expressed outrage at the disregard for IHL and the potential war crimes that had been committed. The Ambassador pledged support for Ukraine through sanctions, defensive assistance, and the pursuit of justice for war crimes. He affirmed solidarity with Ukraine and condemned Russia’s aggression, vowing to stand with Ukraine until its sovereignty was restored. The Ambassador emphasised Russia’s isolation on the international stage and called for the withdrawal of Russian forces, asserting that President Putin’s actions would ultimately fail.

(d) The UK’s statement at the OSCE meeting on Russia’s ongoing aggression against Ukraine, 10 March 2022

436. UK Minister Lord Ahmad in his statement mentioned the Russian forces’ airstrike on a maternity hospital in Mariupol. He called the attack “abhorrent, reckless and appalling”. Referring to UNICEF, he reported that at least thirty-seven children had been killed in Ukraine and fifty injured. He also mentioned evidence of Russian forces targeting evacuation corridors, with whole families killed as they attempted to run for safety. The Minister also highlighted the terrible humanitarian impact of the ongoing conflict.

(e) Article by the Foreign Secretary “The West must show Putin its collective strength”, 6 April 2022

437. The UK Foreign Secretary referred to the proof of war crimes having been committed in Bucha, including summary executions, mass graves, torture, sexual violence and attacks against civilian infrastructure.

438. The Foreign Secretary also advocated for NATO’s reinforcement in the East and investment in modern capabilities to confront emerging threats. She called for increased defence spending among NATO members and support for countries targeted by the Russian aggression. She also emphasised the need to isolate the Putin regime, stressing the superiority of free democracies, and urged collective determination to end the war in Ukraine for a safer world.

(f) The UK’s statement to the OSCE “Appalling attack on Kramatorsk railway station on 8 April 2022”, 11 April 2022

439. The UK Ambassador, Neil Bush, denounced the Russian rocket attacks on civilians at the Kramatorsk railway station on 8 April 2022, and vowed that those responsible would be held accountable. He stated that two Russian missiles had struck a crowd of reportedly over a thousand people waiting for trains at the Kramatorsk railway station to escape “Russia’s onslaught”. He also stated that over fifty people had reportedly been killed and over 100 injured.

(g) The UK's statement to the OSCE Special Permanent Council "Russia is violating International Humanitarian Law", 9 August 2022

440. The United Kingdom issued a statement denouncing Russia for the deaths of Ukrainian prisoners of war in Olenivka, insisting on providing access for humanitarian aid and international inquiries. The UK also addressed Russia's violations of IHL, referencing the second Moscow Mechanism report that had highlighted serious breaches by the Russian armed forces. It raised concerns about individuals facing illegitimate trials and expressed worry for current detainees. Additionally, it criticised the continuous missile attacks and voiced concern over the presence of Russian forces at the Zaporizhzhya Nuclear Power Plant. The UK also asserted that the Kremlin had consistently disregarded international law, whereas the international community had remained steadfast in its commitment to upholding it.

8. The United States of America (US)

(a) Media note by the US Department of State, "Evidence of Russian support for destabilization of Ukraine", 13 April 2014

441. According to this media note, on 12 April 2014 armed pro-Russian militants had seized government buildings in six cities in eastern Ukraine. As indicated in the note, those events suggested that in eastern Ukraine Russia had been repeating the tactics used in Crimea to undermine the sovereignty of Ukraine.

(b) Article by the American Forces press service, "Breedlove: Russian actions bring Europe to decisive point", 1 July 2014

442. According to this article, on 30 June 2014 the US Air Force General Philip Breedlove, NATO's Supreme Allied Commander for Europe, stated that the aggression of Russia against Ukraine had resulted in a crisis in European security.

(c) Article published on the U.S. Department of Defense website, "Moscow Should Be More Transparent About Activities near Ukraine", 10 November 2021

443. Quoting the Pentagon Press Secretary John F. Kirby, this article stated that Russian activities in eastern Europe were increasing, including a build-up of forces near the Ukrainian border. The Press Secretary described Russia's military activities as "unusual because of the size and the scope". The article also referred to a report by the Ukrainian Ministry of Defence published in early November 2021, according to which about 90,000 Russian troops were concentrated near the Ukrainian border.

(d) Article published on the US Department of Defense website, “Defense Official Says Russian Forces Ready to Launch Attack on Ukraine”, 23 February 2022

444. According to this article, a senior defence official had said that a large-scale Russian attack on Ukraine was imminent with about 80% of the Russian forces along the border of Ukraine and inside Belarus having moved to their forward positions. The article mentioned that overall, there were between 160,000 to 190,000 Russian troops facing off against Ukraine.

(e) Readout of President Biden’s call with President Zelenskyy, 1 March 2022

445. On 1 March 2022 President Joe Biden spoke with President Volodymyr Zelenskyy to discuss the escalation of Russia’s attacks on sites used by civilians in Ukraine, including the bombing near the Babyn Yar Holocaust memorial.

(f) Press statement “War crimes by Russia’s forces in Ukraine”, 23 March 2022

446. On 23 March 2022 the US Secretary of State Antony Blinken declared that the US government “assesse[d] that members of Russia’s forces ha[d] committed war crimes in Ukraine”.

447. Mr Blinken also stated that the Russian President Vladimir Putin’s unprovoked war on Ukraine had resulted in widespread violence, causing death and destruction, with over 2,400 reported dead in Mariupol alone and over 2,500 confirmed casualties across Ukraine. He also stated that there had been credible reports of indiscriminate attacks targeting civilians and atrocities committed by Russian forces: destruction of various civilian infrastructure, including apartment buildings, schools, hospitals and ambulances, leading to thousands of innocent civilian casualties. He added that the bombing of the Mariupol maternity hospital illustrated the deliberate targeting of civilians.

III. MATERIAL CONCERNING THE CRIMINAL INVESTIGATION INTO THE DOWNING OF FLIGHT MH17

448. The main body of evidence concerning the downing of MH17 flight has previously been summarised in the Annex A (A 1621-2067) on this case. The section below further complements (or may duplicate) the information included in Annex A and is not meant to be exhaustive.

A. Judgment of the first instance court of The Hague of 17 November 2022

449. On 17 November 2022 the first instance court of The Hague delivered a judgment in the criminal case pertaining to the downing of flight MH17 on 17 July 2014 in Ukraine, which had resulted in the death of 283 passengers and fifteen crew members. According to the judgment, the

defendants Mr Kharchenko, Mr Dubinskiy and Mr Girkin were sentenced to life imprisonment for causing the crash of flight MH17 and the murder of the 298 persons on board. The defendant Mr Pulatov was acquitted.

450. The court observed that the Russian Federation had denied any involvement in the MH17 disaster and had repeatedly presented falsified evidence in support of that denial:

“In the context of that denial, the authorities of the Russian Federation have repeatedly presented evidence that sought to show that the Ukrainian authorities, rather than the authorities of the Russian Federation, were responsible for the MH17 disaster. On several occasions, however, this so-called evidence was found to have been falsified or there were evident traces of manipulation.”

451. The court also acknowledged the limits of what it had been able to establish in terms of the facts of the case:

“The court notes ... that the actions of the crew of the Buk TELAR when launching the Buk missile at MH17 cannot be established on the basis of the case file. The case file also fails to identify who gave the instruction to launch a missile, and why that order was given.

...

The case file contains no information about what occurred in the Buk TELAR just before the Buk missile was fired. Therefore, the court cannot determine whether a civil aircraft was deliberately shot at or whether the missile was fired in the assumption that MH17 was a military aircraft.”

452. The judgment fully acknowledged the suffering of the relatives of the victims on board flight MH17. Those relatives had lost their partners, children, grandchildren, parents, grandparents, brothers, sisters, other close family members, and, in some cases, family members of several generations. The court considered it impossible to comprehend how it would have been for the relatives to learn that their loved ones had died as a result of the aircraft being downed, and for them to have to carry on afterwards. Referring to the various statements made by the relatives in writing and at the hearing, the court stated:

“These statements ... showed how terribly the victims are still missed in the lives of those left behind. The content of those statements, and the frank and personal way in which they were made or written, made a deep impression on the court. When considering the matter below, it is impossible for the court to do full justice to the many facets of the distress explained and described by the injured parties.”

453. The court identified the following additional elements that had aggravated the next of kin's suffering: the sudden nature of the victims' deaths; the uncertainty surrounding the exact circumstances in which those deaths had occurred; the intense media coverage of the disaster; the inaccessibility of the crash site; the lengthy process of recovering, identifying and returning the victims' remains, if any; the repeated confrontation with newly discovered remains over time, sometimes after the funerals or

cremations; and the stance of the accused in the proceedings. The judgment read, in so far as relevant:

“... [T]he injured parties were suddenly confronted with the death of their loved ones as a result of the flight MH17 disaster. After initial uncertainty as to whether their loved ones were indeed on board this flight and, if so, whether they had survived the crash, within days it became definitively clear to the injured parties that all 298 people on board had died as a result of the downing of flight MH17. It is unbearable for the injured parties that they must live with lingering uncertainty about what took place in the final moments on the aeroplane and to what extent their loved ones were aware of their fate.

...

One circumstance concerns the inaccessibility of the disaster site, not only to injured parties wishing to visit the place where their loved ones had died, but also to emergency workers. Flight MH17 came down in a conflict zone and emergency workers were denied access to the disaster site in that zone. This seriously hampered efforts to recover the victims and their belongings. The bodies of the victims lay exposed in the fields, open to the elements, for days, and in some cases for weeks or even months. Given the size of the disaster area, it was a long time before the victims' remains could be taken to a mortuary and identified. All this led to great uncertainty for the injured parties, who could do nothing but wait helplessly to see if their loved ones and their belongings would be recovered and then repatriated. Having to wait to hear whether a loved one had been found also delayed the grieving process.

Several statements made by injured parties also make plain that initially they were living with unimaginable uncertainty as to whether their loved ones would be recovered and, if so, whether the bodies were still intact. It was later found that in many cases only a single bone fragment or remains of some other type were recovered.

...

[I]n the case of two victims ... neither the bodies nor parts of them were ever recovered. It is also true that most of the remains that could be repatriated were unrecognisable and highly degraded, so that several injured parties were confronted with these remains when paying their last respects to their loved ones. Some of the remains were so degraded that it was no longer even possible to pay those last respects. This formed a barrier to the coping process.

In the same vein, the court also points out that, for several injured parties, more remains of their loved ones continued to be found over a period of time, so that they were process repeatedly confronted with these remains and – in some cases for those who so wished – another cremation, funeral or burial in a grave had to be arranged.

An injured party who lost several loved ones said the following in his written victim impact statement:

‘... We suffered intense aftershocks as we received identification messages about all four children 16 times over a 19-month period. That means the police tell you 16 times that the children, son, daughter-in-law and two grandchildren had died in the disaster, because remains of them had been found. Indescribably gruesome to hear that all together 220 little bits of all 4 children had been found in 16 times....’

An injured party who lost his son said the following when exercising his right to address the court:

‘...Weeks and months later [after the funeral], we were still being visited by the police ... to inform us about various items of his luggage, and parts of his remains that were

still being found or identified by DNA analysis. This felt like a never-ending story of pain and emotional suffering. It was like re-living, the horrible trauma, of his death once more, whenever these visits took place. ...'

...

It was almost impossible to escape news coverage of the disaster, some of it contradictory, accompanied by shocking photos or video footage of parts of the burning wreckage, the deceased victims and victims' possessions scattered around the area where pieces of flight MH17 came down. They also found it hard to ignore photographs and posts on social media. Moreover, some relatives were approached by media organisations – either online or through people who knew them – with requests to tell their stories. All this meant, and continues to mean, that relatives were faced with the disaster and its consequences time and again. This is evident, for example, in the following descriptions:

An injured party who lost his father describes the following in his written victim impact statement:

'... I formed a picture in my mind of the event and how my father felt on the plane and at the moment the plane hit the ground. I made that picture based on what I saw on television. I found the images extremely traumatising.... I don't want to be constantly confronted with MH17 and the death of my father without warning. That's not really possible... The images are still in my head and when I'm confronted with MH17 they appear more intensely... I've had help from a psychotherapist for the traumatising images, as well as for other things....'

An injured party who lost his daughter, two grandchildren and son-in-law describes the following in his written victim impact statement:

'... It's really bad that television coverage of MH17 always includes pictures of the field where the victims came down. Then I'm upset again for days. And I get dreams, where I see them falling....'

...

[T]he accused's stance in these proceedings increased the distress of the relatives. In addition to denying any involvement in the MH17 disaster, disclosing little and failing to cooperate with the investigation, they made negative statements regarding the MH17 disaster and circumstances surrounding the disaster on a number of occasions.

For example, Girkin called on the armed forces of the Donetsk People's Republic to hand in the victims' personal belongings to [DPR] headquarters by 23 July 2014 and said that valuables would be sent to the '[DPR] Defence Fund'. He further suggested that some of MH17's passengers were already dead before the crash and blamed Ukraine for the downing of MH17. A number of suspects contributed to the suggestion that had been circulated that MH17 was first shot down by another aircraft, which the separatists then fired at. None of the defendants have distanced themselves from those manufactured alternative accounts of the flight MH17 disaster, nor have they done anything to disclose the true course of events that led to the victims' deaths. All this has increased both the distress of the injured parties and their sense of injustice. The perpetrators have given no recognition to the injured parties, as they have not taken responsibility for the consequences of the disaster.

...

In addition, many other relatives have indicated that they would have liked to travel to the site of the MH17 crash, but that this was not possible given the security situation there, and that this factor has made the grieving process more difficult for them.”

454. The judgment particularly emphasised the continuing nature of the next of kin’s suffering. The court recognised that their suffering was still ongoing and would continue to be so:

“At a stroke, their life has been changed in a terrible way; a situation that persists to this day and will continue for ever.

...

The death of a member of their family is something that affects the injured parties every day and is something which they must learn to live. This is evident, for example, in the following descriptions:

An injured party who lost his three young daughters (aged seven, ten and twelve at the time of the disaster) described the following, among other things, when exercising his right to address the court (excerpt):

‘... On 17 July 2014, my daughters disappeared from my life forever ... I am a father without children. A childless father. Father’s Day has become one of the most terrible days of the year. For seven years now. And for every year to come ...’

...

The court infers from the substantiation provided that ... for many [injured parties] the consequences remain undiminished to this day ... [I]t can be concluded that the injured parties ... still experience all or some of the grave negative effects described above. They will all have to live with a painful loss and the effects of that loss.”

455. The court made awards to the victims’ relatives in respect of non-pecuniary damage on the ground that they had suffered serious psychological symptoms:

“On the one hand, these symptoms are the result of the death of their loved one(s), and on the other they are caused by the other circumstances described above which have, among other things, exacerbated the distress and (psychological) disorders already inflicted.”

456. The parties had the right to appeal against the judgment within fourteen days after it had been announced. As none of the parties appealed, the judgment became final under Dutch law.

B. The 2022 Joint Investigation Team (“JIT”)

457. On 25 March 2022, with the support of Eurojust, the relevant national authorities of Lithuania, Poland and Ukraine signed a Joint Investigation Team agreement to enable the exchange of information and facilitate investigations into war crimes, crimes against humanity and other core crimes.

458. On 25 April 2022 the Office of the Prosecutor of the International Criminal Court signed an agreement with the Prosecutors General of Lithuania, Poland and Ukraine to join the JIT.

459. On 31 May 2022, Estonia, Latvia and Slovakia became members, followed by Romania on 13 October 2022.

460. On 2 February 2023 the President of the European Commission, Ursula von der Leyen, announced the establishment of an International Centre for the Prosecution of the Crime of Aggression against Ukraine, based in The Hague, embedded in the JIT.

461. On 3 March 2023 the JIT's seven national authorities signed a Memorandum of Understanding with the United States Department of Justice.

462. On 5 October 2023, Europol joined the JIT.

463. On 29 February 2024, the mandate of the JIT was extended for a further two years.

1. JIT report "Findings of the JIT MH17 investigation into the crew members of the Buk TELAR and those responsible in the chain of command", 8 February 2023

464. The JIT presented the findings of the report at a press conference held on 8 February 2023 in The Hague. The report reflected in Chapter 2 the facts which were established by The Hague first instance court in a final and unappealable judgment on the basis of the JIT investigation, and which provided the point of departure for the report; in Chapters 3 to 6 it reflected the findings that arose from the JIT's detailed investigation into the precise origin of the Buk TELAR used to down MH17 (Chapter 3), the Buk TELAR's crew and their superior officers (Chapter 4), the individuals responsible for supplying the Buk TELAR (Chapter 5) and other individuals involved in the Buk TELAR's deployment (Chapter 6). Lastly the report set out why the JIT and the Dutch Public Prosecution Service saw no more grounds for further investigation or prosecution (Chapter 7). Below are several excerpts of the report.

465. The relevant parts of Chapter 2 read as follows:

2.4 Responsibility for deployment of Buk TELAR and launch of Buk missile

"...[T]he court held that the actions of the crew when firing the Buk missile at MH17 could not be established, nor could the identity of the individual who gave the order to fire. Furthermore, it could not be established whether the missile was deliberately fired at a civil aircraft, or whether it was launched in the belief that MH17 was a military aircraft ...

...

In the course of the investigation conducted over the past eight-and-a-half years, the JIT has been unable to find sufficient information regarding these three points

(deliberate attack versus mistake; the crew's actions when launching the missile; order to fire).

..."

2.5 Denial and obstruction by the Russian Federation

"Contrary to the established facts, the Russian authorities have to date denied any involvement in the conflict in eastern Ukraine in 2014. They also deny any involvement in the downing of flight MH17. In its judgment the district court established that on multiple occasions the Russian authorities presented falsified evidence in support of this denial:

The authorities of the Russian Federation, to which Almaz-Antey is affiliated, have - as the court has found above - wrongly denied any involvement in the conflict in eastern Ukraine. In addition, they have denied any involvement in the MH17 disaster. In the context of that denial, the authorities of the Russian Federation have repeatedly presented evidence that sought to show that the Ukrainian authorities, rather than the authorities of the Russian Federation, were responsible for the MH17 disaster. On several occasions, however, this so-called evidence was found to have been falsified or there were evident traces of manipulation.

This stance by the Russian authorities has also had an adverse effect on the investigation into the crew, their superior officers and those responsible for supplying the Buk TELAR to the DPR. It has not been possible to conduct any investigative activities in the Russian Federation, and questions about Russian involvement posed in the context of a request for legal assistance remain unanswered."

466. The relevant parts of Chapter 3 read as follows:

3. Origin of the Buk TELAR

"The district court established, on the basis of various evidence gathered by the JIT, that the Buk TELAR used to shoot down MH17 had come from the Russian Federation. The JIT conducted a detailed investigation into the unit to which this Buk TELAR belonged.

...

[T]he JIT concluded that the Buk TELAR that downed flight MH17 had come from the 53rd AAMB from Kursk in the Russian Federation."

467. The relevant parts of Chapter 4 read as follows:

4. Crew of the Buk TELAR and commanders

"In its judgment, the court not only noted that the Buk TELAR that shot down MH17 was from the Russian Federation, but also that it came to Ukraine with a crew. It also noted that, after the downing of MH17, the Buk TELAR returned with its crew to the Russian Federation. The JIT assumes that the crew and the Buk TELAR belonged to the same military unit."

4.4.1 Movement of Buk TELAR '3X2' and other Buk vehicles to the border region

"... In 2018, in a request for legal assistance, the Public Prosecution Service asked the Russian Federation where the Buk TELAR with vehicle number '3X2' was in the period between 23 June and 23 July 2014. This question remained unanswered.

According to the Russian authorities there was no evidence pointing to the presence of any Russian Buk TELAR in eastern Ukraine, and therefore there was no reason to answer the question about the whereabouts of the TELAR bearing the number '3X2' between 23 June and 23 July 2014.

..."

4.5 The Buk TELAR's target identification systems

"As part of the investigation into the question of why MH17 was downed, the JIT looked at the target identification options available to the crew of a Buk TELAR.

...

The investigation therefore did not provide clarity as to what target information the crew of Buk TELAR '3X2' had on 17 July 2014 when they fired the Buk missile. Nor did the investigation provide clarity regarding any possible assignment the crew was sent to Ukraine to carry out ...

..."

4.6.1 Brigade commander Muchkaev

"...In the criminal trial against Pulatov the court ordered that Muchkaev [the commander of the Russian 53rd Anti-Aircraft Missile Brigade (AAMB)] be interviewed as a witness. In response to a request by the examining magistrate, the Russian authorities indicated on 3 December 2021 that this interview could not take place, because they said the questions to be put to Muchkaev concerned 'military matters, to which a duty of confidentiality applies in accordance with Russian law' and an interview could 'compromise the state secrets of the Russian Federation'.

..."

4.6.5 Request for legal assistance sent to the Russian Federation

"Lastly, in a request for legal assistance in 2018 the Public Prosecution Service asked the Russian Federation to identify the crew members of the Buk TELAR with vehicle number '3X2' in the period from 23 June to 23 July 2014. The Russian authorities were unwilling to answer this question either, as according to them there was no evidence for the presence of any Russian Buk TELAR in eastern Ukraine.

..."

468. The relevant parts of Chapter 5 read as follows:

5.8. Summary [on the delivery of the Buk-TELAR]

"In an intercepted conversation in early June 2014, Aksyonov, the Russian leader of Crimea, spoke about a 'joint coordination centre' for Russian military support for the conflict in eastern Ukraine. In addition, it is clear from various intercepted conversations that during this period [the] decisions were being made at presidential level about such military support ...

On 8 June 2014 Girkin asked Aksyonov for broader military support, including 'decent anti-aircraft systems manned by trained personnel'. According to Aksyonov the necessary documents had already been drawn up at that time.

At some point in the second half of June, Aksyonov and Dyumin, the deputy head of the GRU, submitted a request for heavier anti-aircraft systems at a meeting at the

Russian Presidential Executive Office. This request was supported by Malofeev, an oligarch, and Surkov, a member of the Presidential Executive Office and adviser to Putin. This meeting was also attended by representatives of the FSB and the Ministry of Defence. The meeting resulted in the submission of the request for heavier anti-aircraft systems to Minister of Defence Shoigu and President Putin. This request was granted.

During this same period, from 14 to 19 June 2014, Borodai was in Moscow ... arranging ‘parcels and gifts’ for his fellow DPR fighters. ... [T]here was also another separatist in Moscow who took part in phone conversations about meetings and discussions regarding military support. It is unknown if heavier anti-aircraft systems, such as Buks, were mentioned in these discussions. Intercepted phone conversations show that shortly after their visit to Moscow, other heavier military materiel was delivered to the DPR, including artillery.

A short time later, on 23 June 2014, the Buk TELAR ‘3X2’ departed for the Russian-Ukrainian border from its home base in Kursk, as part of the second Buk battalion of the 53rd AAMB.”

469. The relevant parts of Chapter 7 read as follows:

7. Options with regard to investigation and prosecution

“The JIT investigation regarding the crew of the Buk TELAR used to down flight MH17, their superior officers, the parties responsible for supplying the weapon system and other parties involved in the weapon’s deployment on 17 July 2014 has now reached its limits. As things now stand, the JIT and the Dutch Public Prosecution Service have reached the following conclusions.”

7.1 Investigative options

“All the available telecom data of relevant individuals has now been analysed. The JIT has investigated this case as thoroughly as it reasonably can without the cooperation of the Russian authorities. In this connection, the investigation team has had to take account of the major security risks facing its sources.

Any new evidence in the investigation must be sought in the Russian Federation. In order to obtain new evidence the JIT would have to rely on the cooperation of the Russian authorities or Russian (insider) witnesses. Under the current Russian regime the latter are not able to speak freely, and would expose themselves to major security risks if they were to talk to the JIT. To this day, the Russian authorities continue to deny – contrary to the established facts – any involvement in the conflict in eastern Ukraine on and around 17 July 2014. Since that date, the Russian Federation has on multiple occasions presented – and provided to the JIT – falsified evidence exonerating itself. At other times, the Russian authorities have refused to provide information. For example, they refused to answer questions posed by the Public Prosecution Service in 2018 about the whereabouts of the Buk TELAR ‘3X2’ in the period from 23 June to 23 July 2014 and the identity of its crew members. They also refused to allow the 2021 request of the examining magistrate to examine the commander of the 53rd AAMB. Since the start of the JIT investigation the Russian authorities have publicly cast doubt on its findings. They did the same with the district court’s judgment of 17 November 2022. Relations with the Russian Federation have deteriorated further since the Russian invasion of Ukraine on 24 February 2022. There is now no prospect of receiving the kind of open-minded cooperation necessary to continue the investigation.”

7.2.1 Buk TELAR crew members and their superior officers

“The investigation into the crew of the Buk TELAR used to down MH17 produced second-hand information about the possible involvement of three former officers of the 53rd AAMB. This information is ambiguous, and thus far it cannot be confirmed to an adequate extent. Since it has not yet been possible to establish the identity of the Buk TELAR crew members, it is not possible to prove via this line of enquiry why they fired a Buk missile at MH17. It is equally impossible to establish whom they received which orders from. Nor could this information be found by other means. It therefore remains unclear what the crew’s superior officers in the Russian military chain of command knew about the downing of flight MH17 on 17 July 2014 or what degree of say they actually had regarding it. These superior officers included the commander of the 53rd AAMB, the Russian Minister of Defence and – as commander-in-chief – the Russian President.”

7.3 Conclusion

“After working for over eight-and-a-half years, the JIT sees no further scope for investigation. The investigation will therefore be suspended. The investigation produced various findings, but these do not provide any grounds for prosecuting new individuals. Although the investigation is being suspended, the JIT is not closing the case. New information or a change in circumstances may give reason to resume the investigation or institute new criminal proceedings.”

2. Press conference of JIT MH17 on 8 February 2023

470. The relevant parts of the transcript of the press conference presenting the findings of the JIT MH17 read as follows:

“We are meeting here today to update you, possibly for the last time, about the criminal investigation into the downing of flight MH17. This summer it will be nine years since 298 passengers lost their lives....

In 2016 and 2018 we told you about how the MH17 disaster came about, and in 2019 we explained that three Russians and a Ukrainian were suspected of being responsible for the downing of the aircraft.... On 17 November 2022 The Hague District Court found three of them – Igor Girkin, Sergei Dubinskiy and Leonid Kharchenko – guilty of downing flight MH17, resulting in the deaths of all 298 persons on board, and the murders of those persons. The court sentenced the three men to life in prison. The fourth defendant, Oleg Pulatov, was acquitted....

In addition to considering the culpability of members of the DPR, the JIT conducted a wide-ranging investigation into the crew of the Buk TELAR and the parties responsible for providing the weapon....

The investigation has now reached its limit: all leads have been exhausted. The investigation is therefore being suspended. At the present time the findings are insufficient for the prosecution of new suspects. We will be making the findings of the investigation public....

We will now present a summary of the report. We will be sharing the main findings of the investigation into the crew, their superiors and the parties responsible for providing and deploying the Buk TELAR....

This presentation is based on the facts established by the court in its judgment of 17 November. Specifically, the court held that:

- as of mid-May 2014, the Russian authorities exerted far-reaching control over the conflict being waged by the DPR;
- the Buk TELAR used to shoot down MH17 came from the Russian Federation, complete with a crew;
- everyone who made a contribution to the deployment of the Buk TELAR bears responsibility for the downing of MH17;
- the exact actions of the crew during the launch of the Buk missile at MH17 are unknown, nor is it known who gave the order to fire;
- to this day, the Russian authorities continue to deny any involvement in the conflict in eastern Ukraine and they have presented falsified evidence on multiple occasions.

The court also concluded that the images of the Buk TELAR captured in Ukraine on 17 and 18 July 2014 are authentic. As a result, they could be used for identification purposes.... The JIT was able to establish that this weapon system was from the Russian 53rd Anti-Aircraft Missile Brigade in Kursk.

In order to determine why flight MH17 was shot down, an investigation was conducted into the identity of the crew and their superiors.... This is why we first looked at the composition and organisation of the 53rd Brigade, which consists of approximately 700 people: conscripts, contract soldiers and officers....

In 2014, Colonel Sergei Muchkaev was in charge of the 53rd Brigade. According to Russian military law, as commander he was responsible for carrying out operational missions and keeping track of his units' position. At that time Muchkaev was under the command of the Chief of the General Staff of the Russian armed forces and the Russian Minister of Defence, Sergei Shoigu. Both are subordinate to the President of the Russian Federation, Vladimir (*sic*) Putin.... That concludes the matter of formal authority, which is not necessarily the same thing as *de facto* control over the deployment of the Buk TELAR.

We will begin by focusing on various deployments of the 53rd AAMB in the summer of 2014. With the help of transport orders found in electronic mailboxes of several individuals, including officers of the 53rd AAMB, we were able to gain insight into the movement of equipment and personnel from the Brigade's base to the border region with Ukraine, at three points in time: from 23 June, 15 July and 19 July 2014.... The orders revealed that this convoy took two days to travel to its final destination at the Ukrainian border....

The orders contain no information about the objective of the deployment near the Ukrainian border. A document from 2017 from the commander of the 53rd AAMB refers to 'strategic exercises on unknown terrain' in 2014.

On 17 July 2014, the Buk TELAR that shot down MH17 was captured on film multiple times. This visual material reflects what was discussed in intercepted telephone conversations. Images of the TELAR helped shed light on the involvement of Girkin, Dubinskiy and Kharchenko. The last image of the Buk TELAR was captured on the morning of 18 July, in Luhansk.... [T]he investigation was unable to establish what happened to the TELAR after it arrived in Russia.

This brings us to the crew. The orders concerning the first convoy, which included Buk TELAR '3X2', contain no information about the accompanying crew. Documents from the second convoy show that as of 15 July at least 193 military personnel belonging to the 53rd were deployed to the same border region. ...

It is not possible to confirm Muchkaev's presence in the border region around the time of the downing of MH17. It was not possible to question him during the criminal proceedings because Russia would not allow it.

All military personnel of the 53rd AAMB for whom there were indications that they may have been in the border region when the Buk TELAR was deployed were investigated further. Of that number, 35 officers were considered capable, on the basis of their rank and position, of operating a Buk TELAR. Seven other soldiers were found to have worked as a Buk TELAR operator or as the driver of a Buk vehicle. These findings do not, however, rule out the possibility that there were other officers with the same skills, or operators or drivers, in the border region....

In summary, a total of three names of officers emerge who may have been involved in the downing of MH17. However, to date the investigation has not been able to find any further confirmation of this. The Russian authorities have refused to answer any questions about the crew, as they maintain that there was never any Russian Buk TELAR in eastern Ukraine....

We will now consider how the Buk TELAR was supplied to the DPR. ...

... There is also specific information showing that a request to supply the separatists with heavier anti-aircraft systems was submitted to Putin and that the request was granted. Other sources as well point to the president's personal involvement in the conflict in eastern Ukraine, mainly in a behind-the-scenes capacity. For example, although on 24 June 2014 Putin publicly asked the Russian Federation Council to rescind the resolution that gave him the authority to conduct a military intervention in Ukraine, it remained abundantly clear to the DPR that the Russian president was still involved in the conflict. There are also indications that Putin wished to be briefed in detail about the course of the conflict, for example the downing of a Ukrainian helicopter.

... The JIT previously also conducted an investigation into the parties responsible for the deployment of that Buk TELAR on 17 July 2014. Girkin, Dubinskiy and Kharchenko have already been convicted, but the investigation has looked at other individuals as well. One of them is the aforementioned Borodai.... No conversations involving Borodai or Burlaka about the downing of MH17, or the request for, delivery or removal of the Buk TELAR were intercepted. Nor is there any evidence that Borodai was in the vicinity of Girkin and Dubinskiy when they were dealing with the removal of the Buk."

471. The JIT concluded the press conference as follows:

"Now we will talk about the opportunities for investigation and prosecution. The JIT's investigation has reached its limits. As things now stand, this leads to the following conclusions:

All relevant and available telecom data has now been analysed. The JIT has investigated everything it can without the cooperation of the Russian authorities and without jeopardising people's safety. Any further evidence must be sought in the Russian Federation. And for this the JIT is dependent on the cooperation of the Russian authorities or Russian (insider) witnesses. Such witnesses cannot speak freely and would expose themselves to major security risks if they were to talk to the JIT. To this day, the Russian authorities continue to deny – contrary to the established facts – any involvement in the conflict in eastern Ukraine on and around 17 July 2014. On multiple occasions the Russian Federation has provided the JIT with falsified evidence exonerating itself. At other times the authorities simply refused to provide any information. The Russian authorities have also publicly cast doubt on the court's

judgment. Relations with the Russian Federation have deteriorated further since the Russian invasion of Ukraine on 24 February 2022.

The investigation's findings to date do not provide sufficient grounds for prosecution. There are either formal obstacles to a prosecution, or the necessary lawful and convincing evidence is lacking. We will explain that shortly.

First, let's consider the crew of the Buk TELAR and their superiors. These military superiors include the commander of the 53rd AAMB, the Minister of Defence and – as commander-in-chief – the Russian president.

Second-hand information was obtained about the possible involvement of three current or former officers of the 53rd AAMB. This information is ambiguous, and thus far it cannot be confirmed to an adequate extent....

As the district court held, in the circumstances in question it may be assumed that 'anyone who helped facilitate the deployment of this weapon' had both intent and premeditation in respect of unlawfully causing the crash of flight MH17 and the death of everyone on board.

There are strong indications that a decision was made at presidential level, by president Putin, to supply the DPR with the Buk TELAR, or in any event, a heavier air defence system. Although we speak of strong indications, the high bar of complete and conclusive evidence is not reached.... Under Dutch law, heads of state cannot be prosecuted for any offence whatsoever, even war crimes. This immunity applies for as long as Putin is head of state.

The investigation into the decision-making about provision of the missile produced other names besides Putin, including Aksyonov, Surkov, Dyumin and Shoigu. In the case of Aksyonov, Surkov and Dyumin there are indications that they supported the request for a heavier air-defence system and arranged for it to be submitted to Shoigu and Putin. The question is whether, in doing so, they also have a criminal responsibility for the deployment of this weapon. In any event, they had no actual decision-making power about whether to provide a Buk TELAR. That authority lay at a higher level. In order to determine whether they were sufficiently helpful in facilitating the eventual deployment of the Buk TELAR that their actions constituted criminal aiding and abetting, further and more concrete evidence is needed. There is therefore insufficient evidence as yet to hold them criminally liable for the downing of MH17. ...

This brings us to the parties involved in the actual deployment of the Buk TELAR. The investigation did not uncover any concrete instructions given by Russian generals or other Russian officials regarding the deployment of the Buk TELAR.

There were, however, indications of a direct, de facto chain of command between FSB general Burlaka and DPR leaders Borodai and Girkin. It is not clear whether Burlaka was involved in a criminal capacity in the deployment of the Buk TELAR. ...

This brings us to the conclusion of this presentation.

After more than eight-and-a-half years, the JIT has exhausted all scope for investigation. The investigation will therefore now be suspended. Despite the complex context, the JIT achieved a great deal. The findings of the investigation do not provide sufficient grounds for the prosecution of new individuals. This does not mean, however, that the JIT is closing the case. The phone line for witnesses and the MH17 website will remain active, so that any insider witnesses who might wish to tell their story in the future will be able to do so. With this in mind, the JIT agreement will also be renewed. New information or a change in circumstances may give reason to resume the investigation or institute new criminal proceedings.

The bar for establishing individual criminal liability is high. At present we cannot reach that bar for the various individuals discussed, but the picture that the investigation has given us of Russian involvement could play a key role in the state responsibility proceedings. We know that the answers to our questions can be found in Russia. As we have said many times before, solving these kinds of crimes takes patience and endurance....”

C. Legal proceedings in the International Civil Aviation Organization (ICAO) Council

472. In March 2022 Australia and the Netherlands have initiated legal proceedings in the International Civil Aviation Organization (ICAO) Council in Montreal under article 84 of the Convention on International Civil Aviation (Chicago Convention) against the Russian Federation for its role in the downing of flight MH17 on 17 July 2014. The role of the Russian Federation in the downing of flight MH17 is a violation of article 3 bis of the Chicago Convention, which requires States to refrain from the use of weapons against civil aircraft in flight.

473. In May 2023 the ICAO acting under article 84 of the Convention on International Civil Aviation (Chicago Convention) and the Rules for Settlement of Differences, confirmed it had jurisdiction in the dispute brought by Australia and the Netherlands against the Russian Federation for the Russian Federation’s role in the downing of flight MH17. On 15 March 2024, the ICAO Council decided to commence its consideration of the merits of the dispute and schedule a first oral hearing for June 2024.

474. On 17 June 2024 the Russian Federation announced its decision to terminate its participation in the ICAO proceedings on the basis that it did not acknowledge “the Council’s authority to entertain the allegations from Australia and the Netherlands, nor any decisions stemming from them”.

475. On 12 May 2025 the ICAO voted that the Russian Federation had failed to uphold its obligations under international air law in the 2014 downing of Malaysia Airlines Flight MH17. The ICAO agreed that the claims brought by Australia and the Netherlands as a result of the shooting down of Flight MH17 on 17 July 2014, were well founded in fact and in law and that, accordingly, the conduct of the Russian Federation in the downing of the aircraft by a surface-to-air missile over eastern Ukraine constituted a breach of Article 3 bis of the Convention on International Civil Aviation.

D. Victim impact statements before the first instance court of The Hague

476. The MH17 applicants provided the Court with a compilation of the victim impact statements which had been delivered by the relatives of the MH17 victims in the proceedings before the District Court of The Hague, proceedings which resulted in the judgment of 17 November 2022 (see

Annex A1964-1976 and above). The content of these statements is summarised below.

477. The death of their loved ones in this sudden and terrible way caused intense grief for the relatives. The relatives lost their partners, children, parents, grandchildren and other close family members, including, in some cases, family members of several generations. In an instant, their loved ones were torn from their lives, as a father who lost his three daughters put it, “without any goodbye, without hugs, without warning”. Their grief was further aggravated by the terribly tragic circumstances in which the victims’ death had occurred. The violent nature of their death, which made it even more painful for the relatives, was particularly emphasised.

478. Lost lives and futures were a dominant subject in most victim impact statements. Not only did the relatives deplore the lost lives of their loved ones and the futures that had been abruptly taken from them, but also the futures that they and the victims could have shared together but no longer would. As one relative put it, “all the memories that I wanted to make will no longer be made”. Many relatives mentioned that they had lost their life and future on 17 July 2014.

479. The victim impact statements described the aftermath of the crash as extremely traumatising. Many relatives recounted panic and frustration, which were exacerbated by the lack of information about the victims and the inability to contact the authorities to learn more. As one relative put it, “we had to wait for further details, hours and days, ... totally paralysed”. The next of kin also recounted living with aching uncertainty as to whether the bodies of their loved ones would be found and, if so, whether they would be intact.

480. It is evident from most statements that during the years following the disaster most relatives suffered re-traumatisation on multiple accounts. The most commonly referred reason for re-traumatisation was the attitude of the Russian authorities. Most statements made it clear that Russia’s refusal to take responsibility for the crash, obstruction of the investigations and spreading of disinformation had hurt a lot. Unable to establish the truth about what had happened, the relatives were left in a lingering quest for closure, which they found excruciating. As one relative put it, “if only they took responsibility and admitted it was all a horrible accident”. As another statement read, “I do not want a lot, I just want to hear that this was actually not intended ... this would help me so much”.

481. Another major reason for re-traumatisation was the exposure, up until years later, to the intense media coverage of the disaster. The relatives were repeatedly confronted, without warning, with news, images and video footage, which was described as devastating. As a daughter who lost her parents framed it, “they were no longer my parents, they were news items”. Some relatives were repeatedly approached by media representatives with requests to share their stories, making them feel as if their grief had been stolen from them. As one of the statements read, “my loss has become public

property ... why cannot my grief be my own and why should I have to share it?”

482. A few relatives mentioned a number of other distressing factors that also contributed to re-traumatisation, such as the arrival of the aircraft with the victims’ bodies. The memories of “the endless rows of coffins” were described as overwhelming and impossible to get away from.

483. The relatives described facing intense emotional and psychological impact of the disaster. All statements made plain that the negative effects of the victims’ death and its aftermath were not rooted in the past but had lasted since the day of the crash and continued to last years later.

484. Finally, all statements made it clear that the relatives wanted justice. As a mother who lost her child said, she did not wish to live in a world where a passenger plane had been shot down with the death of 298 people, and nothing happened. In that connection, many relatives expressed their gratitude for the criminal trial and trust in the thoroughness of the investigation.

E. Statements by and medical information concerning relatives of victims of flight MH17

485. These documents are personal statements by and medical reports concerning some of the relatives of the victims of flight MH17 in the applications *Ayley and Others v. Russia* (no. 25714/16) and *Angline and Others v. Russia* (no. 56328/18), together with newspaper articles based on the statements they had given to the press and photographs of their relatives who lost their lives.

486. The documents had initially been submitted to the Court by the MH17 applicants as an annex to their observations in the above-mentioned two applications and they were subsequently relied on and re-submitted to the Court by the Dutch Government together with their memorial of 2 October 2023. Some of the personal statements are addressed to the Court and some others are the victim impact statements submitted by the MH applicants to the first instance court of The Hague. In the statements the MH17 applicants describe their personal stories and experiences in the aftermath of the downing of flight MH17.

487. The medical reports detail the mental-health problems the MH17 applicants encountered on account of their suffering. Among the problems diagnosed by the medical professionals were post-traumatic stress disorder (PTSD); trauma-related disorder; adjustment disorder; major depressive disorder; depression caused by unresolved grief; depression with nihilistic delusions; stress-related disorder; chronic anxiety; intense grief which severely impacted their cognitive functioning; persistent complex bereavement disorder; dissociative characteristics; coping problems; prolonged grief; major grief; and other unspecified trauma-related disorders.

According to the reports, most of the relatives had sought help for their problems and received treatment, including medication and, in some serious cases, electroconvulsive therapy.

488. The medical professionals established that all of those mental-health problems had been caused as a result of the downing of the aircraft which had caused the deaths of their relatives and the surrounding and subsequent events. The following are extracts from some of the medical reports:

“...There is a causal link between the events of 17 July 2014 and the emergence of the patient’s mental health problems. The diagnosis can be attributed to the MH17 incident, during which [his two close relatives] died. The consequential damage inflicted by this loss has caused the patient visible mental and physical suffering. The ongoing news reports and the attitude taken by Russia during the investigations into the event have sustained these problems ... Furthermore, ‘moral injury’ has been suffered as a result of secondary traumatising. This is the result of Russia’s attitude, given its systematic denial that it was involved in this crime. [The] process of recovery is difficult. The prognosis is strongly influenced by this, and uncertain.”

“... [I]nitially, it was being confronted with the images on television, as a result of which flashbacks and unpleasant images arose and imposed themselves on [the patient’s] consciousness. As a result [the patient] was less able to concentrate (on school tasks and social tasks), [the patient] had sleeping problems and sometimes behavioural problems. All of this caused a stagnation in [the patient’s] general development.

The fact that no responsibility has been taken for this disaster gives [the patient] a feeling of powerlessness, and that enhances [the patient’s] sadness and anger. As a result [the patient] is less trusting of the people around ...

[The patient] has PTSD due to father’s death in the air disaster (MH17), which has had long-term negative consequences for [the patient’s] development. This appears to have had a negative effect on [the patient’s] cognitive, social and emotional functioning.”

“[The patient] suffers from PTSD. This manifests itself in, among other things, increased irritability, a short fuse, physical tension problems when reminded of the disaster or when seeing images in the media. [The patient] has become cynical. For a long time he escaped into his work, in order not to be reminded of the disaster. There is avoidance and a delayed grieving process. If [the patient] hears the Russian language (or something that sounds like Russian) he has a very strong reaction. He cannot bear it. [The patient] easily becomes emotional (unlike in the past).”

“[The patient] suffers from PTSD and prolonged grief. This manifests itself in, among other things, avoidance behaviour, anxiety, isolation and a constant feeling of stress. In addition [The patient] is listless. When [the patient] is confronted via the media with information about or images of this disaster, everything is stirred up again and she relives it once more.”

“The sessions involved the treatment of the traumatic experience associated with the deaths of the client’s sister, brother-in-law and nephew.

Russia’s attitude indeed both increased and extended the psychological damage. Above all the client’s inability to comprehend what happened and the large number of questions that remain unanswered to this day have made it impossible for her to truly complete the grieving process. To this day, the client still experiences the psychological problems associated with this lack of closure. These manifest themselves, for example,

in an inability to sleep well, incomprehension that there isn't more transparency and that the people responsible for this will ever be prosecuted, and in the client's conversations with her own children, who are also having to deal with the emotional impact of this tragic accident.

The accident left a deep wound, particularly in the period after the disaster, such as each time she received a new update and was informed, for example, that new pieces had been found, something that occurred 4 times. Every Wednesday, her mother would wait by the phone for news. The identification was made on the basis of pieces of the bodies. She has the sense that she had to say goodbye on 3 different occasions.

Russia's attitude indeed both increased and extended the psychological damage. Above all the client's inability to comprehend what happened and the large number of questions that to this day remain unanswered have made it impossible for her to truly complete the grieving process. To this day, the client still experiences the psychological problems associated with this lack of closure."

"[The patient] is now a 16-year-old boy, who I have known for a long time because of his PDD-NOS4 and who last year lost his mother in the MH17 disaster.

[The patient's] psychological suffering was definitely increased by the fact that all the developments surrounding the MH17 crash and the long aftermath are continually in the news...[The patient] continues to be confronted with the lengthy aftermath of the MH17 disaster and the death of his mother. I imagine not only that he is suffering from grief, but also that the development of posttraumatic stress disorder cannot be ruled out."

489. The following is a compilation of summaries of some of the statements provided by the MH17 families. Their identities and some other personal details have been omitted when summarising the statements:

"I wanted to say goodbye to my sister in person. When I went to identify my sister, I knew her body was not complete. At that point, only her upper body had been found. I first saw photos of her body and knew immediately that I was seeing my sister. After that time, I buried my sister ... A few months later, her lower body was found. I had that part of her body cremated, and it's in an urn at my house. I know that not all of my sister's body was found ... In the days following the crash of flight MH17, I followed the news a lot, hoping to find out as much as possible about why the aircraft carrying my sister had been shot down. Russia's attitude has made me very angry, especially after seeing my sister's body. Russia's dissembling, and the fact that I and others can do nothing about it, makes me very angry. If Russia had said immediately, we're sorry, it was a mistake – which I could even understand – it would have helped me. Then I could have drawn a line under what happened. Russia's failure to cooperate still makes me angry ...

As I couldn't function due to my mental health problems, I was dismissed from my job. After I was dismissed, I learned that I am seriously ill and don't have long to live. Bringing the proceedings before the ECtHR motivates me to keep on living. Before I leave this world, I want to know whether Russia will be held responsible for my sister's death. If that were to happen, it would give me peace.

The burden of suffering is severe."

"[I] lost my older brother and my sister-in-law ... At the airport, and after we got home, I saw lots of images in the media of the site of the crashed plane. I was conscious that my brother lay among the smouldering wreckage of the aircraft that I was seeing on TV. Then we saw the images of body bags lying outside in the heat, and later on the

train. I was then uncertain whether my brother was among them ... Via the media I saw the bodies of the victims lying outside in the searing heat and then – piled up – on the train. The TV also showed that the train carrying my brother's body was not allowed to leave, and it was said that the Netherlands was negotiating to get the bodies home as soon as possible. I found this disrespectful to my brother's body and to us as next of kin. I had assumed that when something like this happens, everything possible is done to treat the bodies with respect (refrigerated, in a coffin) and to bring them back to the Netherlands as soon as possible. It was very painful and frustrating to see this on TV and be unable to do anything. I was very angry about that ...

The uncertainty about whether, and if so when, my brother's body would be brought to the Netherlands and whether my brother's body had been found was unbearable. Waiting for the phone call to say that my brother's body had been found was very tough. I submitted DNA so that my brother's body could be identified. On ... 11 August 2014, we got the news that my brother had been identified. I did not see my brother's body; I couldn't handle that ...

I find it disrespectful that Russia is not cooperating with the investigation into the circumstances of the downing and is only sowing confusion. It was – and still is – very painful for me that no one is acknowledging responsibility ...

It is important to me that Russia is convicted of violating my brother's human rights, because in my opinion a country must take responsibility for its actions. If the country will not take responsibility itself, and the actions of that country claim innocent victims, it must be held responsible through judicial proceedings..."

"I lost my only intelligent, sensitive and talented son.

I heard the news about a plane crash. Before I could finish reading the news on my phone, I knew it was the plane my son was on. My neighbour helped me order a taxi and she came with me to Schiphol airport. On the way to the airport I was still hoping that maybe some people had survived the crash, and that [my son] would be among them. Later that night, the hopes of my son being a survivor were finally crushed when I received news that all passengers on MH17 plane had perished.

The following week [my son's] mother and I were summoned to the police station for DNA samples in order to officially identify our son. He was the first victim to be identified by the authorities because his passport was found intact in one of his trousers pockets. His funeral was on 7 August 2014, and the authorities advised us not to view his body before we buried him. We were told that his body was too damaged. Months later we were visited again by the authorities who informed us that they had identified more of [his] remains by DNA analysis. It was then when we understood that we did not bury my son's complete body at his funeral. The trauma of his loss had to be re-lived for the second time, but not the last time. A few months later, just as we thought that the nightmare was over, we were again informed that more of his remains were identified. This time we asked the authorities if all his body parts were now fully recovered. They assured us that 99% of his remains were identified. I still cannot come to terms with the fact that his remains had to be identified so many times and I am still struggling with the pain of how he died and the aftermath of his death. I am still under a psychiatrist's care up to this day...

Since the day of the MH17 crash I still find it difficult to watch television or follow the news about the shooting down of the plane. I am constantly avoiding pictures of what happened that day. Unfortunately, I cannot prevent getting news about the crash and the people who perished on MH17, as this topic is regularly written about on the internet and newspapers and shown on TV. Journalists would not have kept interest in

the case for years if Russia [had] fully cooperated with the investigation and accepted responsibility for killing 298 innocent people. Sometimes, in my private thoughts, I wonder what it would be like if my son had died in a normal accident. It would at least be something I could comprehend. At least I could grieve privately. As it is, the plane crash keeps on coming in the news. The news keeps on coming back to haunt me and making any sense of closure impossible.

The fact that no form of justice seems possible after the accident makes it almost impossible for me to function. Russia walking away from this crime and not taking responsibility makes it feel like all those 298 innocent people, my son included, do not count.

Taking part in the procedures of the European Court feels like one of the last acts of love I can perform for my son and those other innocent lives lost on flight MH17.”

“On 17 July 2014, at home, I was told that my father had been on this flight MH17. I couldn’t believe it and thought/hoped that my father had missed this flight...I formed a picture in my head of the event and what it was like for my father on the plane and the moment when the plane crashed. I created this image from what I’d seen on television. I found the impact of the images extremely traumatic.

I don’t want to be unexpectedly confronted all the time with MH17 and my father’s death. But it’s not really possible to avoid: MH17 is still in the news a lot because Russia won’t cooperate with the investigation and won’t take responsibility.

MH17 was downed when I was 12 years old; my father’s death had a different meaning for me then than it does now that I’m 18. I’m finding that in each new phase of my life I am grieving again because the loss of my father keeps taking on a new significance.

I received treatment from a psychotherapist for, among other things, the traumatising images. The psychotherapist diagnosed me with posttraumatic stress disorder as a result of my father’s death and Russia’s attitude afterwards.

Because Russia is not cooperating properly with the investigation, not all the information has been made available. As a result, I am left with questions. I also find it difficult that Russia still won’t admit what it has done. The proceedings before the European Court are important to me, because I hope that in this way justice will be done.”

“On 17 July 2014...my sister had been on the plane with her daughter ... her husband and their son.

My sister was identified in early September 2014. At the funeral home ... we were only allowed to see her closed coffin, with a little bag on it containing two of her rings and a necklace, as proof that she was inside. The authorities would not allow us to look inside the coffin. I can understand that my sister’s body was not in a good state at that time, because her body had lain outdoors for a long while and a lot of time had passed since she died. But for me it was important to see my sister’s body, to be sure that she had died. You could tell me over and over again that my sister’s body was in the coffin, but because I couldn’t see it, that message didn’t get through to me.

A few days later, my sister’s daughter ... and her husband ... were identified too. We weren’t allowed to see their bodies either, nor look inside their coffins. We then buried the three coffins containing the bodies of my sister, her daughter and her husband. It was surreal for me to do that, because we had no tangible evidence that we were burying my sister, her daughter and her husband. Because the body of her son ... hadn’t been identified yet, we buried a photo of him at the same time.

A few weeks after the funeral, [my sister's son] was identified. We then opened the grave of my sister and her family, in order to bury [him]. Later we received more 'bone' fragments of [his] body, and we buried those with my sister too. This was horrible for us because we were all trying to imagine how complete the bodies we'd buried actually were! We then agreed that if more fragments of [his] body, or of that of one of the other family members, was identified, we would have it interred in the grave where many of the body parts of victims that were identified at a late stage were buried. We didn't want to desecrate the grave of my sister and her family again.

I would not and could not believe that my sister had died, and I kept thinking she would return. Because I hadn't been allowed to see my sister after her death, I kept thinking I saw her in the street. For that reason, I was – and (still) am – angry that I was not allowed to see my deceased sister. When in February/March 2015 the opportunity arose to see photos of my sister's body, I made use of it. Only then could I truly accept that my sister had died. And since then, I no longer see my sister walking down the street.

Initially, I tried to follow the news about flight MH17. I was shocked when people said on the news that the people on the plane had been aware of what was happening, and acted out putting on an oxygen mask. I also got angry when people said on the news that the people on the plane hadn't been aware of anything. It is clearly visible from the photos of my sister after her death that she did indeed experience it.

In 2015 I sought help from a psychologist ... I wasn't functioning any longer and was constantly worrying, which meant I couldn't sleep. This treatment did lead to improvement, but my problems did not go away.

In the summer of 2016 I had a breakdown. I was sad, angry and depressed due to my sister's death and everything associated with it. I developed anxiety problems, and as a result I was afraid to go outside and could no longer go to work.

I have not personally sought contact with Russia to obtain information, partly because my sister's ex-husband wrote a letter to the Russian president but never received a reply. I hope that the proceedings before the ECtHR ensure that more information, and hopefully the truth, will come to light."

"When my younger sister...died I was 25 years old.

When it was clear that my sister was on the plane, I phoned hospitals in the region where the plane had crashed, in the hope that they were caring for survivors. Later that day we came to understand that my sister and everyone else on the plane had not survived the downing of the aircraft.

For me this was the start of a period of great uncertainty, in which I could do little other than think about my sister. The first uncertainty I had to live with was whether my sister would be found. After the bodies of those on board flight MH17 were brought back from Ukraine to the Netherlands, it took around six weeks before her body was identified on the basis of DNA. I then saw her body.

Then came uncertainty mainly about how this could have happened. To this day I'm angry about Russia's attitude. I'm angry because they don't communicate in a decent way with the next of kin, won't cooperate with the investigations, won't take responsibility for their involvement, and haven't apologised. If Russia had taken responsibility immediately after the murder of my sister, I wouldn't have been so angry anymore. Russia's attitude strikes me as nonchalant. My anger towards Russia bothers me. Justice is important to me. Because of my anger, I sought treatment from a psychologist.

Because of the media attention, I am unwillingly confronted with images of the site where the plane crashed. I find that very difficult, because I know my sister lay there. Due to the fighting in the region I also can't go to the site of the disaster to lay flowers."

"On 17 July 2014 I lost my only sister ... I was 14 years old, she was 21.

That day, I was already in Kuala Lumpur (Malaysia) with my parents, visiting my mother's family. My (older) sister was on her way to join us, in order to travel around Malaysia with us... That moment was very traumatic for me. I was devastated by the news. I was in denial that my sister had died. I couldn't believe it was true. And in my mind, I still assumed we would be picking her up from the airport the next morning.

Shortly after that, my sister's body was identified.

In that period I read all about MH17, to try and get a grip on what had happened. As I got older, I found that collecting information didn't help me cope with the loss of my sister. Then I avoided the news as much as possible. That isn't always possible, so I underwent EMDR therapy in order to be able to deal better with the news and images concerning the downing of flight MH17.

Due to my mental health problems I wasn't doing well at school. I couldn't concentrate properly and I was always tired ... I then sought treatment from a psychologist. It became clear that everything surrounding my sister's death was responsible for my mental health problems. I am still being treated for my mental health problems, and I know this is going to influence the rest of my life.

It makes me angry that Russia won't cooperate with the investigation into the circumstances of the downing of MH17. It must be such a simple thing to do. I never asked Russia for information myself. First because I was too young, and now because I know that if even countries are unable to get all the information from Russia, I won't be able to either."

"[We lost my son, his wife and their son] ... I didn't believe [it] until I turned on the TV and saw the crashed plane and heard there were no survivors.

So we knew that in the area where the plane had crashed it was 30 degrees Celsius and that the bodies of our loved ones had been lying there for days. We also saw on the news that the deceased were treated with little respect. We saw body bags containing recovered bodies being thrown on to a lorry and soldiers showing off victims' cuddly toys in a defiant manner. We were very shocked by this.

On 11 August [my son] was identified. [His body] was intact and only a few bone fragments of [his wife and son] were found. It took a long time for [my son's wife and son] to be identified. As a result, every week we anxiously waited to see if we would hear any news about the identifications. [My daughter-in-law] was first identified in late September. [My grandson] was identified in early November; he was among the last five. We had decided to have a funeral for the family and inter them in together in a single grave. So we had to wait until late November 2014 for the funeral to take place. We were not able to say goodbye physically to [them]. We were only able to say goodbye by the closed coffins. In the years that followed there were another 4 farewell services because we received news several times about new identifications of [my daughter-in-law and grandson]. More than 2 years later a journalist had returned to the location where the plane had crashed. In footage shot during this journey, he is holding up a bone fragment. The fragment was later identified as belonging to [my daughter-in-law].

Because MH17 is still news, the subject keeps coming up in the media. We are confronted with it several times a week. No matter how hard we try, we cannot avoid

it. Especially seeing the images of the location where the plane crashed, and the wreckage of the plane, affects us a great deal.

Russia's refusal to take responsibility not only keeps MH17 high on the media agenda. It also gives us a great sense of injustice. If Russia were to take responsibility, we would be able to come to terms with the loss of [my son, daughter-in-law, and grandson] sooner.

We consider the proceedings before the ECtHR to be very important, because we hope that in this way it will get through to Russia how bad the suffering they have inflicted is, and that they will take responsibility. It makes us very angry that Russia is not taking responsibility."

"On 17 July 2014 I lost both my parents.

I then opened my laptop and on the NOS website I saw the smoke plume from a crashed aircraft and the news that the plane had departed from Amsterdam. I then looked up how often planes flew from Amsterdam to Malaysia that day, and saw it was not so often that it could have been a different plane than the one my parents were travelling in. I knew they had taken the plane, because they had sent me a message when they were on board the plane.

My mother's family phoned the authorities, and at some point were given confirmation that my mother had been on the plane. We knew that my parents would have landed in Malaysia at around 24.00 Dutch time, and I still hoped that by that time I'd get a message from them. Later we went to Schiphol, where we received confirmation that both my parents had been on the plane.

I can't say exactly when I realised that my parents had died. I kept wanting more confirmation in order to be sure that it had really happened.

We quickly decided to shut ourselves off from the news, because we weren't sure what was true. Nevertheless, some information did reach us indirectly, for instance that the bodies had lain in the open air for a long time, and that there was a dispute over allowing the train containing victims' bodies to leave. From then on it was a case of waiting to get the news that my parents' bodies had been identified. We received that news in mid-August 2014. Both my parents were identified around the same time, and we were told the bodies were complete. As we knew other next of kin who had also heard that the body was complete, but later received the news that a body part had been found, we didn't feel confident about this.

Because of the condition my parents' bodies were in, my sister and I were advised by experts not to look at their bodies. Along with the coffin containing my parents' bodies, we also received my mother's wedding ring, my mother's watch – which was still working – and my father's packet of Fisherman's Friends. I'll never forget the smell in the room at the funeral home; the little bag with my parents possessions still smells like that too. I found it very difficult, not saying goodbye to my parents' bodies; I still feel bad about that, but my sister and I followed the experts' advice in order to prevent worse trauma. Some of my parents' family members disagreed, and they later saw photos of their bodies. We've heard things about what could be seen in the photos; things we would rather not have known.

Another thing I find difficult about the news is that Russia is sending contradictory messages. It was also clear that the area where my parents' bodies lay was a conflict zone, and for the authorities the conflict seemed to take precedence over the bodies of the people lying there in the fields. It was clear to me even at the time that for Russia

it's not about the individual victims and their next of kin; it's about something bigger, about politics, about power.

What's happened has changed me; it has made me a different person. I have a life before and after 17 July 2014. Before, I was energetic, ambitious, enterprising and I had a busy social life. Now I don't have the energy for much anymore; I only have a handful of friends left.

I feel the proceedings before the ECtHR are important because it feels like an acknowledgement of what happened to my parents, and to me and my family. The fact that the most important player – Russia – says it had nothing to do with it doesn't do justice to the lives that were lost. Those lives are being swept under the carpet, but I want this suffering to be seen. Now it seems that for Russia all that counts is the big political game, and not the daily reality of families that have lost their loved ones."

"In the MH17 disaster I lost my brother ... my sister-in-law ..., my niece ..., and my nephew...

On Thursday 17 July 2014 my husband and I ... received several messages from my mother with the terrible news about the MH17 crash. My very elderly parents had been watching the cycling on television when a message appeared on the screen saying MH17 had crashed.

[My brother, his wife and their daughter] were identified fairly quickly. [Their son] took longer, but fortunately he was identified a few days before the planned funeral. The funeral was very emotional, especially for my parents, having to walk behind 4 coffins to the grave. And then the house has to be emptied, and in [my niece's] bedroom you find a list of things she wanted to take on holiday. It's horrible to have to sort out someone else's things, all the clothes that pass through your hands and all the other things belonging to the 4 people you've lost.

Now my mother, my husband and I have to figure out how to go on with our lives. As I always say, we have one life before 17 July 2014 and one after 17 July 2014, and that life after is not much fun anymore; it has lost its shine. All of this because a few people shot a civilian aircraft out of the sky, taking the lives of 298 innocent people.

I sincerely hope for all the next of kin that the guilty parties are punished somehow or other, because it would be ridiculous if they are just able to carry on with their lives with so many deaths on their conscience."

"On 17 July 2014, my father and stepmother went to Schiphol to catch flight MH17, in order to visit me in We were in contact by app while they were at the airport. In ..., where I was, it was evening by then. When I woke up the next day, I was phoned by my brother. He told me that the plane carrying my father and stepmother had crashed, and that we should not assume anyone had survived the accident. Fortunately they were identified and we were informed fairly quickly ... I didn't see the bodies of my father and stepmother. I knew my stepmother's body was badly burnt. My father's body was returned to us in parts, so we had to cremate him in parts. I try to think about that as little as possible. ... Due to everything that had happened since 17 July 2014 I was in a downward spiral. I then sought treatment from a psychologist.

I don't seek out news about MH17 myself. It would break me. If the subject does come up, I'm forced to think about everything that happened, even though I don't want to. It immediately makes me feel uncomfortable, which other people can clearly tell from my state of mind.

If Russia had immediately acknowledged its involvement, I would have been angry about what happened. Now I'm also angry about Russia's attitude. It makes me furious that Russia is spreading disinformation and not taking responsibility.

If the ECtHR were to convict Russia for its involvement in the downing of the aircraft and for not cooperating adequately with the investigation, it would give me the sense that Russia has not got away with this."

"On 17 July 2014, disaster struck, when during flight MH17 a Buk missile shot down the aircraft over eastern Ukraine. My beloved only brother ... and his girlfriend, my sister-in-law ..., were on board. On their way to enjoy a well-deserved holiday.

Their lives, and those of 296 others, were ended abruptly and crashed to the ground. Just like the lives of myself, my wife and my mother, and many other next of kin whose lives will never be the same again. There is a time before MH17 and after MH17 ... Every day I'm still confronted with the facts and, even worse, Russia's attitude and the way it is dealing with the investigation to establish the truth. This is highly disturbing and it makes me sick!

Why these innocent people? Why my brother and his girlfriend? They would have been such a good uncle and aunt to my children. But now they'll never get to know their uncle and aunt. Some time ago my mother became depressed and is still not back to her old self. She takes medication to keep going and can no longer function in her job.

Not a day goes by that I don't think about them. I hope the truth will be uncovered one day and that those responsible for this will be punished. Hoping that my mother will live to see that, so that we can finally come to terms with it all and enjoy life."

"My sister ..., my brother-in-law ... and their two children ... died in the MH17 disaster. The sudden loss of four close relatives, an entire family, is extremely tragic and takes a terrible toll. My niece ... had just turned 15, and my nephew ... would have turned 12 in late July 2014. Whenever I think of them my heart breaks, again and again.

Over the past six years I have tried in my own way to cope with it all: I have not avoided people or pushed them away, I attended all the meetings arranged for the next of kin, I participated in all manner of investigations, I've performed various activities for the MH17 air disaster foundation (Stichting Vliegcramp MH17), I agreed to various media requests, etc., etc. I tried to engage with the disaster in an active manner,

The disaster haunts me. The deaths of my sister, brother-in-law, niece and nephew haunt me. Everything I've described above haunts me. Every day, 24/7. My life has been deeply scarred by the disaster...want to make clear in the strongest terms: the MH17 disaster was an extremely, extremely distressing event that has had a major impact on my life.

I am currently receiving psychological treatment ..."

"On 17 July my life was literally shot to pieces. By the murder of our parents... Both as a family and for me as an individual, we still experience the painful consequences every day.

First came the hectic years, when we had to deal with the media, estate and lawyers, and simply absorb the fact that our parents had been murdered. Our lives were no longer in our hands, and our diaries were always full. We didn't have a moment's peace.

At the same time, there were unspeakable things to be discussed: how much of our parents' remains would we get back, and what would they look like? How long do you wait for a body before you hold a memorial service? Would we ever see their bodies?

How decomposed would they be? Should we seal the coffins to prevent further damage to the bodies before the funeral, etc.

For me, in the end, the chronic stress and forced survival mode resulted in PTSD. I received treatment from a trauma psychologist specialising in complex, traumatic grief following a murder.

Recently this trial has been all over the news, and people ask me what I think of it. Although it makes me terribly sad to admit this, I don't think we will ever have clarity about the circumstances, what exactly happened that day. For me this means there is no chance that I will ever be able to come to terms with this and find closure. It means I will always bear a deep scar that is ripped open again every time some new information about MH17 is released. At the same time, I feel I deserve better than this, and I don't want to give the perpetrators the satisfaction. So I'm working hard to let go. You may have murdered my parents on 17 July 2014, but I refuse to let you shoot my life to pieces.

As for what should be done with the perpetrators? I honestly have no idea. Inside, I hope your conscience has already given you a life sentence. Because that's what I now have, thanks to this inhuman and cowardly act."

"Bye! See you in three weeks' ...

What should have been a separation of just three weeks became a separation for all time. The images of those last moments at Schiphol Airport are etched in my memory. My parents were taking the trip of a lifetime. A holiday to Indonesia, cycling around Bali and Java. They had wanted to do it for so long.

On 17 July 2014 my life changed for ever. I now understand that life is fleeting. That you can lose everything from one day to the next.

Within 90 minutes, papa and mama's names were released by the media. And after that nothing was ever the same. ... They were no longer my parents, they were news. Grief is private, but not in my case. I have to share my parents and what happened to them with a great many people.

We quickly heard that mama had been identified. And after that it was days of waiting by the phone for news about papa. That was awful. What if he was never found? What would we do then? A funeral for mama, but what about papa? They belong together. All kinds of things race through your mind. For three weeks, we waited in uncertainty. Then we got the phone call and the visit that put us out of our misery. That was followed by many extremely difficult moments: collecting the caskets in Hilversum, and the day of the funeral.

I've received treatment for this from a psychologist, but despite the therapy I notice that these are still difficult moments for me. Recently I started therapy again, at a different psychology practice. I've also had a session with a psychiatrist there, who concluded I was suffering from trauma as a result of MH17. I am now receiving weekly therapy.

I don't merely have to deal with my own grief. I also have to deal with how the media treats me. I don't want to be the focus of attention and yet that's precisely what I'm confronted with again and again.

It's terrible to see the images on TV of the burned-out wreckage. To this day I'm afraid, when I look at such images, that I'll see things that belonged to my parents. It was also terrible when the planes arrived at the airbase in Eindhoven. Seeing the coffins

for the first time. The endless rows of coffins. The ground seems to fall from under your feet, and you think, I'll never get past this. It's so overwhelming.

What hurts me enormously is that no one will take responsibility. Everyone knows what happened, and Russia won't take responsibility. It's not about the money or anything like that. It's about hearing someone say it. We made a mistake and we're sorry. That's the only thing I want to hear. It would really help me work through my grief. I'd also like to Russia stop spreading false information. I wish they'd cooperate with the investigation. It wouldn't solve anything, but in my opinion it would be 'the right thing to do' after something so awful has happened."

"Losing my husband has left me with a number of psychological issues. I feel abandoned and lonely. I'm scared of forming bonds and relationships with people in case something happens to them. I'm scared of the world – knowing that evil and war can affect any of us. I'm terrified of flying. Part of me still believes that [my husband] will come home. Not being able to see his body for myself has left me unconvinced that he's gone. I now live with depression, anxiety and PTSD. I'm on a number of different medications for these, but it doesn't help. My head is never quiet.

We had the indignity of someone looting through his bag at the crash scene. All of his items of value were gone, including our laptop which had a lot of our photos on it. My husband and 297 others have just died, yet someone goes through their personal belongings. The people that shot down the plane put us in that position.

When I have to travel by plane, I go over in my head what the victims may have thought or experienced before the impact of the missile and also in those few seconds of consciousness, the shock that suddenly something awful was happening. What was going through [my husband's] head?

It was 3 months before the first identification was made of [my husband]. Even though this happened, the identification was of body parts that he could live without, and so I continued with silent hope that he was ok and that he'd be home soon. I told myself that he had lost his memory and that a nice Ukrainian lady had found him and was helping him recover. Before the funeral, I couldn't get a death certificate and couldn't initiate the process of his estate. I was too scared to touch our bank accounts in case I was doing something wrong.

[My husband's] funeral was 15 months after the crash due to the difficult nature the authorities had in obtaining access to the crash site to recover remains. We mourned at the service, then celebrated his life after.

Living with PTSD, due to the crash, has resulted in me being under the constant supervision of my doctor, who has stated that I'm unable to work due to how this has affected me. I can't commit to things as I don't know how I'll be that day. Leaving the house fills me with anxiety. I don't know who I'll see or if I'll encounter a situation that I can't cope with. I have regular panic attacks and emotional breakdowns.

I now have regular appointments with my doctor, psychiatrist, psychologist and counsellor, all because of the crash. I don't live anymore. I merely exist."

"Our brother ...died in a very brutal and senseless manner on July 17th 2014, while travelling on Malaysia Air Flight MH-17 from Amsterdam to Kuala Lumpur. First, it was devastating for us to hear about the crash, then what caused the crash and then the horrible manner he died. We still have bad dreams about him falling out of the sky (at 30,000 feet), and visualizing the terror our brother must have felt when the plane broke apart after being hit by the missile.

We questioned if his body broke apart into pieces, and he died instantly? Was he aware of the cabin decompression and rapid descent? Did he have a terrifying death? Was he still alive and conscious when he hit the ground?

The trauma and pain of my brother dying in such a horrible manner has affected us both deeply. We are extremely upset about it, because we won't get to grow old with him. [Our brother] is still always on our minds.

He will never see how his nieces and nephew grow up and have children. We as his sisters have suffered and grieved for him, because he is no longer around.

We agonized for weeks while his body laid in the debris field. We imagined him in pieces and spread all throughout the field. We feared that they would not find him, and he would lay there for weeks while decomposing. This was a horrible time for us. We could not sleep or focus on our job until [he] was found. The television and internet news showed so many video clips, which we watched hoping to catch a glimpse of what was going on. The bodies, body parts and personal items were spread all over."

"Six years have passed [since I lost my parents] and I'm still confronted almost every day with the repercussions, the draining court case, and the behaviour of Russia, which refuses to cooperate, continues to deny everything and even spreads fake news around the world. *Our* world, you understand. The Russians murder people at will, and the world looks on, apparently powerless. Which is how I feel too. The overall situation has given me chronic stress. The physical effects of this are severe, and I will have to learn to live with them. But I will go on; I was never taught any different. I still hear my parents saying, '...don't complain, just get on with it. Don't feel sorry for yourself. Chin up!'"

"There is life before and life after MH17. ..., my brother ..., my sister-in-law ..., my 16-year-old niece ... and my nephew ... 12... They were shot out of the sky!

The funeral: four white caskets stood there, the music seemed endless, one by one the bodies were taken away, the bodies or whatever was left of them ... I was diagnosed with PTSD with permanent damage.

And always the images on TV. I'd finally be relaxing on the couch, and out of the blue the plane would be on the news again, the wreckage, the field ... The anger at the injustice of 298 people being shot down. Was it an accident? If a person or a country had admitted that it was an awful catastrophe, a terrible accident, the grief would not be lessened, but maybe the anger inside me would.

For me, MH17 is the symbol of injustice, of lies and abuse of power. It almost broke me, I've been at rock bottom but I'm climbing up again, I still believe that the world isn't rotten to the core. There are still so many good people. I can't bear the thought that the people responsible for the deaths of 298 people will get away with it, that they won't be convicted, but I can't rule it out either, maybe I won't be around to see it, maybe it will take years, I hope I do get to see it. Because I believe and will continue to trust in justice (and perhaps that's foolish of me). My family has been taken from me, but no one can or will take away my hope and faith in justice."

"On 17 July 2014, the MH17 disaster was a sudden, horrific AMPUTATION IN OUR FAMILY AND ONE PERFORMED WITH NO ANAESTHETIC!!!!

..., OUR SON AND ..., OUR DAUGHTER-IN-LAW AND OUR 2 BEAUTIFUL GRANDCHILDREN WERE RIPPED AWAY FROM OUR FAMILY, AMPUTATED!!!

IT WAS like an EARTHQUAKE in my entire being and it was OFF THE RICHTER SCALE.

There were powerful AFTERSHOCKS over the next 19 months as we received 16 IDENTIFICATION messages concerning all four children! That means the police telling you 16 times that your kids – son, daughter-in-law and two grandsons – died in the disaster because their remains had been found... Indescribably awful to hear that 16 times.

IN TOTAL 220 BITS OF ALL 4 CHILDREN WERE FOUND.

WHERE IS THE REST OF THEIR BODIES?

Over the past few years we have had to endure countless impossible, inhuman situations relating to the disaster.

Such as 1 year after the disaster, when we had the funeral of all 4 children. ...

FOUR COFFINS.....

24 PALLBEARERS.....

AND THAT WAS NOT THE END OF IT, BECAUSE 7 MONTHS LATER IN FEBRUARY 2016! THE WOUNDS IN OUR SOUL WERE RIPPED OPEN AGAIN WHEN WE HAD TO BURY MORE HUMAN REMAINS, THIS TIME OF OUR SON...

How were we to go on with our lives? For nineteen months our soul was ripped open as if by a shard of glass with every new development involving the disaster!!!

Six years and 4 months later we are still confronted with the horrific murder of our beloved, beautiful children.

It is impossible for me to read aloud my experience of the MH17 disaster in person!!!!”

“The lives of my sister and her family were taken in a brutal murder. Her children’s future was taken from them. They were 11 and 15 years old. They had the whole lives ahead of them. [My] sister, brother-in-law and niece identified. Nephew not yet. My elderly mother, who lost her daughter, son-in-law and grandchildren.

The MH17 disaster has had a major influence on my immediate family and my family situation as a whole. The first three years were a rollercoaster. The loss is with me every day.

It was not a natural death, you could learn to live with that. But this was a brutal murder. Every day it’s burned into my brain, even though I’ve managed pretty well to move on with my life.”

“I took them to Schiphol Airport:

..., our daughter 45 years old, ..., our son-in-law 47 years old..., our granddaughter 12 years old, and ..., our youngest granddaughter, 10 years old.

17 July was [our daughter and son-in-law’s] 15th wedding anniversary.

After so many years of grief, you hope that things will gradually get better. After five years you realise that, after previous ups and downs, it isn’t getting better. The grief leaves such marks on your soul that the scratches become permanent. The sorrow and the emotions, much to my disappointment, have not diminished.

Still so many emotions. It could be that age plays a role. Things are never going to be alright, and our grandchildren are gone forever.”

“I am angry because the bodies of my loved ones have remained in the field for so long after the downing of flight MH17. I have a lot of problems with images that I cannot let go. Not only the image of the bodies in the field, but also the image of the pierced wreckage. I have to work hard to get rid of those images. The question whether they suffered haunts me when I try to sleep. They were in the back of the plane. I think that they lived for another 30 to 40 seconds. I keep thinking that they must have suffered.”

F. Reports and studies

1. Notes on the MH17 victim impact statements by the Department of Psychology of the Faculty of Behavioural and Social Sciences of the University of Groningen (April 2023)

490. The MH17 applicants provided the Court with the following notes on their victim impact statements before the District Court of The Hague, prepared by the Department of Psychology of the Faculty of Behavioural and Social Sciences of the University of Groningen (Dr C. Gerlsma) as part of a research project on the interpretation and implementation of the right to speak in court for co-victims of homicide. The researchers used the victim impact statements delivered by the relatives of the MH17 victims before the District Court of The Hague, as a sample of empirical data for their study.

491. The researchers coded 105 statements from the livestream of the courtroom in The Hague using a coding scheme that recorded the content themes addressed, the emotions expressed and the extent to which specific themes or emotions were emphasised by the relatives.

492. The study showed that the most dominant content themes were lost life, the crash, the impact of the crash, secondary victimisation and the trial. Sadness was a dominant emotion for most relatives (90.9%), sometimes in combination with anger (24.2%) or anxiety (7.6%). In singular cases, feelings of revenge, despair and pride in the lost relatives’ lives prevailed.

493. Lost life was a major theme in most victim impact statements. It was with intense love and deep sorrow that the relatives recounted the life stories, characteristics, achievements and aspirations of their loved ones, as well as their relationships with each other and within their family units. Many relatives also elaborated on the future that they and the victims could have had together but no longer would.

494. The crash was another theme addressed by most relatives. The initial sense of shock, disbelief and numbness experienced by many following their loved ones’ sudden death in an air crash was compounded by the frantic search for information about the crash and, for some, by agonising uncertainty over what their loved ones might have experienced during the crash.

495. The impact of the crash was recounted in most victim impact statements as a cascade of psychological, emotional, physical, social and practical problems. The overwhelming majority of the statements made it plain that life had changed forever on 17 July 2014, and that, years after the crash, the loss and grief were still “raw”. For most relatives, the crash had had an intense emotional and psychological impact and they had sought professional support to help them cope (45.2%). Their symptoms included stress, concentration and sleeping problems, anxiety and panic attacks, and their diagnoses varied from complicated grief to depression and post-traumatic stress disorder (34.7%). More than half of the relatives also mentioned practical difficulties resulting from the crash, such as losing a job or having to move elsewhere. Finally, some relatives referred to the resulting family problems, such as families being ripped apart owing to individual processing of the crash.

496. Most relatives’ suffering was further intensified by their experience of secondary victimisation, which was another important content theme (76%). The major sources of secondary victimisation were the attitude of the Russian authorities, the gruesome details of the violent loss and the importunate role of the media.

497. First, most relatives suffered re-traumatisation as a result of Russia’s lack of cooperation, disinformation, and obstruction of the investigations, as well as Russia’s and the defendants’ denials of responsibility. Unable to establish the truth about what had happened, the next of kin were left in a lingering quest for closure, which they found excruciating. As one relative put it, “if only they took responsibility and admitted it was all a horrible accident.”

498. Second, most relatives went through secondary trauma during the processes of identifying and repatriating the victims’ remains. These processes were described as excessively and needlessly difficult and lengthy on account of the geopolitical situation and obstruction in the Russia-controlled territory. The next of kin were faced with the fact that not only were the bodies of their loved ones not intact but severely damaged, but also that in most cases only a tiny part of the victims’ remains had been found, such as a single bone fragment. In the case of two victims, not even a tiny body part had ever been found, leaving relatives unable to even pay their last respects. The above had disrupted rather than fostered the sense of closure that the relatives sought.

499. Third, most next of kin experienced re-victimisation owing to their repeated confrontation, up until years later, with media representatives, news, images and video footage, which was described as ripping open wounds time and again. As a number of relatives put it, such a violation of their privacy felt as if their grief had been stolen from them and put on public display. For some relatives, pictures of the crash site were particularly harmful and still haunted them years later.

500. A few relatives also mentioned a number of other distressing factors that hampered their coping process, namely the excessive length of the proceedings in The Hague, the reconstructed plane wreckage and the frustrating attitude or actions of the authorities in other countries.

501. Finally, the last major content theme involved remarks about the MH17 trial. Most relatives expressed their thoughts about the defendants, mainly speaking about their positive motives and reluctance to take responsibility. Many relatives expressed appreciation and gratitude for the judicial proceedings, their counsellor and the opportunity to speak in court, as well as faith in the court's decisions.

2. *“Grief and mourning after the aviation disaster in Ukraine: impact on traumatic loss on individuals”*

502. This report was published in April 2014 in *Cogiscope* and was co-authored by Paul Boelen (professor of clinical psychology and director of the outpatient facility for mental healthcare of the Faculty of Social and Behavioural Sciences at Utrecht University); Jos de Keijser (head trainer in clinical psychology and psychotherapy at PPO Training Centre and associate professor of complex grief at the University of Groningen); and Geert Smid (psychiatrist and trauma psychotherapist at the Dutch Association for Psychological Trauma (NTVP) and senior researcher at ARQ National Psychotrauma Centre/ Psychotrauma Expert Group).

503. The report discusses the issue of psychological response to traumatic loss, with particular reference to the downing of flight MH17. According to the article, the loss of the victims of the MH17 disaster could be defined as “traumatic loss”, a type of loss that entailed a higher-than-average risk of long-term mental health problems for the individuals concerned. Traumatic loss occurred mostly, but not always, in the context of violent or unnatural deaths. Examples included deaths resulting from suicide, accidents, disasters or homicide, as well as war, terrorism or other violent situations.

504. The relevant parts of the report read as follows:

“Traumatic loss

...

Traumatic loss is an arbitrary term. Losing a loved one through murder is undoubtedly traumatic. In the case of suicide it is less clear-cut. Sometimes these are extremely traumatic occurrences, but in some cases less so, for example if the individual has in some way discussed suicide beforehand with loved ones. The nature and number of ‘traumatogenic elements’ in any loss (including how violent or unexpected the event was, or if a perpetrator was involved) determines the degree to which it can be termed ‘traumatic’.

Traumatic aspects of the aviation disaster in Ukraine

Certain aspects of the circumstances and aftermath of the aviation disaster can be extremely distressing for the bereaved. The circumstances, for example, are complicated by the unexpected and random nature of the deaths of their loved ones and

the fact that, strictly speaking, their loss was preventable. There is uncertainty as to what their loved ones experienced in their last moments (were they conscious when the plane crashed, did they suffer?) that can fuel distressing thoughts and images. The terrible moment when they heard that their loved one had died is also closely linked with the circumstances.

The aftermath of the disaster encompasses legal, financial and material issues, all of which can aggravate feelings of uncertainty, frustration and anger. Media coverage offers on the one hand acknowledgement of suffering but on the other hand can transform personal loss into a kind of ‘common property’. It also makes it difficult to escape the disaster, to have a few moments of respite from thinking about it. The reactions of friends and acquaintances can provide support but can also add to the burden of grief, for example when tactless remarks are made about compensation or if the impact of the loss is played down (‘Some people lost their child, fortunately you only lost a sister.’). The absence of an intact body makes it impossible to say a personal goodbye ...

Psychological responses and disorders

A range of responses can emerge in the months immediately following the disaster... These are not in themselves indicative of a disturbed grief process or mental disorder. Only if some of these responses continue to manifest themselves over a longer period, become increasingly intense, or are associated with extreme suffering and functional impairment can they be regarded as signs of such a disorder. Mental disorders most commonly observed in the context of traumatic loss include persistent complex bereavement disorder, posttraumatic stress disorder (PTSD) and depressive disorders.

...

Counselling and treatment

The aviation disaster in Ukraine confronted hundreds of people simultaneously with the loss of loved ones. The bizarre circumstances of the disaster and its aftermath added a number of harrowing elements to the personal loss they experienced, which was in itself highly distressing. In the direct aftermath of the disaster it is important that the bereaved are given the opportunity to share their stories and feelings, that their questions are heard and that appropriate answers come from various sectors of society. Once practical, legal and financial issues become less pressing and support from the social environment begins to fade, the pain of loss will come to the fore. Most people manage to cope with the pain. For them life will never be the same as it was before 17 July 2014, but they will be able to learn to ‘live around their grief’ and return to activities that are meaningful to them.

A minority may get ‘stuck’ in the grieving process and develop mental health problems. A number of studies have shown that cognitive behavioural therapy (CBT) is the treatment of choice for this group.

...”

3. “‘Something in my life is broken’: the psychological consequences of the MH17 disaster for the next of kin”

505. This 2019 study was commissioned by the Victim Support Fund Netherlands (*Stichting Slachtofferhulp Nederland*) at the request of the MH17 Air Disaster Foundation. The study, which evaluated the psychological consequences of the MH17 disaster for the next of kin, was based on research

and scholarly articles and on the experiences of the families of victims of flight MH17 obtained through interviews by four of the researchers: Jos de Keijser (University of Groningen), Peter van der Velden (Tilburg University), Paul Boelen (Utrecht University, Arq) and Michel Dückers (NIVEL)..

506. According to the study, all the bereaved relatives had their own story and their own experience. But they also shared several important things: a sudden, major and violent loss, uncertainty about their loved ones' final moments, the random nature of their death, and the difficulty of saying goodbye when there was no intact body. After a disaster, both the scale and nature of the event affected the grieving process. Things were different when a loved one had died after a long illness, or when a relative had been killed in a road accident. There was always grief but when the loss was caused by such a dreadful and traumatic event, there was also "traumatic stress". This made coming to terms with what had happened all the more difficult because the bereaved relatives were not only distressed; they also had to deal with uncertainty, and images of what had happened, or thoughts of what might have happened..

507. The study is divided into chapters dealing with issues including "treating traumatic grief", "sources of stress", and "the role of the media", and concludes with a list of conclusions and recommendations.

508. Concerning "treating traumatic grief", the study highlights the experience of a mother who had lost a son when the aircraft was shot down and who had not managed to pick up her life again after the loss. She was unable to leave her home, and saw no point in getting back to work, cooking a meal, seeing friends or tidying her house. The loss of her son felt unreal to her, even though she knew that he was dead. She had created a corner for her son in her house, where she placed his photographs and the items recovered from the crash site and where she would sit every day talking to her son for hours. At nights she had dreams of her son looking for her in panic and unable to find her, which made her sad and desperate. She considered that she would never get over it. According to the researchers, she met the criteria for "persistent complex bereavement disorder" (PCBD) which was more common after an attack or a disaster than when, for example, someone had lost a partner after an illness.

509. Some 10% of people developed PCBD after a loved one had died because of an illness, but the proportion among the next of kin of victims of flight MH17 was much higher. This was partly because there was a "guilty party" who had caused the suffering; if there was a perpetrator behind the loss, people felt more victimised, they were more angry, more irritable and that caused more problems.

510. Besides having a higher incidence of PCBD, next of kin were more likely to suffer from depression or post-traumatic stress disorder (PTSD) following an attack. If the loss occurred in the context of such a terrible and horrible traumatic event, there was automatically additional stress which

made it more complex to come to terms with it. PTSD did not get better if people were not treated, but depression could sometimes decrease without help. According to one of the researchers:

“‘[PTSD is] not something that can be seen; you look just like you always do, but other things are going on in your head, in your brain,’ says De Keijser. ‘Your entire working memory is full of thoughts about the attack or the person you lost, so you can’t concentrate so well and have less memory capacity for other things. That means you have to make an extra effort to follow things, you get more tired, become exhausted and irritable. We also see that people sleep badly, have difficulty falling asleep, and getting back to sleep if they wake in the night. Everything starts going round in their head again.’”

511. In addition to the above, there were also bereaved relatives who had managed at first but had later become depressed or exhausted; that was called “delayed onset”. This group of relatives was defined by the researchers as a “difficult” and “chronic group”; they were already having a bad time, so they would go to their GP, for example. But the people who had not started having problems until later were often not on the radar of counsellors and therapists.

512. Therapy after a disaster was not only about the grief, pain and the loss, but also about the circumstances, the random nature and the unfairness of it. How had their loved ones felt, maybe knowing that in those final moments they were going to die? This was the traumatic aspect that needed to be specifically addressed in the treatment.

513. As regards “sources of stress”, the study examined the factors which had caused the next of kin additional stress. The period following such a disaster was a terribly difficult time for the families of victims of flight MH17 and there was no escape from stress in the aftermath of the disaster. The families were not only grieving but were also having to deal with the practical side of things which caused distress and tension. The sources of stress highlighted by relatives of the victims included waiting for long periods for the repatriation and identification of the remains of their deceased relatives; not knowing whether their deceased relatives had wished to be cremated or buried; becoming overwhelmed with bureaucracy; encountering a lack of understanding on the part of their employers or company doctors; conflicts in the family; and the realisation that there were no easy answers to their questions.

514. Another source of stress that had troubled many grieving relatives was the “role of the media”. Some of the bereaved had found the news reports too sensationalist or had encountered pushy journalists. The main problem, however, was the relentless nature of the media coverage. The repeated exposure to images of the disaster site was too much for some, especially at times when all they wanted was some peace and quiet. This was an impediment to their grieving process, as their distress would come back every time they saw the images, sometimes even a long time after the event. The examples highlighted by the families included a statement made by a

politician on a television talk show, saying that one of the victims had been found wearing an oxygen mask, implying that the victim had had the time to put it on. This was a “shocking” remark because up until that point it had always been said that the passengers had been killed instantly when the aircraft was hit by the missile or had at least been immediately rendered unconscious. It had soon turned out that the politician was wrong; one of the passengers had been found with an oxygen mask round their neck, but it was impossible to say how it got there. Another example concerned a journalist stating via social media some two and a half years after the disaster that he had been to the site of the disaster and had found a “rubbish bag full of stuff and human remains”.

IV. FACT-FINDING AND INVESTIGATIONS BY INTERGOVERNMENTAL ORGANISATIONS

A. The Independent International Commission of Inquiry on Ukraine (“the Commission of Inquiry”)

515. The Independent International Commission of Inquiry on Ukraine was established by the UN Human Rights Council on 4 March 2022 pursuant to Resolution 49/1 to investigate all alleged violations and abuses of human rights, violations of international humanitarian law and related crimes in the context of the aggression against Ukraine by the Russian Federation.

516. The creation, tasks, mandate and methodology of the Commission of Inquiry, as well as the reports prepared by it, are reproduced in their entirety in Annex C to the present judgement.

B. The UN Human Rights Monitoring Mission in Ukraine

517. At the request of the government of Ukraine, OHCHR established the UN Human Rights Monitoring Mission in Ukraine (HRMMU). HRMMU was deployed on 14 March 2014 and continued through the full-scale Russian invasion of Ukraine. It monitored, reported on and advocated on the human rights situation in Ukraine, with a particular focus on the conflict area of eastern Ukraine.

1. Reports concerning events before 24 February 2022

518. Information about the working methodology of HRMMU, as well as its pertinent pre-2022 reports, have been summarised in Annex A 132. The section below further complements (or may duplicate) the information included in Annex A and is not meant to be exhaustive.

519. Where a report used a methodology that was different from the general HRMMU methodology outlined in Annex A 132, that methodology will be summarised below for each respective report.

(a) Second report on the human rights situation in Ukraine covering the period between 2 April and 6 May 2014, issued on 15 May 2014

520. This report described instances of alleged targeting of activists, journalists and religious groups in the following way. In April 2014, participants in a peaceful rally supporting Ukraine's unity in Donetsk were attacked and violently beaten by supporters of the "DPR". Two persons were hospitalised, dozens were wounded and five participants in the rally were abducted and held in the local office of the Party of the Regions before being released the next day.

521. In April 2014 in Donetsk, antisemitic leaflets with the stamp of the "DPR" were circulated near the local synagogue, which obliged all Jews of Donetsk to pass the registration process by May (2014) or else be deprived of citizenship and deported from the "DPR". The self-proclaimed leaders of the "DPR" denied their involvement – the self-proclaimed governor called it a provocation.

522. There were an increasing number of cases of abductions and unlawful detentions, with journalists appearing to be particularly targeted. The illegal "Slovyansk self-defence unit" appeared to be responsible for those activities, including the unlawful detention of a group of OSCE military observers and their five Ukrainian counterparts, who had been released after ten days in captivity. As of 5 May 2014, HRMMU was aware of at least seventeen persons who were still reportedly unlawfully detained in the Donetsk Region. Some examples of cases being monitored by HRMMU included: a local activist who had been unlawfully detained by an armed group in the occupied building of the State Security Service in Luhansk since 29 April 2014, an activist who had been detained, beaten and interrogated for three days by an armed group in Donetsk, pro-unity activists who had been unlawfully detained, beaten and interrogated in Luhansk, and six residents of Novogorodovka who had been severely beaten and tortured while unlawfully detained in the occupied building of the Regional State Administration in Donetsk on 4 May 2014.

523. HRMMU had received information that the Slovyansk self-defence unit had been unlawfully detaining journalists since 15 April 2014. There were reports that at the checkpoints of Sloviansk, there had been lists of journalists and others wanted by the armed group, with photographs and personal data allegedly used to detain journalists. Most were accused by the armed groups of working for American security services or the "Right Sector" or of being one-sided in their reports from Sloviansk. As of 5 May 2014, HRMMU was following the cases of a number of journalists who had been unlawfully detained, including two who had reportedly been seen by a previously detained journalist in the basement of a seized building in Sloviansk.

(b) Third report on the human rights situation in Ukraine covering the period between 7 May and 7 June 2014, issued on 15 June 2014

524. This report described the following instances of alleged abductions, killings:

“154. Violence and lawlessness have spread in the regions of Donetsk and Luhansk. Having gained access to deposits of weapons, including from the SBU building, the armed groups increasingly started spreading violence. Abductions of persons not involved in any fighting and related acts of arbitrary detentions, looting, and killings of persons not involved in any fighting and other activities in violation of international law have been carried out by the armed groups. Moreover there are reports of victims being subjected to degrading treatment, random shooting and provocations, particularly near the Ukrainian-Russian border. Increasingly, attacks target ordinary people, who take no part in the fighting....

Abduction and detentions

196. ... According to the MoI [Ministry of the Interior], from April to 7 June 2014, armed groups in the eastern regions abducted 387 people, among them 39 journalists.

197. ... the HRMMU is aware of 222 cases of abductions and detentions by armed groups since 13 April. Of these, 4 were killed; 137 released; and 81 remained detained as of 7 June.

198. ... there are numerous accounts of allegations of ill-treatment and torture.

199. According to local activists from Kramatorsk, on 9 May, about 40 residents of the city were abducted by the ‘Donetsk People’s Republic’. On 10 May, three ‘Pro-Ukrainian’ female activists not involved in any fighting were abducted and detained by armed persons in Kramatorsk. One of them was released the next day after being reportedly subjected to torture during interrogation. She was subsequently hospitalised in Slovyansk, suffering from broken ribs, a pierced liver, a head injury and multiple bruises. The other two women were released on 13 May and placed under so-called ‘house arrest’, reportedly prohibited from leaving Kramatorsk.

200. On 8 May, a woman went to Slovyansk to try to secure the release of her son detained by the ‘Donetsk People’s Republic’ and was reportedly abducted by the same armed persons. She has cancer and was undergoing chemotherapy. The whereabouts of a female interpreter was unknown from 4 to 18 May. Upon her release, she reported having been detained by armed groups in Donetsk and to having being subjected to ill-treatment and sexual assault.

...

202. On 25 May, two officers of the SBU were reportedly detained by the ‘Luhansk People’s Republic’ while attempting to negotiate the release of their colleagues who were being detained. Their current location remains unknown. On 2 June, three police officers of the Amvrosievka District Department of the MoI were reportedly abducted; their whereabouts remain unknown although there are reports they might be detained by armed groups in Horlivka. Two senior police officers went to Horlivka to negotiate their release. They have not returned and their whereabouts is also unknown.

...

204. The HRMMU appealed to the leadership of the ‘Luhansk People’s Republic’ on 26 May for the release of two detained journalists at the occupied building of the SBU in Luhansk. A similar release took place of a third journalist. They were all detained by

armed groups for having covered the elections in the Donetsk region. While in detention, two of the journalists were badly beaten, and were hospitalised upon their release.

205. The emergence of ransom demands is a worrisome trend, following abductions of people from their homes and in some cases accompanied by looting and stealing of valuables, including cars. For example, on 9-10 May, an armed group together with police officers allegedly abducted the parents of a local activist from ‘Svoboda’ On 10 May, the home of an activist from Kramatorsk was allegedly attacked and items stolen by armed persons.

...

208. ... [O]n 14 May, four armed men in camouflage reportedly abducted the principal of a school in Luhansk from the school premises. Allegedly, she had opposed holding the ‘referendum’ on the school premises. She was released a few hours later The same day in Kramatorsk, armed men came to the apartment of an employee and reportedly abducted him. Reportedly they were looking for his 16-year old son, allegedly because of his active ‘Pro-Ukrainian’ position, including in the social media. Since the son was not to be found, they took the father to the occupied building of the Kramatorsk City Council where he was beaten. Allegedly, they eventually found the son and took him to the city council. Both were released a few hours later

Killings

209. ... In the [Luhansk] region, on 23 May, a woman who allegedly did not stop at a checkpoint died when heavy gun fire was opened at her car.

210. The HRMMU is also concerned about reports of ‘summary executions’ by representatives of the ‘Donetsk People’s Republic’. ... Reportedly, on 26 May, by order of Igor Strelkov, Dmytro Slavov (‘commander of a company of the people’s militia’) and Mykola Lukyanov (‘commander of a platoon of the militia of “Donetsk People’s Republic”’) were ‘executed’ in Slovyansk, after they were ‘sentenced’ for ‘looting, armed robbery, kidnapping and abandoning the battle field’. The order, which was circulated widely and posted in the streets in Slovyansk, referred to a decree of the Presidium of the Supreme Council of the USSR of 22 June 1941 as the basis for the execution.”

525. Concerning ill-treatment, the report noted as follows:

Torture

“212. Among the numerous cases reported to the HRMMU, a journalist from Lutsk who was abducted by armed groups in Donetsk on 25 April, stated that during 23 days of his detention, he suffered from permanent lack of drinking water. He was reportedly tortured with electric shocks, beaten repeatedly over the head with a heavy book, and his captors reportedly tried to cut off one of his fingers.

213. An activist of ‘Batkivschyna’, abducted on 22 May and detained by supporters of the ‘Donetsk People’s Republic’ in Donetsk, reported being subjected to torture and forced labour while in detention. He stated that he only received food twice in the five days he was detained. He was interrogated about affiliation with the ‘Right Sector’, with ‘Euromaidan’, and trips to Kyiv. During one of the interrogations he was reportedly subjected to a mock execution.

214. Three activists of a local human rights NGO were detained in Donetsk on 27 May and released on 1 June. They were taken to the occupied building of the

Makiyivka Department of Organized Crime Control, and interrogated on a daily basis, accused of being affiliated to the 'Right Sector' and the Ukrainian military. Both of them allege having been tortured.

...

526. The report further provided information concerning the exercise of freedom of expression:

C. Freedom of expression

“...

225. The working environment for journalists has become increasingly dangerous, with the threat of abduction and illegal detention by armed groups. On 7 May, it was reported that armed groups in Luhansk offered a reward of USD 2,000-10,000 for each detained journalist. ... The HRMMU interviewed many of the released journalists, who reported ill-treatment, beatings, and sexual harassment (of women). They also confirmed the fact that other detainees were being kept in the seized administrative buildings; but the exact number and their identities remain unknown.

226. Also, journalists and editorial offices continue to be threatened and intimidated by armed groups. For instance, on 14 May, the HRMMU received credible reports that those journalists who work in the region but refuse to comply with the orders of the 'Donetsk People's Republic' are threatened and harassed. Reportedly, the state regional television is in a particularly difficult situation; its office has been practically blocked by approximately 100 heavily armed men. On 21 May, an unidentified man called the editorial office of the Public television of Donetsk region and threatened its journalists.

227. Local journalists have reported having to flee Donetsk and Luhansk regions due to such threats and intimidation. On 8 May, two journalists from Donetsk had to move to Lviv out of fear of persecution and threats. On 13 May, an internet resource in Severodonetsk (Luhansk region) announced the forced suspension of activities and advised its journalists to leave the town because of growing pressure and threats against their lives from the armed groups. On 27 May, the editorial office of another local web-based outlet was forced to relocate to a different town, reportedly, due to threats from the self-proclaimed 'Army of the South-East'. On 26 May, it was reported that the publisher and editor in chief of one of the local newspapers in Kramatorsk was forced to flee the region with his family due to threats they were receiving after he had refused to publish materials armed representatives of 'Donetsk People's Republic' demanded him to publish.

228. In the reporting period, Ukrainian and Russian journalists have been arbitrarily arrested; this raises concerns about the possibility for journalists to conduct their professional activities safely.

...

- On 15 May, a journalist and cameraman of the ICTV Ukrainian channel were arrested on the border (Kharkiv / Belhorod) while performing editorial tasks by the Border Service and Federal Security Service of the Russian Federation. Reportedly, after more than 15 hours of questioning without water and food and deleting all photo and video materials, the journalists were released.

...

Censorship / access to information

232. According to NGOs, freedom of media in the Donetsk region is severely curtailed, with Ukrainian TV channels switched off by the 'Donetsk People's Republic' and replaced by its own media programmes and Russian TV. of the examples include the following:

- On 8 and 25 May, armed group stormed the office of the local TV Channel 'Union' with demands to report about the activity of 'Donetsk People's Republic' and declared their intent to control the activity of journalists. The target audience of the channel is about 3 million people in nine towns of Donetsk region.

- On 8 May, under threat of physical violence from the armed groups, the company 'Vokar Holding' was forced to stop retransmission of [nine] Ukrainian TV Channels Instead the Russian channels were broadcasted. The same incidents occurred throughout May in Luhansk and its region

- On 2 June, armed members of the so-called 'Donbas People's Militia' arrived at the office of the newspapers 'Donbas' and 'Vecherniy Donetsk' and blocked all entrances and exits. They abducted the editor-in-chief of the 'Donbas' and his deputy and the editor-in-chief of 'Vecherniy Donetsk'. The armed men reportedly used psychological pressure and death threats to change the editorial policy of the newspapers and ensure more positive coverage of the 'Donetsk People's Republic'. The three editors were eventually released on 3 June after which all the 'Donbas' employees were sent on leave and the newspaper stopped its publication. ...

- On 5 June, a local cable TV and Internet network provider in Donetsk terminated the broadcast of Ukrainian channels: "1+1", "Donbas", "UBR" and "News24" at the demand of "Donetsk People's Republic" representatives.

..."

527. The report also provided details concerning the exercise of freedom of religion:

D. Freedom of religion or belief

"...

238. In Donetsk, numerous attacks against the inter-religious Prayer Marathon (attended by all major denominations except the Moscow Patriarchy) took place almost on a daily basis in May, including heavy beatings of participants, the destruction of property, and threats to organisers and volunteers. On 23 May, after a repeated attack by 15 representatives of the 'Donetsk People's Republic', in an attempt to discuss security arrangements for the Prayer Marathon, its coordinator allegedly went to the occupied building of the Donetsk Regional State Administration. While there he was allegedly heavily beaten and had to seek medical assistance."

(c) Fourth report on the human rights situation in Ukraine covering the period from 8 June to 15 July 2014, issued on 15 July 2014

528. The report stated that the "intense fighting using heavy weaponry in and around population areas ha[d] devastated towns and villages, demolishing residential buildings and killing an increasing number of their inhabitants". It further stated that "heavy shelling continue[d] from both

sides” and that “[q]uestions [arose] about the conformity of these attacks with the rules governing the conduct of hostilities”. It added, in so far as relevant:

“8..... Heavy weaponry including mortars and anti-aircraft guns, tanks and armoured vehicles, and landmines are now being used by [armed groups]. As the ‘Minister of Defence’ of the armed groups told the HRMMU on 8 July: ‘we are in the state of war’.

...

31. The armed groups are locating their military assets in and conducting attacks from densely populated areas thereby putting the whole civilian population at risk. Locating military objectives within or near a densely populated area, and launching attacks from such areas may constitute a violation of international humanitarian law.

...

75. Heavy armament, including tanks, military aviation and helicopters were used in addition to artillery. The armed groups also use heavy weaponry, including missiles and tanks. Incidents involving civilian deaths have occurred without any possibility to ascertain beyond any doubt whether the casualties were caused by Ukrainian forces or armed groups. Among them: a five-year-old and his mother were killed by mortar shelling in Slovyansk on 20 June; two Russian journalists were killed on 17 June during a mortar attack near Luhansk; 2 employees of the Public Utility Company “Water of Donbas” were killed by shelling at the water canal in the village of Semenivka on 10 June.”

529. The report described instances of alleged cases of killing, enforced disappearance, detention, and ill-treatment. It read:

“26. ... The armed groups fighting in the east must abide by international law but unfortunately this has not been the case. Grave human rights abuses have been committed by those armed groups. And it must be remembered that these groups have taken control of Ukrainian territory and inflicted on the populations a reign of intimidation and terror to maintain their position of control. ...

Casualties

...

34. ... A motorist was killed when armed groups stole the car he was driving in Noviy Svit (Donetsk region). ...

Abduction and detention

35. According to the Ukrainian government, since mid-April, 717 people [including 46 journalists] have been abducted by armed groups in eastern Ukraine. ... The whereabouts of 375 people remains unknown.

36. The HRMMU has been following the cases of 400 people who were abducted since mid-April. Of these, 4 people are dead (having been found dead with visible signs of torture), 211 are still detained, and 185 have been released. ...

37. ... a group of 13 employees of PrivatBank were abducted on 7 July. Four were subsequently released and 9 remain in captivity.

38. Intimidation and violence by the armed groups against civilians in the east has continued, with people being abducted and detained often for purposes of hostage taking. ...

39. Some of those detained by the armed groups are local politicians, public officials and employees of the local coal mining industry [.]

...

41. Examples of the 400 cases that the HRMMU has been following include the following: in Donetsk, a free-lance cameraman was reportedly abducted in Slovyansk. In Soledar (Donetsk region) the chairman of a Trade Union organization at the Artyomsol Company was abducted. A professor at the Luhansk National University was abducted. A resident of Pionerske village in the Luhansk region was reported missing. The Head of a company called Agrovostok in Malarovo (Luhansk region) was abducted. According to unconfirmed reports, the police chief of Severodonetsk (Luhansk region) was detained by armed persons. Two university students were abducted in Donetsk allegedly for breaking the curfew and told they would be drafted into the DPR army. They were later found in an occupied public building and had been engaged in 'forced labour'. A university professor was abducted by armed persons 'for questioning' for allegedly taking photos and videos of the movements of armed groups and posting them online. Two senior managers of a private company were abducted at a checkpoint while driving at night near Karlivka (Donetsk region). A protestant pastor and his wife were abducted and held in Druzhkivka (Donetsk region) by the 'Donbas People's Militia'. Three drunk people driving a car in Luhansk were reported missing; two others who were drinking with friends outside a café in downtown Luhansk were 'arrested' by armed men after a fight broke out. An assistant of the Donetsk Regional Governor was abducted on 26 June and the chief of the Artemivsk pre-trial detention centre was abducted on the same day, when armed groups robbed the centre's armoury.

...

42. The length of period for those detained varies considerably – some are held for a few hours, others for several months. In the majority of cases, release depends on factors such as whether there is an exchange of some sort, e.g. money. However, there have also been occasions in the past month of a number of detainees being released without any particular 'exchange'. Between 7-13 June, some 32 people were released by the armed groups. However, a pattern emerged that no sooner were some people released than others were detained, reinforcing the opportunistic and resource providing element to the abductions and detentions.

43. In addition to the abductions and detentions of local citizens, there were the cases of the eight monitors (in two separate teams) from the OSCE Special Monitoring Mission who were abducted by armed groups in May. All eight were released over a period of a few days in early July.

44. Other cases of detention include the former Mayor of Slovyansk, the current mayor of Mykytivka (a village near Slovyansk), and the head of the Artyomivsk city department of the Ministry of the Interior (MoI), all of whom were detained by armed groups. ...

45. Since 5 June there have been instances when drug users (even those in remission) and people living with HIV/AIDS who, because of their status, have been detained by armed groups. Reportedly, some are being tortured and kept in basements. The relatives of the detained are frequently required to pay a 'fine' (ransom) ranging from 200 to 1,000 USD. Many detainees are also forced to 'work off their guilt' as forced labour or to fight on the front lines for 15 days. Those who cannot pay the ransom are given the option to 'wash off their guilt with blood'; in other words, they are sent to the front lines to fight on the side of the armed groups. ...

Torture and ill-treatment

46. In discussions with the HRMMU following their release, many detainees who were held by armed groups report beatings, ill-treatment, sleep deprivation and very poor conditions while in detention, and forced labour, including digging trenches on the front lines. As an “alternative” to torture and ill-treatment, it was suggested that detainees join the ranks of those fighting for the armed groups. Some, allegedly, are forced to participate in the abduction of other people. The son of a man abducted in Donetsk on 7 July reported that his father had been transferred by the armed groups to Snizhne where about 100 detainees, males aged from 14 to 60 years old, were being held. He said that during the day the detainees were forced to dig trenches near the Ukrainian-Russian Federation border, which has been on the front lines of heavy fighting [.]

Executions

47. Written records of execution orders authorized and signed personally by the ‘Commander-in-Chief’ of the armed groups, Igor Girkin (known as Strelkov), as well as protocols of hearings of a ‘military tribunal’ convicting people to death, were found in Slovyansk by a journalist on 7 July. The convictions were apparently of people associated with armed groups, and a common criminal. ...

530. In respect of abductions of children, the report noted:

“49. A group of 16 children and two chaperones, who were allegedly abducted and transferred to the Russian Federation territory on 12 June by armed groups, were returned back to Ukraine on 13 June. ...”

531. The report stated the following concerning interferences with the rights of journalists and religious groups:

“C. Freedom of expression

...

151. ... In an operation led by an armed group on 30 June as the 10-day curfew ended, a bus of civilians, including journalists and a group of women, was sent in the middle of the night to a besieged Ukrainian military base, endangering the lives of the civilians during an attack on the base. ... Gunfire broke out as the bus approached the military base; the bus driver was wounded and one journalist killed. ...

152. ... Many journalists previously working in the east have already fled after being abducted, harassed, intimidated or otherwise threatened. Those that remain in Luhansk have been instructed by the armed groups on how they should report the news. Words such as ‘separatist’ and ‘terrorist’ should not be used, they were told, and each Monday there would be a meeting with the editors of local media to instruct them on what to cover and how. Media outlets were threatened that if they did not cover the activities of the armed groups positively, their equipment would be destroyed and employees put in danger. In Donetsk, all media outlets are required to register with the armed groups’ ‘Ministry of Information and Communications’. This extends to online resources, including individual bloggers, as well as distributors of print media. Any outlet that does not register would be banned from all media activities. Ukrainian television channel ICTV and the local municipal TV channel 12 in Donetsk were replaced by Russian TV channel broadcasts.

...

E. Freedom of religion or belief

156. ... The armed groups have declared that the main religion in Donetsk region was Orthodox Christianity (of the Moscow Patriarchate) and that sects were prohibited. This approach explains to a large extent, the increasing number of attacks on Protestant, Mormon, and Roman Catholic churches in the areas controlled by the armed groups. Religious leaders have been harassed, threatened and abducted.”

(d) Fifth report on the human rights situation in Ukraine covering the period from 16 July to 17 August 2014, issued on 17 August 2014

532. The relevant parts of this report read:

“A. Casualties

...

27. As a result of intensified hostilities, there has been an escalation in the number of casualties which has more than doubled in total since the last report. By a very conservative estimate of the HRMMU and the World Health Organization (WHO), based on the best data available, at least 1,200 people have been killed, and at least 3,250 have been wounded in east Ukraine between 16 July and 17 August. On average, at least 36 people have been killed and 98 have been wounded every day during this period.

28. In total, since mid-April, and as of 17 August, at least 2,220 people (including at least 23 children) have been killed and at least 5,956 (including at least 38 children) have been wounded in the fighting in eastern Ukraine. This includes civilians, personnel of the Ukrainian forces and some members of the armed groups (for whom no separate casualty figure is known). This overall figure does not include the 298 people killed in the crash of the Malaysian Airlines flight MH-17 on 17 July.

...

Detention by the armed groups

49. ... According to the adviser to the Minister of Internal Affairs, as of mid-August, some 1,026 people have been abducted or detained by armed groups since mid-April, and of these, 468 people were still missing.

...

51. Ukrainian military personnel (who comprise on average 10-15% of all people in captivity of the armed groups) are kept separately from civilians, usually in decent conditions and treated according to the ‘rules of war’ and ‘officers dignity’. According to him, other detainees are usually kept in basements and in very poor conditions. Their release almost entirely depends on the efforts of relatives, civil activists and international organizations.

52. Examples of detentions by the armed groups include the detention of a policeman and his father, a retired policeman, by the armed groups in Donetsk on 19 July. The alleged reason was that the police officer did not take an oath of loyalty to the armed groups. As of 11 August, their whereabouts were unknown. On 21 July, 29 employees of the Spetsselektrobud Company were abducted by armed groups in Donetsk on their way to the Russian Federation, reportedly for ‘betrayal of the Fatherland’, and urged to join the armed groups. According to one of the released detainees, six individuals who rejected the proposal were subjected to psychological pressure, including death threats.

All of them were released the next day. On 31 July, it was reported that two volunteers from Kyiv who were delivering humanitarian assistance to the security operation area, went missing in the Donetsk region. ... On 1 August, armed men abducted a retired resident of Luhansk. According to his son, those who detained his father were looking for his brother who is head of the Luhansk branch of the NGO Youth Association of Ukraine. While searching the apartment, the armed men allegedly found a photo of the detainee in a ‘vyshyvanka’ (a traditional Ukrainian embroidered shirt), and accused him of being the ‘Kyiv junta’s accomplice and terrorist’. On 9 August, a Donetsk journalist working for NGO.donetsk.ua, currently relocated to Kyiv, learned that her parents were detained ‘until the clarification of circumstances’. ...

53. According to the reports from former detainees, people held by the armed groups are often subjected to ill-treatment. On 28 July, the HRMMU learned that on 17 June, a watchman of a communal enterprise in Druzhkivka, Donetsk region was detained by the armed groups. They put a bag on his head and beat him. He reportedly remained in custody for 4 days; all this time he was subjected to ill-treatment and forced to confess that he was a supporter of the Right Sector. In late July, two surgeons of the Institute of Emergency and Reconstructive Surgery were detained by an armed group and subjected to harassment including threats of execution by a firing squad. ...”

533. The report stated the following concerning interferences with the rights of journalists:

A. Freedom of expression

...

Physical safety of journalists and other media professionals

...

“56. ... on 19 July, 10 foreign journalists, who had been attempting to report on the MH17 crash, were detained by armed groups in Donetsk. All were released several hours later after interrogation. On 22 July, a CNN freelance journalist and field producer was abducted from the Donbas Palace hotel in Donetsk and accused of being a Ukrainian spy. He was released on 26 July after being severely beaten. On 31 July, two Ukrainian freelance journalists were detained by the armed groups in the Luhansk region and on 2 August, the operator of the NTN channel was abducted in Donetsk. The whereabouts of all three remains unknown.

57. On 31 July, the NGO Institute of Mass Information (IMI), which monitors violations of journalists’ rights in Ukraine, published an overview of its study covering the cases of 51 journalists who have been abducted and held as hostages by armed groups in the Donetsk and Luhansk regions from April to the end of July. It provides examples of abducted journalists who against their will were forced to give false statements to Russian media, in particular, LifeNews. It appears that cooperation with Russian or pro-Russian media was sometimes a prerequisite for ending or lessening their inhumane treatment and, in some cases, release.

Obstruction to lawful journalist activities

58. On 21 July, the so-called ‘defence minister’ of the [‘DPR’], Igor Strelkov, announced that journalists, cameramen and photographers were not allowed to take photos, videos and audio recordings, or to be present in a combat zone or in the immediate proximity of military objects. Several journalists were subsequently

harassed, regardless of whether or not they had accreditation from the so-called DPR. For example, a freelance field producer (fixer) for foreign media crews told the HRMMU that on 31 July, armed groups stopped her and the crew in Shakhtarsk (Donetsk region), threatened them with guns and confiscated their camera.

59. It was reported on 15 August, that in Krasnodon, Luhansk region, the representatives of the so-called 'Army of the south east' have prohibited photographing and filming in public places in the city.

..."

534. In respect of freedom of assembly and freedom of religion, the report stated:

B. Freedom of peaceful assembly

"73. ... The only peaceful assembly in the east was the Prayer Marathon³⁸ held in Donetsk. However, because it is 'unsanctioned' by DPR, its activists are regularly harassed, intimidated and abducted by the armed groups.

...

C. Freedom of religion or belief

79. On 8 August, after the regular evening session of the Prayer Marathon in Donetsk, four activists (three men and one woman) were abducted by the armed groups. The female activist was released the same day; two abducted Protestant pastors were released the following day. The fourth activist (also Protestant) was released on 12 August. According to the Prayer Marathon participants, his health was satisfactory, yet he required recovery.

80. They were initially detained because in the view of the armed groups they were participating in an 'unsanctioned' rally. However, once identified as Protestants, they were subjected to harsher treatment."

(e) Report "On human rights violations and abuses and international humanitarian law violations committed in the context of the Ilovaik events in August 2014" (A/HRC/39/CRP.3), 19 September 2018

535. The report described the shelling of Ilovaik in August 2014 and its impact on civilians. The report read, in so far as relevant:

"7. Hostilities in Ilovaik and the surrounding villages had a devastating impact on the civilian population. In Ilovaik, 600 out of 1,800 individual houses were destroyed and 116 multi-storey buildings were damaged. For three weeks, residents of Ilovaik did not have electricity, water and gas due to damages caused by the hostilities. During this period, there were also no functioning medical facilities. The shelling of Ilovaik and two nearby villages resulted in the death of at least 36 civilians (18 men and 18 women). Monitoring conducted by OHCHR indicates that parties to the conflict employed explosive weapons in populated areas without complying with the principles of distinction, proportionality and precaution.

...

38. By August 2014, an estimated 12,000 to 13,000 civilians – out of a pre-conflict population of 16,000 – remained in Ilovaïsk. The town was first shelled on 12 July 2014. Over the following days, shelling disrupted the electricity and water supply. From 7 to 28 August, the town was shelled daily. By mid-August, shelling had cut off the supply of electricity, gas and running water to the town. Shelling damaged up to 600 private households (out of 1,800) and all 116 multi-story residential buildings in Ilovaïsk.

39. On the night of 7 to 8 August, Ilovaïsk hospital was hit by a shell that damaged the main building and pharmacy, including the medicine storage. Of approximately 90 patients, who were in the hospital at that time, no one was killed or injured. Staff, patients, and the operating room were moved to the basement where, for three days, medical teams provided medical care and performed surgeries. As described by an interlocutor of OHCHR: ‘you can’t imagine how it was to work there. No proper ventilation, the constant smell of blood that could not be washed off, the smell of other biological fluids of nearly 100 patients and the smell of dead bodies. All of that in the heat. We lacked food and nearly fainted while caring for patients’.

40. On 10 August, the hospital was forced to close, having run out of medical supplies. Furthermore, there was no electricity, water or gas due to damages caused by the hostilities. From then until the end of the hostilities in and around Ilovaïsk on 30 August 2014, the town was deprived of any functioning medical facility. Residents would go to the homes of doctors and nurses for medical assistance. Medics and paramedics of the Ukrainian volunteer battalions also provided medical aid. For instance the medical unit of ‘Donbas’ battalion in school No. 14 reportedly treated two or three injured civilians every day between 18 and 28 August 2014. All such aid was provided with minimal medical supplies and equipment. Some injured and sick civilians were evacuated for medical care in hospitals elsewhere. From areas controlled by armed groups, the road to Zuhres was used, and from the parts controlled by Ukrainian forces – the road to Khartsyzk. Both of these roads were unsafe due to shelling.

41. From 17 to 18 August, armed groups arranged for several buses to evacuate some civilians (mostly women and children) from Ilovaïsk to the areas north of the town controlled by the armed groups. Civilians that stayed in Ilovaïsk and who did not have a basement in their houses hid in public buildings.

42. In the western part of the town, where Ukrainian battalions took positions on 18-19 August, civilians hid in the basements of kindergarten No. 3 (1a, Svobody Street), school No. 14 (54, Lomonosova Street) and the railroad machine station No 191 (169, Lomonosova Street). Kindergarten No. 3, where Ukrainian battalions were positioned from 19 to 26 August, hosted up to 150 civilians. In the basement of school No. 14, where Ukrainian battalions were positioned from 19 to 28 August, two rooms measuring two by 10 metres sheltered up to 50 people. Members of the Ukrainian battalions let civilians use these basements as shelter, and go out to get food or use the toilet.

43. In the eastern part of the town, controlled by the armed groups, civilians hid in the House of Culture (193B, Pervomaïska Street), the library (78, Shevchenko Street) and the railway station (37, Vokzalna Street).⁷¹ Most of the basements in these buildings were not properly equipped to serve as bomb shelters. They had poor ventilation, lacked toilets and were affected by leaking water. Over 250 civilians, including injured persons, hid in the House of Culture. Many slept on wet concrete floors in the bomb shelter and in its adjacent basement. The yard of the House was directly affected by the hostilities. In one case two women sustained fragmentation injuries when shelling hit the yard.

44. The vicinity surrounding Ilovaïsk was also heavily affected by armed hostilities. On 2-3 August 2014, approximately 200 civilians were evacuated from the village of Hrabske (five kilometres south-west of Ilovaïsk) to a convent 3.5 kilometres away, leaving only a few people in the village. In the period from August to September 2014 the control over this village shifted three times between armed groups and Ukrainian volunteer battalions. In early September 2014, residents returned to the village and found most houses destroyed and pillaged.

45. The villages of Mnohopillia (nine kilometres south of Ilovaïsk) and Pokrovka (seven kilometres east of Ilovaïsk) were shelled several times between 7 and 29 August. Shelling intensified during the few days before 29 August, forcing civilians to hide in basements for most of the time. According to local residents, both villages were controlled by Ukrainian forces during the whole month of August 2014. Looting, wilful destruction and military usage of civilian property were common. Reportedly, food stocks in the basements were consumed or purposefully destroyed; cutlery, cups, bed sheets, linens and vehicles were seized.

46. Information received by OHCHR through its monitoring and interviewing indicates that parties to the conflict shelled Ilovaïsk and the surrounding villages in non-compliance with the principles of distinction, proportionality and precaution while employing explosive weapons in densely-populated civilian areas.⁷⁶ Indiscriminate shelling of Ilovaïsk and its closest villages of Kobzari and Zelene resulted in the death of at least 36 civilians (18 women and 18 men). Eleven of the victims (five women and six men) were killed in Ilovaïsk between 7 and 18 August, when the town was fully controlled by armed groups; and 25 (13 women and 12 men) were killed between 19 and 28 August, during fighting between Ukrainian forces and armed groups in the town. The total number of civilians injured during this period is not known; yet on 7 August alone, at least 83 civilians were reportedly injured by shelling in Ilovaïsk town, and at least two dozen civilians injured in Ilovaïsk in August 2014 sustained physical impairments.”

536. The report further described negotiations to create a humanitarian corridor allowing the Ukrainian servicemen encircled in the Ilovaïsk area as of 27 August 2014 to retreat. As a result, on 29 August 2014 Ukrainian forces had begun a retreat from the area through a humanitarian corridor, as discussed with the Russian Federation, in two columns of armoured military vehicles, military and civilian trucks, buses and other vehicles. Soon afterwards, Ukrainian troops had come under an intense attack. The report read, in so far as relevant:

“71. At 1 a.m. on 29 August 2014, the web-portal of the presidency of the Russian Federation posted a statement by President Putin appealing to the armed groups ‘to open a humanitarian corridor for encircled Ukrainian servicemen to avoid unnecessary victims and to allow them to leave the area of hostilities without impediments’. Early in the morning of 29 August, Russian media disseminated a statement of the armed groups in which they supported President Putin’s initiative and expressed their readiness ‘to ensure the security of the withdrawal of Ukrainian servicemen from the encirclement with the condition that they shall pass through the created corridor without their weapons’. Reportedly, representatives of the Russian troops near Ilovaïsk passed the same proposal to Ukrainian forces early in the morning of 29 August.

72. These proposals were not accepted by the Ukrainian military command. At 8 a.m. on 29 August, Ukrainian forces, with their weapons and ammunition, moved in two columns of armoured military vehicles, military and civilian trucks, buses and other

vehicles out of the villages of Ahronomichne and Mnohopillia, where they had gathered by 6 a.m. on 29 August. They took two parallel roads heading to Starobesheve town and Novokaterynivka village.

73. Soon after departing, the columns came under intense shelling and small arms and light weapons fire. Hundreds of Ukrainian soldiers were killed or wounded in this attack. Witnesses reported to OHCHR that one of the unarmoured trucks displaying a self-made 1×1 metre white flag with a red cross that carried over a dozen wounded Ukrainian soldiers ... was hit by a heavy weapon, killing all inside but one.

...

81. According to the Office of the Prosecutor General of Ukraine, during the Ilovaisk events, 366 Ukrainian soldiers were killed and 429 were wounded¹⁵³, mostly on 29 and 30 August. In early September 2014, the majority of bodies of Ukrainian soldiers from the Ilovaisk area were brought to the Dnipropetrovsk and Zaporizhzhia regional forensic bureaus. According to the latter, the cause of death in most cases was due to explosive and fragmentation injuries. They also reported that some bodies had decomposed to such an extent that it was extremely difficult or impossible to establish the exact cause of death.”

(f) Sixth report on the human rights situation in Ukraine covering the period from 18 August to 16 September 2014, issued on 8 October 2014

537. This report provided the following overview of the situation with the freedom of expression in the conflict zone:

“44. Foreign and domestic journalists continued to face threats and abductions, with an obvious impact on their work and freedom of expression. Journalists have an important role to play when reporting from conflict zones, as they disseminate information to which the general public would otherwise not have access. However, some unprofessional and biased media fuel the conflict, contributing to the division of society and exacerbating tensions.

...

46. As in previous months, journalists were detained by armed groups and the ‘volunteer’ battalions. A journalist and a cameraman from TV channel ‘112 Ukraine’ were detained on 21 August by armed men of the ‘Luhansk people’s republic’ while reporting on the exchange of hostages. Both were released two and a half weeks later, following an intervention by Russian journalists. A journalist of the media outlet ‘Road control’ and a cameraman of ‘Espresso TV’, upon their release on 2 September, reported that they were abducted by Russian servicemen on 25 August near Ilovaisk. Some media professionals have yet to be released, such as two Kharkiv journalists, who have been detained by the ‘Luhansk people’s republic’ armed groups on 17 August and a journalist of ‘Espresso TV’ detained by the ‘Donetsk people’s republic’ armed groups on 25 August.”

(g) Report on the situation of human rights in Ukraine covering the period between 21 November 2013 and 5 September 2014 (A/HRC/27/75), issued on 19 September 2014

538. The report was submitted to the UN Human Rights Council pursuant to its resolution 26/30. It provided an overview of key human rights

developments and concerns described in the five OHCHR reports issued between 15 April and 29 August 2014. The relevant parts of the report read:

“16. ... the armed groups continued to carry out abductions, physical and psychological torture, ill-treatment and other serious human rights violations. People were abducted for ransom, for forced labour and to be exchanged for fighters held by the Ukrainian authorities. As of the issuance of the present report, the number of people held by the armed groups, mostly civilians, was estimated at more than 460. ... Forced mobilization and threats of the death penalty were additional means to terrorize the population in the territory under the control of the armed groups. The case of Nadiya Savchenko, a former Ukrainian military pilot, allegedly detained and smuggled out of Ukraine by the armed groups and currently being held in pretrial detention in Voronezh in the Russian Federation, remains an issue of concern. She was charged with complicity in the killing of two Russian television journalists on 17 June 2014 near Luhansk. The court in Voronezh has extended her detention until 30 October 2014, and has ordered, reportedly against her will, that she undergo a psychiatric examination in the Serbsky Institute in Moscow.

...

19. Another matter of grave concern was the situation of the most vulnerable persons, including children in institutional care in Donetsk and Luhansk regions. Efforts by the Ukrainian authorities to evacuate the children have been hindered by the armed groups, which have repeatedly illegally transferred institutionalized children to the Russian Federation. Sixty children were abducted from the Luhansk orphanage on 26 July 2014 and eight children with cerebral paralysis were kidnapped from the same facility on 8 August 2014. Prior to that, on 12 June 2014, 16 institutionalized children and two accompanying persons had been abducted by armed representatives of the so-called Donetsk ‘peoples’ republic’ and taken to the Russian Federation. All the children have been returned.

...

24. ... The Donetsk and Luhansk self-proclaimed ‘people’s republics’ have unlawfully prevented broadcasting of Ukrainian channels in the territory under their control.”

(h) Seventh report on the human rights situation in Ukraine covering the period from 17 September to 31 October 2014, issued on 15 November 2014

539. This HRMMU report covered the period from 17 September to 31 October 2014. It summarised the situation by noting that in territories under the control of both “republics”, cases of serious human rights abuses by the armed groups had continued to be reported, including torture, arbitrary and incommunicado detention, summary executions, forced labour, sexual violence and the destruction and illegal seizure of property, and that those violations were “of a systematic nature and [could] amount to crimes against humanity”. On the issue of the use of explosive weapons in populated areas, the report read:

“25. Before, as well as after, the announcement of a ‘silence regime’, residential areas continued to be indiscriminately shelled by various artillery and multiple launch rocket systems (MLRS) throughout the whole reporting period. This led to military and civilian casualties. Targeting of military positions occurred in the immediate vicinity of

residential areas, but areas which were not located near military positions were also shelled, particularly in the city of Donetsk.

26. The reported use of cluster munitions in fighting between Ukrainian forces and the armed groups in more than 12 urban and rural locations in early October is of concern. The use of cluster munitions in populated areas violates the laws of war due to the indiscriminate nature of the weapon and may amount to war crimes. It is imperative that such reports be investigated promptly and thoroughly, as well as the reports of indiscriminate shelling of residential areas by conventional weapons.

27. The Government of Ukraine continued to blame the armed groups for the use of heavy weapons in populated areas, notably for the following incidents: the 29 September shelling of the town of Popasna (Donetsk region), which killed four civilians; the 1 October rocketing of the centre of Donetsk, which hit a bus and a bus stop, killing six civilians and wounding 25; the rocketing of a school, on the same day, which killed two civilians and wounded five; and the 2 October shelling near the ICRC office in Donetsk, which killed an ICRC administrator. On 14 October, the village of Sartana (north-east of Mariupol in the Donetsk region) was reportedly shelled with mortars and a MLRS ‘Grad’. According to the Mariupol city council, shells hit a funeral procession, killing seven civilians and wounding 18. According to the Ukrainian army, a Ukrainian checkpoint 1 km away from the village was the supposed target. On 10 October, the Government of Ukraine accused armed groups of targeting an ambulance near the village of Shyroke (Donetsk region) which killed two medical personnel and a patient. The Government of Ukraine attributed some attacks on the populated areas to armed groups that report neither to the ‘Donetsk people’s republic’ nor to the ‘Luhansk people’s republic’.

28. The armed groups have declined any responsibility for the aforementioned incidents and other instances where residential areas were shelled, blaming the Ukrainian armed forces ...

29. Since the start of the ceasefire, between 6 September and 31 October, at least 718 deaths were reported. Among them, at least 84 women were killed by indiscriminate shelling in Donetsk region. The share of women among casualties reported by medical establishments of Donetsk region remained at the same level as during the peak of hostilities in August (approximately 15%). Between 9 September and 28 October, the number of children killed in Donetsk and Luhansk regions increased by 28%, from 28 to 36 deaths, whilst the number of wounded increased by 82%, from 56 to 102 cases.”

540. On the issue of deprivation of liberty and enforced disappearances, the report stated:

“40. On 8 October, the head of the ‘commission on issues of prisoners of war and refugees’ of the ‘Donetsk people’s republic’ publicly declared that ‘about 600 Ukrainians’ were held by the ‘Donetsk people’s republic’. The number of people held by the ‘Luhansk people’s republic’ and by other armed groups is not known.

41. According to the SBU, as of 30 September, there were at least 21 new ad hoc places of detention set up since the conflict started in the areas controlled by the armed groups[.] ...

42. ... on 29 September, a civil activist and deputy of Novoazovsk district council (Donetsk region) who provided assistance and accommodation to IDPs, was taken by armed men. He had previously also been deprived of his liberty on 29-30 August by the

armed groups, and taken to a forest where he was forced to dig his own grave, but later released. His current whereabouts are unknown.

43. On 8 October, the HRMMU was informed about the deprivation of liberty of the head of the Independent Miners' Trade Union of the Kalinin mine, and of his two sons. Allegedly, on 6 October, his private apartment was stormed by eight armed men who introduced themselves as the 'Donetsk people's republic' police. They reportedly claimed having received a complaint that an 'enemy of the republic' was living in the apartment, and that they had to detain him to 'clarify circumstances'. When contacted by his wife, neither the local 'police department' where he and his sons were supposedly taken, nor the 'state security committee' of the 'Donetsk people's republic' had any information about the individual."

541. The report described cases of alleged ill-treatment and sexual violence in the following way:

"50. During the reporting period, the HRMMU continued to receive reports of torture and ill-treatment by... the armed groups, including beating, death threats, cruel, inhuman and degrading treatment, and lack of access to medical assistance. Some detainees who had been selected by the Government of Ukraine to be released, under the Minsk agreements, reported spending several days in detention without food and water.

...

51. A serviceman of the 24th Voluntary Territorial Defence Battalion Aidar, released by armed groups on 27 September, after being wounded and detained in an ambush on 26 September, reported being beaten and that his right arm marked with a tattoo of the Ukrainian coat of arms and 'Glory to Ukraine', was cut off with an axe.

52. On 24 October, the HRMMU interviewed a man who had been detained for 48 days by the 'Donetsk people's republic' for 'espionage', and was released on 27 September. At a detention facility managed by the 'ministry of state security' (a former plant of isolation materials), the man reported seeing several dozens of people, most of whom were beaten. He reported that there was no separation between men and women; that detainees were poorly fed; with limited or no access to water; humiliating sanitation arrangements; extremely limited access to medical care; and no opportunity to communicate with relatives. A further HRMMU interview with a Donetsk resident who had been detained on 6 August by an armed group because of his 'anti-governmental propaganda subversive activities', revealed that he was taken to the former Donetsk regional SBU building. There he was heavily beaten, for two days, with wooden bats and rubber sticks, and threatened to be shot. His abductors allegedly started cutting off his ear. He was reportedly kept in a very small cell with three Ukrainian servicemen, and then transferred to another place where he was beaten again and then imprisoned in an iron box already containing one man, with little capacity to even hold one person. They were left there for a day under the sun, which caused him to lose consciousness. After the detainees began banging the box, they were eventually let out for a short while, received pain killing injections and given some water, but were later put back in the box again. They were subsequently taken to a garage, handcuffed and beaten for 10 days."

542. On the issue of safety of journalists and media workers, the report stated:

“57. As of 31 October, the HRMMU was aware of at least six more journalists and media workers that remain held by armed groups of the ‘Luhansk people’s republic’[.] ...

58. ... On 25 September, a blogger of Ukrainian Truth was released after 48 days of being held by an armed group of the ‘Donetsk people’s republic’. On 30 September, a freelance journalist of the Vesti newspaper and the Reporter magazine, together with a free-lance photojournalist, who had been held by the armed groups since 22 September, were released in Sverdlovsk, Luhansk region. On 6 October, a journalist of Espresso TV was released after 38 days of detention by an armed group in Makiivka, Donetsk region. He was reportedly ill-treated and forced to give a false testimony on camera about the Ukrainian Armed Forces. He was later forced to make video reports as a pre-condition for his release, under the supervision of members of the Don Cossack unit that was holding him. On 11 October, a freelance journalist from the Lviv-based agency ZIK had been released after he had been held by armed groups in Luhansk region since 23 July, along with a group of priests with whom he was travelling to report on their missionary work in the conflict area. All were held in the basement of the Luhansk State Administration for more than two months and severely beaten. On 27 October, a local civic activist and blogger captured on 22 September by armed groups of the ‘Donetsk people’s republic’, was released during a detainee exchange.”

543. Addressing freedom of peaceful assembly, the report read:

“73. ... on 5 October, in Sverdlovsk (Luhansk region) during a protest to demand payments of salaries and other social payment by the ‘Luhansk people’s republic’, armed supporters of the ‘republic’ tried to prevent the gathering by shooting at people, injuring three citizens. Similarly, on 22 October in Brianka (Luhansk region), armed supporters of the ‘Luhansk people’s republic’ prevented pensioners who had not received pensions for four months from rallying by shooting in the air.”

544. On the issue of freedom of religion or belief, the report stated:

“75. ... All faith traditions, except for the Orthodox Church of the Moscow Patriarchate, appear to be targeted by the armed groups through the persecution and detention of clergy members and believers, as well as the seizure of church property.

76. Thus, on 27 September, armed men abducted a Protestant pastor of the Seventh-day Adventist church in Horlivka, Donetsk region, reportedly stating that ‘this is Orthodox land and there is no place for various sects’. The pastor was released on 16 October.

77. On 23 September, the Evangelical Christian Baptist Church announced on its website that from the beginning of April until September, seven Baptist church buildings had been seized by the armed supporters of the ‘Donetsk people’s republic’ and the ‘Luhansk people’s republic’.

78. On 4 October, armed Don Cossacks seized the Holy Trinity Cathedral (Orthodox Church of Kyiv Patriarchate) in Luhansk and gave the clergy one hour to ‘get out’, declaring that the Church would be used as their dormitory.”

545. The right to property in the areas controlled by armed groups was commented on as follows:

“88. The HRMMU continued to receive reports about illegal seizure of property in the areas controlled by armed groups. On 30 September, the spokesman of the Information Centre stated that the armed groups of ‘Luhansk people’s republic’ organised the sale of about 100 cars stolen from local residents or dealerships and had

been forcing local residents of Lutugino to sell their homes for as little as USD 100 to USD 1,000.”

546. The report described the situation regarding the right to education in the territories beyond the Ukrainian government’s control as follows:

“99. ... In the territories controlled by the armed groups, schooling is limited, mainly due to the destruction of buildings and insecurity. On 10 October [2014], the ‘minister of education’ of ‘Donetsk people’s republic’ stated that on the territory controlled by the ‘republic’, 85 educational buildings, 26 kindergartens and 51 schools had been damaged or destroyed. In Donetsk city, 48 out of 150 secondary schools and 54 out of 185 kindergartens were reportedly damaged. As of 13 October, in Luhansk city, 5 out of 60 schools had been destroyed completely and 43 had been damaged. Out of 63 kindergartens, 38 had been damaged. The overall number of children, who still had no access to secondary education in both regions, remained unknown.

100. In these areas, the curricula have been altered to exclude the teaching of Ukrainian language and history, which makes it problematic to obtain State school diplomas. This also violates the cultural rights of Ukrainian speaking children.”

547. The report described the following instances of conflict-related sexual violence:

“130. On 14 October, an NGO informed the HRMMU that a couple was detained by armed groups at an opioid-replacement-therapy site on the grounds of being former drug users. While the man was forced to dig trenches, the woman was reportedly forced to cook meals for members of a ‘Donetsk people’s republic’ unit and provide sexual services to them. Both were later released.

131. On 15 October, the ‘authorities’ of the ‘Donetsk people’s republic’ informed the HRMMU of an alleged rape. In Torez, a member of an armed group reportedly kidnapped a local female resident, raped her and at the same time placed a grenade in her mouth. Members of the local armed group reportedly caught and detained the perpetrator; the ‘General Prosecutor’ of the ‘Donetsk people’s republic’ has opened a criminal case.

132. On 23 September, it was reported that a member of a ‘Luhansk people’s republic’ armed group raped a 22-year-old woman. He was later subjected to public humiliation by his commanders as punishment.”

(i) Eighth report on the human rights situation in Ukraine covering the period from 1 to 30 November 2014, issued on 15 December 2014

548. On the topic of peaceful enjoyment of property, this report noted:

“4. ... Increasingly as people left their homes, their property was seized. Efforts by the ‘Donetsk people’s republic’ and ‘Luhansk people’s republic’ to develop their own systems of administration of justice (‘legislation’, ‘police’, ‘prosecutors’ and ‘courts’) did not improve the dire human rights situation on the territories under their control.”

549. The report described the unfolding hostilities as follows:

“37. The ceasefire agreed upon on 5 September in Minsk stopped large-scale offensive activity, but skirmishing and heavy artillery exchanges continued on a daily basis ...

38. ... By 30 November, the total number of casualties in eastern Ukraine had reached at least 4,364 killed (including 298 from the MH-17 flight) and 10,064 wounded. The actual numbers of casualties is likely to be higher as both military and civilian casualties remain under reported. Over 1,000 bodies delivered to morgues in the conflict zone remain unidentified, and many sites had not been searched to recover all remains due to continued fighting and insecurity.”

550. HRMMU reported more human rights abuses such as killings, torture, abduction for ransom and forced labour committed by members of armed groups. By the beginning of September 2014, at least 1,000 Ukrainian servicemen and “pro-unity” civilians had been held by the armed groups. Persecution and intimidation of people suspected of supporting Ukrainian forces or holding pro-Ukrainian sympathies remained widespread and included deprivation of liberty and property, humiliation in public places and mock executions. Conditions of detention, especially for civilians, were often inhuman and degrading – people were kept in overcrowded basements or other *ad hoc* detention facilities without separate premises for men and women. The supply of food and water was insufficient or irregular and opportunities to maintain personal hygiene and contact with the outside world were largely absent. Some detainees were subjected to torture and ill-treatment, which included verbal assaults, physical beatings, including various objects (rifle butts, wooden bats and metal and rubber sticks), cutting with knives and other sharp objects, sexual assaults, threats of death and threats of persecution of relatives.

(j) Ninth report on the human rights situation in Ukraine covering the period from 1 December 2014 to 15 February 2015, issued on 15 February 2015

551. The executive summary of this report stated, in so far as relevant:

“7. The fighting and indiscriminate shelling have caused heavy damage to civilian property and vital infrastructure, leaving civilians in highly precarious situations and often without electricity, gas, heating, water or food. Hospitals, schools and kindergartens were hit by shelling of residential areas, including in Avdiivka, Donetsk city, Horlivka, Luhansk, Mariupol and other settlements, raising suspicion that civilian objects have been targeted or at the minimum indiscriminate shelling of such areas had been conducted in the knowledge of and with stark disregard for international humanitarian law and civilian lives.”

552. The report described the issues of indiscriminate shelling and evacuation of civilians as follows:

“23. Indiscriminate shelling of populated areas, both Government-controlled and those controlled by the armed groups continued to be widespread. Although, in some cases, imprecise targeting of military positions occurred in the immediate vicinity of built-up areas (especially in Debaltseve area), there were also numerous cases of shelling of residential areas not located near military positions.

...

29. Evacuations were hampered by constant shelling of Government controlled territories and evacuation routes. Reports suggest that some incidents of shelling coincided with the evacuation of civilians and may have been targeted to prevent it ...”

553. The report addressed the issues of illegal and arbitrary detention, enforced disappearance, torture and ill-treatment by the armed groups in the following way:

“33. Estimates of the number of people held by armed groups vary continuously and reflect the constantly evolving pattern of detentions and releases. Several hundred were thought to be detained at any given time between December 2014 and mid-February 2015. On 9 December, the Head of the Security Service of Ukraine (SBU) Main Investigative Department stated that 684 people were held by armed groups. On 11 December, the non-governmental organization, The Centre for Release of Captives estimated the number of people held by the armed groups to be 632. In addition to Ukrainian servicemen (as of 25 January, the Ukrainian Government estimated the number still held as 184), people held by the armed groups include those suspected of ‘subversive’ activities. On 22 January, the ‘head’ of the ‘Donetsk people’s republic’ declared that up to five Ukrainian ‘subversives’ aged between 18 and 35 were detained every day. ...

34. As of 4 February, civilians held by armed groups are estimated by the Government of Ukraine to number over 400. Some are held for minor offences and substance abuse. However, civil society activists, journalists and staff of international NGOs continue to be illegally detained. A Donetsk-based journalist was abducted on 8 January while observing a ‘humanitarian convoy’ from the Russian Federation and released on 7 February. On 31 January, a freelance journalist was abducted in Donetsk. His whereabouts were unknown as of 15 February.

35. On 30 December, according to the ‘prosecutor general’s office’ of the ‘Luhansk people’s republic’, a ‘criminal case’ was initiated against armed group commander Aleksandr Biednov (call sign ‘Batman’) and his subordinates for illegal detention and torture resulting in the death of a detainee. On 2 January, videos were released showing members of Biednov’s group who confessed to running a facility in the basement of a university library in Luhansk and taking part in the ill-treatment of captives.”

554. On the issue of the freedom of expression, the report read:

“58. ... On 11 February, the State Committee on TV and Radio Broadcasting addressed the issue of freedom of expression and protection of the rights of Ukrainian and foreign journalists in Donetsk and Luhansk regions, as well as the Autonomous Republic of Crimea. It was stated that since March 2014, at least 78 journalists have been held by armed groups and at least 60 attacks on media offices have been documented.”

555. The following passage addressed the rights of minorities and groups facing discrimination:

“66. The HRMU received reports of targeting of religious minorities in the areas controlled by armed groups. On 10 January, in Horlivka, five Jehovah’s Witnesses ministers were taken to the office of a ‘Donetsk people’s republic’ commander and accused of betraying the Orthodox religion. They were allegedly punched and kicked and subjected to mock execution. After several hours, they were released while threatened with being shot if they continued their religious activities. On 22 January, in Donetsk city, a Jehovah’s Witnesses minister was abducted at his workplace by members of the Oplot battalion, a military unit of ‘Donetsk people’s republic’. He was

blindfolded and interrogated several times before being released on 23 January. On 5, 11 and 20 December 2014, Kingdom Halls (prayer houses of Jehovah's Witnesses) were seized by armed groups in Krasnyi Luch, Telmanove and Zuhres."

(k) Tenth report on the human rights situation in Ukraine covering the period from 16 February to 15 May 2015, issued on 1 June 2015

556. The executive summary of the report provided the following information regarding the ceasefire in eastern Ukraine:

"5. The current ceasefire in eastern Ukraine is not fully respected. Agreed upon on 12 February 2015 as part of a Package of Measures for the Implementation of the Minsk Agreements with participation of representatives of the 'Donetsk people's republic' and the 'Luhansk people's republic', it entered into force on 15 February. The Package also foresees the withdrawal of heavy weaponry from the contact line; the establishment of a 50-140 km security zone; the withdrawal of illegal and foreign armed formations from the territory of Ukraine ...

6. In the days following the abovementioned agreement on a ceasefire, attacks by the armed groups against Ukrainian troops continued around the town of Debaltseve (Donetsk region) until 19 February causing new casualties among the remaining civilian population which had already spent several weeks in basements ..."

557. The section of the report entitled "Armed hostilities" stated as follows:

"20. The entry into force of a ceasefire as of 15 February 2015 which was part of the Package of Measures for the Implementation of Minsk Agreements of 12 February led to a considerable decrease in the intensity and geographic scope of hostilities in eastern Ukraine, except for the vicinity of the town of Debaltseve (Donetsk region), where several thousand Ukrainian armed forces remained under sustained attack by the armed groups ...

21. Between 19 February and 10 April, the ceasefire was generally upheld, although isolated clashes were reported, mainly through the use of small arms, grenade launchers and mortars ...

22. Between 11 and 15 April, fighting considerably escalated in the vicinity of the Donetsk airport and near the contested village of Shyrokyne (Donetsk region), where the use of heavy weapons, including mortars, artillery and tanks, resumed ...

...

26. Even with the decrease in hostilities, civilians continued to be killed and wounded. On 22 February, an artillery shell killed three civilians in the Government-controlled town of Avdiivka (Donetsk region). On 4 March, a woman was killed when her apartment was hit by a shell during a mortar attack on Avdiivka."

558. The section of the report entitled "Illegal and arbitrary detention, enforced disappearance, and torture and ill-treatment" provided the following description of the actions of the armed groups:

"35. ... As of 8 May, database of the NGO Mirnyi Bereg contained data on 260 soldiers and 71 civilians allegedly in captivity of the armed groups. All figures mentioned above concern people whose identity the Government of Ukraine and/or civil initiatives have managed to determine. On 5 May, a Ukrainian civil volunteer, who

is engaged in the process, estimated the total number of people held by the armed groups at up to 1,000.

...

37. On 5 May, the HRMMU interviewed a woman, who had been abducted on 22 May 2014 and illegally deprived of liberty for five days by the ‘traffic police’ and members of the armed groups of ‘Donetsk people’s republic’ for assisting the Ukrainian armed forces. She reported having been blindfolded and beaten every two hours on the head and the legs, including with a blunt object which she could not identify. During her interrogation, she was reportedly tied to a chair, with her arms twisted behind the back of the chair. She claims that her captors beat another detainee to death in her presence. They also reportedly subjected her to a mock execution twice: once she was shot with a blank cartridge; another time, shots were fired above her head while she stood against a wall; and she was forced to play ‘Russian roulette’. She also reported an attempted rape by a group of men.

38. On 6 May, the HRMMU interviewed a man who had been illegally deprived of liberty in a ‘base’ of a ‘Cossack’ armed group in Donetsk from 1 to 28 February. He reportedly witnessed other captives being beaten, including with rifle butts. His cellmate told him he had been tortured with electric current and had his ears cut. Some captives reportedly told him that another detainee (with whom he shared the cell) was taken for interrogation and was probably tortured to death. The victim also spent 10 days in an isolated cell with a temperature of approximately 5 C°. ...

39. On 8 May, the ‘head’ of the ‘Donetsk people’s republic’ stated that 200 ‘looters, rapists and kidnappers’ had been ‘arrested’ through a massive ‘law enforcement campaign against crime and corruption’, which reportedly resulted in ‘finding 13 civilian hostages and eight Ukrainian servicemen’. The HRMMU was informed that up to 300 people may have been captured. There are allegations that these people have been subjected to torture and ill-treatment.”

559. The report addressed the issue of freedom of expression:

“66. The HRMMU continued to receive reports of media professionals held by armed groups. On 11 March, a journalist from the city of Makiivka (Donetsk region), controlled by the armed groups, was reportedly abducted by armed groups. After his 80-year-old mother filed a complaint to ‘local police’, the armed groups conducted a search of her house and intimidated her. The journalist was released on 10 May.

...

69. The armed groups continued to limit freedom of expression and impede the work of media professionals on the territories they control. On 10 March, the so-called ‘council of ministers’ of the ‘Luhansk people’s republic’ issued an order demanding telecommunications operators to remove 23 Ukrainian TV channels and the Russian TV channel Dozhd from the broadcasting network on the grounds that they ‘pose threat to “state” security’. The ‘ministry of infrastructure, transport and communication’ was assigned to control the implementation of the decision.

70. Residents in the territories controlled by the armed groups often reported to the HRMMU that available media outlets presented only biased information. As many people did not have access to the Internet for technical reasons, access to any alternative sources of information was difficult. Journalists informed the HRMMU that during interviews with the so-called local ‘authorities’ only pre-cleared questions are allowed. Reportedly, journalists are sometimes demanded not to include parts of the interviews in their reports. On 1 May, two journalists from the Russian Federation were reportedly

abducted by the armed groups in Donetsk and forced to delete some photos from a public rally. They were then released.”

560. Addressing the freedom of peaceful assembly, the report stated:

“76. During the reporting period, in the ‘Donetsk people’s republic’ and ‘Luhansk people’s republic’, an atmosphere of intimidation imposed by the armed groups continued to prevent people from demonstrating publicly. On 6 April, the rally of miners of the Kirov mine in the city of Makiivka controlled by the armed groups (Donetsk region), who protested against the increase of the working hours from six to eight, was reportedly dispersed.”

561. The section of the report dedicated to the right to an adequate standard of living read as follows:

“87. Civilians continued to suffer from the lawlessness and impunity of the armed groups. For example, on 18 and 26 March, the HRMMU interviewed residents of Kuibyshevskiy district of Donetsk city, who reported that an armed group (allegedly part of the so-called ‘Vostok battalion’) occupied a local kindergarten and a chemical factory on 17 January. On 18 March, members of this armed group prevented the HRMMU from visiting this part of the district. They also reportedly prevented people from returning to their own homes even to take their own belongings. A local resident reported that on 22 March, a couple went to the home of their 82-year-old grandmother to collect some belongings. Although they had all documents proving their ownership of the property, they were detained by members of the armed group for looting and taken to the basement of the seized chemical factory, where they were kept for several hours. Afterwards, they visited the building and found that most of the apartments were looted.”

562. The report commented on freedom of religion in the following way:

“90. The HRMMU also received reports of armed groups seizing property of religious communities. On 3 March, in the town of Yenakieve controlled by the armed groups (Donetsk region), three armed men ordered the community of Jehovah’s Witnesses to hand over the keys to the Kingdom Hall (place of worship) so that they could use them as barracks. On 26 March, armed men broke in to the Kingdom Hall in the town of Brianka controlled by the armed groups (Luhansk region) and took away all the furniture from the building. They reportedly removed the sign ‘Kingdom Hall of Jehovah’s Witnesses’ and put up a new one – ‘The All-Great Don Army’.”

(l) 11th report on the human rights situation in Ukraine covering the period from 16 May to 15 August 2015, issued on 15 August 2015

563. This report noted that despite the absence of “large-scale offensives” since mid-February 2015, “locally-contained escalations of fighting” had occurred in various places:

“22. While within the reporting period there have been no large-scale offensives since mid-February 2015, a number of local escalations of armed hostilities occurred. The most notable incidents took place in the Government-controlled town of Mariinka (Donetsk region), on 3 June, and near the Government-controlled village of Starohnativka and the village of Novolaspa controlled by the armed groups (both in Donetsk region) on 9 and 10 August. Clashes and exchanges of fire along the contact line between the armed groups and the Ukrainian armed forces were reported daily. The major flashpoints were ... the ... Government-controlled towns of Avdiivka and

Mariinka, the contested villages of Pisky and Shyrokyne (all in Donetsk region), as well as the Government-controlled towns of Shchastia and Stanychno Luhanske (Luhansk region).

23. The withdrawal of heavy weapons from the contact line stipulated by the Minsk Agreements remained partial with the armed groups and the Ukrainian military continuing to use mortars, canons, howitzers, tanks and multiple launch rocket systems. They routinely did not comply with the international humanitarian law principles of distinction, proportionality and precautions, with numerous incidents of indiscriminate shelling of residential areas causing civilian casualties observed ...”

564. The report provided the following description of civilian casualties in the post-ceasefire period from 16 February until 15 August 2015:

“27. During the post-ceasefire six-month period of 16 February to 15 August, HRMMU recorded 575 civilian casualties in the conflict zone of eastern Ukraine: 165 civilians killed ... and 410 injured ...

28. Of the 575 civilian casualties, HRMMU documented 261 civilian deaths and injuries in the Government-controlled territories of Donetsk and Luhansk regions during this period. Seventy-one (71) civilians were killed ... and 190 injured ...

29. These 261 civilian casualties were caused mainly by shelling and ERW and IEDs with 165 civilian casualties ... from shelling...

30. ... The locations most affected by shelling were the towns of Avdiivka (13 civilians killed and 28 injured), Mariinka (four killed and 15 injured) and Dzerzhynsk (four killed and 10 injured), all in the Donetsk region.”

565. Addressing the issue of missing persons, the report stated:

“37. A male pensioner was reported as missing by his wife on 14 August 2014, having been last seen leaving his house in the city of Horlivka (controlled by the armed groups; Donetsk region), with two armed men in camouflage who were pointing their rifle at him. Another woman claimed that her husband went missing in May 2015 while driving his expensive car in the town of Debaltseve (controlled by the armed groups in Donetsk region). She informed all the ‘law enforcement institutions’ of the ‘Donetsk people’s republic’ about her husband’s disappearance and a ‘criminal case’ was initiated with no results so far. His whereabouts remain unknown.”

566. The section entitled “Illegal and arbitrary detention, enforced disappearance, and torture and ill-treatment” described the actions of the armed groups as follows:

“40. ... According to SBU, as of 15 August, 172 people were held by the ‘Donetsk people’s republic’ and ‘Luhansk people’s republic’. This figure, however, concerns those whose whereabouts have been established by the Government of Ukraine, and whose release has been sought.

...

42. During the reporting period, HRMMU learned about two incidents of summary execution of civilians in the village of Peremozhne (controlled by the armed groups; Luhansk region) reportedly committed by members of the so-called separate special brigade Odessa operating in the area under the control of the ‘Luhansk people’s republic’. On 10 August 2014, eight armed men in camouflage without any signs of distinction stormed the house of local volunteers who were providing food to Ukrainian

soldiers. After searching and looting the house, the armed men took away a man and a woman. Over the following ten days the armed men returned three times to the house and looted it, holding the 75-year-old father of one of the abducted at gun point. The family had no information of the whereabouts of those who were abducted until January when their bodies were found near the village of Piatyhorivka; confirmed by forensic examinations only in June 2015. The forensic expertise showed that cause of death of the two victims to have been two to three fire gun shots to the head, with head injuries sustained by beating. In the same village, on 22 August 2014, four members of a family were executed outside their house for their alleged assistance to the Ukrainian armed forces, and their property then looted.

...

44. A former Ukrainian soldier reported about his detention in the conflict zone, in August 2014, allegedly by fighters from the Russian Federation who then handed him over to the armed groups. He reportedly spent six months held by the armed groups on the territory of the 'Donetsk people's republic' where he was subjected to beatings and forced labour. Another man claimed that he was deprived of his liberty for more than four months by the armed groups of 'Luhansk people's republic' after being stopped at a check point in July 2014, near the city of Luhansk, on suspicion of 'subversive activities'. During interrogations, armed men beat him with rifle butts and a rod, and employed electric shock. Between the 'interrogations', he was made to hang from parallel bars, to which he was tied with handcuffs. Four days later, he was transferred to the 'military commandant's office', where he was kept in a 16 square metres room in a basement, with up to 40 other individuals. All were forced to work at the training ground and in various localities where they discharged munitions and dug trenches.

45. In February 2015, an Orthodox priest who was delivering food to Ukrainian soldiers and civilians in the Government-controlled town of Artemivsk (Donetsk region), mistakenly drove to a check point controlled by armed groups. He was forced to lie on the ground, and several fighters started jumping on his body. They also shot at the asphalt near his head. He was then transferred to a nearby village for interrogation which lasted several hours and during which he was beaten. He was detained for 50 days in various places, along with approximately 70 other detainees.

46. A young woman with a disability was taken from her home in Donetsk city, in June 2015 by three armed men in civilian clothes from the 'ministry of state security' of the 'Donetsk people's republic'. She was accused of being a 'sniper of the Right Sector' and kept incommunicado for over a month in the former premises of a cultural centre in Donetsk. The woman, who was three months pregnant, claimed she was subjected to beatings. She was also forced to give a press conference issuing false statements to the media, and to testify against 'pro-unity' activists. Following HRMMU advocacy with the 'Donetsk people's republic', she was released in July 2015.... Another Donetsk resident detained by the armed groups in the 'Donetsk people's republic' in May 2015 claimed that she was kept for four days in a one-by-two metres cell. ... She was transferred after four days to an 'official' detention facility and released a month and a half later.

47. A woman from the town of Debaltseve (Donetsk region) informed HRMMU that on 2 June 2014, several masked men stormed her house and abducted her son-in-law who has a disability status due to impaired vision. In August 2015, his whereabouts still remained unknown. Allegedly, on the same day, seven other young men were kidnapped from the same residential building. She also claimed that on 5 September 2014, her husband (a police officer) was executed (shot dead) by members of the armed groups in front of the police station, allegedly for his 'pro-unity' position.

48 HRMMU also interviewed a woman who had been held twice by the armed groups of the ‘Luhansk people’s republic’, from July to October 2014 and from February to July 2015. In July 2014, she was detained with three men at a check point manned by the ‘Cossacks’ Union’ of the ‘All-Great Don Army’. During her first two weeks of detention, she and others were interrogated and tortured. The woman was severely beaten with rifle butts and bullet proof vests until she lost consciousness. As a result, four ribs were fractured, and her nose and most of her teeth were broken. During interrogation, perpetrators were reportedly extinguishing cigarette butts against her wrist, and threatening the life of her child and mother. She also reportedly survived an attempted gang rape. She witnessed the summary execution of two Ukrainian soldiers – one was shot, a second was beaten to death on the head. During the first two weeks of captivity, she and other detainees received no food and almost no water. She received medical care and food after being transferred to the ‘military commandant’s office’ in Luhansk city. There, she was not ill-treated but witnessed the beatings of male detainees.”

567. On the topic of the freedom of expression, the report stated that “[o]n 9 June, the company Donetsk Cable Television confirmed that it had blocked access to 39 Internet-based media outlets, upon an ‘order’ from the ‘ministry of information’ of the ‘Donetsk people’s republic’ issued on 3 June 2015”.

568. The following description was provided of the situation regarding freedom of religion or belief in the territories controlled by armed groups:

“83. In a statement issued on 20 May, the head of the ‘Donetsk people’s republic’ threatened to ‘brutally fight sects’ and stated it did not recognize any religions apart from Orthodoxy, Roman Catholicism, Islam and Judaism. HRMMU was informed by the clergy of minority Christian denominations in Donetsk city that, overall, they have been able to operate and practice. Nevertheless, HRMMU continued to receive reports about isolated incidents of armed groups attacking community members and places of worship, and disrupting religious services.

84. The Jehovah’s Witnesses community appears to have been particularly targeted. Since the beginning of the conflict, the armed groups have abducted and ill-treated 26 elders and members of community. On 17 May, armed men detained four Jehovah’s Witnesses members in Novoazovsk, blindfolded them and delivered them to their ‘local headquarters’. For two hours, they beat them and conducted a mock execution, persuading the detainees to ‘acknowledge Orthodoxy as the only true religion’ and to join the armed groups. All four were released the following day. On 21 May, the ‘police’ detained two Jehovah’s Witnesses while they were engaged in their religious ministry (having Bible-based conversations with local residents) in the town of Stakhanov, controlled by the ‘Luhansk people’s republic’. They were accused of disturbing peace by forcing their religious convictions on others, and were illegally detained for 15 days. On 21 June, in the town of Torez, controlled by the ‘Donetsk people’s republic’, two armed men entered the Kingdom hall during a prayer, attacked the preacher and verbally abused the audience, including women and children. The community elders reported the incident to the local ‘police’ but no follow-up action was taken.

85. As of 15 August, 12 prayer houses of the Jehovah’s Witnesses community had been taken over by armed groups. Representatives of the ‘Donetsk people’s republic’ in the towns of Yenakiieve and Zhdanivka (Donetsk region) stated that these would never be returned to the religious community and would be turned into ‘more important things, such as gyms’.”

(m) 12th report on the human rights situation in Ukraine covering the period from 16 August to 15 November 2015, issued on 9 December 2015

569. This report noted that the “ceasefire within the ceasefire” agreed upon in Minsk on 26 August 2015 had led to a considerable decrease in the hostilities, especially in September and October, with a further increase in November:

“20. The reporting period was marked by a sharp de-escalation of hostilities in the conflict zone of eastern Ukraine, following the revamped agreement on the ceasefire agreed upon in Minsk, which started to be implemented on 1 September. While frequent in August, exchanges of fire from artillery and light weapons almost ceased in September and October.

...

23. During the first half of November, increasing skirmishes occurred along the contact line, including with the use of artillery systems. Alarming reports about the gradual re-escalation of hostilities, especially around the city of Donetsk, raised fears of a resumption of large-scale indiscriminate shelling of populated areas.”

570. Addressing the issue of civilian casualties, the report stated that there had been eighty-seven civilian casualties in the government-controlled territories; of these, 21% had resulted from shelling.

571. The section of the report entitled “Summary executions, enforced disappearances, unlawful and arbitrary detention, and torture and ill-treatment” stated:

“34. During reporting period, HRMMU received new allegations of killings, torture and ill-treatment, illegal detention and forced labour perpetrated by members of the armed groups.

...

38. Places of detention maintained by the armed groups remained virtually inaccessible for independent oversight, and international organizations, including HRMMU, did not have access to detainees. During the reporting period, HRMMU was only able to visit the Donetsk pre-trial detention centre (SIZO) but did not have access to detainees. Given the considerable number of cases of torture and ill-treatment of detainees documented by HRMMU since the beginning of the conflict, including in 2015, and poor detention conditions, there is an urgent need for independent monitoring of detention facilities in the territories controlled by the ‘Donetsk people’s republic’ and ‘Luhansk people’s republic’.

39. A man, who spent a year in the armed groups’ captivity, described in detail the conditions in the former SBU premises in Donetsk – namely overcrowding, insufficient nutrition and lack of adequate medical treatment – as well as ill-treatment, torture and forced labour. He described the conditions as particularly bad in 2014 and noted some improvement in 2015. He also reported numerous incidents when he and other detainees, including women, were tortured: mock executions, beatings and electrocution. Another former detainee reported poor nutrition and lack of medical aid in a detention facility of one of the ‘military units’ in Donetsk in the summer of 2015. A man released from penal colony No 97 in Makiivka (Donetsk region) reported about a room called by inmates the ‘tram’ because it looks like a very small and narrow metal tram carriage, with a metal tube in it. When an inmate was considered to have

misbehaved, he would be hung to the tube, wrapped in a sticky tape, sometimes for three to five hours, but often for a whole night. The witness also described cases of repeated negligence in providing medical assistance to inmates, and reported that in January 2015, one inmate died as a result of not receiving timely medical assistance.

40. On 25 September, HRMMU interviewed the mother of a man with mental disability who had been in detention since 26 February 2015. Before being placed in the Donetsk SIZO, he had spent some time in a temporary detention centre where he was reportedly beaten for three days. He was allegedly forced to sign a paper stating he had hit himself against the wall. His parents reported that in SIZO, while his health deteriorated, he did not receive any adequate medical treatment.”

572. Commenting on the issue of the freedom of expression, the report stated:

“57. ... A Donetsk-based media professional stated to HRMMU that there was no freedom of speech in the ‘Donetsk people’s republic’, as ‘no one from local media would even think to express a critical opinion’.

58. Foreign journalists must be accredited at the ‘Donetsk people’s republic’ press centre. According to them, the procedure became more complicated over the summer of 2015 with the creation of the ‘special analytical department’, responsible for monitoring all the reporting of journalists working in the ‘Donetsk people’s republic’. For example, in September, two foreign journalists were refused accreditation and invited for an ‘interview’ at the analytical department. One of the reporters was accused of being ‘a propagandist’ and ordered to leave Donetsk city. Other nine media outlets informed HRMMU of having difficulties with ‘accreditation’.

59. Ukrainian freelance journalist Maria Varfolomicieva has been held by armed groups of the ‘Luhansk people’s republic’ since 9 January 2015, accused of ‘espionage’ for taking pictures of the administrative buildings in Luhansk city, which were allegedly subsequently shelled.”

573. The situation regarding freedom of religion in the territories controlled by the armed groups was described as follows:

“71. HRMMU continued to receive reports about the persecution of Jehovah Witnesses in the territories controlled by armed groups. On 25 August, in the city of Luhansk, four local members of the community (all men) were interrogated for six hours at the office of the ‘ministry of state security’, and forced to state that they were connected to foreign intelligence services. The interrogators forbade them to distribute religious literature and to publicly practice their religion. On 21 September, in the town of Vuhlehirsk (Donetsk region), two representatives of the local ‘military police’ ordered the community of Jehovah’s Witnesses in the region to stop religious services and distribution of religious literature until a law on religion was passed, threatening that members would otherwise be sanctioned by arrests or high fines. On 29 September, in the town of Shakhtarsk (Donetsk region) a group of people came to the Kingdom Hall to protest against the activity of the religious community and put up signs on the facade that read: ‘Away with the Sect!’ and ‘No place for sects!’ The local ‘police chief’ was present during the protest, but did not intervene.”

(n) 13th report on the human rights situation in Ukraine covering the period from 16 November 2015 to 15 February 2016, issued on 3 March 2016

574. Addressing the issue of the intensity of the hostilities, this report stated:

“22. Despite the background of the overall de-escalation of hostilities as a result of the ceasefire in eastern Ukraine, which has generally held for over a year –isolated clashes, localized exchanges of fire, and minor shifts in the contact line have continued ...

23. Nevertheless, the armed conflict in eastern Ukraine has continued. The armed groups exercise control over certain districts of Donetsk and Luhansk regions and carry out sustained and concerted military operations against Ukrainian armed forces. In recent months, most clashes occurred in hotspots along the ‘contact line’ in or close to populated civilian areas ...

...

30. ... Exchanges of fire from artillery systems were rare while small arms and light weapons were employed frequently ...

...

35. Eleven civilian casualties resulted from shelling: five killed ... and six injured ...”

575. The report described the following cases of summary execution, deprivation of liberty and ill-treatment:

“56. OHCHR recorded new allegations of killings, abductions, illegal detention, torture and ill-treatment perpetrated by members of the armed groups. The accounts most often referred to incidents that took place outside the reporting period, as some victims delayed reporting until they left the areas under the control of the armed groups, while the relatives of those in detention requested that their cases remain confidential for fear of retribution. The armed groups use State detention facilities that existed before the conflict (SIZOs and penal colonies) as well as *ad hoc* places.

57. During the reporting period, OHCHR documented several cases of summary executions committed by members of the armed groups in 2014 and 2015. ... [B]etween 1 and 15 April 2015, in the town of Dokuchaivsk, Donetsk region, members of the ‘Donetsk people’s republic’ allegedly summarily executed a man whom they accused of attacking one of their checkpoints. The victim’s wife identified his body and noted signs of torture.

58. OHCHR is also concerned about conditions of detention and cases of ill-treatment in ‘penitentiary institutions’ in the territories controlled by the armed groups. In January 2016, OHCHR separately and confidentially interviewed two men who had been convicted prior to the conflict but had served time in penal colonies under the control of armed groups. Both complained about the poor living and medical conditions in detention. The prison was reportedly deprived of hot water and, in January and February 2015, of electricity. Prisoners were reportedly allowed to have a cold shower once a month and had to pay for food, or would get a piece of bread and porridge. Access to medical assistance was reportedly denied, and inmates with tuberculosis were kept with others. One prisoner complained about the frequent use of physical abuse as a disciplinary measure. The prison facility was shelled twice in August 2014, killing one prisoner.

59. In territory controlled by the armed groups, a family was subjected to harassment, threats and a mock execution because their son was a soldier in the Ukrainian army. On 2 February 2015, some 20 armed people surrounded their house, burst in and put a gun to the forehead of the father. The family was forced outdoors and told they would be shot dead. An armed man loaded the gun several times, shouting at the family and insulting them with derogatory names. The adults were taken to a commandant's base but released soon afterwards. The victims informed OHCHR that another family was forced to leave the village for openly expressing views supporting Ukrainian unity and rejecting the authority of the armed groups.

60. In April 2015, armed groups captured a citizen of the Russian Federation who had come to Luhansk upon invitation by the 'Luhansk people's republic' as a volunteer with the Ministry of Defense of Ukraine working on issues related to detainees' release and humanitarian assistance. He was captured on the street in front of the former Luhansk regional state administration building. He believes that he was taken to the 'ministry of state security' building basement, where he was blindfolded and forced to sit handcuffed with his legs tightened around a pipe. He was beaten in the head and groin and subjected to three mock executions. He was poorly fed and allowed to go to the toilet only once a day. After one month, he was taken out and left on the street, blindfolded, handcuffed, and with his legs tied tight. Shortly thereafter, he was abducted by other armed group members and taken to the Lenin factory. There, over a period of a month, he was subjected to psychological pressure and subjected to mock executions. After a month, he was taken to the 'ministry of state security', where he was accused of being a Maidan protestor who came to the 'Luhansk people's republic' to overthrow the armed groups. During the last five months of his illegal detention, he was malnourished and allowed to use the toilet only once every few days. He was provided medical care on one occasion. He was released at the end of December 2015."

576. The freedoms of religion, assembly and expression were commented on as follows:

"123. On 6 January 2016, a group of armed men headed by a Cossack known as 'Ivanych', detained two male Jehovah Witnesses at the Maiorsk checkpoint (controlled by the self-proclaimed 'Donetsk people's republic'). Before being released, the two men were threatened that next time they would have their legs 'shot-through'. On 17 January 2016, three unidentified armed men in camouflage and balaclavas entered the Jehovah Witness house of worship in Horlivka, and abducted three parishioners. After reporting the abduction to local 'police', the parents of the victims were informed that all three were taken to the building of the 'counter organized crime unit' in Donetsk. On 18 January, the unit informed the families that the three men were 'detained' for 'participating in an extremist organization, 'banned' by a decree of the 'head of the republic'.

124. On 29 January, in Donetsk, OHCHR monitored a demonstration, near a Greek Catholic Church, by activists of the 'Young Republic', an organization associated with the 'Donetsk people's republic'. Demonstrators held posters with the following message: 'No to sects in the "DPR!"' and 'Greek-Catholic church conducts "anti-republican" activities!' Protesters told OHCHR that they were speaking out against the Greek Catholic Church because it 'promotes the idea of a united Ukraine'. OHCHR observed that protesters left the site in an organized manner in buses provided beforehand.

...

138. The detention and expulsion of ‘Responsible Citizens’ members followed the illegal deprivation of liberty and incommunicado detention of a blogger on 4 January, three Jehovah Witnesses on 17 January, and a religious scholar on 27 January 2016. OHCHR has reason to believe that these individuals are being held by the ‘ministry of state security’[.]

...

147. Freelance journalist Maria Varfolomicieva – who was abducted by armed groups of the ‘Luhansk people’s republic’ on 9 January 2015 – remains illegally detained, incommunicado in the ‘ministry of state security’ in the ‘Luhansk people’s republic’. OHCHR interviewed a person who spent almost five months in a cell adjacent to Ms. Varfolomicieva’s. According to this witness, she had been subjected to prolonged malnourishment, unhygienic conditions of detention and permanent psychological pressure, including verbal abuses. He noted that Ms. Varfolomicieva was subjected to particularly harsh treatment relative to other detainees.”

577. The report commented on the topic of housing, land and property rights in the following manner:

“162. In areas controlled by the armed groups, OHCHR has documented military use of unoccupied houses. For instance, in Donetsk, between December 2015 and January 2016, armed groups twice occupied and burglarized an empty private house. Military vehicles and equipment were brought to the courtyard, damaging the property and endangering the residential area. Armed group members eventually left the house upon persistent requests by a guard hired by the owner of the house. On 27 January, the guard reported the occupation of property to the ‘military police’ of the ‘Donetsk people’s republic.’ At the time of writing, in Kominternove, ‘Donetsk people’s republic’, armed group members were occupying several abandoned houses.”

(o) 14th report on the human rights situation in Ukraine covering the period from 16 February to 15 May 2016, issued on 3 June 2016

578. According to the executive summary of the report, “[t]he ‘ministry of state security’ of the ‘Donetsk people’s republic’ ha[d] emerged as the main entity responsible for carrying out repressive house searches, arrests, and detentions”. The report continued:

“5 ... In a worrying pattern of behaviour, the ‘Donetsk people’s republic’ and ‘Luhansk people’s republic’ continued to deny international organizations and external observers unfettered access to places of deprivation of liberty.

...

12. Arbitrary deprivation of liberty has reached an unprecedented scale in the territories controlled by the armed groups, with a broad network of unrecognized detention facilities. Thousands of people have gone through these places of deprivation of liberty, subjected to inhuman conditions of detention combined with the absence of access by external observers, torture and ill-treatment.”

579. Addressing the issue of the intensity of the hostilities, the report read:

“13. Since 16 February 2016, the ceasefire in the east of Ukraine has slowly unravelled. The skirmishes in Avdiivka and Yasynuvata (both in Donetsk region) that erupted in the beginning of March 2016 are ongoing, affecting both towns on either side of the contact line...

...

19. ... Over the reporting period, OHCHR recorded civilian casualties caused by artillery shelling ... in the Government-controlled towns Avdiivka and Mariinka, and the villages of Novooleksandrivka, Pisky and Vodiane (all in Donetsk region). ...

...

25. Compared to the previous reporting period, the share of casualties resulted from shelling increased: five killed ... and 41 injured ...”

580. The section entitled “Summary executions, enforced disappearances, unlawful and arbitrary detention, and torture and ill-treatment” read:

“29. Enforced disappearances, arbitrary detention, torture and ill-treatment remain deeply entrenched practices. Though new cases documented by OHCHR mostly fall outside of this reporting period, OHCHR believes that this demonstrates the hidden character of the phenomenon and delayed reporting by victims and witnesses, rather than a genuine improvement in the conduct of relevant actors. Enforced disappearances are continuing offences, as long as the perpetrators continue to conceal the fate and whereabouts of the disappeared persons.

...

35. OHCHR recorded new allegations of killings, abductions, arbitrary detention, torture and ill-treatment perpetrated by members of the armed groups. The accounts most often referred to incidents that took place outside the reporting period. Some victims delayed reporting until they left the areas under the control of the armed groups. In other cases, the relatives of those deprived of their liberty or otherwise abused by the armed groups requested that their cases remain confidential for fear of retribution.

36. Despite repeated requests to the ‘authorities’ of the ‘Donetsk people’s republic’ and ‘Luhansk people’s republic’ to grant OHCHR access to places of deprivation of liberty on the territories they control, such access was not provided. All these factors considerably limit OHCHR’s ability to report on human rights abuses perpetrated on the territories controlled by the ‘Donetsk people’s republic’ and ‘Luhansk people’s republic’. Due to the absence of due process, redress mechanisms, and denial of access to external observers, OHCHR remains particularly concerned about the situation of individuals deprived of their liberty by armed groups. The information that has been obtained by OHCHR indicates poor conditions of detention, arbitrary and incommunicado detention, torture and ill-treatment.

37. A woman informed OHCHR that on 16 July 2014, her son was deprived of his liberty at the ‘Staryi Most’ checkpoint, in the town of Stanychno Luhanske (Luhansk region), controlled by the ‘Luhansk people’s republic’. She was later informed that he and another man were deprived of their liberty by a ‘mobile group’ of the ‘Luhansk people’s republic’. On 17 July, she received a phone call from a man who informed her he had been kept with her son in a house located approximately a 10 minute drive from the ‘Staryi Most’ checkpoint. The whereabouts of the man remains unknown.

38. A serviceman of the Ukrainian Armed Forces was captured on 10 August 2015 by four members of the so-called ‘Vostok’ battalion of the ‘Donetsk people’s republic’, near the village of Verkhnioteretske (Donetsk region). They put a plastic bag on his head, handcuffed him, and drove him to a private house. He was then tied to a tree with wristbands, severely beaten, threatened, and tortured with electrical shocks at 220 volts. He lost consciousness on several occasions. After three hours of torture inflicted by some 10 men wearing masks and camouflage with the insignia of the ‘Donetsk people’s

republic’, he was interrogated. No medical aid was provided to him. He was then transferred to a military base in the centre of Makiivka. In October 2015, he was taken to a sports hall, apparently in a school, not far from the military base in Makiivka and placed in a cell with two local civilians and two members of the armed groups. Within a month, he was taken to a basement of an office centre in Makiivka where he was held until his transfer to Government territory as part of a simultaneous release of detainees on 20 February 2016. OHCHR documented a number of cases when people were deprived of their liberty by armed groups while crossing the contact line. For instance, on 14 February 2016, while crossing the contact line in Stanychno Luhanske, a man was deprived of his liberty at a check point of the ‘Luhansk people’s republic’. As of 12 May, his relatives were not informed about reasons of his deprivation of liberty, and the place where he is kept.

39. On 5 March 2016, while travelling to Donetsk through the Zaitseve/Maiorsk checkpoints, a man went missing after passing Government checkpoints. Reports indicate that he was deprived of his liberty at the checkpoint of the ‘Donetsk people’s republic’ and would have been transferred to the department of the ‘ministry of state security’ in the city of Makiivka. To date, his whereabouts remain unknown. ... He was known for his strong pro-Ukrainian views, which he expressed at the beginning of 2014.

...

156. In July 2014, a businessman in Druzhkivka was kept for five days by the armed groups and tortured for resisting his business expropriation and refusing ‘to cooperate with new authorities’. His wife and daughter were threatened with sexual abuse and his business and property were looted.”

581. The issue of the freedom of religion was commented on as follows:

“94. The situation of minority Christian communities in armed group-controlled territories remained precarious. Three members of the Jehovah Witnesses community were captured in Horlivka, on 17 January, by the ‘ministry of state security’ of the ‘Donetsk people’s republic’, and released on 16 February. While in captivity, the victims were interrogated and accused of being members of a ‘prohibited’ ‘sect’. Although the Jehovah Witnesses in Horlivka continue holding meetings, the number of parishioners regularly attending the church has decreased. During the reporting period, OHCHR was informed that the majority of one of the Christian Charismatic communities had to leave Luhansk in 2014 because they were persecuted by the armed groups.

95. On 18 March 2016, the ‘Donetsk people’s republic’ ‘national council’ passed a ‘draft law’ on ‘freedom of consciousness and religious unions’, which is not publicly available. A representative of the ‘Donetsk people’s republic’ stated that ‘1400 religious organizations were registered in Donbas [before 2014], the majority of which were imposed from abroad’, adding they were ‘mainly sects, which aim to brainwash people’. Religious communities that continue to operate in the territory controlled by armed groups fear that the ‘law’ may announce a new wave of persecution against them, as was observed after the adoption of the ‘constitution’ in May 2014. ...

96. The Ukrainian Orthodox Church-Kyiv Patriarchate continued facing intimidation in the ‘Luhansk people’s republic’. In February 2016, two representatives of the ‘ministry of state security’ of the ‘Luhansk people’s republic’ demanded that a local priest in the ‘Luhansk people’s republic’ sign a ‘cooperation agreement’. A priest stated that parishioners did not feel safe at their place of worship and were sometimes the targets of insults from local residents and the armed groups.”

582. Turning to the topic of the freedom of expression and peaceful assembly, the report stated:

“104. Attempts to organize public protest to express disagreement with actions or decisions of the armed groups have been met with restrictions. For instance, OHCHR interviewed a coal miner who explained that, in December 2015, in Makiivka, mine workers organized a protest to denounce their deteriorating working conditions, the low or partial and irregular salaries, and violations of safety rule. The ‘ministry of state security’ threatened the protesters and seven of them were deprived of their liberty and subjected to forced labour. The ‘ministry of state security’ of the ‘Donetsk people’s republic’ then prohibited miners to protest.

...

121. ... Persons living in the ‘Donetsk People’s Republic’ and ‘Luhansk People’s Republic’ know that expressing their opinion freely and publicly was not acceptable in armed group-controlled territory. When asked why no-one would protest and publicly speak out against the ‘republics’, residents inform OHCHR that such actions would be unimaginable.

122. On 3 March 2016, the freelance journalist Maria Varfolomieieva – who was abducted by armed groups of the ‘Luhansk people’s republic’ on 9 January 2015 – was released following the exchange for a detained female member of the armed groups. To many journalists seeking to report from the ‘Donetsk people’s republic’ and ‘Luhansk people’s republic’, her prolonged deprivation of liberty was a signal of the intolerance and danger of free opinion and expression in areas under the control of the armed groups.

...

124. On 1 May 2016, at the Kurakhove checkpoint several ‘officers’ of the ‘ministry of state security’ of the ‘Donetsk people’s republic’ denied entry to two British and one Australian journalists working for the Turkish media outlet ‘TRT World’ despite having received accreditation on 29 April. The reason for the denial is not confirmed.

125. OHCHR has observed a further stifling of media providers who operate on the territories controlled by the armed groups. In addition to the 150 websites that were previously banned by the ‘ministry of justice’ of the ‘Luhansk people’s republic’ on 22 March 2016, the ‘ministry of information, press and mass communications’ registered an ‘order’ prohibiting operators and providers of telecommunications services to disseminate information in violation of the ‘Luhansk people’s republic’ rules. According to the ‘ministry of justice’, such restrictive measures had been taken to further protect the ‘national security of the republic’.

126. OHCHR received information that armed groups are directly influencing and shaping the content in local media when it comes to depicting the leaders of the armed groups as well as the conflict-related developments. According to local journalists only a very few Internet websites or online channels provide a platform where people and media professionals can freely express their views without censorship.”

583. The section of the report on housing, land, and property rights read:

“155. Some of the victims believed they were targeted due to expressing pro-Ukrainian positions. A couple from Alchevsk in Luhansk region reported that their neighbour had witnessed the looting of their property by armed groups and heard them saying that “pro-Ukrainian” were living there, using a derogatory word (“Ukropy”). A similar case was reported by a man from Sverdlovsk in Luhansk region who is a former

serviceman and currently an IDP. On 27 June 2014 the man was allegedly detained by armed groups and subsequently interrogated and tortured by three persons who identified themselves as representatives of the Main Intelligence Directorate of the Russian Federation. He alleged that the armed groups destroyed his logistics business including 30 trucks, several stocks, garages, cars and equipment worth 20,000,000 UAH (approximately 780,000 USD) in total. According to the witnesses of the complete destruction of his property the armed groups used explosive devices jeopardizing the lives of peoples residing nearby.”

(p) Report “Accountability for killings in Ukraine from January 2014 to May 2016”, issued on 14 July 2016

584. The report’s methodology was described in the following way:

“2. The report is based on information that HRMMU collected through: interviews with witnesses, relatives of victims and their lawyers; analysis of corroborating material confidentially shared with HRMMU; official records; open-source documents and video, photo and audio materials (including some produced by alleged perpetrators); forensic reports; criminal investigation materials; court documents; and other relevant and reliable materials. OHCHR has exercised due diligence to corroborate the validity of information received, and detected a number of fabricated allegations disseminated through the internet and other media.

...

4. Based on OHCHR fact-finding methodology, the standard of proof applied by HRMMU is that there are ‘reasonable grounds to believe’ that a particular incident occurred or that a given pattern of violations prevailed.

5. Due to the scale and intensity of violence in the territories affected by the armed conflict, HRMMU did not have the capacity to examine all allegations of arbitrary deprivation of life brought to its attention. This report therefore presents a sample of cases (Annex I) that illustrate broader patterns and trends.”

585. According to the executive summary of the report, OHCHR estimated that between mid-April 2014 and 31 May 2016, up to 2,000 civilians had been killed as a result of the conflict. The vast majority of civilian casualties had been caused by “the indiscriminate shelling of residential areas, in violation of the international humanitarian law principle of distinction”. It further noted that an additional 298 civilians had been killed in the crash of Malaysia Airlines flight MH17 on 17 July 2014.

586. According to the executive summary,

“OHCHR recorded executions of members of Ukrainian forces and elements of armed groups who had surrendered, or were otherwise *hors de combat*. These took place mainly in 2014 and during the first half of 2015. OHCHR also recorded a considerable number of alleged summary executions and killings of civilians who were not taking part in hostilities; for the most part in 2014 and in early 2015.”

587. The report’s section on killings resulting from armed hostilities read:

“31. As of 31 May 2016, OHCHR has recorded 9,404 killed and 21,671 injured in the conflict zone of eastern Ukraine since the beginning of the armed conflict in mid-April 2014. This figure includes civilians, Ukrainian armed forces and members of the armed groups. This is a conservative estimate based on available data.

32. OHCHR estimates that up to 2,000 civilians may have been killed during the armed conflict period, with an additional 298 people killed in the crash of Malaysia Airlines flight MH17 on 17 July 2014. About 85 to 90 per cent of these deaths, recorded by OHCHR both in the territories controlled by the Government and in the areas controlled by armed groups, are as a result of shelling of populated areas with mortars, canons, howitzers, tanks and multiple launch rocket systems.”

588. The report’s section on arbitrary and summary executions stated:

“43. The armed groups started resorting to summary executions and killings as early as in April 2014. They mainly executed individuals, who had vocal ‘pro-unity’ views or were believed to have such views, or provided or were believed to have provided support to Ukrainian forces. Some of the executions were allegedly carried out upon the imposition of a death sentence following the semblance of a judicial process. In at least one case, the victims may have been executed out of racial hatred.”

589. The report described the following instance of the execution of persons who had surrendered or were otherwise *hors de combat* in the territories controlled by armed groups:

“Annex I. Cases of violations or abuses of the right to life in Ukraine from January 2014 to May 2016

...

Pavlo Kalynovskyi, Andrii Malashniak, Andrii Norenko and Dmytro Vlasenko case

20. HRMMU interviewed two Ukrainian soldiers who, on 5 September 2014, together with five other soldiers, were retreating through the corn fields around the villages of Kruta Hora, Raivka and Shyshkove (Slovianoserbskyi district, Luhansk region) after their unit was defeated by the armed groups. At approximately 7 or 8 p.m., the armed groups reportedly came across them and the group split. While the two witnesses and another soldier managed to hide in the grass, four others were captured – Mr Pavlo Kalynovskyi, Mr Andrii Malashniak (who had a shrapnel injury), Mr Andrii Norenko and Mr Dmytro Vlasenko. The witnesses heard members of the armed groups opening fire, ordering the four hidden soldiers to surrender. They also heard Kalynovskyi urging them not to shoot because one of the soldiers was wounded. The armed groups members reportedly said: ‘let us put bags on their heads’ and ‘take them to the dam’. Shortly thereafter, the witnesses noticed a KamAZ truck leaving the area. The following day, they returned to the place and found none of their fellow servicemen, and assumed they had been captured alive.

21. On 4 June 2015, the bodies of four men were recovered from a mass grave located some 500 metres to the east from the village of Kruta Hora, on the road to the village of Raivka. They were transferred to the Government-controlled territory and underwent forensic examination in Dnipropetrovsk. According to DNA tests, the bodies of Malashniak and Vlasenko were identified. To date, the other two bodies have not been identified. In March 2016, HRMMU obtained a video footage showing the bodies of four killed Ukrainian soldiers. The video was made by members of the armed groups, allegedly in the morning of 6 September 2014. One of the witnesses in the case identified the bodies as belonging to Kalynovskyi, Malashniak, Norenko and Vlasenko.

...

Viktor Bradarskyi, Albert Pavenko, Ruvim Pavenko and Volodymyr Velichko case

39. On 8 June 2014, in the town of Sloviansk then controlled by armed groups, the parishioners of the evangelical church ‘Transfiguration of Christ’ were holding the Sunday worship. By the end of the worship, armed men arrived at the church yard, designated four cars, and ordered their owners to come forward and have a talk with them. The deacons, Mr Viktor Bradarskyi and Mr Volodymyr Velichko, and two sons of the church’s Head – Mr Albert Pavenko and Mr Ruvim Pavenko – came forward. The armed men forced them to get into their own cars and drove away.

40. In the morning of 9 June, local residents found a badly burnt body, allegedly that of Velichko, near a burnt car. The bodies of the Pavenko brothers were found next to the car on the same side, unburnt. Bradarskyi’s body was found in the reeds, about 20 metres away from the car. Those who found the bodies did not know the victims and took them to the local morgue, where they were stored until 10 June 2014, when electricity supply was cut. The bodies (allegedly together with some other bodies then stored in the morgue) were buried in a mass grave in the old Jewish cemetery of Sloviansk.

41. On 5 July 2014, Ukrainian armed forces regained control of the town. On 24 July 2014, 14 bodies (13 men and one woman) were exhumed from the mass grave and transferred to the town morgue where photos of the bodies were taken and handed out to the local police department. The bodies of Viktor Bradarskyi, Albert Pavenko and Ruvim Pavenko were identified by their relatives. The body of Volodymyr Velichko could not be identified on the spot and was taken to Kharkiv forensic examination bureau. The bodies of Viktor Bradarskyi, Albert Pavenko and Ruvim Pavenko displayed multiple gunshot wounds and signs of torture. The other bodies belonged to victims of executions ordered by the ‘martial court’ of the ‘Donetsk people’s republic’ in Sloviansk and individuals who either died or was killed during the armed hostilities in the town.”

(q) 15th report on the human rights situation in Ukraine covering the period from 16 May to 15 August 2016, issued on 15 September 2016

590. Addressing the issue of the intensity of the hostilities, the report stated:

“31. The military conduct of both Government forces and armed groups in recent months precipitated an escalation in hostilities in June and July, endangering civilians. According to civilians living on either side of the contact line, Ukrainian armed forces and armed groups have engaged in hostilities from residential areas, with civilians suffering the impact of return fire. This is a widespread practice. In the reporting period, OHCHR has documented such dynamics in the Government-controlled towns of Avdiivka, Mariinka, Krasnohorivka, and Chermalyk ...

...

40. An increase in civilian casualties caused by shelling from various artillery systems was of particular concern. Between 16 May and 15 August 2016, OHCHR recorded 109 civilian casualties caused by shelling (11 killed and 98 injured). This is 60 per cent more than the number of casualties caused by shelling during the previous 8.5 months, between the ceasefire of 1 September 2015 and 15 May 2016, when 67 casualties from shelling were recorded (12 killed and 55 injured).”

591. The report provided the following accounts of cases of deprivation of liberty:

“49. ... On 27 May 2016, a former armed group member went missing in Novoluhanske while travelling into the ‘Donetsk people’s republic’ from Government-controlled territory where he had been deprived of his liberty. Following repeated inquiries, his mother found that he had been deprived of liberty at a ‘Donetsk people’s republic’ checkpoint, transferred to Horlivka and then into ‘police custody’ in Donetsk. On 4 July, she was told that the ‘police’ no longer held her son. She has since been unable to ascertain his fate or whereabouts.

50. ... Armed groups near Novoazovsk District Hospital apprehended a doctor from Pavlopil on 16 June 2015. The local ‘police’ told his wife that he was held by the ‘ministry of state security’, which the latter confirmed in writing. She has not heard from him since, but has been informed that his case will be ‘examined’ by the Novoazovsk ‘court’ of the ‘Donetsk people’s republic’. ...

51. Maria Varfolomeeva, a photojournalist, was detained by the ‘Luhansk people’s republic’ on 9 January 2015 and released on 3 March 2016 to Government-controlled territory. She was deprived of her liberty after taking photos of residential houses used by the ‘Vostok’ battalion as their base. She reported having been beaten and held in poor conditions while in custody, naming the individuals responsible.”

592. The report also contained the description of a case of conflict-related sexual violence:

“61. A man deprived of his liberty by armed groups in March-April 2016 in ‘Donetsk people’s republic’ reported about two women who were kept in a room next to him. According to him, they were reportedly abducted at a checkpoint when crossing the contact line from the Government-controlled side. He heard armed groups elements harassing them and attempting to rape them.”

593. On the issue of the freedom of association, the report stated:

“On 21 July 2016, a co-founder of a humanitarian organization in Donetsk was deprived of her liberty by people who identified themselves as members of the ‘ministry of state security’ for the second time after her release at the end of February 2016. On 9 August 2016, OHCHR was informed of her release.”

594. As to housing, land, and property rights, the report read:

“142. Armed groups continued to loot and use civilian homes and other property for military purpose. During a monitoring visit to Kuibyshevskiy district in Donetsk, OHCHR observed that members of armed groups were present in the neighbourhood’s bomb shelter. Some residents mentioned having been expelled from this shelter by members of the armed groups and having nowhere to go when shelling takes place. Some also indicated that armed group members used to stay in residential apartments. Residents also claimed that armed group members had looted shops and apartments. Residents did not provide any details, noting that complaints to the armed groups tended to be followed by intimidation.

...

144. Armed group-controlled parallel property registration systems are being developed or already in force, negatively affecting persons owning, inheriting, selling or buying property. According to its ‘internal regulations’, the ‘Donetsk people’s republic’ recognizes only property registration documents issued by their ‘structures’. As a result, people either residing in or owning property in areas controlled by the armed groups are forced to register it on both sides of the contact line, paying double taxes and administrative fees. Unresolved disputes over housing, land and property prevent

durable solutions for returnees, may force returns by those seeking to defend their property rights, and threaten peace and stability prospects.”

595. The report added that the “regulation” of the “DPR cabinet of ministers” no. 17-3 of 2 September 2015 prescribed that property documents issued between 11 May 2014 and 3 September 2015 by Ukrainian authorities had to be legalised by the inter-agency commission at the “ministry of justice” in order to be regarded as having legal force. On 12 July 2016 the “DPR supreme court” issued an “explanatory letter” stating that property registration documents had to be “legalised” in accordance with the above-mentioned “procedure”.

(r) 16th report on the human rights situation in Ukraine covering the period from 16 August to 15 November 2016, issued on 8 December 2016

596. According to this report, its findings were grounded in data from in-depth interviews with 176 witnesses and victims of human rights violations and abuses during the period under review.

597. The report noted an initial de-escalation of the hostilities following the Framework Decision of the Trilateral Contact Group of 21 September 2016 relating to disengagement of forces and hardware.

598. According to the report, the intensity of the hostilities and levels of civilian casualties had varied during the reporting period:

“21. During the reporting period, the intensity of hostilities in the conflict zone of eastern Ukraine and levels of civilian casualties varied. The second half of August was marked by an escalation of clashes in a number of hotspots in Donetsk region and rise in deaths and injuries among civilians. In September, following the renewed commitment to a ceasefire, the number of civilian casualties substantially decreased. In October, they once again scaled up, mirroring the new upsurge in fighting along the contact line. In the first half of November, hostilities somewhat de-escalated, and the number of civilian casualties decreased.”

599. The report described the following instances of enforced disappearances and abductions perpetrated by the armed groups:

“36. On 24 August 2014, three men aged 21, 22 and 35 were taken from their houses by Cossack armed group members. The members of armed groups handcuffed the three individuals, covered their eyes and put them in cars. Reportedly, they were taken to the Stakhanov ‘komendatura’ but disappeared after a few days. Since then, the relatives of the three individuals have not heard anything about their fate or whereabouts. On 17 September 2014, a businessman was taken from his office by two armed ‘Cossacks’, and two hours later the same men came to the victim’s office, searched it and seized his belongings. His whereabouts have been unknown since.”

600. The section entitled “Unlawful and arbitrary detention, torture and ill-treatment” provided:

“48. On 18 September 2016, a man was detained at the Uspenka checkpoint between ‘Donetsk people’s republic’ territory and the Russian Federation. Between 1 and 11 October, his fate and whereabouts were unknown while his family repeatedly inquired about his fate and whereabouts to the authorities of the Russian Federation and

‘Donetsk people’s republic’. By 18 October, he was transferred from a police detention facility in Taganrog, Russian Federation to the ‘Donetsk people’s republic’ ‘ministry of state security’ to a ‘pre-trial detention facility’ in Donetsk, where he was charged with espionage. ...

49. On 14 September 2016, OHCHR was able to visit four children deprived of their liberty in Donetsk city. OHCHR understands that the children were detained on 30 or 31 August 2016 and held in separate cells in the premises of the ‘ministry of state security’ on Shevchenko Street 26 in Donetsk city. OHCHR is concerned that the juvenile detainees had no contact with their families for a period of at least two weeks. OHCHR was later informed that the children were transferred to ‘SIZO’ (‘pre-trial detention facility’) in Donetsk on 24 October 2016.

50. In June 2016, two men were abducted by armed members of the ‘Luhansk people’s republic’ and were beaten, kicked, and tortured by men wearing camouflage, who accused them of espionage. One man died.

51. In August 2014, a resident of the city of Donetsk (controlled by the armed groups) suspected of being a gun-spotter for Ukrainian forces, was deprived of liberty in his apartment and taken to a former police academy building. There he was taken to the basement and beaten with truncheons and five litre plastic bottles filled with water all over his body. One of the perpetrators burnt his shoulder, hand and back with a cigarette.

...

53. ... A distinct group of persons deprived of liberty comprise Ukrainian soldiers and civilians suspected of supporting the Government (including ‘subversive activities’ or ‘spying’). Their exact number is not known. For instance, the ‘ministry of state security’ of the ‘Luhansk people’s republic’ reported ‘during nine months of 2016, they detected, proved and stopped the intelligence activity of 70 agents and trusted persons of special services of Ukraine’; their fate is not known.

54. According to the SBU, as of 26 October 2016, there were 100 such persons deprived of liberty whose release is sought by the Government. The ‘Donetsk people’s republic’ maintains that it has only 42 of these detainees. There are other conflict-related detainees whose release is not being sought by the Government.

...

57. During the reporting period, a number of individuals were deprived of their liberty on the territories controlled by the armed groups for being ‘Ukrainian spies and subversives’. Several young men were deprived of their liberty in October and November in Luhansk; their video ‘confessions’ were made public by the ‘ministry of state security’ of ‘Luhansk people’s republic’ in early November. A judge from Luhansk, who moved to Government-controlled Sievierodonetsk in 2014, was deprived of liberty on 15 October 2016 while travelling to the town of Krasnodon (controlled by the armed groups) to attend the funeral of his father. He is allegedly ‘accused’ of ‘state treason’ by ‘Luhansk people’s republic’ armed groups.”

601. The section on accountability for human rights abuses committed by the armed groups read:

“68. On 14 September, the Office of the Chief Military Prosecutor reported that a preliminary investigation against the commander of the ‘Somali’ battalion of the ‘Donetsk people’s republic’ had been completed, finding grounds to charge him with abduction, unlawful deprivation of liberty, and violations of the laws of warfare. He is accused of ill-treating captured Ukrainian soldiers, including Ihor Branovytskyi, who

according to witnesses was executed on 21 January 2015 by a citizen of the Russian Federation, the commander of the ‘Sparta’ battalion of the ‘Donetsk people’s republic’.”

602. On the freedom of opinion and expression in the territories controlled by the armed groups, the report stated:

“108. ... One media professional relayed how the armed groups exerted pressure by sending ‘Donetsk people’s republic’ ‘police’ to the hotel where his crew was staying while preparing a report on a sensitive topic. The same media professional mentioned being apprehended not far from the Donetsk airport with a colleague, taken to a military base and questioned for 1.5 hours by members of the armed groups in March 2015 and forced to erase all their recorded material.

...

110. OHCHR observed that people living in the territories controlled by armed groups continued to have limited access to information. Ukrainian television channels are not broadcast on cable television, however they are accessible online and on satellite television. A number of websites have been blocked, hindering the free flow of and access to information.”

603. The report described the situation regarding housing, land and property rights in the territory controlled by armed groups as follows:

“20 OHCHR has also documented a worrying case of punitive damage to property in Donetsk by members of the armed groups targeting the house of a member of the Government-affiliated ‘Dnipro-1’ battalion.

...

142. OHCHR received reports that ‘Luhansk people’s republic’ armed groups continue to loot apartments in Luhansk city. Allegedly, in a consistent pattern of conduct, persons in camouflage or in civilian clothes enter residential buildings and seize private property after breaking into individual apartments. Armed group members cite ‘legal’ grounds related to ‘searches’ and collecting evidence for ‘criminal investigations’. According to OHCHR interlocutors, armed groups actively monitor and target apartments whose owners have left Luhansk.

143. Similar concerns arise due to the conduct of ‘Donetsk people’s republic’ armed groups. IDPs often express their fears that their property was occupied by members of armed groups or was ‘nationalized’ by the armed groups (in particular for non-payment of utilities). OHCHR observes that people take personal safety risks and travel to areas with ongoing hostilities to check on their property. According to a public statement of the representative of ‘Donetsk city authorities’, the property of ‘enemies’ who have left the territories under the control of ‘Donetsk people’s republic’ armed groups will be confiscated and made communal.

144. OHCHR continues to document violations and abuses of housing and property rights that occurred in 2014 and 2015. In August 2015, the ‘ministry of state security’ in Donetsk abducted a businessman from Novoazovsk, subjected him to torture and ill-treatment, and looted his home and property. An IDP from Luhansk told OHCHR how armed groups looted her son’s apartment in February 2015 because he participated in combat operations against the armed groups and had pro-Government views.”

604. The report concluded, in so far as relevant:

“207. The apparent unwillingness of the parties to the conflict to implement their obligations stemming from Minsk Agreements has endangered civilians by continuing a pattern of hostilities in densely populated towns and neighbourhoods. Civilians living close to the contact line frequently appeal to OHCHR to bear witness and heed the destruction and damage that the ongoing conflict causes to their lives, while weapons prohibited by the Minsk Agreements remain in areas from which they should be withdrawn, and continue to be used.

...

210. ... It is of deep concern that Government forces and armed groups operating in civilian areas do not take all feasible precautions against the effects of fighting, resulting in damage to schools, kindergartens, and medical facilities. ...”

(s) 17th report on the human rights situation in Ukraine covering the period from 16 November 2016 to 15 February 2017, issued on 15 March 2017

605. The findings presented in this report were based on data collected by HRMMU through interviews conducted during the period under review with 205 witnesses and victims of human rights violations and abuses.

606. According to the executive summary of the report,

“Spikes in hostilities in November and December 2016, and the drastic escalation over a very short time span at the end of January through the beginning of February 2017 caused damage to critical civilian infrastructure, including schools and medical facilities, further endangering civilians and disrupting essential water, electricity and heating services amid freezing temperatures.”

607. The report noted that the parties to the conflict had continued to maintain positions in close proximity to villages and towns near the contact line in violation of international humanitarian law, to carry out indiscriminate shelling and to use explosive weapons with wide-area effects in populated areas. The report referred to a flare-up of hostilities in the Avdiivka-Yasynuvata-Donetsk Airport triangle and in areas south of Donetsk between 29 January and 3 February, which had caused fifty-three civilian casualties, most of them as a result of shelling. Thirteen of the casualties had been recorded in the government-controlled territory.

608. The report contained the following example of summary executions by armed groups:

“39. OHCHR also continued to gather information related to violations of international humanitarian law during the hostilities in Debaltseve in February 2015, such as the alleged execution of an injured hors de combat Ukrainian soldier by members of armed groups on 17 February 2015, or the alleged execution of several hors de combat Ukrainian soldiers after their vehicle was ambushed on the road near the village of Lohvynove (Donetsk region) on 9 February 2015.”

609. Addressing the issue of unlawful and arbitrary detention, torture and ill-treatment, the report stated:

“46. In November 2016, a woman, the acting head of a Government-controlled village close to the contact line, was detained at a checkpoint controlled by armed groups of ‘Donetsk people’s republic’. She was released after being held for 30 days in temporary

detention facility (ITT) in Donetsk. A man who used to work as a prosecutor in Luhansk before the conflict, and had moved to territory controlled by the Government to continue working as prosecutor, had recently retired and returned to Luhansk. There he informed the ‘ministry of state security’ of his return. When he did, in mid-November 2016, he was questioned for three hours. On 23 November, he was again called by the ‘ministry’ to answer additional questions, where he was detained and his family did not receive any information about his whereabouts until 18 December 2016, when he was released, but strongly ‘advised’ to leave territory controlled by the ‘Luhansk people’s republic’.

47. Patterns of detention by the armed groups differ. The ‘Donetsk people’s republic’ armed groups initially hold some individuals for 10 to 30 days in so-called ‘administrative detention’ in ITT and release them after finding them ‘non-complicit’, while others are detained for longer, often indefinite, periods of time and placed either in ITT, SIZOs, or other places of detention. The ‘Luhansk people’s republic’ ‘ministry of state security’ holds individuals for an initial period, prior to transferring them to SIZOs. ...

48. The cases of torture and ill-treatment by the armed groups documented by OHCHR during the reporting period (see below) mainly occurred in 2014 and 2015 due to delayed reporting by victims and witnesses owing to the fear of reprisals.

49. First in the summer of 2014, then in autumn 2014, in Luhansk, a man was detained by the ‘Batman’ and ‘Leshii’ armed groups. The first time, he was kept in the basement of the Engineering Institute at Zhukova Block, where he was locked in a small cell without windows, toilet or air ventilation system with some other 35 captives who were sleeping in shifts. The man witnessed an armed group member beating two detainees with a rubber sledgehammer, and another member shooting detainees with rubber bullets. The man also saw the same members of the ‘Batman’ armed group severely beating and calling a young man ‘Ukrop’. According to the witness, another young man was detained because he was wearing sneakers with blue and yellow (the colours of the Ukrainian flag) and was severely beaten. The witness also once saw four young men and two young women who were bleeding, handcuffed, and hooded with plastic bags. He reportedly saw an ambulance car and heard paramedics stating that the victims were dead. In the autumn of 2014, in the basement of the former SBU building in Luhansk, which was controlled by ‘Leshii’ armed group, the man witnessed that detainees were being tortured and their tattoos were cut off with knives.

50. OHCHR interviewed a Ukrainian soldier who was captured by members of an armed group during hostilities around Debaltseve in February 2015. During interrogation, he had some of his teeth knocked out. According to him, several other Ukrainian soldiers were subjected to beating, both during their capture and while in detention, and one soldier reportedly had his jaw fractured. He also reported that some soldiers were forced to ingest their insignia and any item bearing Ukrainian symbols.”

610. The report described the conditions of detention in territory controlled by armed groups in the following way:

“56. There is insufficient access to medical care in places of deprivation of liberty in territory controlled by armed groups. A nurse is usually on duty, but few medications are provided, making those deprived of liberty dependent on parcels occasionally allowed from their relatives. This adds to vulnerability of conflict-related detainees whose families live in Government-controlled territory. One woman deprived of her liberty in the premises of a former military unit in Donetsk allegedly died on 10 September 2016 after being tortured and denied medical care.”

611. The topic of freedom of opinion and expression was commented on as follows:

“97. On 25 November 2016, two male journalists working for ‘Dozhd’ were detained then expelled from territory controlled by ‘Donetsk people’s republic’ armed groups, accused of ‘illegal journalistic activity’ and ‘biased and provocative’ coverage of the conflict in Donetsk, ‘distorting the socio-economic and political situation’.

98. ... [D]uring the reporting period, two bloggers were detained by ‘Luhansk people’s republic’ armed groups. Both were active on social media networks and regularly expressed criticism of the armed groups and of the political and socio-economic situation in Luhansk. The ‘ministry of state security’ of the ‘Luhansk people’s republic’ stated that one of the bloggers was ‘accused’ of ‘inciting hatred ...’ and ‘espionage’.”

612. On the topic of the freedom of religion or belief, the report stated:

“102. In territory controlled by armed groups, minority Christian communities continued to face restrictions to the exercise of their freedom of religion or belief, including threats. In Horlivka, ‘Donetsk people’s republic’ armed groups seized and closed a Seventh Day Adventists church on 16 November 2016 without any prior notification or justification. In September 2014, armed groups had interrupted a Seventh Day Adventist mass at the same location and had held the pastor in captivity for 20 days.

103. The ‘Luhansk people’s republic’ ‘ministry of state security’ publicly labelled the Baptist community a ‘non-traditional religious organization’, and accused the church of conducting ‘destructive activities’.”

613. As to housing, land, and property rights, the report stated:

“109.... OHCHR is also concerned about plans of the armed groups, announced on 10 February, to impose ‘external management’ on private enterprises, including metal and coal companies that do not register as tax payers with the ‘Donetsk people’s republic’ and ‘Luhansk people’s republic’. Such attempts endanger individuals working in hazardous and unregulated environments in the mining and steel industries in the armed group-controlled territory of Donetsk and Luhansk regions. OHCHR recalls that the seizure of private property in the context of armed conflict can amount to the war crime of pillage.

...

123. Armed groups have continued to carry out decisions aimed at ‘regulating’ property issues in territory under their control, with yet unclear consequences for people’s property rights, particularly those of returnees or displaced persons. A moratorium on commercial real estate transactions continued to be applied. A ‘state unitary enterprise one-stop registration centre’ was established by armed groups in Luhansk in November 2016 to carry out an inventory of real estate. The so-called ‘territorial offices’ of the ‘ministry of justice’ of ‘Luhansk people’s republic’ charge citizens for registering real estate. Moreover, a ‘code of administrative offences’ of ‘Luhansk people’s republic’ came into force on 1 October 2016, allowing the ‘state committee on land tenure’ of ‘Luhansk people’s republic’ to prosecute ‘citizens, officials and legal persons’ for violations of the ‘Code’.”

(t) Report “Conflict-related sexual violence in Ukraine, 14 March 2014 to 31 January 2017”, issued on 16 March 2017

614. The report was based on information that OHCHR had collected through interviews with victims, including survivors (all adult), witnesses, relatives of victims, and their lawyers; information shared with OHCHR by service providers and organisations providing services to survivors; analysis of corroborating material confidentially shared with OHCHR; official records; open-source documents and video, photo and audio materials (including some produced by alleged perpetrators); court documents; and other relevant and reliable materials. Based on the OHCHR fact-finding methodology, the standard of proof it applied was “reasonable grounds to believe” that a particular incident had occurred or that a given pattern of violations had prevailed. OHCHR had exercised due diligence to corroborate the validity of information received, and detected a number of fabricated allegations disseminated through the internet and other media, or perpetuated in communities.

615. According to the report, OHCHR faced constraints in collecting and/or verifying information regarding cases of conflict-related sexual violence. It was unable to examine all allegations brought to its attention, particularly in the territory controlled by armed groups, owing to limited access to some areas for security reasons, rare access to conflict-related detainees, and reluctance of people to talk for fear of reprisals.

616. The relevant parts of the report read as follows:

“89. On 1 July 2014, a group of 10 armed men in camouflage who presented themselves as ‘samooborona’ (‘self-defence’) abducted a local entrepreneur from his parents’ home in Donetsk region. At that time the town was under control of armed groups. According to his relatives, members of the armed groups had tried to extort money from the victim before his abduction. He was brought to the basement of the seized building being used as the headquarters of the ‘NKVD Komendatura’ armed group. The perpetrators reportedly invited a notary into the building and forced the victim to rescind ownership to all his property to the leader of the armed group, call-sign ‘Vasilievich’. When the victim refused to do so, he was told that Chechen fighters would rape his wife and underage daughters in front of him. On the same day, the leader of armed-group and an unidentified man stormed into the apartment of the victim’s wife, and threatened her and their underage daughter with a knife and stole all their valuables. ...

90. On 25 September 2014, in a village in Donetsk region, a woman and two of her colleagues (a man and a woman) were abducted at their workplace by armed men from the ‘Bezler group’, led by a local resident. They were taken to the seized administrative building of a coal mine in Horlivka, where one of the women saw signs like ‘Horlivka NKVD’ and ‘Smersh’, referring to the groups using the site. After being ‘registered’ in a journal, the three individuals were informed they were ‘arrested’. They were taken to another room which was covered in blood. The man was violently beaten in front of the women until he fainted. Then both women were raped by at least seven men and beaten, while interrogated about the whereabouts of their money and valuables. One of the victims was subjected to electroshocks with wires attached to her breast, after which she lost consciousness. She woke up from an injection into her arm. Through the open

door, she saw a room full of valuables, among which she recognized some of her belongings. She later found out that while she and her colleagues were being tortured, the armed groups had robbed their houses. For the following 10 days, she was taken for ‘interrogation’ almost every night, and was raped by intoxicated armed group members. One day, the perpetrators brought an attorney and forced the victim to rescind ownership of her apartment and land property to the perpetrators. For the following months she was forced to cook meals for the armed group members and for other people deprived of liberty (both civilians and Ukrainian army soldiers). On 7 November 2014, she was released and moved the following morning to territory under the control of the Government.

91. In May 2015, a woman from Donetsk was apprehended by the ‘Vostok battalion’ for violating the curfew. She was intimidated, forced into a car and brought to a place which, she thought, was a police department seized by the armed groups. She was beaten with metal sticks for three hours and raped by several men from the ‘Vostok battalion’ that night. She was released the next day.

92. In a number of cases documented by OHCHR, victims reported surviving and evading attempted rapes, largely due to sudden extraneous circumstances. While this may have been the case, it also may be a sign that they were unwilling to provide detailed accounts of what had happened due to stigma, shame, humiliation, trauma and fear of possible reprisals. [Text of footnote: The Istanbul Protocol underscores that sexual torture often makes survivors feel irredeemably stigmatized and tainted in their moral, religious, social or psychological integrity.]

...

95. On 12 June 2015, three armed men in civilian clothes who presented themselves as agents of the ‘ministry of state security’ of the ‘Donetsk people’s republic’ detained a 22-year-old woman with a disability and her mother at their home. They were brought into the seized building of the Donetsk Administrative Appeal Court. The young woman was accused of being a ‘Ukrainian sniper’ and was subjected to over six hours of questioning. Her mother was also questioned for a few hours but later released. Although the victim was five-month pregnant, she was transferred to the premises of the ‘Isoliatsia’ art exhibition space and museum - seized and used for military purposes by the armed groups - until she would be ‘re-educated and started loving the [‘DPR’]’. She was kept there for almost a month, in a small (1m by 0.8m) room without windows, with a two-deck shelf instead of a bed. The perpetrators switched the light on and off at will. She was disoriented and did not know the time of the day. She was given neither water nor food for a few days. One night the guards took her outside while it was raining, saying that they would kill her. They started kicking her, including on her stomach so that her ‘Ukrop [derogatory term used for Ukrainians] baby would not be born’. During that night she survived five such beatings. She also reported that her guards were trying to rape her; however she persuaded them not to, claiming she had a sexually transmittable disease.

...

97. In 2016 a woman, ‘accused’ of ‘espionage’, was detained by armed groups in Luhansk region, she was deprived of liberty. During this time she was kept in Luhansk SIZO together with those who committed criminal offences. One evening in the beginning of August the guards brought her to the new officer on duty upon his demand. He told her that the ‘conditions in cells can be very different’, which she perceived as a threat of violence. Then he raped her. From then on, he called her to his office nearly once a week forcing her to perform oral sex. She did not complaint to anyone for the fear of retaliation. She was released several months later.

...

101. In November 2015, a woman who was travelling with her children from Donetsk city to Government-controlled territory was stopped at the checkpoint controlled by the 'Donetsk people's republic'. Members of the armed group demanded why she was taking her children to Government-controlled territory, stating: 'we need children in the republic'. They extorted money from her and took all of her personal jewellery. They then took her away from the checkpoint and forced her to perform oral sex and subjected her to gang rape. Her children were kept apart from her during that time. After several hours of violence, she was allowed to pass the checkpoint.

...

143. ... OHCHR monitoring work indicates that cases of conflict-related sexual violence remain under-reported mainly due to the stigma and shame survivors feel, the lack of pertinent services on both sides of the contact line, and the weak capacity of law enforcement to investigate crimes of a sexual nature."

(u) 18th report on the human rights situation in Ukraine covering the period from 16 February to 15 May 2017, issued on 13 June 2017

617. The findings presented in this report were based on data collected by HRMMU through in-depth interviews conducted with 252 witnesses and victims of human rights violations and abuses, as well as site visits in both government-controlled and armed groups-controlled territory.

618. The executive summary of the report referred to the routine use of heavy weaponry and noted that indiscriminate shelling had continued to take a heavy toll on civilian lives, property and critical infrastructure, including those supplying water, electricity and gas, and health and educational facilities. The report described the situation of civilians as "tense and dangerous", with spikes in the hostilities in late February and early and late March, and recurrent fighting in several hotspots along the contact line, as in previous reporting periods. The report noted that OHCHR had continued to witness the positioning of the Ukrainian Armed Forces and armed groups in or nearby residential areas, without taking necessary precautions, in violation of international humanitarian law.

619. On the topic of summary executions by armed groups, the report stated:

"36. OHCHR is also following the case of two residents of Horlivka who went missing in October 2016. Their bodies were reportedly found on 20 March 2017 buried in Horlivka, but their relatives were not able to see and identify the bodies. The victims were allegedly shot dead by members of armed groups in October 2016. Their relatives were informed that the alleged perpetrators were being detained and the 'investigation' ongoing."

620. The section "Unlawful/arbitrary deprivation of liberty, enforced disappearances, and abductions" of the report read as follows:

"37. OHCHR continued to document cases of individuals unlawfully or arbitrarily deprived of their liberty or subjected to enforced disappearances and abductions. While some of these cases occurred in 2014 or 2015, OHCHR continued to receive recent

testimonies indicating that such practices were persisting, particularly in territory controlled by armed groups. In a number of cases, the victims' families did not have access to those detained and had no information on their whereabouts, which may amount to enforced disappearance.

...

41. During the reporting period, OHCHR continued to document cases of armed groups of 'Donetsk people's republic' and 'Luhansk people's republic' detaining individuals suspected of affiliation with the Ukrainian Armed Forces or for having 'pro-Ukrainian' views. For example, in January 2017, a 16-year-old girl was detained at a checkpoint with her father. She was interrogated for seven hours by 'ministry of state security' ('MGB') representatives without the presence of her parents or a lawyer. She was searched by a man, although she insisted on a woman conducting the body search. She was released on the same day.

42. OHCHR is following the cases of two individuals detained by 'MGB' of 'Luhansk people's republic'. A blogger who lived in Luhansk and published information about daily life there was detained in November 2016. He was 'charged' with 'espionage' against the 'Luhansk people's republic' on behalf of the Ukrainian authorities and 'inciting inter-ethnic hatred'. Apart from a few videos of his 'confession' which were published by 'MGB', there is no information about his whereabouts or fate. Vitalii Rudenko, a judge at the Luhansk regional court of appeal, was detained at the Stanytsia Luhanska crossing point in October 2016. As of 15 May 2017, he remained detained in Luhansk and OHCHR was denied access to him. In addition, OHCHR remains concerned about the fate of five adolescents from Yasynuvata who have been detained by 'MGB' in Donetsk since the end of August 2016 and calls for their immediate release.

43. Armed groups continued the practice of 30-day 'administrative arrest', during which victims are not allowed to see lawyers or relatives, and which is often prolonged. OHCHR documented the cases of two men detained by 'MGB' in Donetsk city in February 2017. In one case, armed men wearing camouflage and balaclavas broke into a man's house in Donetsk and arrested him in front of his family, including his child. The following day, 'MGB' confirmed the man was under 30-day 'administrative arrest'. In March, 'MGB' informed his family that the detention was prolonged for another 30 days, without providing any information on his whereabouts. The victim was only allowed to call his wife twice, and during the first call, she understood by his voice that he was in physical pain. In April, the family was informed that the victim had been charged with 'espionage'. As of 15 May, his place of detention remained unknown and his lawyer did not have unimpeded access to him.

...

45. OHCHR documented cases of detention of civilians by the 'police department for fighting organised crime' ('UBOP') in Donetsk city. For example, in December 2016, a man was apprehended by unknown armed men in his home in Donetsk. A 'search' was conducted and some of his personal belongings were 'confiscated'. Allegedly, the victim was detained by 'UBOP', severely beaten, and required medical care at a hospital before being admitted to the 'SIZO' in Donetsk."

621. The section on torture and ill-treatment by the armed groups read as follows:

"54. OHCHR continued documenting cases of torture on territory controlled by armed groups. Due to limited access to places of deprivation of liberty, OHCHR is often able

to document such cases only after the release of individuals, when they move to Government-controlled territory and are able to speak more freely about their experiences.

55. In October 2016, a man was detained at a checkpoint controlled by armed groups in Donetsk region and brought to a ‘police unit’ in Donetsk. He was interrogated on three occasions, and severely kicked and beaten with fists and a truncheon while handcuffed. Three interrogators threatened to cut off one of his fingers, and made him believe this act was imminent. Another perpetrator threatened him with a gun, saying his body would be found in the river. The victim was also subjected to electric shocks on his back, head and the flank of his body. He was released in December 2016.

56. OHCHR also documented the case of a man who was detained at a checkpoint run by an armed group in March 2015, and brought to Dokuchaievsk. He was tortured by armed men in uniforms of ‘Donetsk people’s republic’, beaten with truncheons until they broke, subjected to electric shocks, and smashed in the head. He was brought to a hospital and then transferred to the seized former SBU building in Donetsk city, where he was tortured again in the same manner. Later, the victim was tied to a chair, interrogated, and beaten with a plastic pipe. One of the perpetrators fastened a belt around his neck and tightened it until the victim lost consciousness. Electric shocks were used repeatedly. The perpetrators also threatened that he would be forced to blow himself up. The victim was released in April 2016.

57. OHCHR obtained more details on the case of 13 Ukrainian soldiers captured by armed groups near Debaltseve in February 2015. The victims were struck in the head with rifle butts, forced to remove their jackets despite the very low temperatures, and ordered to kneel for four hours in the snow, causing their legs to go numb. Some members of the armed groups put knives to their faces and threatened: ‘What do you want me to cut off, an eye or an ear?’ All the victims were subsequently transferred to a building in Luhansk, allegedly housing the ‘separate commandant’s regiment of the 2nd army corps of ‘Luhansk people’s republic army’. During interrogations, the soldiers were severely beaten. One soldier was held in a cell with a civilian whose body was completely blue, ostensibly as a result of severe beatings. The civilian stated that he was accused by armed groups of being a spotter and was tortured until he ‘confessed’. The soldiers were later released while the fate of the civilian remained unknown.”

622. The section on conflict-related sexual violence provided:

“68. On 28 June 2014, in a village controlled by armed groups in Luhansk region, a woman and her four-year-old daughter were outside their house when six armed men drove up and ordered her to open the garage. When she refused, one of the men threatened to rape her with his machine gun. He poked at her daughter’s buttocks with the gun, threatening to rape her together with her daughter. He shot several times into the ground near the woman’s legs, injuring her toe. On the same day, the victim’s husband reported the case to the commander of the armed group. A month later, he was detained by the same armed group and severely beaten for six days.”

623. Lastly, addressing the topic of freedom of religion and belief in the territory controlled by armed groups, the report indicated that the “[a]uthorities’ of ‘Luhansk people’s republic’ reminded religious organizations to provide documents to reconfirm their registration and legal status by 18 May 2017”. While no sanction for missing the deadline had been announced, OHCHR was concerned about the possible forceful expulsion of those operating without “confirmation”.

(v) 19th report on the human rights situation in Ukraine covering the period from 16 May to 15 August 2017, issued on 1 September 2017

624. The findings presented in this report were based on data collected by HRMMU through 293 in-depth interviews with witnesses and victims of human rights violations and abuses, as well as site visits in both government-controlled and armed group-controlled territory.

625. The report noted that the feared increase in civilian casualties anticipated for August, based on the previous years of the conflict, had not materialised. The “harvest ceasefire”, which had commenced on 24 June, might have contributed to the decrease in civilian casualties caused by shelling in July and during the first half of August. During the reporting period, one person had been killed and twenty-six injured as a result of shelling in government-controlled areas.

626. Addressing the issue of compliance with international humanitarian law in the conduct of the hostilities, the report stated:

“24. Heavy weapons, including explosive weapons with a wide impact area (such as artillery and mortars) or the capacity to deliver multiple munitions over a wide area (such as multiple launch rocket systems), continued to be present near the contact line and used frequently, in disregard of the Minsk agreements. Further, OHCHR recalls that the use of such weapons in civilian populated areas can be considered incompatible with the principle of distinction and may amount to a violation of international humanitarian law due to their likelihood of indiscriminate effects.

25. OHCHR remained concerned that placing military objectives in densely populated areas and near civilian objects and facilities necessary for the survival of the civilian population, and the resulting shelling of such areas, objects and facilities, remained a general pattern in the hostilities, suggesting that insufficient regard has been given to their protection.

...

31. OHCHR recalls that water and power supply, as well as heating in the winter period, are critical to the survival of the civilian population, and that placing military objectives in residential areas, particularly near hospitals, schools, or facilities necessary for the survival of the civilian population, may amount to a violation of international humanitarian law.”

627. The report’s section on summary executions and killings stated as follows:

“41. In October 2014, a resident of Antratsyt, in Luhansk region (controlled by armed groups) was summoned to the local ‘commandant’s office’ where he was reportedly beaten to death. His body was found in a coal mine one year later.

42. In June 2017, OHCHR documented a case which demonstrates the recurrent character of killings and enforced disappearances in the conflict zone. A young man who made his living carrying luggage for people travelling across the contact line in Stanytsia Luhanska left for work on 27 April 2017, and never returned. On 2 May, his family saw a media report stating that his body had been found by an ambulance in Zhovtnevyi district, in Luhansk city (controlled by armed groups) on 27 April. According to the death certificate, the man died of haemorrhagic shock linked to a complex trauma to his head, limbs, and body bones, and multiple injuries of internal

organs. The ‘police’ in Luhansk did not provide his relatives with any information on the circumstances of his death.”

628. On the subject of torture and ill-treatment by armed groups, the report read as follows:

“61. After nine months of detention by armed groups, a judge of the court of appeal of Luhansk region was released on 14 July 2017. Detained at the Stanytsia Luhanska checkpoint in October 2016, he was held incommunicado by the ‘ministry of state security’ of the ‘Luhansk people’s republic’. He spent 48 days in solitary confinement. The conditions of detention were poor, including insufficient food, cold temperatures, limited space and sanitary conditions. OHCHR considers that these conditions may amount to ill-treatment. During his detention, the victim heard other detainees taken for ‘interrogation’, who were apparently subjected to beatings and electric shocks. He was forced to record a propaganda video against Ukraine. ...

62. On 13 July 2017, a woman with a hearing disability, who had publicly criticized the ‘Luhansk people’s republic’ on social media, was detained at a checkpoint controlled by armed groups at the Stanytsia Luhanska crossing route. She was held *incommunicado* for 16 days by the ‘ministry of state security’ of the ‘Luhansk people’s republic’, during which time it consistently denied to her family that she was being detained. The woman was interrogated four times without legal representation. During one interrogation session, one of her fingers was dislocated with a pair of pliers. She was threatened to be moved to the basement with male detainees and told she would ‘have a fun night’. On 29 July, she was brought back to the same checkpoint and told to cross to the government-controlled side.”

629. In the section on pre-conflict prisoners detained in the non-government-controlled territory, the report stated that some of them had complained of forced labour, whereas “others worked voluntarily, but were not paid”.

630. The topic of freedom of expression and the media was commented on as follows:

“103. In territory controlled by armed groups, OHCHR continued to observe systematic attacks on civil society space severely hindering the work of media representatives. HRMMU documented cases of media professionals detained by armed groups while some were subjected to intimidation and interference with their work. Journalists entering territory controlled by armed groups of ‘Donetsk people’s republic’ must inform the ‘press centre’ of the ‘ministry of defence’ about their activities on a daily basis, are arbitrarily required to show their video footage at checkpoints, and are accompanied by members of armed groups when travelling close to the contact line.”

631. Addressing the issue of military use of property, the report stated:

“122. Parallel procedures that ‘regulate’ inheriting, selling and buying of property put in place by armed groups continued to create unnecessary hardship for the population. According to ‘legislative initiatives’, all real estate transactions executed after 11 May 2014 must be registered with the ‘Donetsk people’s republic’. Such ‘initiatives’ result in additional financial burden due to the double registration of transactions that is required, considering that the Government of Ukraine does not recognize such ‘registration’ as valid.

123. Military occupation and use of civilian housing by armed groups hindered the ability of displaced persons to return to their homes. OHCHR was informed about a

woman who returned to Luhansk city and could no longer access her apartment because the lock had been changed. Interlocutors from Luhansk alleged that apartments were being opened and given to armed groups.

...

125. On 4 July 2017, the ‘fund of state property’ of ‘Donetsk people’s republic’ announced the filing of an appeal to the ‘arbitration court’ requesting declaration of property rights concerning ‘abandoned’ property. OHCHR is concerned that these developments may unlawfully interfere with property rights.

126. Legal experts operating in territory controlled by armed groups reported increased information requests concerning the ongoing process of mandatory ‘registration’ of vehicles under ‘Donetsk people’s republic’ ‘legislation’. The process reportedly includes a special fee for ‘registration’, paid through the ‘central republican bank’. Owners who failed to ‘register’ their vehicle would be fined between 340 to 510 roubles, and their vehicles would be held until the fine was paid. Not only does this incur additional expenses for residents, it also places them in a difficult legal predicament, as any ‘official’ payments of ‘fees’ into the ‘budget’ of the ‘Donetsk people’s republic’ may be interpreted as funding of terrorism by law enforcement agencies of Ukraine.”

(w) 20th report on the human rights situation in Ukraine covering the period from 16 August to 15 November 2017, issued on 1 December 2017

632. The findings presented in this report were based on data collected by HRMMU through 290 in-depth interviews with witnesses and victims of human rights violations and abuses, as well as site visits in both government-controlled and armed group-controlled territory.

633. The report noted a reduction in the number of civilian casualties caused by shelling, which had been steadily decreasing since May 2017. During the reporting period, no one had been killed, and two people had been injured as a result of shelling in government-controlled areas.

634. Addressing the issue of compliance with international humanitarian law in the conduct of the hostilities, the report stated:

“21. OHCHR remains concerned about the continued presence of heavy weapons near the contact line, in disregard of pledges made under the Minsk agreements to withdraw such weapons. The Special Monitoring Mission (SMM) of the Organization for Security and Cooperation in Europe (OSCE) documented the repeated use of weapons with a wide impact area (such as artillery and mortars) or the capacity to deliver multiple munitions over a wide area (such as multiple launch rocket systems). The use of such weapons in densely populated areas can be considered incompatible with the principle of distinction and may amount to a violation of international humanitarian law due to the likelihood of indiscriminate effects. During the reporting period, HRMMU documented civilian casualties and damage to civilian property caused by heavy weapons.

...

23. OHCHR continued to observe military presence in densely populated areas and military use of civilian property on both sides of the contact line, increasing the risk to civilian lives, property and critical infrastructure. Locating military positions and equipment within or near residential areas and objects indispensable for the survival of

the civilian population falls short of taking all feasible steps to separate military objectives from the civilian population, in contravention to international humanitarian law. OHCHR notes that where such presence is justified due to military necessity, the parties must protect the resident civilian population, including by providing alternative accommodation. Some residents of (government-controlled) Opytne and in the ‘no man’s land’ part of Pivdenne informed HRMMU they wished to relocate to a safer place, however adequate alternative accommodation was never offered by the authorities.”

635. The report addressed the situation regarding summary executions and killings in the following way:

“34. OHCHR continued to receive and verify allegations of summary executions and wilful killings of civilians, Ukrainian servicemen, and individuals associated with armed groups. These allegations mostly concern 2014, but also 2015 through 2017, indicating the prevailing impunity for grave violations and abuses of international human rights law and violations of international humanitarian law in the conflict zone. Victims’ relatives and witnesses interviewed by HRMMU often do not give consent for public reporting on such cases out of fear of retaliation or persecution.

35. ... [I]n July 2016, a man was found shot dead near his house in a village of Luhansk region controlled by armed groups. Neighbours had heard three shots in the preceding evening. There was an armed groups’ checkpoint nearby, manned by the ‘Brianka-USSR’ battalion. The victim’s family was notified that a suspect was ‘arrested’ by ‘police’ at the beginning of November.”

636. The section entitled “Unlawful/arbitrary deprivation of liberty, enforced disappearances and abductions” described the following cases perpetrated in the territory controlled by armed groups:

“41. For example, on 29 April 2017, two men traveling to Dokuchaievsk were detained by ‘border guards’ at an armed-group-controlled checkpoint and taken to the ‘department of combating organized crime’ (UBOP) in Donetsk. Both men worked as State Fiscal Service inspectors in government-controlled territory. They were detained for a few days in ‘UBOP’ and then brought to a temporary detention facility administered by ‘police’ and held incommunicado under ‘administrative arrest’. Their families were not notified of their ‘arrests’, and learned of their whereabouts from other sources. The lawyer hired by relatives was denied access to the detainee. Since April, the men were released every 30 days, given a moment to talk to relatives, and then immediately ‘re-arrested’ by ‘UBOP’ on different ‘charges’ and placed under another 30-day ‘administrative arrest’.

42. On 27 February 2017, a couple was detained at a checkpoint controlled by armed groups. They were questioned for approximately six hours, then separated and brought to the ‘MGB’ building in Donetsk city. The woman was questioned again and told that they had discovered explosives in one of their bags and would charge her husband with ‘espionage’. When she was released, she saw her husband in another office; his pupils were unusually enlarged. Ten days later, she received a call from an ‘MGB officer’ who stated her husband was under ‘administrative arrest’. As of 15 November 2017, the victim was allegedly in Donetsk SIZO, however his wife has never been able to see him during his detention.

43. OHCHR continued documenting cases of individuals subjected to enforced disappearance. On 31 August 2017, a young man who made his living carrying luggage for people walking along the Stanytsia Luhanska crossing route went missing. He had

crossed the government-controlled entry-exit checkpoint while carrying luggage, but was stopped by personnel at the checkpoint controlled by the armed groups of the ‘Luhansk people’s republic’ and his passport was taken away. Despite relatives’ inquiries, the whereabouts and fate of the victim remain unknown. ...

44. On 25 August 2017, a man was taken from his home to a ‘police station’ in Makiivka by the ‘ministry of state security’ (‘MGB’) officers, where he was held for at least two days. The family’s last contact with him occurred by phone on 27 August. They were informed by ‘police’ that the man was under ‘administrative arrest’ and denied permission to speak or meet with him. It is believed that his ‘arrest’ is retaliation for his political opinion, as he openly expressed ‘pro-unity’ views and criticism of the ‘Donetsk people’s republic’ and the Russian Federation.”

637. The section focusing on torture and ill-treatment in the territory controlled by armed groups read as follows:

“53. OHCHR documented the case of a Russian blogger, who was detained with his wife at their home in Donetsk city on 27 September 2017 by armed men dressed in camouflage. The blogger was physically assaulted by the perpetrators, resulting in a fractured leg. One of the perpetrators also attempted to suffocate him. The victims were then taken to the ‘UBOP’ office, and interrogated separately for a few hours. During this time, no medical aid was provided. The woman was released that evening, while the man was forced to sign a ‘notice’ that he was detained under ‘administrative arrest’ upon charges of participating in a terrorist organisation. He was released on 2 November 2017.

54. During the reporting period, OHCHR received and followed up on accounts of seven individuals (three women and four men) who had been detained incommunicado in an armed group-controlled place of detention called ‘Izoliatsiia’. Since at least 2016, the facility has been used by the ‘MGB’ and the ‘UBOP’ of the ‘Donetsk people’s republic’ to detain men and women suspected of ‘treason’, ‘subversive activities’ or cooperation with SBU. Some members of the armed groups of the ‘Donetsk people’s republic’ were also reportedly held in this facility. Detention periods varied from a few hours to over a year. The facility has cells used for punishment (e.g. one only for sitting, another only for standing) and a ‘monitoring room’ from which the cells could be watched 24 hours via video cameras. Guards wore camouflage without insignia and were armed with AK-47 assault rifles. To keep detainees in a state of exhaustion, the guards forced them to constantly perform physical work.”

638. Conflict-related sexual violence in the territory controlled by armed groups was illustrated by the following example:

“58. On 31 May 2014, near Luhansk, two civilian men were abducted and detained by five members of an armed group masked with balaclavas and armed with assault rifles. They were taken to a tent camp and separated. One victim, who was known for his pro-Ukrainian views, was brought inside a tent, where other members of armed groups beat him and subjected him to a mock execution before interrogating him. At one point, the interrogator kicked the victim in his testicles, which was extremely painful and resulted in residual injury. The victim was also beaten with a metal rod wrapped in a rag by different individuals, including a woman. ... The perpetrators threatened the second victim that his younger sister ‘may not come back home tonight’; they knew where she studied and what time she returned home. The victims also heard a man armed with a pistol ask the guards whether his friends could rape the ‘detainees’.”

639. Access to places of detention was addressed as follows:

“8 ... In territory controlled by armed groups, OHCHR was denied access places where people are deprived of their liberty and to hold confidential interviews. As enforced disappearances, torture and conflict-related sexual violence often take place in the context of detention, this denial of access raises serious concerns that human rights abuses may be occurring.

...

60. In both ‘Donetsk people’s republic’ and ‘Luhansk people’s republic’, OHCHR continued to be denied access to detainees and places of deprivation of liberty. Coupled with first-hand information received by HRMMU, this denial of access continued to raise serious concerns regarding detention conditions, as well as possible further human rights abuses such as torture and ill-treatment.”

640. Addressing the topic of freedom of opinion and expression in the armed groups-controlled territory, the report stated:

“105. Freedom of expression remains severely restricted with no critical publications or elements of dissent allowed in media outlets circulating in ‘Donetsk people’s republic’ and ‘Luhansk people’s republic’. On 27 September 2017, armed men forcibly entered the home of a well-known blogger and activist in Donetsk, beat him and interrogated both him and his wife ... The blogger was arbitrarily detained for 36 days, until 2 November, accused of ‘terrorism’. The ‘charge’ allegedly stemmed from his published articles criticising the leadership of the ‘Donetsk people’s republic’.

106. Armed groups of ‘Donetsk people’s republic’ continue to detain blogger Stanislav Aseyev (aka Vasin), held since 3 June 2017. Another blogger in ‘Luhansk people’s republic’ was reportedly ‘convicted’ of ‘extremism’ and ‘espionage’ for his critical posts on social media and ‘sentenced’ to 14 years imprisonment.”

641. Lastly, the freedom of religion and belief in the same territory was addressed in the following way:

“109. On 17 August 2017, the ‘ministry of culture, sports and youth’ of ‘Luhansk people’s republic’ adopted a ‘decree’ requiring religious organizations to obtain a positive ‘theological opinion’ in order to ‘register’, act as ‘legal entity’ and operate. The ‘expert council’ created to conduct such theological expertise can issue a negative opinion on the basis of a broad and vague list of reasons. OHCHR is concerned that implementation of this ‘decree’ will lead to arbitrary infringement on the right to manifest one’s religion or belief, while further shrinking the space for members of minority religious groups to exercise their rights.

110. In both ‘Donetsk people’s republic’ and ‘Luhansk people’s republic’, a number of actions were taken against Jehovah’s Witnesses communities. In Horlivka, one of the houses of worship of the Jehovah’s Witnesses community (known as ‘Kingdom Halls’) was reportedly ‘expropriated’ by the ‘Donetsk people’s republic’ on the basis that it was ‘abandoned’, despite documentation confirming the congregation’s ownership of the property as well as its continued use by parishioners. On 28 August, the ‘MGB’ of the ‘Luhansk people’s republic’ announced that activities of unregistered organizations of Jehovah’s Witnesses were banned due to their alleged ties with the SBU. Since then, Kingdom Halls in Luhansk, Alchevsk and Holubivka in territory controlled by the ‘Luhansk peoples’ republic’ have been inaccessible for parishioners, bringing the total number of Jehovah’s Witnesses religious buildings seized by armed groups since the beginning of the conflict to 12. Furthermore, on 14 October, ‘MGB’ entered the private home of a parishioner, interrupted a joint worship and collected

personal data of all the participants. Four parishioners were temporarily detained and one was accused of organising an unauthorised public gathering.”

...

“129. On 3 November 2017, the armed groups of ‘Donetsk people’s republic’ published a ‘decree’ on ‘nationalisation’ of harvest planted on land plots which are included in the ‘state’ or ‘municipal’ ‘property funds’ and have been ‘occupied’ by legal entities or private persons without ‘authorization’. The ‘ministry of taxes’ was given unhindered access to the storages of legal entities and private persons to implement the decree, which applies retroactively. OHCHR is concerned about the possible human rights impact of this action, particularly in light of the level of food insecurity in the territory.”

(x) 21st report on the human rights situation in Ukraine covering the period from 16 November 2017 to 15 February 2018, issued on 1 March 2018

642. This report was based on data collected by OHCHR through 276 in-depth interviews with victims and witnesses of human rights violations and abuses, and visits in both government-controlled and armed-group-controlled territory.

643. Addressing the issue of conduct of hostilities and civilian casualties, the report stated:

“19. Most civilian casualties continued to be caused by the use of indirect and/or explosive weapons systems. OHCHR documented 40 civilian casualties (2 killed and 38 injured) caused by shelling from various weapons systems – including mortars, howitzers and multiple launch rocket systems (MLRS) – and light weapons fire ...

20. The parties to the conflict continued to employ indirect and/or explosive weapons with wide area effects, including MLRS, in areas populated and used by civilians. This may constitute a violation of international humanitarian law prohibitions on indiscriminate attacks and of the obligation to take all feasible precautions to avoid harm to the civilian population and damage to civilian objects ...”

644. The report addressed the issue of arbitrary detention and conditions of detention in territories controlled by armed groups as follows:

“21. In the ‘MGB’ basement, detainees were fed three times per day, but food was often spoiled; however at some point civilian detainees were allowed to receive packages from relatives once a month. They were convoyed to the toilet twice a day, and showers were permitted once every fortnight. The cells were cold (around 10 degrees Celsius during cold season), damp and lacked fresh air. It was forbidden to do physical exercises in the cells. Medical care was not provided.

...

23. Conditions in Izoliatsiia were poor. Detainees were held in the basement and ground floor. Most rooms lacked toilets or running water, and detainees were only allowed to use such facilities once a day for a few minutes; alternatively they could relieve themselves in a plastic bottle in the cell. Food was provided twice a day. Detainees were forced to work: women were forced to cook and clean and men to move heavy objects, including ammunition, and clean cars in the yard. In the room, the light was continuously on and detainees were not allowed to switch it off. Walks were not

allowed. There was a doctor in the facility, but available medication was mostly expired. ...

24. Conditions were reported as poor in Donetsk SIZO. Detainees were held in the 6th or 10th block, which had been previously used for convicts with life sentences. The cells were small (2 x 4 metres or 1.3 x 3.5 metres), with bunk beds. Often cells were overcrowded (12 people for 8 places), cold with broken windows, humid with mould on the walls, and infested with cockroaches, bedbugs and rats. The toilets in the cells would often clog. Food was insufficient in quantity and of poor quality.

...

31. OHCHR documented a rising number of cases of civilians arbitrarily deprived of their liberty by armed groups - a trend observed since summer 2017. OHCHR registered seven new cases which occurred within the reporting period in territory controlled by 'Donetsk people's republic' and 'Luhansk people's republic', and 18 cases that occurred earlier. The victims were mainly detained by the 'ministry of state security' ('MGB') or 'department of combating organized crime' ('UBOP') at checkpoints, in their home, or at their workplace. Detentions at checkpoints were often followed by house searches and seizure of property.

32. On 15 January 2018, 'MGB' of 'Donetsk people's republic' recognized that in 2017 it detained 246 individuals under 'suspicion of espionage and state treason', 148 of whom were living and working in armed-group-controlled territory.

...

67. Of the 75 individuals released by armed groups, 41 were civilians: 2 had been arbitrarily detained since December 2014, 13 since 2015, 17 since 2016, and 9 since February-March 2017. OHCHR interviewed 20 of the released civilians. They had been detained either in their homes, or while at work or on the street, usually by armed men wearing no insignia. In 18 cases, they were transferred to 'MGB' of 'Donetsk people's republic' or 'Luhansk people's republic', which reportedly 'investigated' the cases. During the initial period of detention - at least for one month - each person was held *incommunicado*, denied access to a lawyer or communication with relatives. During this time, in the majority of documented cases, the detainees were kept either in the basements of 'MGB' buildings or in premises generally not intended for detention, and regularly brought to 'MGB officers' for interrogation. Detainees were often hooded or blindfolded and handcuffed and/or strapped to a chair. In all documented cases, 'MGB officers' threatened severe physical violence or rape against them or their relatives if they refused to 'cooperate'. Such threats were usually accompanied by blows to the head or body, making victims believe the threats were imminent and credible."

645. The report moved to the topic of freedom of opinion and expression:

"90. At least five persons released by armed groups in the simultaneous release on 27 December 2017 were being detained inter alia for their critical publications on social media. OHCHR remains concerned that as of 15 February, at least two bloggers remained detained by armed groups in 'Donetsk people's republic'."

646. The section on the freedom of religion stated:

"98. OHCHR is concerned with the adoption, on 2 February, in territory controlled by 'Luhansk people's republic', of a 'law' which bans all 'religious groups' not directly linked to traditional religions, thus limiting freedom of religion.

99.... OHCHR documented two new instances of 'expropriation' of buildings belonging to the community, bringing the total number of expropriated Kingdom Halls

to 14. Two religious publications of Jehovah's Witnesses were declared 'extremist' by the 'Donetsk people's republic' while a 'court' in 'Luhansk people's republic' issued a 'decision' stating that actions of Jehovah's Witnesses 'infringe the right to religious self-determination of others'."

(y) 22nd report on the human rights situation in Ukraine covering the period from 16 February to 15 May 2018, issued on 1 June 2018

647. This report described its methodology in the following way:

"11. OHCHR's quarterly reports are based on information collected by HRMMU through interviews (with victims, witnesses, relatives of victims and lawyers), site visits, meetings (with government representatives, civil society and other interlocutors), trial monitoring, court documents, official records, open-source material, and other relevant materials. OHCHR evaluates all sources and information for credibility and reliability, and exercises due diligence to corroborate and crosscheck information from as wide a range of sources as possible. Testimonies are also evaluated on their consistency with what is known about an incident, and whether that incident reveals a pattern consistent with other similar incidents. When documenting human rights cases, the standard of proof applied is that, to an objective observer, there are 'reasonable grounds to believe' that a particular human rights violation or abuse occurred, or that a given pattern of violations occurred.

12. OHCHR applies the same due diligence and standard of proof when documenting civilian casualties. In some instances, documentation may take weeks or months before conclusions can be drawn, and therefore numbers on civilian casualties may be revised as additional information becomes available.

...

14. The findings presented in this report are based on data collected by HRMMU through 186 in-depth interviews with witnesses and victims of human rights violations and abuses, as well as site visits in both government-controlled and armed-groups-controlled territory."

648. Addressing the issue of conduct of hostilities and civilian casualties, the report stated:

"18. As in the last reporting period, shelling and SALW fire were the main cause of civilian casualties ... The risk of civilian casualties is very high when explosive and/or indirect weapons are used in civilian-populated areas ...

19. The continued use of indirect and/or explosive weapons by parties to the conflict remained the primary concern regarding protection of civilians. OHCHR emphasizes that significant numbers of civilians continue to reside in villages and towns in proximity to the contact line. While most civilian casualties from shelling – and shooting – appeared to occur indirectly in incidents that did not specifically target civilians, the conflict's civilian toll remains a serious concern. Examples of civilian casualties from shelling include ... injuries to two civilians from shelling in government-controlled Troitske (Luhansk region), on 2 May."

649. The report addressed the issues related to the right to physical integrity in the following way:

"6. OHCHR was able to document 93 cases – on both sides of the contact line – involving 149 credible allegations of unlawful or arbitrary detention, torture, ill-treatment, sexual violence and/or threats to physical integrity. In 28 of these cases

(representing 38 human rights violations and abuses), the incidents occurred during the reporting period, which is more than double the number of violations documented by OHCHR occurring in the previous reporting period. The Government of Ukraine was responsible for 22 of these human rights violations, and armed groups for 15.

...

47.... Concerns have been further exemplified by information provided by former detainees who were released on 27 December 2017 within the Minsk process, which indicated that persons held in detention facilities of the ‘Donetsk people’s republic’ and ‘Luhansk people’s republic’ are frequently subject to torture and ill-treatment.

...

51. OHCHR remained concerned about ‘preventive arrest’ introduced on 2 February 2018 in territory controlled by ‘Luhansk people’s republic’. ‘Preventive arrest’ may be applied for up to 30 days, with the possibility to extend to 60 days, based on allegations that a person may have been involved in crimes against the security of the ‘republic’. During ‘preventive arrest’, detainees are denied access to lawyers or relatives. ...

52.... Within the reporting period, OHCHR documented seven cases (five of which occurred in 2018) involving eleven victims, who were detained while attempting to cross the contact line. Five cases occurred in territory controlled by armed groups of the ‘Donetsk people’s republic’. OHCHR also documented cases of three individuals detained in 2018 either at their homes, or near their workplace. In these cases, relatives could not receive information about the whereabouts of the detained person, particularly during the initial stage of detention, amounting to enforced disappearance.

...”

650. The report described the situation of the media as follows:

“79. The space for freedom of expression and freedom of media remains highly restricted in territory controlled by armed groups. With few critical voices publicly expressed in this territory, OHCHR is concerned that they may have been silenced, including by means of intimidation, expropriation of property and deprivation of liberty. During the reporting period, OHCHR documented four cases when civilians were detained, in relation to expressing pro-Ukrainian views in public and in social media, or being critical towards the ‘authorities’.”

(z) 23rd report on the human rights situation in Ukraine covering the period from 16 May to 15 August 2018, issued on 1 September 2018

651. This report was drawn utilising the same methodology that had been used for the 22nd OHCHR report. The report was based on data collected by OHCHR through 177 in-depth interviews with victims and witnesses of human rights violations and abuses, as well as site visits in both government-controlled and armed group-controlled territory.

652. Addressing the issue of conduct of hostilities and civilian casualties, the report stated:

“22. The greatest number of civilian casualties during the reporting period – 50.5 per cent of the total – was caused by shelling or light weapons fire: 53 (7 killed and 46 injured); ... 11 [of which] (3 killed and 8 injured) were recorded in government-controlled territory and are attributable to armed groups. All of the incidents occurred

in residential neighbourhoods, including the victims' houses, or other areas regularly frequented by civilians.

23. For example, on 28 May, at approximately 11 a.m., a teenage girl was struck by shrapnel and killed instantly when a shell landed in the yard of her grandparents' home in Zalizne (government-controlled territory, Donetsk region) ..."

653. The section entitled "Right to restitution and compensation for use or damage of private property" read as follows:

"34. OHCHR is concerned about expropriation of civilian property by the 'ministry of state security' ('MGB') in territory controlled by 'Donetsk people's republic'. One such case involves the apartment of a family in Donetsk who received it under a State funded programme before the conflict. In January 2015, armed men (believed to be from 'MGB') broke into the apartment and seized personal property, which was followed by threatening phone calls demanding that the family hand over the keys to the apartment. When the family reported these incidents to 'MGB' and 'police' several days later, 'MGB' requested access to the apartment to conduct 'special operations' for three days. The keys were returned only after nine months, but according to the family, a number of belongings were missing from the apartment. On 4 March 2018, the apartment was sealed by the 'MGB' and since then the family has not had access to their home. In 2018, the family submitted multiple appeals to the various duty bearers in territory controlled by the armed groups.

35. In May 2018, OHCHR initially started attending the 'civil hearing' on expropriation of the apartment, but in June the 'court' decided to hold 'closed sessions' and ordered OHCHR to leave. No other members of the public were present.

36. OHCHR is concerned that this case may not be isolated. According to one interlocutor, private apartments have been expropriated in a similar manner in Donetsk, affecting at least five families. Unless required by imperative military necessity, such expropriations may constitute violations of international humanitarian law, which prohibits the seizure of private property. They may also violate international human rights law which protects the right not to be subjected to arbitrary interference in one's privacy, family or home, and guarantees legal protection against forced eviction."

654. The section of the report entitled "Arbitrary detention, enforced disappearance and abduction, torture and ill-treatment" described the situation in the territory controlled by armed groups in the following way:

"51.... During the reporting period, OHCHR received information about two people detained from 30 to 64 days under 'preventive arrest' by the 'ministry of the interior' and 'MGB'.

52. In one case, a man was detained by 'MGB' on 28 March 2018 while crossing the Stanytsia Luhanska [checkpoint]. His mother sought information from the 'general prosecutor' and 'MGB', but was not informed until 19 April that her son was detained under 'preventive arrest'. During the first two days of detention, the man was reportedly severely beaten, forced to stand on his toes while his wrists were handcuffed to the ceiling, and subjected to electroshocks whilst tied to a table. The beatings stopped when being unable to take the torture any more, he 'agreed' with the 'accusations'. He was released after 64 days of detention.

53. Similarly, in territory controlled by 'Donetsk people's republic', individuals continued to be detained under 30-day 'administrative arrest', during which time they are not allowed to communicate with their relatives or lawyers. Sometimes, even

confirmation of the detention itself is withheld from the families of detainees, increasing their suffering. For example, in October 2017, around 10 armed individuals wearing balaclavas abducted a man at his parents' house. For 30 days, the man's parents had no information on his whereabouts or fate, despite numerous requests and visits to the 'MGB' office. They would often stand for hours on the street outside 'MGB' and 'wait like dogs' in the hope that someone might tell them what happened to their son.

54. OHCHR continued to receive and corroborate information on individuals detained in Izoliatsiia at 3, Svitloho Shliakhu street in Donetsk. OHCHR documented several cases of individuals arbitrarily arrested by 'MGB' of 'Donetsk people's republic' and held *incommunicado* in Izoliatsiia under 'administrative arrest' in the first half of 2018. During that time, they were tortured, including by electrocution. Based on interviews with credible sources, OHCHR was able to confirm that at least 40 individuals, including civilians, were being held in Izoliatsiia in the first half of 2018.

55.... OHCHR documented the case of a man from Vuhledar and his son who, on 12 June 2015, were abducted by unknown armed people while driving in Donetsk region. They were reportedly held in an unknown location where they were tortured and ill-treated. After a few days, the son was released but the whereabouts and fate of the father remain unknown."

655. The sections of the report dedicated to freedom of opinion, expression and religion stated:

"87. In territory controlled by armed groups, the space for freedom of opinion and expression remained highly restricted. OHCHR documented the case of two men detained and charged with 'espionage', inter alia, for their pro-Ukrainian position expressed in social media. ...

88.... In one case, a former journalist of a national newspaper was detained by armed groups in Horlivka in February 2015 for his publications on social media; during his one-month detention, he was reportedly tortured and subjected to ill-treatment.

...

104.... [I]n territory controlled by 'Donetsk people's republic', a 'law' was adopted on 13 April 2018 'on freedom of religion and religious unions', requiring all religious organizations to complete a 'registration' procedure by 1 March 2019. Those failing to do so will not be allowed to operate in territory controlled by 'Donetsk people's republic'.

105. On 21 June 2018, 'MGB' closed the only functioning mosque in Donetsk. The premises were searched, religious literature was confiscated and two Muslim practitioners were questioned and forced to sign a commitment not to leave territory controlled by 'Donetsk people's republic'."

(aa)24th report on the human rights situation in Ukraine covering the period from 16 August to 15 November 2018, issued on 1 December 2018

656. This report's methodology was described as follows:

"17. This report is based on 119 in-depth interviews with victims and eyewitnesses. Findings are included in the report where the 'reasonable grounds' standard of proof is met. The standard is met when a sufficient and reliable body of primary information collected through interviews (with victims, witnesses, relatives of victims and lawyers), site visits, meetings with Government representatives, civil society and other interlocutors, and trial monitoring is consistent with secondary information assessed as

credible and reliable, such as reviews of court documents, official records, open-source material, and other relevant materials. OHCHR applies the same due diligence and standard of proof when documenting conflict-related civilian casualties. ...

18. In the reporting period, OHCHR was not operational in territory controlled by ‘Donetsk people’s republic’ and ‘Luhansk people’s republic’; as a consequence OHCHR had to step up its remote monitoring of the human rights situation.

19. While OHCHR cannot provide an exhaustive account of all human rights violations committed throughout Ukraine, it is able to document patterns of human rights violations and abuses based on individual cases.”

657. Addressing the issue of civilian casualties, the report said:

“23. During the reporting period, shelling and light weapons fire caused 18 civilian casualties: six killed (four men, one woman and one girl) and 12 injured (six men, four women, one boy and one girl), amounting to 36 per cent of the total. Of them, ... two (one killed and one injured) were recorded in Government-controlled territory and are attributable to armed groups.”

658. Throughout the reporting period, OHCHR operations in territory controlled by the self-proclaimed “DPR” and “LPR” had been restricted. Ongoing discussions through regular meetings with representatives of both “DPR” and “LPR” were ongoing to secure the resumption of OHCHR operations in the territory under their control, as well as unimpeded confidential access to detainees in this territory.

659. The report stated:

“43. Over the reporting period, OHCHR documented 40 human rights violations involving unlawful or arbitrary detention, torture, ill-treatment sexual violence and/or threats to physical integrity, committed on both sides of the contact line. Out of these, 25 violations are attributable to the armed groups, and 15 are attributable to the Government. Six violations affecting two victims (males) occurred during the reporting period, and can be attributable to the armed groups.”

660. Commenting on the issue of arbitrary detention, the report stated:

“52. OHCHR remains concerned that in territory controlled by ‘Donetsk people’s republic’ and ‘Luhansk people’s republic’, the practice of 30-day ‘preventive arrest’ and ‘administrative arrest’ prevails, which amounts to arbitrary incommunicado detention. OHCHR is aware of at least four cases of ‘preventive arrest’ that occurred in territory controlled by ‘Luhansk people’s republic’ and at least one case of alleged arbitrary arrest that occurred in territory controlled by ‘Donetsk people’s republic’ during the period under review. On 26 August 2018, a man, who is a patient of the substitution maintenance therapy, was detained by the ‘ministry of state security’ (‘MGB’) of ‘Luhansk people’s republic’ at the checkpoint ‘Izvaryne’ on suspicion of drug smuggling. On the next day, he was transferred to ‘MGB’ building in Luhansk, where he was held incommunicado for almost two months. In the end of October, his detention was formalized by a ‘measure of restraint’ of custodial detention by the ‘court’. As of 15 November, he remained in detention in Luhansk.”

661. The report also described a case of arbitrary detention of a journalist:

“79. Stanislav Asieiev, a journalist reporting for several Ukrainian and international media outlets on living conditions in territory controlled by ‘Donetsk people’s republic’, was detained on 2 June 2017. As of 15 November, he remains in custody in

territory controlled by ‘Donetsk people’s republic’ and his exact place of detention is unknown.”

662. Its section of the freedom of religion and belief read:

“92. OHCHR remains concerned about the further narrowing of freedom of religion or belief in territory controlled by ‘Donetsk people’s republic’ and ‘Luhansk people’s republic’ due to the classification of evangelical Christian denominations as extremist organizations. Jehovah’s Witnesses reported that pressure in territory controlled by ‘Donetsk people’s republic’ continued, affecting their ability to worship and use their premises. On 26 September, the ‘supreme court’ of the ‘Donetsk people’s republic’ ruled to ban the religious activities of Jehovah’s Witnesses as unlawful citing it is an extremist organization.

93. As non-registered religious organizations were considered ‘illegal’ even before registration deadlines, their worship meetings were disrupted by ‘authorities’ which referred to ‘regulations’ limiting public assemblies. Such restrictions – reported both in ‘Donetsk people’s republic’ and ‘Luhansk people’s republic’ – resulted in the inability of some religious organizations to use their worship houses due to fear of possible seizure or sealing off their premises.”

(bb) 25th report on the human rights situation in Ukraine covering the period from 16 November 2018 to 15 February 2019, issued on 1 March 2019

663. This report was drawn up utilising the same methodology that had been used for the 24th OHCHR report, with the exception that it was based on 152 in-depth interviews with victims and witnesses and that OHCHR was present, albeit with limited operations, in territory controlled by the “DPR” and the “LPR”, and was able to obtain and verify information through various means.

664. Addressing the issue of conduct of hostilities and civilian casualties, the report stated:

“18. During the reporting period, hostilities continued to affect the civilian population in the conflict zone of eastern Ukraine. Against the backdrop of a decreasing number of ceasefire violations as reported by the OSCE Special Monitoring Mission to Ukraine, exchanges of fire across the contact line continued to impact residential areas and result in civilian casualties and damage to civilian property and infrastructure, including water facilities and electricity lines. Deteriorating factor was the continued placing of military positions in immediate proximity to residential areas and decreasing distances between the positions of Ukrainian forces and armed groups.

...

20. During the same period, shelling and SALW fire injured ten civilians (eight men and two women) and killed none. This is a 44.4 per cent decrease with the previous reporting period (six killed and 12 injured), and one of the lowest figures for the entire conflict period. Of the ten civilian injuries caused by shelling and SALW fire, ... one was recorded in government-controlled territory and is attributable to armed groups of ‘Donetsk people’s republic’.”

665. The section on the right to physical integrity read as follows:

“44. During the reporting period, OHCHR documented at least 172 human rights violations involving unlawful or arbitrary detention, torture, ill-treatment and/or threats

to physical integrity, committed on both sides of the contact line. Out of these violations 18 can be attributed to the Government of Ukraine, and at least 154 can be attributed to ‘Donetsk people’s republic’ and ‘Luhansk people’s republic.’ At least 91 violations occurred within the reporting period, which affected 46 victims (40 men and six women).

...

47. In territory controlled by ‘Donetsk people’s republic’ and ‘Luhansk people’s republic’, OHCHR did not have unimpeded access to places of deprivation of liberty to visit and speak in private with detainees. The lack of such access raised serious concerns about the treatment of detainees and conditions of detention. First-hand information received from pre-conflict prisoners transferred to serve their sentence in government-controlled territory supports OHCHR concerns[.]

...

53. During the reporting period, in territory controlled by ‘Donetsk people’s republic’ and ‘Luhansk people’s republic’ individuals continued to be subjected to 30-day ‘administrative arrest’ and ‘preventive arrest,’ respectively, which amount to arbitrarily *incommunicado* detention and may constitute enforced disappearance. ...

54. On 16 November 2018, representatives of the ‘ministry of state security’ (‘MGB’) of ‘Luhansk people’s republic’ detained a Luhansk resident at the entry-exit checkpoint near Stanytsia Luhanska. The man called his mother and told her he had been detained. His mother sent complaints about his detention to the ‘MGB’, ‘head’ of ‘Luhansk people’s republic’, ‘general prosecutor’s office’, and the ‘ministry of the interior’ (‘Moi’), requesting information about her son’s whereabouts. On 26 November, the ‘MGB’ informed her that her son was being held *incommunicado* under ‘preventive arrest.’ He was released on 4 December 2018.”

666. The section entitled “Situation of pre-conflict prisoners” read as follows:

“57. Recently transferred individuals from detention facilities in territory controlled by ‘Donetsk people’s republic’ and ‘Luhansk people’s republic’, including from two female penal colonies, reported a deterioration of detention conditions and prisoner treatment after the outbreak of the armed conflict in 2014. In particular, they mentioned insufficient food supply and the lack of electricity: in 2014-2015 during power outages, lasting from a couple of hours to several months, prisoners had to burn furniture to heat their barracks. They said the situation had improved since 2016, however, ill-treatment by prison staff, the absence of adequate medical treatment, including specialised doctors, such as gynaecologists, and forced labour remain of concern.

...

60. OHCHR received allegations of forced labour in most penal colonies in territory controlled by ‘Luhansk people’s republic’. In Sukhodilsk penal colony №36, prisoners said they had to work in two shifts from 6:30am to 9pm, often without days off on weekends and meagre or no compensation. Those, who did not want to work or who did not meet the work requirements, were beaten and put in the isolation ward. The ‘head’ of the colony personally beat prisoners in front of others to intimidate and make them work harder.”

667. The issue of freedom of expression and the media was addressed in the following way:

“87. Space for freedom of expression and freedom of the media remains highly restricted in territory controlled by ‘Donetsk people’s republic’ and ‘Luhansk people’s republic’. OHCHR is concerned that expression of any critical opinion or alternative view could lead to arbitrary detention or other punishment of critics.”

(cc) 26th report on the human rights situation in Ukraine covering the period from 16 February to 15 May 2019, issued on 1 June 2019

668. The report’s methodology, in so far as relevant, was described as follows:

“19. This report is based on 179 in-depth interviews with individuals, including victims and witnesses of human rights violations and abuses. Information is generally obtained from victims, witnesses, relatives of victims and lawyers, site visits, Government representatives, civil society and other interlocutors, trial monitoring, as well as court documents, officials records, open-source and other relevant material. Findings are based on verified information collected from primary and secondary sources that are assessed as credible and reliable. Findings are included in the report where the ‘reasonable grounds’ standard of proof is met, namely where, based on a body of verified information, an ordinarily prudent observer would have reasonable grounds to believe that the facts took place as described and, where legal conclusions are drawn, that these facts meet all the elements of a violation.

...

22. While OHCHR cannot provide an exhaustive account of all human rights violations committed throughout Ukraine, it is able to obtain and verify information through a range of means according to its methodology, and bases its conclusions of patterns of human rights violations, abuses and harm on verified individual cases.”

669. OHCHR operations in territory controlled by the “DPR” and “LPR” continued to be restricted during the reporting period.

670. Addressing the issue of conduct of hostilities and civilian casualties, the report stated:

“23. During the reporting period, hostilities continued to affect, directly or indirectly, the lives of 3.9 million civilians residing in the conflict zone of eastern Ukraine. Regular exchanges of fire across the contact line continue to expose those residing nearby to a constant threat of death or injury, while their civilian property and critical civilian infrastructure continued to be damaged, often in disregard for the principles of distinction, proportionality and precaution ...

...

26. During the reporting period, shelling and SALW fire killed two civilians (one man and one woman) and injured 18 (eight men, eight women, one boy and one girl). This is a 100 per cent increase with the previous reporting period (ten injured), but still one of the lowest figures for the entire conflict period. Of the 20 civilian casualties caused by shelling and SALW fire, four injured were recorded in Government-controlled territory and are attributable to armed groups (three to armed groups of ‘Donetsk people’s republic’ and one to armed groups of ‘Luhansk people’s republic’) ...”

671. The section entitled “Restitution and compensation for use or damage of private property” read as follows:

“34. During the reporting period, OHCHR continued to document, including remotely, cases of pillage of civilian homes on both sides of the contact line. For instance, OHCHR received allegations that civilian homes and property were pillaged in the village of Bezymenne (territory controlled by ‘Donetsk people’s republic’), and in the Government-controlled villages of Novozvanivka, Staryi Aidar and Troitske, in violation of international humanitarian law.

...

36. In the village of Bezymenne (territory controlled by ‘Donetsk people’s republic’), OHCHR received allegations of the continued military use of a civilian property, after armed groups forcibly evicted the owners of the house in December 2014. The armed groups did not provide any protection to the owners, nor adequate housing.”

672. The report’s section on the right to physical integrity read as follows:

“43. OHCHR documented 231 human rights violations and abuses involving arbitrary detention, torture, ill-treatment and/or threats to physical integrity, committed on both sides of the contact line. Sixty-eight violations occurred within the reporting period, which affected 39 victims (38 men and one woman). Of these, 14 are attributed to the Government of Ukraine, four are attributed to ‘Donetsk people’s republic’ and 50 are attributed to ‘Luhansk people’s republic’.

...

46. During the reporting period, OHCHR continued to document cases of arbitrary and incommunicado detention, torture and ill-treatment both in territory controlled by the Government and by ‘Donetsk people’s republic’ and ‘Luhansk people republic’. Although the prevalence of such cases continued to be considerably lower than in 2014, 2015 and 2016, reporting on such human rights violations and abuses is generally delayed, including because recent victims often do not feel safe reporting such violations.

...

50. In territory controlled by ‘Donetsk people’s republic’, OHCHR documented four cases of civilians detained at EECPs by the ‘ministry of state security’ of ‘Donetsk people’s republic’. For example, on 26 February 2019, a mother finally learned that her two sons had been transferred to the Donetsk SIZO and charged with ‘espionage’ following their disappearance in 2018. On 8 November 2018, two brothers, one with a physical disability travelled by car to territory controlled by ‘Donetsk people’s republic’ in Novoazovsk, to visit relatives. Their mother tried to call them after they had crossed the Government-controlled EECP, but their phones were switched off. In November 2018 and January 2019, their mother received several written replies from the ‘ministry of state security’ of ‘Donetsk people’s republic’ and the ‘ombudsperson office’ stating that they did not have any information about her sons’ location. It was the ‘general prosecutor’s office’ that confirmed her sons’ whereabouts on 26 February 2019.

51. On 3 March 2019, reportedly, a man got into an argument with representatives of the ‘ministry of state security’ of ‘Donetsk people’s republic’ when crossing the contact line through Olenivka [checkpoint] by car. The incident began after some cars were allowed to cut the line. The man was taken into a booth and was verbally abused there. When he resisted, he was beaten. He fainted, and when he regained consciousness, he realised he had been handcuffed and thrown on the floor. He was then taken outside and left handcuffed to a fence for an hour. They then threatened to kill him. He was released after signing documents which he was not allowed to read.

52. In territory controlled by ‘Luhansk people’s republic’, OHCHR documented a case when a civilian was detained at [a checkpoint]. On 23 February 2019, representatives of the ‘ministry of state security’ of ‘Luhansk people’s republic’ detained a man travelling to visit his friends in territory controlled by ‘Luhansk people’s republic’ at Stanytsia Luhanska [checkpoint]. After a witness informed the victim’s mother about what had happened, she went to the [checkpoint] to inquire about her son’s whereabouts. The representatives of the ‘ministry of state security’ told her that they had no information about him. It was only on 19 March 2019 that his mother was informed that her son had been detained under the ‘preventive arrest’ procedure by the ‘ministry of state security’ of ‘Luhansk people’s republic’. On 26 April 2019, the victim was released from the premises of the ‘ministry of state security’ of ‘Luhansk people’s republic’.

53. In April 2019, OHCHR followed up on a case, previously documented, regarding the apprehension of two brothers by unidentified persons in Luhansk region on 17 February 2017. In the beginning of March 2017, their mother visited the ‘ministry of state security’ and the ‘ministry of interior’ of the ‘Luhansk people’s republic’ and filed an application to request information on the whereabouts of her sons. Only in April 2017 did she receive a phone call from a lawyer, informing her that both of them had been detained by the ‘ministry of state security’ on 17 February 2017 and kept in the premises of the ‘ministry of state security’. In January 2018, both victims were transferred to Luhansk SIZO.”

673. On the topic of the conditions of detention of pre-conflict prisoners transferred from places of detention in the “Lugansk People’s Republic” to Government-controlled territory, the report stated:

“54.... Transferred prisoners interviewed by OHCHR said that administration forced them to work and in case of refusal, prisoners were put into the isolation cell, particularly in penal colonies in Sukhodilsk, Sverdlovsk and Khrustalnyi (formerly Krasnyi Luch). They also complained about the absence of fair remuneration, safe working environment, and no days off. A majority of prisoners said that they worked for free or for tea and cigarettes. Two prisoners said that they were beaten by colony staff for speaking in Ukrainian.”

674. The report commented on the freedom of religion in the “DPR” and “LPR” in the following way:

“89.... In April 2019, the premises of one of the Orthodox Churches of Ukraine were seized by ‘law enforcement agencies’ in ‘Donetsk people’s republic’. The premises will reportedly be transmitted to the Ukrainian Orthodox Church. In ‘Luhansk people’s republic’, searches were conducted in church premises and priests’ residences, and items including personal correspondence seized.”

(dd) 27th report on the human rights situation in Ukraine covering the period from 16 May to 15 August 2019, issued on 1 September 2019

675. This report was drawn up utilising the same methodology that had been used for the 26th OHCHR report, with the exception that it was based on 205 in-depth interviews with victims, witnesses and other individuals. In government-controlled territory, OHCHR had freedom of movement and full, unimpeded access to all locations and individuals. In contrast, OHCHR operations in territory controlled by the “DPR” and “LPR” had been

“substantively restricted” for more than a year despite ongoing discussions through regular meetings with representatives of both self-proclaimed “republics”. The report continued:

“14.... Of particular concern is the continued denial of access, despite repeated requests, to detention facilities, and the inability of OHCHR to monitor treatment of detainees and detention conditions in the context of strong allegations of human rights abuses. OHCHR therefore reiterates its call for independent international observers, including OHCHR, to have unimpeded, confidential access to places of detention and detainees, in accordance with international standards.

...

18. In Government-controlled territory, OHCHR has freedom of movement and full, unimpeded access to all locations and individuals. In contrast, OHCHR operations in territory controlled by ‘Donetsk people’s republic’ and ‘Luhansk people’s republic’ have been substantively restricted for more than a year despite ongoing discussions through regular meetings with representatives of both self-proclaimed ‘republics’.”

676. Addressing the issue of conduct of hostilities and civilian casualties, the report stated:

“22. During the reporting period, shelling and SALW fire killed five civilians (three men and two women) and injured 51 (25 men, 19 women, six girls and one boy). This is a 180 per cent increase compared with the previous reporting period (two killed and 18 injured). Of the 56 civilian casualties caused by shelling and SALW fire, ... [n]ine civilian casualties (two killed and seven injured) were recorded in Government-controlled territory, and one was recorded in ‘no man’s land’, all attributable to armed groups of ‘Donetsk people’s republic’.”

677. OHCHR reiterated its concerns regarding the ongoing practice of thirty-day “administrative arrest” and “preventive arrest” which prevailed in territory controlled by the “DPR” and “LPR”. OHCHR believed this practice to have constituted arbitrary and incommunicado detention.

678. On the issue of the right to property, the report stated:

“39. OHCHR is concerned that a civilian family (including a child) that has been forcibly evicted from their apartment in territory controlled by ‘Donetsk People’s Republic’ may face expropriation of their property by the ‘ministry of state security’. The family has not been provided any alternative housing solution.”

679. The report described the following case of “preventive arrest” documented by OHCHR in the territory controlled by the “LPR”:

“52. ... On 16 May 2019, a man was detained by ‘police’ in Lutuhyne. The next day, approximately eight men in civilian clothes searched his house, seizing a number of items, including mobile phones, and an e-book. When the victim’s wife requested information about his whereabouts from the ‘police’, they responded that he had been ‘arrested’ by ‘law enforcement bodies’ of ‘Luhansk people’s republic’, and he would be detained without access to the outside world for 30 days. On 16 July 2019, a ‘police’ representative informed the victim’s wife that he had been ‘arrested’ on suspicion of possession of explosive devices and held in the premises of the ‘police department’ in Lutuhyne. On 17 July 2019, a ‘court’ reportedly formalised his ‘detention’.”

680. According to the report, OHCHR also remained concerned that forced labour had been continuing in Sukhodilsk penal colony no. 36. On the basis of interviews with recently transferred prisoners, OHCHR reported that those who had refused to work had been punished through beatings or solitary confinement.

(ee) 28th report on the human rights situation in Ukraine covering the period from 16 August to 15 November 2019, issued on 1 December 2019

681. This report was drawn up utilising the same methodology that had been used for the 26th OHCHR report, with the exception that it was based on 117 in-depth interviews with victims, witnesses and other individuals (eighty men and thirty-seven women). OHCHR operations in territory controlled by the “DPR” and “LPR” continued to be substantively restricted.

682. Addressing the issue of conduct of hostilities and civilian casualties, the report read:

“23. Shelling and small arms and light weapons (SALW) fire injured 21 civilians (14 men, six women and a boy). This is a 62.5 per cent decrease compared with the previous reporting period (five killed and 51 injured). Of them, ... [t]wo civilians (a woman and a man) were injured in Government-controlled territory, both attributable to armed groups of ‘Donetsk people’s republic’ ...”

683. OHCHR reiterated its concerns as regards the denial of access to places of detention in the “DPR” and “LPR”. The report stated:

“18. While OHCHR has unimpeded access to places of detention in territory controlled by the Government, OHCHR operations in territory controlled by ‘Donetsk people’s republic’ and ‘Luhansk people’s republic’ have been substantively restricted since June 2018 despite ongoing discussions through regular meetings with representatives of both self-proclaimed ‘republics’.

...

44. OHCHR continued to be denied access to places of detention in territory controlled by ‘Donetsk people’s republic’ and ‘Luhansk people’s republic’, and remains gravely concerned about the treatment of detainees, detention conditions and the lack of independent oversight in light of credible allegations of human rights violations in these facilities.”

684. The right to property was addressed in the following way:

“35. OHCHR continued to document cases of military use of civilian property, which resulted in looting and destruction of property in some cases, and a failure to provide adequate alternative housing and/or compensation. Furthermore, the military failed to pay the bills stemming from their use of utilities such as electricity, leaving owners with large debts.”

685. The report contained the following examples of arbitrary detention and ill-treatment perpetrated in the territory controlled by the armed groups:

“52. ... [O]n 17 December 2018, a man was detained by the ‘ministry of state security’ of ‘Donetsk people’s republic’ at the ‘Uspenka’ border crossing point with the Russian Federation in territory controlled by ‘Donetsk people’s republic’. He was detained

incommunicado under the 30-day ‘administrative arrest’ procedure, which was prolonged for another 30 days. During his detention, he was tortured, including with electricity, until he confessed to having cooperated with the SBU. On 18 February 2019, ‘ministry of state security’ agents took the man to the border crossing point, where he was forced to cross and was immediately apprehended by the Federal Security Service (FSB) of the Russian Federation. He was driven to Krasnodar in the Russian Federation and charged with administrative offences. After he had served the detention period under the administrative procedure, the court ordered him deported. However, on 30 April 2019, he was charged with arms smuggling and remains detained in Krasnodar.

53. On 26 August 2016, a man was detained near the town of Rovenky in territory controlled by ‘Luhansk’s people’s republic’, by two armed men in military uniform. They brought him to the facilities of a mine, where he was detained overnight, sleeping in an old wooden chair, guarded by an armed man. He was not provided water or food, and was not allowed to use the restroom. A few days later, he was taken to the ‘ministry of state security’ building in Luhansk, where he was detained for several weeks alone in a cell with the lights on all day and night. He was pushed down the stairs, thrown against a wall, and forced to wear a plastic bag over his head whenever he was moved from his cell. Members of the ‘ministry of state security’ threatened further violence to him and to his family if he did not confess to preparing a terrorist attack. During his interrogations, the men slapped and kicked him, and knocked a chair from under him, throwing him to the floor. On 22 September 2016, ‘ministry of state security’ personnel put a plastic bag over his head and took him across the border into the Russian Federation, where they handed him over to the FSB. Between 23 and 27 September, he was interrogated in Morozovsk by FSB officers who tortured and ill-treated him with beatings and electroshocks, causing him to lose consciousness several times. On 27 September, he agreed to confess to preparing a terrorist attack, after which he was held in SIZOs in Rostov-on-Don and in Samara. In November 2017, he was convicted of preparing a terrorist attack and illegally crossing the border and transferred to a penal colony in Irkutsk to serve his sentence, until his release to Ukraine on 7 September 2019.”

686. The report commented on the issue of freedom of opinion, expression and the media as follows:

“76. In territory controlled by ‘Donetsk people’s republic’ and ‘Luhansk people’s republic’, several interlocutors informed OHCHR that media professionals residing in this area refrain from expressing critical views due to fear of retaliation. This was confirmed by OHCHR observations on the absence of critical media content that contradict mainstream political views supported by representatives of the ‘republics’. OHCHR monitoring found that social media was the only platform available to residents to express their views on the current political, social, economic situation in this territory.

77. OHCHR condemns the ‘sentencing’ of a journalist who contributed to Ukrainian and international outlets, Stanislav Aseyev, to 15 years of imprisonment by a ‘court’ of ‘Donetsk people’s republic’, which held proceedings in camera. Reportedly, the espionage and extremism ‘charges’ were partially based on his publications criticizing the self-proclaimed ‘republic’. As of 15 November 2019, blogger Oleh Halaziuk remained detained in territory controlled by ‘Donetsk people’s republic’ for over two years.”

687. The section “Freedom of religion or belief” read:

“81. OHCHR received information that some religious communities in territory controlled by ‘Donetsk people’s republic’ and ‘Luhansk people’s republic’ remain unable to conduct worship meetings due to fear of arbitrary arrests or seizure of property. Several religious organisations suspended their public activities after obligatory ‘registration’ of religious organisations was rolled out in both ‘republics’ between autumn 2018 and spring 2019.”

(ff) 29th report on the human rights situation in Ukraine covering the period from 16 November 2019 to 15 February 2020, issued on 1 March 2020

688. This report was drawn up utilising the same methodology that had been used for the 26th OHCHR report, with the exception that it was based on information gathered during “52 field visits, 15 visits to places of detention, 118 trial hearings, eight assemblies and 129 (with 89 men and 40 women) in-depth interviews with victims and witnesses of human rights violations, as well as relatives of victims and their lawyers, Government representatives, members of civil society and other interlocutors”. OHCHR operations in territory controlled by the “DPR” and “LPR” continued to be substantively restricted.

689. On the topic of arbitrary detention, torture and ill-treatment of detainees in the self-proclaimed “republics”, the report read:

“7. OHCHR remains gravely concerned by continued arbitrary detention, torture and ill-treatment of conflict-related detainees, both in Government-controlled territory and in territory controlled by the self-proclaimed ‘republics’. Fifty-two of the 56 people released by the self-proclaimed ‘republics’ and interviewed by OHCHR described having been subjected to torture and/or ill-treatment, including in some cases sexual violence, predominantly perpetrated by members of the ‘ministries of state security’ of the self-proclaimed ‘republics’.

...

48. ... OHCHR continued to be denied access to detainees and places of detention in territory controlled by the self-proclaimed ‘republics’ in spite of the understanding reached during the Normandy Four summit of 9 December 2019 that ‘international organisations ... be granted full and unconditional access to all detained persons.’ First-hand information received by OHCHR about grave human rights violations in places of detention make access for international monitors to places of detention and detainees in territory controlled by the self-proclaimed ‘republics’ an urgent priority.

...

53. For example, on 16 January 2020, an officer of the ‘ministry of state security’ detained a woman at Stanytsia Luhanska EECP. She was taken with a bag on her head to the premises of ‘ministry of state security’ in Luhansk, where she spent a night handcuffed to a chair. Her captors threatened to harm her family, interrogated her about cooperation with the SBU and submitted her to a polygraph test. On 21 January, after signing papers acknowledging the risks of spying on ‘Luhansk people’s republic’, she was released.

...

63. OHCHR interviewed 56 detainees released by the self-proclaimed ‘republics’ (45 men, including one military, and 11 women). ...

64. Though individual testimonies varied, OHCHR identified and further confirmed a consistent pattern of arbitrary detention, often amounting to enforced disappearance, torture and ill-treatment of conflict-related detainees in both self-proclaimed ‘republics’. OHCHR found that torture and ill-treatment of detainees was systematic during the initial stage of detention (which could last up to a year), with the risk for detainees to be subjected to torture and ill-treatment considerably decreasing after the ‘confession’ and especially after completion of ‘pre-trial investigations’.

65. Individuals interviewed by OHCHR had usually been apprehended by armed men wearing no insignia and in balaclavas who did not identify themselves. In most cases, they were not told why they were being detained. Upon apprehension or while being transported to their first place of detention, many detainees were blindfolded and/or handcuffed. Some were beaten or threatened with violence. The first place of detention was usually either the premises of the ‘ministry of state security’ (in Donetsk or Luhansk) or ‘Izoliatsiia’ detention facility (in Donetsk).

66. The majority of interviewed individuals were initially detained under ‘administrative arrest’ (in ‘Donetsk people’s republic’) or ‘preventive arrest’ (in ‘Luhansk people’s republic’), and held *incommunicado* without access to a lawyer. Some detainees were not informed about the reasons of their detention or ‘charges’ against them for a prolonged period. Relatives of those detained who enquired about their whereabouts were not provided with any information beyond confirmation, in a few instances, that the person was indeed detained.

...

68. In most documented cases, the interrogators began by threatening detainees with violence or rape and made threats against their families if they refused to confess or otherwise cooperate with the ‘investigation’. Such threats were often accompanied by blows to the body or slaps to the face.

69. Fifty-two out of the 56 individuals interviewed by OHCHR reported having been subjected to torture or ill-treatment, sometimes including sexual violence, mostly during the interrogations, in order to extract confessions or information[.] ... Methods of torture and ill-treatment included beatings, electric shocks, asphyxiation (wet and dry), sexual violence, positional torture, removal of body parts (nails and teeth), deprivation of water, food, sleep or access to a toilet, mock executions, threats of violence or death and threats of harm to family. Testimony of the released detainees indicate that torture and ill-treatment was also carried out for punitive purposes and to humiliate and intimidate, including by personnel of some detention facilities. OHCHR identified a continuum of torture and ill-treatment that was often exacerbated by inhumane detention conditions, in particular in the ‘Izoliatsiia’ detention facility.”

690. On the topic of freedom of opinion, expression and the media, the report stated:

“98. In territory controlled by the self-proclaimed ‘republics’, OHCHR continued to observe a lack of media coverage critical of or deviating from the perspectives of the ‘authorities’. Social media remained the only platform available for residents to express their criticism and views regarding the situation on the ground. For example, widespread criticism regarding delayed salaries and other benefits appeared on social media, but was not covered by local media. OHCHR notes that individuals are detained for their publications including information shared on social media.

99. In a further shrinking of the space for free expression, in ‘Luhansk people’s republic’, the list of ‘administrative offences’ was expanded to include dissemination,

including online, of information offending human dignity, public morals and explicit disrespect to ‘authorities’.

100. OHCHR welcomes the release of journalists Stanislav Aseyev and Oleh Halaziuk on 29 December 2019. Both had been detained since 2017 by ‘authorities’ of ‘Donetsk people’s republic’.”

(gg)30th report on the human rights situation in Ukraine covering the period from 16 February to 31 July 2020, issued on 1 September 2020

691. This report continued to draw on the methodology that had been used for the 26th OHCHR report, with the exception that it was based on information gathered during “128 field visits, five visits to places of detention, 77 trial hearings, 58 assemblies and 906 interviews with victims and witnesses of human rights violations, as well as relatives of victims and their lawyers, Government representatives, members of civil society and other interlocutors”. OHCHR operations in territory controlled by the “DPR” and “LPR” had continued to be substantively restricted since June 2018 despite ongoing discussions, preventing HRMMU from monitoring the treatment of detainees and detention conditions.

692. Addressing the issue of civilian casualties, the report read as follows:

“24. From 1 January to 31 July 2020, OHCHR recorded 107 civilian casualties: 18 killed ... and 89 injured ..., a ten per cent decrease compared with the same period of 2019 (20 killed and 99 injured).

25. Shelling, SALW fire and UAV strikes caused 67 civilian casualties: eight killed ... and 59 injured... Of these ... 14.7 per cent (two killed and eight injured) [were recorded] in Government-controlled territory.”

693. On the issue of attacks on civilian objects, the report noted that from 1 January to 31 July 2020, OHCHR had recorded seventy-five such incidents, including forty-one that had resulted in damage to civilian objects. Ten of them had taken place in government-controlled territory.

694. The section of the report entitled “Right to liberty and security of persons” stated:

“54. In territory controlled by self-proclaimed ‘republics’, OHCHR continued to be denied access to detainees and places of deprivation of liberty. This was particularly concerning given the widespread and credible allegations of torture and ill-treatment in a number of facilities, as well as of detention conditions that do not meet international standards.

...

60. OHCHR interviewed eight of the detainees (all men) released by self-proclaimed ‘republics’. Their testimonies confirmed patterns of arbitrary and incommunicado detention, and torture and ill-treatment of conflict-related detainees that had been previously identified by OHCHR.

61. Individuals interviewed by OHCHR were apprehended by a ‘police unit for combating organized crime’ or by the ‘ministry of state security’ in territory controlled by ‘Luhansk people’s republic’, or by a ‘police unit for combating organized crime’ in territory controlled by ‘Donetsk people’s republic’. Seven detainees informed OHCHR

of being tortured or ill-treated, with reported incidents taking place from 2015 to 2018. Methods of torture and ill-treatment included beatings on different parts of the body, dry asphyxiation, electric shocks, sexual violence, including blows and electric shocks to the genitals, positional torture, prolonged solitary confinement, deprivation of water, food, sleep or access to toilets and threats of physical violence to detainees and their families.

62. One detainee told OHCHR that after his apprehension in Luhansk in June 2018, he was locked in a rubbish bin with a lid for three days. He was not allowed out to use the toilet and was not given any food, only water. Another detainee told OHCHR that on one day in November 2016 on the premises of the ‘department for combating organized crime’ in Donetsk, a masked individual beat him with rubber stick on the torso, hips, and kidneys. When he fell to the floor, the man kicked him, placed him on his knees on a chair and beat him on his heels. Another day, the man was forced to hold a chair with outstretched arms and was beaten after letting the chair fall. A third detainee told OHCHR that one day on the premises of the ‘department for combating organized crime’ in Luhansk in April 2018, while handcuffed, a gas mask was placed on his head and an unidentified gas was pumped through the mask, which made him lose consciousness. Another day, his arms and legs were stretched out and tied up, and an ‘officer’ from the ‘department of combating organized crime’ kicked his genitals, after which the man fainted due to the pain.”

(hh) Report “Human rights in the administration of justice in conflict-related criminal cases in Ukraine, April 2014 – April 2020”, issued on 17 September 2020

695. This report examined human rights violations committed in the course of criminal proceedings and processes related to the armed conflict in eastern Ukraine and in Crimea from 14 April 2014 to 13 April 2020. It was based on the work of HRMMU.

696. The report was based on 673 in-depth interviews with victims and witnesses of human rights violations perpetrated in the context of 517 sets of criminal proceedings relating to the armed conflict in eastern Ukraine. Information was also obtained from relatives of victims and their lawyers, government representatives, civil society and other interlocutors, trial monitoring of 1,280 court hearings, as well as more than 3,300 court documents, official records, open sources and other relevant material. Findings were based on verified information collected from primary and secondary sources assessed as credible and reliable. Findings were included in the report where the “reasonable grounds” standard of proof was met, namely where, on the basis of a body of verified information, an ordinarily prudent observer would have reasonable grounds to believe that the facts had taken place as described and, where legal conclusions were drawn, that those facts met all the elements of a violation.

697. In Ukrainian-controlled territory, OHCHR enjoyed freedom of movement and full, unimpeded access to detainees and detention facilities. By contrast, in territory controlled by the self-proclaimed “republics”, OHCHR operations had remained severely restricted since July 2018. Furthermore, OHCHR had never been granted unimpeded confidential access

to places of detention, which severely limited OHCHR's ability to obtain primary source information through confidential interviews with detainees. Between April 2017 and July 2018, OHCHR had had restricted access to "hearings" in conflict-related cases, which were usually held in camera. Despite those impediments, OHCHR had monitored seventy-one "hearings", interviewed 453 individuals, and carried out remote monitoring and analysis of information obtained from a range of other sources including "court verdicts", replies from the "authorities" and open-source information to verify allegations of human rights violations perpetrated in the territory concerned.

698. The section of the report entitled "Independent and impartial review of administrative detention and judicial review of pre-trial detention" stated:

"107. OHCHR is concerned about the practice of administrative detention widely applied through the use of 'administrative arrest' in territory controlled by 'Donetsk people's republic' and 'preventive detention' in territory controlled by 'Luhansk people's republic'. These practices are contrary to requirements for administrative detention laid out in international human rights law and international humanitarian law, in particular in relation to independent and impartial review, and amounts to a violation of the rights to liberty and a fair trial.

108. International human rights law and international humanitarian law do not prohibit administrative detention for imperative reasons of security. However, this type of deprivation of liberty must remain exceptional and comply with a number of requirements. In particular, it must not be used in contemplation of a criminal charge and prosecution, it must be shown that the threat cannot be addressed by other measures, it must be subject to prompt and regular review by a court or other tribunal possessing the same guarantees of independence and impartiality as the judiciary and the detainee must have access to independent legal advice. As an important safeguard to prevent arbitrary deprivation of liberty, torture and ill-treatment, judicial control of detention constitutes an important component of the protection of human rights in the administration of justice.

109. In territory controlled by both self-proclaimed 'republics', administrative detention can be unilaterally ordered by an 'investigator' or 'prosecutor'. It provides for the arrest of individuals for up to 30 days, during which, the detainee does not see a 'judge', and 'courts' exercise no judicial control over the detention. Moreover, OHCHR findings suggest that in territory controlled by 'Donetsk people's republic', 'administrative arrest' was often, sometimes repeatedly, reapplied on new grounds after the expiration of the initial 30 days. OHCHR notes that the lack of independent and impartial review of administrative detention by itself amounts to a violation.

110. Moreover, according to 'legislation' of the self-proclaimed 'republics', individuals can be held under administrative detention to verify their involvement in 'crimes against national security'. OHCHR monitoring has found that administrative detention is widely used as a replacement for pre-trial detention in 'criminal proceedings'. During administrative detention, 'investigative bodies' conduct investigations against detainees without formally launching them. They collect evidence and testimony, including from detainees, which eventually are used to indict those detained. International human rights standards prohibit the application of administrative detention to replace pre-trial detention within the criminal justice system, as it is considered a violation of the fair trial rights of detainees.

111. Information gathered through interviews with victims and their relatives established that those under administrative detention in territory controlled by self-proclaimed ‘republics’ are held incommunicado. Furthermore, OHCHR found that in most cases, relatives were not provided with information about the detention during the initial period, and thus the practice may amount to enforced disappearance. OHCHR is also concerned that since the adoption of the ‘criminal procedure code’ on 24 August 2018, ‘prosecutors’ in territory controlled by ‘Donetsk people’s republic’ can order pre-trial detention without ‘court’ orders or judicial review. OHCHR notes that this practice amounts to a violation of the right of persons arrested to be brought before a judicial body and constitutes arbitrary detention.”

(ii) Update on the human rights situation in Ukraine covering the period between 1 August and 31 October 2020, issued on 1 December 2020

699. This update did not explicitly mention the methodology utilised in its preparation. According to the update, HRMMU had documented six cases of arbitrary and incommunicado detention, ill-treatment and torture between 2019 and 2020. Victims had been detained by men from the “ministry of security” or “ministry of the interior”, who in some cases did not explain the reason for the arrest. No one had provided the victims’ family members with information about their whereabouts, sometimes for months.

(jj) 31st report on the human rights situation in Ukraine covering the period from 1 August 2020 to 31 January 2021, issued on 1 March 2021

700. This report continued to draw on the methodology that had been used for the 26th OHCHR report, with the exception that it was based on information gathered during “91 field visits, seven visits to places of detention, 56 trial hearings, 37 assemblies and 1108 interviews with victims and witnesses of human rights violations, as well as relatives of victims and their lawyers, Government representatives, members of civil society and other interlocutors”. Continued denial of access to detention facilities controlled by the “DPR” and “LPR”, despite repeated requests, prevented OHCHR from monitoring the treatment of detainees and detention conditions.

701. On the topic of arbitrary detention, torture and ill-treatment in the territory controlled by the self-proclaimed “republics”, the report read as follows:

“6. In territory controlled by self-proclaimed [‘DPR’], OHCHR documented 12 cases of conflict-related arbitrary detention, in most cases by the ‘ministry of state security’. In territory controlled by self-proclaimed ‘Luhansk people’s republic’, OHCHR documented eight cases of arbitrary incommunicado detention by the ‘ministry of state security’ or ‘police’.

...

52. In [‘DPR’], detained individuals were ‘charged’ with ‘espionage’, ‘high treason’, ‘organization of illegal armed group or participation in it’ or ‘hooliganism’. During one house search, armed men, who did not identify themselves, held the wife and daughter

of a detainee in a car for several hours in order to pressure the man to incriminate himself. In another case, a man was held in a temporary detention facility (IVS) not intended for long-term detention for more than two years, despite numerous requests from his defence lawyers to transfer him to the Donetsk pre-trial detention facility (SIZO).

53. OHCHR is concerned about the fate and well-being of the ‘deputy head’ of the department of Novoazovskiy district ‘ministry of state security’ who was detained and ‘charged’ with ‘high treason’ on 26 February 2020. He was held at the ‘ministry of state security’ premises at 26 Shevchenko Street in Donetsk for two months before being moved to the ‘Izoliatsiia’ detention facility where he was reportedly tortured and ill-treated in order to force him to confess he was a traitor. During the first two months following his apprehension, his family enquired about his whereabouts, and received replies from the ‘head’ of ‘Donetsk people’s republic’, the ‘ombudsperson’s office’ and the ‘minister of justice’ stating that he was not detained, although ‘officers’ of the ‘ministry of state security’ had taken his documents, including passport, birth certificate and diplomas. His family still cannot send him parcels or visit him.

54. OHCHR is further concerned about the fate and well-being of a man and his daughter who, on 23 October 2018, went to the ‘ministry of state security’ to tell them that the SBU had pressured the daughter to cooperate and provide information about armed groups of ‘Donetsk people’s republic’. ‘Officers’ of the ‘ministry of state security’ took notes and asked them to return later. When they returned on 25 October 2018, they were arrested and charged with ‘espionage’ and ‘cooperation with foreign secret services’. The family has not had any contact with either person since their arrest, although parcels for the man have been accepted at the premises of the ‘ministry of state security’. The family believes he is held in Makiivka penal colony No. 97 and his daughter is held in the ‘Izoliatsiia’ detention facility. ...

55. In territory controlled by self-proclaimed ‘Luhansk people’s republic’, OHCHR documented eight cases of arbitrary incommunicado detention by the ‘ministry of state security’ and ‘police’. For example, on 5 January 2021, two men were apprehended at their apartment in Sverdlovsk by unidentified individuals. Their female relative filed a complaint with ‘police’ and the ‘ministry of state security’ in Luhansk, neither of which provided her with information. A ‘police investigator’ informally told her that her relatives had been detained by the ‘ministry of state security’. On 15 January, a representative of the ‘ministry of state security’ told her that she had to wait 30 days for an official answer to her complaint. As of 31 January 2021, the whereabouts of her relatives remained unknown. ...

56. Conflict-related deprivation of liberty constitutes just a small fraction of detentions in territory controlled by self-proclaimed ‘republics’. On 15 January 2021, the ‘ministry of internal affairs’ of ‘Donetsk people’s republic’ reported that since the beginning of 2020, more than 350 people suspected of committing ‘crimes’ and ‘offenses’ had been detained and taken to the ‘police departments’. For violation of the curfew in 2020, the ‘police’ detained more than 3,900 individuals, who were taken to ‘police stations’. OHCHR has reasons to believe that these detainees are at risk of ill-treatment, as well as of other violations of their rights.

...

118. ... Shocking testimonies of torture and ill-treatment in the ‘Izolatziiia’ detention centre continued, while access was not granted to OHCHR or other international monitors.”

702. The topic of freedom of opinion and expression was addressed as follows:

“78. OHCHR remains concerned about arbitrary detention by armed groups of individuals for their social media posts. In one case, a blogger was reportedly detained⁶⁸ for his articles on arbitrary detention and torture by members of armed groups in territory controlled by ‘Donetsk people’s republic’, the content of which the ‘authorities’ of ‘Donetsk people’s republic’ referred to as ‘extremist’. In another case, a person was charged with ‘crimes’ for his social media posts, and released only after spending nine months in detention following a court hearing in which the ‘judge’ found him guilty and issued a fine.”

703. The report provided the following illustration of the limitations faced by religious communities in armed groups-controlled territory:

“80. Several religious communities in territory controlled by armed groups continued to face limitations on their enjoyment of freedom of religion or belief. The enforcement of ‘legislation’ in territory controlled by self-proclaimed ‘republics’ discriminates against a number of religious organizations. Representatives of religious communities who had earlier communicated with OHCHR refused to continue their interactions with the Office, fearing possible persecution.”

(kk) Thematic report “Arbitrary detention, torture and ill-treatment in the context of armed conflict in eastern Ukraine, 2014-2021”, issued on 2 July 2021

704. The report was prepared utilising the following methodology:

“20. This report is based on over 1,300 individual cases of conflict-related detention, including secret and incommunicado detention, and torture and ill-treatment, including conflict-related sexual violence, perpetrated by Government actors and by armed groups and other actors in territory controlled by the self-proclaimed ‘republics’ documented by OHCHR from 2014 to 2021. Information was gathered during field visits, visits to places of detention and interviews with victims and witnesses of human rights violations, as well as relatives of victims and their lawyers, Government representatives, members of civil society and other interlocutors. The report also draws from information obtained from court documents, official records, open sources and other relevant material.

21. Estimates related to conflict-related detentions are based on official information from Ukrainian law enforcement agencies, publicly available information from various organs of self-proclaimed ‘republics’, information obtained through HRMMU meetings, reports by human rights NGOs and other reliable and credible sources.

22. Information on absolute numbers of human rights violations in the context of conflict-related detention should be considered in light of several restricting factors: limited access of HRMMU to potential interviewees between 2014 and 2015; no confidential access of HRMMU to detainees in territory controlled by self-proclaimed ‘republics’; and normal time delays between perpetration of the human rights violation and its documentation. In addition, from March 2020 onwards, COVID-related restrictions limited HRMMU’s ability to communicate with victims, witnesses and other interlocutors.”

705. OHCHR continued to use the standard of proof “reasonable grounds to believe”.

706. During the reporting period, OHCHR had enjoyed unimpeded access to official places of detention in Government-controlled territory but lacked access to unofficial places of detention in that territory from 2014 to 2016. OHCHR had no confidential access to places of detention and detainees in territory controlled by the self-proclaimed “republics” throughout the reporting period.

707. The report read, in so far as relevant:

“7. As to the conflict-related detentions by armed groups and other actors in territory controlled by the self-proclaimed ‘republics’, during the initial stages of the conflict, they lacked any semblance of legal process, while a more formalized approach has been observed since 2015, with the introduction of ‘administrative arrest’ (in territory controlled by ‘Donetsk people’s republic’) and ‘preventive detention’ (in territory controlled by ‘Luhansk people’s republic’). In the 532 documented cases of conflict-related detention, OHCHR noted the absence of appropriate procedures for administrative detention or lack of respect for fair trial guarantees in criminal ‘cases’ and found that a large majority of those cases amounted to arbitrary detention. As of April 2021, arbitrary detention remained a daily occurrence in territory controlled by self-proclaimed ‘republics’.

8. In 2014 and early 2015, various armed groups used more than 50 improvised detention facilities (often generically referred to as ‘basements’) to hold detainees, but the practice was gradually stopped, and conflict-related detainees were then held in a limited number of specially designated facilities. In some of these facilities, such as the premises of the ‘ministries of state security’ in Donetsk and Luhansk, and ‘Izoliatsiia’ detention facility in Donetsk, torture and ill-treatment were carried out systematically.

9. By analysing over 1,300 individual cases of conflict-related detention, OHCHR found a strong correlation between conflict-related arbitrary detention and torture and ill-treatment in both Government-controlled territory and territory controlled by self-proclaimed ‘republics’. In cases documented by OHCHR which occurred during the initial stages of the conflict, in 2014 and 2015, detainees were frequently subjected to torture and ill-treatment (74 per cent of individuals detained by Government actors, and 82.2 and 85.7 per cent in territory controlled by ‘Donetsk people’s republic’ and in territory controlled by the ‘Luhansk people’s republic’, respectively). Conflict-related detainees also often faced deplorable detention conditions that amounted to inhuman and degrading treatment, often in improvised detention facilities such as basements, garages, industrial buildings, vehicles and open pits. After 2016, torture or ill-treatment in cases of arbitrary detention became less common on both sides of the contact line.

10. OHCHR estimates the total number of conflict-related detainees subjected to torture and ill-treatment from 2014 to 2021 at around 4,000 [, of which] approximately 2,500 [were detained] by armed groups and other actors in territory controlled by self-proclaimed ‘republics’.

11. Both in Government-controlled territory and in territory controlled by self-proclaimed ‘republics’, torture and ill-treatment, including conflict-related sexual violence, were used to extract confessions or information, or to otherwise force detainees to cooperate, as well as for punitive purposes, to humiliate and intimidate, and to extort money and property.

12. Methods of torture and ill-treatment on both sides of the contact line included beatings, dry and wet asphyxiation, electrocution, sexual violence on men and women (such as rape, forced nudity and violence to the genitals), positional torture, water, food,

sleep or toilet deprivation, isolation, mock executions, prolonged use of handcuffs, hooding, and threats of death or further torture or sexual violence, or harm to family members.

...

14. In territory controlled by self-proclaimed ‘republics’, the main perpetrators of arbitrary detention, torture and ill-treatment at the initial stages of the conflict were various armed groups, and later, members of the ‘ministries of state security’.

...

16. The right to an effective remedy has been undermined by the lack of effective investigation into allegations of arbitrary detention, torture and ill-treatment, including conflict-related sexual violence. The number of individuals brought to responsibility for these violations are small compared with the estimated numbers of violations, and indicate the prevailing impunity for perpetrators.

...

56. OHCHR estimates that from mid-April 2014 until 30 April 2021, armed groups and other actors of self-proclaimed ‘republics’ have detained from 4,300 to 4,700 individuals in the context of the armed conflict in eastern Ukraine. Men comprised an estimated 85 per cent of all conflict-related detainees and women 15 per cent. Conflict-related detentions of children were rare, estimated to be in the dozens, mostly during the initial stages of the conflict.

57. The detainees were mostly 1) persons hors de combat (captured members of UAF or volunteer battalions or other individuals who were taking part in hostilities on the side of Government forces); 2) civilians accused of supporting the Ukrainian Government or of pro-Ukraine views; and 3) other individuals detained in the context of the armed conflict.

58. By 30 April 2021, an estimated 3,800-4,000 conflict-related detainees are believed to have been released, while an estimated 300-400 individuals remained in detention (under ‘administrative arrest’ or ‘preventive detention’, or under ‘investigation’, or serving their ‘sentences’) and an estimated 200-300 individuals had been killed or died while in detention.

...

62. The most common charges against conflict-related detainees were ‘espionage’, ‘incitement of hatred’, ‘storage of explosives’, ‘terrorist act’, ‘assistance to terrorist activity’, and ‘public calls for extremist activities’ in territory controlled by ‘Donetsk people’s republic’, and ‘creation of a criminal organization’, ‘illegal acquisition and storage of weapons or ammunition’, ‘state treason’, and ‘illegal acquisition of information comprising state secrets’ in territory controlled by ‘Luhansk people’s republic’.”

708. The report also indicated that under the “legislation” of the self-proclaimed “republics”, individuals could be held under “administrative arrest” or in “preventive detention” to determine their involvement in “crimes against national security” upon the unilateral decision of an “investigator” or “prosecutor”. The “laws” provided for arrest of up to thirty days (which could be extended to sixty days), during which an “investigation” was conducted. The detainees were held incommunicado, with no entity exercising any form

of judicial supervision over the detention. OHCHR found that in most cases, relatives had not been provided with information about the detention.

(II) 32nd report on the human rights situation in Ukraine covering the period from 1 February to 31 July 2021, issued on 23 September 2021

709. This report was drawn up utilising the same methodology that had been used for the 26th OHCHR report, with the exception that it was based on information gathered during “92 field visits, 12 visits to places of detention, 82 court hearings, 75 assemblies and 1,156 7 interviews with victims and witnesses of human rights violations, as well as relatives of victims and their lawyers, Government representatives, members of civil society and other interlocutors”. During the reporting period, OHCHR had continued to have no access to detainees and places of deprivation of liberty in territory controlled by the self-proclaimed “republics” amidst continued credible allegations of torture and ill-treatment in a number of facilities.

710. Addressing the issue of conduct of hostilities and civilian casualties, the report stated:

“25. During the reporting period, the number of ceasefire violations in the conflict zone considerably increased, as reported by the OSCE Special Monitoring Mission (SMM) to Ukraine. They were 369 per cent higher than during the preceding six months from 1 August 2020 to 31 January 2021 (39,806 and 8,484, respectively). This growth resulted in an increase in civilian casualties caused by active hostilities, as well as increased damage to civilian objects, which peaked from mid-March to mid-May. However, the number of civilian casualties decreased in June and July, to levels seen in the second half of 2020, which were the lowest for the entire conflict period.

...

27. From 1 February to 31 July 2021, OHCHR recorded 62 civilian casualties: 15 killed ... and 47 injured ..., a 51 per cent increase compared with the preceding six months (41 civilian casualties – eight killed and 33 injured).

28. Thirteen civilian casualties resulted from active hostilities: four killed ... and nine injured ... 23 per cent [of these] (three injured) [were recorded] in the Government-controlled part of Donetsk region ...”

711. During the reporting period, OHCHR had documented thirteen cases of conflict-related arbitrary detention in “DPR” and “LPR” territory – one from 2014, one from 2017, six from 2020 and five from February-July 2021. The report continued:

“58. In one case, on 29 April 2021, a woman was arbitrary detained by ‘mgb’ officers in Khrestivka (formerly Kirovske) and held incommunicado for 22 days at a temporary detention facility (ITT) in Shakhtarsk. On 21 May 2021, she was told that she would be sent to Government-controlled territory and banned from entering territory controlled by ‘Donetsk people’s republic’ for five years. When she asked for written confirmation of the decision, the ‘mgb’ officer told her that she would not receive anything as she had no rights. Before she was forced to cross to Government-controlled territory, she was threatened with further arrest and detention if she attempted to return.

59. In another case, on 14 May 2021, a pregnant woman was arbitrary detained by ‘mgb’ officers of ‘Donetsk people’s republic’ when crossing from the Russian Federation to territory controlled by ‘Donetsk people’s republic’ via the ‘Marynovka’ crossing point. She was held at the crossing point for four hours, and then taken to ‘mgb’ premises at 26 Shevchenko Boulevard in Donetsk. She was accused of espionage. A few days later, she was transferred to the ITT in Donetsk. In June, she was transferred to the Donetsk SIZO, where she continues to be detained.

60. On 11 June 2020, a Jordanian citizen was arbitrary detained by ‘mgb’ officers in Donetsk. He was accused of espionage and held at the ‘mgb’ pre-trial detention facility in penal colony No. 97 in Makiivka. His relatives have not been able to communicate with him since his detention began. They hired a lawyer who promised to help obtain his release, but after being paid by the family, he stopped responding to their phone calls.”

712. The report commented on the topic of freedom of opinion and expression as follows:

“90. ... OHCHR documented three cases of arbitrary detention of individuals who expressed opinions on online social networks in territory controlled by ‘Donetsk people’s republic’. In at least one case, an individual who expressed opinions through social media platforms also faced ‘prosecution’ of ‘extremism’, ‘activities against territorial integrity’ and ‘incitement to hatred’.”

713. Expropriation of property in territory controlled by the “DPR” was illustrated in the following way:

“49. OHCHR is concerned by the possible violation of the right to adequate housing of internally displaced persons (IDPs) and residents of territory controlled by ‘Donetsk people’s republic’. On 28 April 2021, a regulation was adopted that allows for the expropriation of immovable private property considered abandoned or left unclaimed following the owner’s death. OHCHR is following its implementation, as it not only risks infringement upon housing rights of IDPs, but may also endanger future restitution and create additional constraints for the return and reintegration of IDPs. Moreover, IDPs living in Government-controlled territory may be disproportionately affected, as, due to COVID-19-related restrictions on freedom of movement, they cannot access their property or take the actions necessary to secure their property rights.”

(mm)Update on the human rights situation in Ukraine covering the period between 1 August and 31 October 2021, issued on 1 December 2021

714. While this update did not explicitly describe its methodology, it stated that in August 2021 HRMMU had been provided with confidential access to four individuals detained by the “LPR” authorities. Besides this, there had been no further progress by either self-proclaimed “republic” towards allowing access to places of detention to independent, international monitors.

715. HRMMU documented ten cases of arbitrary and incommunicado detention in “DPR” and “LPR”-controlled territory, most often in the form of “administrative arrest” or “preventive detention”. According to the update, families faced weeks and months of uncertainty about the whereabouts of detainees.

(nn) Report “Civic space and fundamental freedoms in Ukraine” covering the period between 1 November 2019 and 31 October 2021, issued on 9 December 2021

716. The report’s methodology was described in the following way:

“7. The report is based on information collected by OHCHR through interviews with victims of human rights violations, witnesses, and defence lawyers; direct observation, including trial and assembly monitoring; analysis of corroborating information confidentially shared with OHCHR; official records, including court documents; open-source documents and video, photo and audio materials; and other relevant and reliable data. In accordance with OHCHR’s methodology, the standard of proof applied is that of ‘reasonable grounds to believe’.

8. The statistics used in the report reflect only those cases and incidents that were documented by OHCHR.”

717. On the topic of the freedom of opinion and expression, the report stated:

“35. OHCHR documented 10 cases where individuals were persecuted for expressing their opinions, in particular pro-Ukrainian views, for participating in public affairs or for seeking remedy for violations of their rights. Furthermore, social media users have seen their online exchanges of information and views which oppose positions of the self-proclaimed ‘republics’ censored and shut down. As reflected in the ‘courts’ verdicts in such cases, the free exercise of critical opinions is seen by both ‘republics’ as a threat to their ‘authority’ and ‘constitutional order’.

...

40. In December 2020, the ‘mgb’ of ‘Donetsk people’s republic’ detained Roman Manekin, a Donetsk-based blogger, accusing him of “cooperation” with Stanislav Aseiev, a Kyiv-based journalist formerly detained by ‘Donetsk people’s republic’. Mr. Manekin was charged with ‘incitement of hatred or enmity, as well as humiliation of human dignity’, ‘public calls to carry out extremist activities’ and ‘public calls to carry out terrorist activities or public justification of terrorism’. In May 2021, he was sentenced to two years and six months in prison.

...

43. During the reporting period, OHCHR noted attempts by actors of both self-proclaimed ‘republics’ to limit online by amending ‘legislation’. In June 2020, a new article was included in the ‘criminal code’ of ‘Donetsk people’s republic’ on ‘financing extremist activities’, which inter alia states that ‘supporting the activities of an extremist community or an extremist organization’ will be punished with up to eight years in prison. Further, in April 2021, a provision was added to the ‘criminal code’ prescribing ‘criminal punishment’ for slander committed publicly and on social networks. The amendments also introduced penalties such as corrective labour and imprisonment of up to two years.

44. Similarly, the ‘people’s council’ of ‘Luhansk people’s republic’ amended its ‘code on administrative liability’ in December 2019, expanding the list of ‘administrative offences’ to include dissemination, including online, of information offending human dignity or public morals, or explicitly disrespecting ‘authorities’. In March 2021, the article of its ‘criminal code’ on ‘defamation’ was amended, adding a criminal penalty for defamation committed online. The amendments also introduced punishments such as corrective labour and imprisonment of up to two years.

45. OHCHR is concerned that these new penalties discouraged social media users from expressing opinions about the decision-making processes of both self-proclaimed ‘republics’ and led to more self-censorship, further shrinking the already severely restricted space for free expression. OHCHR noted that, following these amendments, criticism of decisions and actions of actors of ‘Donetsk people’s republic’ and ‘Luhansk people’s republic’ has appeared less frequently on social media.”

(oo) Report on conflict-related civil casualties in Ukraine covering the period from 14 April 2014 to 31 December 2021, issued on 27 January 2022

718. The report provided the following information as to the conflict-related civilian casualties in 2014-2021:

“During the entire conflict period, from 14 April 2014 to 31 December 2021, OHCHR recorded a total of 3,106 conflict-related civilian deaths (1,852 men, 1,072 women, 102 boys, 50 girls, and 30 adults whose sex is unknown). Taking into account the 298 deaths on board Malaysian Airlines flight MH17 on 17 July 2014, the total death toll of the conflict on civilians has reached at least 3,404. The number of injured civilians is estimated to exceed 7,000.”

(pp) 33rd report on the human rights situation in Ukraine covering the period from 1 August 2021 to 31 January 2022, issued on 28 March 2022

719. This report was drawn up utilising the same methodology that had been used for the 26th OHCHR report, with the exception that it was based on information gathered during “83 field visits, 11 visits to places of detention, 97 trial hearings, 23 public assemblies, 38 visits to care institutions and shelters, and 1,125 interviews with victims and witnesses of human rights violations, as well as relatives of victims and their lawyers, Government representatives, members of civil society and other interlocutors”.

720. Addressing the issue of conduct of hostilities and civilian casualties, the report stated:

“26. The overall number of ceasefire violations during the reporting period was 57 per cent higher than in the previous six months, as reported by the OSCE Special Monitoring Mission to Ukraine (SMM), the majority of which occurred from August to November 2021, with a considerable decrease in December 2021 and January 2022. Documented civilian casualties and damage to civilian objects caused by active hostilities followed the same pattern, with considerably lower numbers in December 2021 and January 2022.

...

27. From 1 August 2021 to 31 January 2022, OHCHR recorded 49 civilian casualties: 11 killed ... and 38 injured ..., a 21 per cent decrease compared with the preceding six months (63 civilian casualties: 15 killed and 48 injured).

28. Thirty-two civilian casualties resulted from armed engagements: three killed ... and 29 injured ..., a 129 per cent increase compared with the preceding six months (14: 5 killed and 9 injured). ... 22 per cent [of these] (one killed and six injured) [were recorded] in Government-controlled territory.

...

31. During the entire conflict period, from 14 April 2014 to 31 January 2022, OHCHR recorded a total of 3,107 conflict-related civilian deaths (1,853 men, 1,072 women, 102 boys, 50 girls, and 30 adults whose sex is unknown). Taking into account the 298 people on board Malaysian Airlines flight MH17 which was downed on 17 July 2014, the total civilian death toll of the conflict has reached at least 3,405. The number of injured civilians is estimated to exceed 7,000.”

721. As regards damage to civilian objects as a result of hostilities, the report stated:

“32. OHCHR continued to record security incidents in the conflict zone that affected civilian objects (both civilian infrastructure and civilian housing). From 1 August 2021 to 31 January 2022, OHCHR recorded 58 incidents in which civilian infrastructure was either destroyed, damaged or otherwise affected by shelling, small arms and light weapons fire (SALW) and improvised explosive devices dropped from UAVs: ... 11 (19 per cent) in Government-controlled territory. This represented a 115 per cent increase compared with the preceding six months, when 27 such incidents were recorded. These incidents endangered civilians in and near these objects, and affected the population’s access to essential services.

...

34. From 1 August to 31 January 2022, OHCHR recorded 237 cases of civilian housing damaged or destroyed by shelling and SALW fire: ... 114 (six destroyed 108 damaged houses or residential apartment buildings) in Government-controlled territory ...”

722. No developments were recorded during the reporting period with regard to securing access to detainees and places of deprivation of liberty in territory controlled by the self-proclaimed “republics”.

723. The report’s section “Arbitrary detention, torture and ill-treatment” stated:

“57. During the reporting period, OHCHR documented 12 cases of arbitrary detention in self-proclaimed ‘republics’ (two in 2018, nine in 2019 and one in 2021), some of which are tantamount to enforced disappearances. In one case in territory controlled by ‘Donetsk people’s republic’, a man was detained for seven days without information being provided to his parents about his place of custody or well-being. They only learned of their son’s arrest when he was brought to the family home for a house search, at which time, he had signs of beating on his face which raises serious concerns of ill-treatment or torture. In another case in territory controlled by ‘Luhansk people’s republic’, a woman did not have any information about her son’s whereabouts for 45 days, until her son’s lawyer found out that he was being held in the premises of ‘ministry of state security’. The woman was a pensioner, who provided care for a relative in her 80s, and was unable to cover expenses related to her son’s detention, such as bringing parcels for him once a week, as well as meet the basic needs of the family.”

724. As regards the freedom of the media, the report stated:

“80. In self-proclaimed ‘republics’, OHCHR continued to observe a lack of media activity critical of or different from the official position of the ‘republics’ on political or sensitive matters. OHCHR notes that there was little space to freely express opinions and social media can no longer be considered a safe space for expressing critical views due to the real risk of reprisals.”

2. Reports concerning events after 24 February 2022

725. After the beginning of the full-scale war, the OHCHR mission continued to report regularly on its observations, providing contemporaneous accounts of events as they unfolded throughout Ukraine.

(a) Methodology

726. The OHCHR reports were based on information gathered during more than 400 field visits, over 300 site visits and around 300 visits of places of detention. OHCHR conducted over 5,000 interviews with victims and witnesses of human rights violations in Ukraine, as well as relatives of victims and their lawyers, government representatives, members of civil society and other interlocutors. Additionally, 432 interviews were conducted with prisoners of war (“POWs”) and 1,136 with conflict-related detainees, their relatives, witnesses of violations, lawyers, human rights defenders and public officials in local communities. The reports were also based on dozens of visits to care institutions, trial hearings and assemblies attended.

727. The Russian Federation did not grant OHCHR access to the occupied territories of Ukraine. Over a two-year period, OHCHR conducted 2,319 interviews with victims and witnesses of human rights violations, as well as human rights defenders, members of civil society organisations, lawyers, first responders, journalists, students, teachers, government representatives and other relevant sources with direct knowledge of the human rights situation in occupied territory, including persons who had recently left occupied territory and travelled to government-controlled parts of Ukraine.

728. According to OHCHR methodology, facts and information were considered verified if corroborated by two other independent and reliable sources. Where a report described patterns of conduct, these were based on the common elements established by a large number of consistent credible sources.

729. OHCHR also drew on information obtained from court documents, official records, open sources and other relevant material. Findings were based on verified information collected from primary and secondary sources that had been assessed as credible and reliable. They were included in the report where the “reasonable grounds to believe” standard of proof was met, namely where, based on a body of verified information, an ordinarily prudent observer would have had reasonable grounds to believe that the facts had taken place as described and where legal conclusions were drawn that those facts had met all the elements of a violation.

730. OHCHR applied the same standard of proof when documenting conflict-related civilian casualties. In some instances, documenting conflict-related civilian casualties took time before conclusions could be drawn, meaning that numbers of civilian casualties were revised as more

information became available. OHCHR applied the “reasonable grounds to believe” standard in attributing a civilian casualty to a particular party. It based its conclusions on the geographical location of a civilian casualty, the direction of fire and the context surrounding the incident. The documentation of civilian casualties was based on a factual determination, and not all civilian casualties were necessarily deaths or injuries in violation of IHL.

731. Concerning killings in the Kyiv, Chernihiv and Sumy Regions in late February and March 2022, owing to the extensive hostilities OHCHR initially conducted remote monitoring of these regions. Following the retreat of the Russian forces from the three regions in early April 2022, OHCHR was able to access the areas and conducted site visits and in-person interviews.

732. Concerning detention and treatment of POWs, information obtained through interviews was cross-checked and corroborated by on-site observations in places of detention or internment, geographical data, official records, open-source information, court documents, trial monitoring and other relevant material assessed as credible and reliable.

733. Despite repeated requests, no access was provided to POWs and conflict-related detainees in the hands of the Russian Federation. OHCHR interviewed Ukrainian detainees and POWs upon their release and return to government-controlled territory of Ukraine.

(b) Update on the human rights situation in Ukraine covering the period from 24 February to 26 March 2022, issued on 28 March 2022

734. The update described the Russian forces’ use of explosive weapons in populated areas as follows:

“7. The use of explosive weapons with a wide area effect should be avoided in populated areas, due to the significant likelihood of producing indiscriminate effects. Weapons with a wide area effect include: a) munitions with a large blast radius, such as large bombs or missiles; b) weapons that tend to have a less accurate delivery system, such as unguided indirect fire weapons, including artillery and heavy mortars; and c) weapons designed to deliver munitions over a wide area, such as multiple launch rocket systems (MLRS) and cluster munitions.

8. OHCHR is concerned that, Russian armed forces have engaged broad use of explosive weapons with a wide area effect in populated areas, including shelling from heavy artillery and MLRS, and missile and air strikes. Most civilian casualties and damage to civilian objects recorded by HRMMU were caused by the use of such weapons. Ukrainian armed forces have also engaged in shelling of populated areas in territory controlled by Russian affiliated armed groups.

...

10. Whilst neither the Russian Federation nor Ukraine ratified the 2008 Convention on Cluster Munitions, due to their wider area effects the use of cluster munitions in populated areas is incompatible with the international humanitarian law principles governing the conduct of hostilities that is binding on the parties to the conflict. Furthermore, due to the large number of sub-munitions that fail to explode immediately, exposing civilians to risks for years afterwards, their use even outside of populated areas raises significant concerns of disproportionate and long-term indiscriminate effects.

11. HRMMU has received credible allegations that Russian armed forces used cluster munitions in populated areas at least 16 times, resulting in civilian casualties as well as damage to civilian objects. For example, on 24 February, a cluster munition exploded at the Central City Hospital in Government-controlled Vuhledar (Donetsk region), killing at least four civilians and injuring 10, and damaging ambulances and the hospital. On 25 February, six bomblets landed on and around a kindergarten in Government-controlled Okhtyrka (Sumy region). The same day, non-precision guided missiles bearing cluster munitions were used in several districts of Government-controlled Kharkiv, killing at least 9 civilians and injuring 37.

...

16. Since 24 February, HRMMU has documented large-scale destruction and damage of civilian objects, including private houses, multi-storey residential buildings, administrative buildings, and medical and education facilities, notably in Kharkiv, Izium, Chernihiv, Mariupol, Sumy, and Volnovakha ... By 26 March, HRMMU had recorded attacks on 35 educational facilities, including three universities, eight kindergartens, 23 schools, and one scientific centre ...

17. OHCHR is gravely concerned about the extent of damage and destruction of hospitals and other healthcare facilities that has been reported since 24 February. As of 26 March, HRMMU verified 74 incidents in which medical facilities were affected with various degrees of damage, including 46 hospitals, seven psycho-neurological facilities and 21 other medical facilities. As a result, 54 medical establishments were damaged, 10 destroyed, two were looted. The impact to the five other medical facilities, as well as reports of additional incidents, are being corroborated by HRMMU.”

(c) “The situation of human rights in Ukraine in the context of the armed attack by the Russian Federation, 24 February to 15 May 2022”, report of 29 June 2022

735. On the subject of civilian killings by Russian armed forces, this report read:

“78. Following the departure of Russian armed forces from Kyiv and Chernihiv regions, and partially from Kharkiv and Sumy regions in the end of March and beginning of April, a large and increasing body of evidence has become available that gives OHCHR reasonable grounds to believe that serious violations of IHL were committed by Russian armed forces.

79. As of 15 May 2022, over 1,200 civilian bodies have been recovered in Kyiv region alone. These included not only civilian casualties, but others unlawfully killed, including summarily executed, and those who died because of new stresses on their health due to hostilities and unavailability of medical aid after spending days and weeks in basements or their house. ...

80. Hundreds of civilians were allegedly killed by Russian armed forces in situations that were not linked to active fighting. As of 15 May, OHCHR is working to corroborate over 300 allegations of such killings. This figure may increase as new evidence becomes available. In Bucha alone, OHCHR documented that at least 50 civilians were killed by Russian armed forces when it was under their occupation. Most victims were men, but there were also women and children. Civilians were shot while trying to leave the area in their vehicles; Russian soldiers summarily executed unarmed local civilian men suspected of providing support to Ukrainian forces or otherwise considered to pose a possible future threat; others were shot by soldiers in the streets or snipers as they tried to cross the road or otherwise gather essentials for life; some civilians seemed to

had been killed completely arbitrarily. Those perceived as providing support to Ukrainian forces were sometimes tortured before being killed.”

736. The section entitled “Conflict-related detention” stated:

“85. OHCHR corroborated complaints about torture and ill-treatment of persons in detention to compel them to confess cooperation with the Government of Ukraine, provide information to or cooperate with Russian armed forces. In particular, victims reported that they were kept tied and blindfolded for several days; beaten with hands, legs batons or sticks; subjected to mock executions; threatened with sexual violence; put in a closed metal box; forced to sing or shout glorifying slogans; provided with no or scarce food or water; and held in overcrowded rooms with no sanitation.”

737. On the topic of conflict-related sexual violence (“CRSV”) within the reporting period, the report stated:

“98. By 15 May 2022, OHCHR was aware of 108 allegations of acts of CRSV against women, girls, men and boys that reportedly occurred in the regions of Chernihiv, Dnipro, Donetsk, Kharkiv, Kyiv, Kherson, Luhansk, Mykolaiv, Vinnytsia, Zaporizhzhia, Zhytomyr and in a detention facility in the Russian Federation. There were 78 allegations of rape, including gang rape, 7 of attempted rape, 15 of forced public stripping, and 8 of other forms of sexual violence, such as sexualized torture, unwanted sexual touching and threats of sexual violence. The alleged perpetrators were from the ranks of Russian armed forces in 87 cases; from the ranks of Russian-affiliated armed groups in 2 cases; from the ranks of Ukrainian armed forces, including territorial defence, in 9 cases and law enforcement in 1 case; and from civilians or unidentified actors in Government-controlled territory in 7 cases and in territory controlled by Russian armed forces in 2 cases. OHCHR determined the affiliation of alleged perpetrators on the basis of an assessment comprising several factors: who had control of the place of the incident, the date of incident, and the uniform, insignia, and military equipment used by the alleged perpetrators.

99. Women and girls constituted the majority of alleged victims. Out of all allegations received, 59 allegedly occurred in the Kyiv region where Russian armed forces were stationed. Rape, including gang rape, against civilian women was allegedly the most common form of CRSV committed by Russian armed forces. It was often accompanied by other human rights violations, such as wilful killings of victims or their husbands, physical violence, or looting of their homes. In 18 cases victims were allegedly killed or died after being raped. ...

100. Out of 108 allegations, OHCHR verified 23 cases, including cases of rape, gang rape, torture, forced public stripping, threats of sexual violence and other forms of sexual violence. 9 cases of CRSV were against women, 13 against men, and 1 against a girl (threat of sexual violence).”

738. The Russian armed forces’ treatment of POWs and other persons *hors de combat* was described as follows:

“106. OHCHR is also concerned about mistreatment of prisoners of war by Russian armed forces and affiliated armed groups. ... OHCHR has also documented reports about prisoners of war being subjected to so-called ‘admissions’ (torture and intimidation sessions) upon their arrival to the places of internment in Olenivka penal colony, Donetsk region, and Kursk and Taganrog pretrial detention facilities in the Russian Federation. Interlocutors complained that such practices were particularly violent in the Russian Federation. They reported being punched, kicked, beaten with batons, strangled, subjected to positional torture and intimidation, hunted with dogs and

threatened with sexual violence, and that such treatment could last for the entire first night in the facility. Some lost their teeth and had swollen bodies and arms, which later would not allow them to sleep. Later they were also subjected to various forms of ill-treatment, such as not being allowed to stay on their beds during the daytime, forced to learn and reproduce the Russian anthem or national symbols, and beaten if they failed to do so. OHCHR also corroborated reports concerning the pillage of personal belongings of prisoners of war, including religious symbols, clothes, boots, and money (including the withdrawal of funds using their credit cards)."

739. Concerns of forced conscription were reported in the following manner:

"109. Through individual interviews, OHCHR confirmed allegations of forced conscription of men by Russian-affiliated armed groups at the end of February 2022. Some men were working in the public sector, including educational facilities, in territory controlled by Russian affiliated armed groups and were requested by their employer or local military 'commissariats' to come immediately to designated assembly points. Others were stopped on the street by representatives of local 'commissariats' and forcefully taken to the assembly points, where they observed hundreds of other recruits. Recruited men, mainly with no military training or experience, and no training on IHL or first aid, received uniforms with no insignia, and were sent to the front line just a few days after their recruitment."

740. The parts of the report dedicated to the freedoms of opinion, expression, read as follows:

"14. OHCHR is alarmed at the security risks faced by journalists and media workers in Ukraine. OHCHR documented 16 cases of deaths of journalists and media workers during hostilities and recorded 10 more cases of injured journalists (21 men and 5 women), including four cases where survivors reported they may have been targeted because of their status as journalists.

...

113. During the reporting period, OHCHR recorded 13 cases of arbitrary arrests and enforced disappearances appeared to be related to the exercise of the freedom of expression by the victims. Such acts have a chilling effect on the exchange of opinions and ideas beyond the victims directly affected, resulting in an additional adverse impact on freedom of expression, especially with respect to opinions and ideas that might be perceived as critical towards the Government or occupying power."

741. The parts of the report dedicated to the freedoms of assembly and association read as follows

"122. Meanwhile, in areas controlled by Russian armed forces, several peaceful pro-Ukrainian assemblies took place, mainly to protest against the occupation. OHCHR is concerned that, in at least ten cases, these assemblies were dispersed by Russian armed forces, who resorted to unnecessary and disproportionate use of force by using teargas, flash grenades and firearms (targeting above participants' heads). The vast majority of these incidents occurred in Kherson region, others were reported in the cities of Enerhodar, Melitopol, Tokmak, Berdiansk in Zaporizhzhia region and in Crimea.

123. On 25-26 March, Russian armed forces entered the city of Slavutych, in Kyiv region. On 26 March, several thousand protesters gathered in the city centre with Ukrainian flags to express their support for Ukraine and demand that Russian armed forces leave the city. The latter attempted to disperse the protest by discharging

firearms. The mayor of the city reported that three protesters were killed. OHCHR is working to corroborate the circumstances of their death, which remain unclear.”

(d) “Human rights situation in Ukraine between 1 February and 31 July 2022”, report of 27 September 2022

742. This report provided the following description of the impact of hostilities on the civilian population:

“19. On 24 February 2022, the Russian Federation initiated a wide-scale armed attack against Ukraine with its ground, air and naval forces. Russian ground forces penetrated the territory of Ukraine in ten regions (Kyiv, Chernihiv, Zhytomyr, Kharkiv, Sumy, Donetsk, Luhansk, Zaporizhzhia, Kherson and Mykolaiv) with support from Russian-affiliated armed groups, while Russian air and naval forces launched cruise missile attacks across Ukraine. Most of the hostilities occurred in or near densely populated areas, including big cities such as Chernihiv, Kharkiv, Donetsk, Horlivka, Makiivka, Mariupol, Kherson and Mykolaiv. The use of explosive weapons with wide area effects, including shelling from heavy artillery, multiple launch rocket systems (MLRS), missiles and air strikes in the vicinity of densely populated settlements, often in an indiscriminate manner, resulted in civilian casualties at a massive scale and damage and destruction of civilian objects at an unprecedented level, far in excess of previous periods of hostilities since 2014. The hostilities have furthermore resulted in the contamination of broad swaths of territory of Ukraine by tens of thousands of mines and explosive remnants of war (ERW).”

743. Addressing the scale of civilian casualties, the report stated:

“20. From 1 February to 31 July 2022, OHCHR recorded 12,649 civilian casualties in the country. They included: 5,385 civilians killed ... [and] 7,264 civilians injured ...

21. These casualties were documented as follows: 11,398 (5,131 civilians killed and 6,267 injured) were recorded in 518 settlements in areas under Government control when the casualties occurred, constituting 90.1% of civilian casualties recorded in the reporting period ...

22. OHCHR notes that the actual figures are likely considerably higher. Many reports of civilian casualties are still pending corroboration by OHCHR. This concerns, for example, casualties reported in Mariupol (Donetsk region), Izium (Kharkiv region), and Lysychansk, Popasna, and Sievierodonetsk (Luhansk region).

23. Most (92.1 %) of the civilian casualties (4,664 killed and 6,984 injured) were caused by the use of explosive weapons with wide area effects, including shelling from heavy artillery, MLRS, missiles and air strikes, in populated areas ...”

744. The section dedicated to destruction and damage to civilian objects read as follows:

“25. During the reporting period, OHCHR verified the widespread destruction of and damage to civilian objects across the country, in particular medical and educational facilities, and to housing in Kyiv, Chernihiv, Kharkiv, Sumy, Donetsk, Luhansk, Mykolaiv, Kherson, Zaporizhzhia and Donetsk. The majority was caused by explosive weapons used in populated areas. While OHCHR has not been able to assess compliance with IHL for each individual incident, the scale of damage and destruction strongly indicates that violations of IHL have occurred.

26. OHCHR verified damage or destruction to 252 medical facilities caused by the hostilities. They included 152 hospitals (including 17 children’s hospitals and

12 perinatal centres and maternity hospitals), 12 psycho-neurological facilities, and 88 other medical facilities. Out of those, 209 were damaged, 24 were destroyed, and 19 were looted. OHCHR believes the actual number of affected medical facilities to be likely considerably higher.

27. OHCHR verified that hostilities damaged or destroyed 384 educational facilities (252 schools, 70 kindergartens, 41 specialized schools, 20 universities and 1 scientific centre). Out of this number, 79 were destroyed, and 305 were damaged. Some attacks on educational facilities were likely due to the belligerent parties' use of schools for military purposes. OHCHR believes the actual number of affected education facilities is likely considerably higher.

...

29. The wide-scale hostilities and the extensive use of explosive weapons with wide area effects in populated areas, both by Russian armed forces and affiliated armed groups, as well as by Ukrainian armed forces, caused mass damage to and destruction of civilian housing in several regions, notably Kyiv, Chernihiv, Kharkiv, Sumy, Donetsk, Luhansk, Mykolaiv, Kherson, and Zaporizhzhia. According to the Deputy Head of the Ukrainian Parliamentary Committee for the Organization of State Power, some 15 million square meters of housing were damaged or destroyed in Government-controlled territory as of 7 July ..."

745. The section entitled "Killings of civilians by Russian armed forces in February and March" read as follows, in so far as relevant:

"5. OHCHR continued to document and verify allegations of unlawful killings of hundreds of civilians by Russian armed forces while they controlled settlements in the Kyiv, Chernihiv, Sumy and Kharkiv regions in February and March 2022.

...

36. As of 31 July, local authorities reported that over 1,346 civilian bodies had been recovered in Kyiv region. They included civilians killed as a direct result of hostilities, civilians killed unlawfully, including by summary execution, and civilians who died because of stresses on their health resulting from the hostilities or lack of access to medical aid.

...

38. OHCHR corroborated the case of three civilian men who were tortured and then killed in Stoianka, Kyiv region, a village controlled by Russian armed forces in March 2022."

746. On the issue of arbitrary detention, torture and ill-treatment by Russian armed forces, the report stated:

"6. OHCHR is also concerned about the arbitrary detention and enforced disappearance of representatives of local authorities, journalists, civil society activists and other civilians by Russian armed forces and affiliated armed groups. OHCHR documented 407 cases of enforced disappearance (359 men, 47 women, 1 boy) attributable to Russian armed forces and affiliated armed groups. Among the victims, 17 men and 1 woman were eventually found dead. ...

7. OHCHR is particularly concerned about torture and ill-treatment of civilian detainees by Russian security forces and affiliated armed groups, which was documented in most areas under Russian control.

...

49. OHCHR documented widespread practices of torture or ill-treatment of civilian detainees by Russian armed forces and law enforcement bodies, as well as Russian-affiliated armed groups. Of 38 released civilians (34 men, 4 women) interviewed by OHCHR, 33 individuals reported having various forms of torture or ill-treatment inflicted on them while in detention, in order to force them to confess to having cooperated with the Ukrainian armed forces, to force them to cooperate with Russian armed forces or affiliated armed groups, or simply to intimidate them. ... In some cases, the torture lasted for several hours and caused severe injuries. Women who were interviewed did not report any specific forms of torture or ill-treatment, but also mentioned poor conditions of detention, including overcrowded cells and lack of adequate food or water.

...

51. OHCHR is particularly concerned about the case of two men who were tortured to death in Kherson by Russian armed forces. Both men were reportedly members of the territorial defence forces, but had laid down arms and did not directly participate in hostilities after Russian armed forces entered the city. ...

...

53. OHCHR also documented the torture and ill-treatment of a group of four civilians, including two priests who had volunteered to retrieve the bodies of Ukrainian soldiers believed to have been killed on Zmiinyi island on 25 February.”

747. Conflict-related sexual violence by Russian armed forces was described as follows:

“8. ... OHCHR verified 43 cases of CRSV, mostly attributable to Russian armed forces.

...

54. ... Thirty cases [of CRSV, including rape, gang rape, forced nudity, beating and electrocution to genitals, unwanted sexual touching, being forced to watch an act of sexual violence against another person, being forced to commit a sexual act against another person, unjustified body and cavity searches, threats of sexual violence] were committed by Russian armed forces or law enforcement[.]

...

57. The majority of cases of CRSV documented by OHCHR against women and girls occurred while Russian armed forces were stationed in residential areas, close to their military positions. In these cases, women were subjected to rape, including gang rape, by members of Russian armed forces. The majority of CRSV cases against men occurred in the context of detention by Russian armed forces. Beatings in the genital area, electrocution to genitals, forced nudity, unjustified cavity and body searches, and threats of rape against detainees and their loved ones were used as a method of torture and ill-treatment to intimidate, punish or extract confession. OHCHR also received some allegations of sexual violence and harassment of women at checkpoints during so-called ‘filtration’ processes organized by Russian armed forces.”

748. The section on prisoners of war in the power of the Russian Federation read:

“9. ... OHCHR documented patterns of ill-treatment of prisoners of war held by Russian armed forces and affiliated armed groups during all periods of internment.

...

64. Of particular concern, OHCHR received credible information regarding the deaths of two Ukrainian servicemen as a result of torture. The first victim was reportedly beaten and electrocuted to death by members of Russian armed forces on 9 May at the Melitopol airfield. Two witnesses told OHCHR that the victim was brought to the classroom of a pilot school showing signs of torture, and died soon after. The second victim reportedly sustained lethal blows when guards beat prisoners of war upon their arrival to the Volnovakha penal colony near Olenivka, Donetsk region, on 17 April.

...

67. HCHR documented 52 cases of pillage of personal belongings of Ukrainian servicemen captured by Russian armed forces and affiliated armed groups, including of mobile phones, jewellery, watches, jackets and boots. In five cases, money was stolen from bank accounts with bank cards seized from interned Ukrainian servicemen.”

749. The report covered the topic of forced recruitment by Russian-affiliated armed groups in the following way:

“75. During the reporting period, OHCHR documented 65 cases of forced recruitment by Russian-affiliated armed groups. According to information received, men between 19 and 55 years old, mainly students and employees of the public sector, were requested by their employers, military ‘commissariats’ or university administrations to report to designated assembly points for enlistment. Refusal to be conscripted led to ‘criminal prosecution’.”

750. Evacuation of persons from areas affected by hostilities was reported in the following way:

“78. OHCHR continued to receive allegations of human rights violations committed during the so-called ‘filtration’ of civilians by Russian armed forces or affiliated armed groups. Individuals subjected to ‘filtration’ include those leaving areas of ongoing or recent hostilities, and those residing in or moving through territory controlled by Russian armed forces or affiliated armed groups, including children as young as 14. During ‘filtration’ processes, Russian armed forces or affiliated armed groups often subjected persons to body searches, sometimes involving forced nudity and detailed interrogations about an individual’s personal background, family ties, political views and allegiances. They examined personal belongings, including mobile devices, and gathered personal identity data, pictures and fingerprints. Persons awaiting ‘filtration’ often spent nights in vehicles or unequipped premises, sometimes without adequate access to food, water and sanitation.

79. OHCHR received numerous allegations that men and women who were perceived as having ties with Ukrainian armed forces or state institutions, or as having pro-Ukrainian or anti-Russian views, were subjected to arbitrary detention, torture, ill-treatment, and enforced disappearance. The ‘filtration’ process reportedly continued as individuals crossed the border into the Russian Federation, where they were repeatedly interrogated and searched. OHCHR received allegations that those individuals perceived as having ties with Ukrainian armed forces were detained at the Russian border and in the Russian Federation.”

751. On the topic of the freedom of opinion, expression and information, the report stated:

“112. OHCHR is concerned about restricted access to Ukrainian media in territory currently under control of Russian armed forces or affiliated armed groups, who seized and disconnected Ukrainian television channels and radio stations, replacing them with channels from the Russian Federation or self-proclaimed ‘republics’. Similarly, in territory of Donetsk, Luhansk and Kherson regions that they control, Russian armed forces or affiliated armed groups raided local print media, and either forced staff to promote narratives of ‘successful liberation by Russian armed forces’ in their publications, or seized equipment and premises to enable them to print themselves.”

752. Freedom of peaceful assembly and association was described in the following manner:

“120. During March and April, numerous peaceful protests were held in areas controlled by Russian armed forces in Kyiv region and occupied by the Russian Federation in Kherson and Zaporizhzhia regions. OHCHR documented at least ten cases where Russian armed forces dispersed peaceful assemblies by resorting to unnecessary and disproportionate force, such as using teargas, flash grenades and firearms (discharged above participants’ heads). The vast majority of these incidents occurred in Kherson region, while others were reported in the cities of Enerhodar, Melitopol, Tokmak and Berdiansk in Zaporizhzhia region and in Slavutych in Kyiv region. On one such occasion on 26 March, several thousand peaceful protesters gathered in the centre of Slavutych with Ukrainian flags to express their support for Ukraine and demand that Russian armed forces leave the city. The Russian armed forces used flash grenades, tear gas and firearms to disperse the protesters, seriously injuring one male protester.”

753. The freedom of religion and belief in Russian-controlled territory was described as follows:

“126. In territory occupied by the Russian Federation or controlled by Russian armed forces or affiliated armed groups, the overall environment for religious minorities remains highly restrictive. OHCHR is concerned that shrinking civic space hinders individuals from reporting human rights violations that they may have experienced or witnessed.”

(e) Update on civilian casualties in Ukraine covering the period from 24 February to 11 September 2022, issued on 12 September 2022

754. This update provided the following count of civilian casualties in Ukraine:

“From 24 February 2022, when the Russian Federation’s armed attack against Ukraine started, to 11 September 2022, the Office of the UN High Commissioner for Human Rights (OHCHR) recorded 14,248 civilian casualties in the country: 5,827 killed and 8,421 injured.

...

Most of the civilian casualties recorded were caused by the use of explosive weapons with wide area effects, including shelling from heavy artillery, multiple launch rocket systems, missiles and air strikes.”

(f) Update on civilian casualties in Ukraine covering the period from 24 February 2022 to 18 September 2022, issued on 19 September 2022

755. This update provided the following figures of civilian casualties in Ukraine:

“From 24 February 2022, when the Russian Federation’s armed attack against Ukraine started, to 18 September 2022, the Office of the UN High Commissioner for Human Rights (OHCHR) recorded 14,532 civilian casualties in the country: 5,916 killed and 8,616 injured.

...

OHCHR believes that the actual figures are considerably higher, as the receipt of information from some locations where intense hostilities have been going on has been delayed and many reports are still pending corroboration.”

(g) “Killings of civilians: summary executions and attacks on individual civilians in Kyiv, Chernihiv, and Sumy regions in the context of the Russian Federation’s armed attack against Ukraine between 24 February and 31 October 2022”, thematic report of 7 December 2022

756. The executive summary of this report stated, in so far as relevant:

“1. This report ... addresses killings of civilians, encompassing both summary executions and attacks on individual civilians, committed in parts of Kyiv, Chernihiv and Sumy regions of Ukraine between 24 February and 6 April 2022, while under military control of the Russian Federation. ...

3. As of 31 October 2022, OHCHR ... had documented summary executions and attacks on individual civilians in 102 villages and towns of the three regions between 24 February and 6 April 2022. The acts in question were committed by Russian armed forces³ in control of these areas and led to the deaths of 441 civilians (341 men, 72 women, 20 boys and 8 girls). One hundred of those killings are analysed in this report and its Annex, as illustrative examples of the suffering borne by civilians in these areas.

4. Information available to OHCHR indicates that the total number of summary executions and lethal attacks directed against individual civilians by Russian armed forces in the three regions during the reporting period is likely considerably higher. [Footnote: As of 31 October 2022, OHCHR was in the process of corroborating an additional 198 alleged killings of civilians in the three regions that occurred between 24 February and 6 April 2022.]

...

6. Fifty-seven of the 100 killings presented in the report and its Annex are assessed as summary executions (48 men, 7 women, and 2 boys). Thirty of those took place in places of detention and the other 27 victims were summarily executed on the spot, shortly after coming under the control of the perpetrators. ...

7. In the other 43 killings presented in the report and its Annex (representing 27 men, 13 women, and 3 boys), civilians were killed while moving within or between settlements on foot or by bicycle, car or van. Most victims were targeted while commuting to work, delivering food to others, visiting neighbours or relatives, or while attempting to flee the hostilities. In some cases, soldiers of the Russian armed forces opened fire on civilian households. In all documented cases, OHCHR found that the

perpetrators made no apparent attempt to respect the principle of distinction or the obligation to take all feasible precautions to spare civilians.”

(h) “Human rights situation in Ukraine between 1 August 2022 and 31 January 2023”, report of 24 March 2023

757. Civilian casualties during the entire conflict period were estimated as follows:

“33. From 14 April 2014 to 31 January 2023, OHCHR recorded a total of 11,052 conflict-related civilian deaths (5,357 men, 3,147 women, 358 boys, 250 girls, and 1,909 adults and 31 children whose sex is not yet known). Taking into account the 298 people on board Malaysian Airlines flight MH17, which Russian-affiliated armed groups shot down on 17 July 2014, the total civilian death toll has reached at least 11,350.”

758. On the issue of extrajudicial killings by Russian forces, the report stated as follows:

“44. During the reporting period, in addition to the cases covered by a thematic report issued on 7 December 2022, OHCHR documented the killings of 21 civilians (17 men, 4 women) by Russian armed forces, both through summary executions and attacks on individual civilians: 14 in Kyiv, 5 in Kharkiv, and 2 in Zaporizhzhia regions.

...

47. In Balakliia, Kharkiv region, OHCHR documented the killing of a 27-year-old nurse who was last seen departing from work on 18 March 2022. Two weeks later, on 1 April, his body was found in the nearby village of Husarivka, bearing marks suggesting torture, including missing fingers. A local unit from former self-proclaimed ‘Luhansk people’s republic’ stationed in the area informed the relatives of the victim that members of a Russian military unit operating a checkpoint in the nearby village of Bairak had abducted him.”

759. Conflict-related detentions were addressed in the following way:

“48. During the reporting period, OHCHR documented 214 cases (185 men, 24 women and 5 boys) of enforced disappearances and arbitrary detentions of civilians that occurred in territory of Ukraine while under the occupation of the Russian Federation. ... Russian armed forces and law enforcement agencies arrested individuals in their homes, workplaces, in the street, or at checkpoints during so-called ‘filtration’.

...

50. During the reporting period, OHCHR interviewed 89 individuals upon their release from captivity and received additional information from relatives about their treatment in detention. 91 per cent of the individuals (93 per cent of men, 79 per cent of women and 100 per cent of boys) reported acts amounting to torture and ill-treatment while deprived of liberty. Members of the Russian armed forces and the Security Service of Russia (FSB) reportedly tortured or otherwise ill-treated victims to force them to confess to providing assistance to Ukrainian armed forces, to compel them to cooperate with the occupying authorities or to intimidate those with pro-Ukrainian views.”

760. Cases of conflict-related sexual violence by Russian forces were reported as follows:

“56. From 24 February 2022 to 31 January 2023, OHCHR documented 133 cases of CRSV24 (85 men, 45 women, 3 girls), 109 of them perpetrated by Russian armed forces, law enforcement authorities or penitentiary staff, either in Russian-occupied territory of Ukraine or in the Russian Federation itself. Most of the documented cases occurred either in a context of deprivation of liberty or in villages and communities that were controlled by Russian armed forces.

57. In the majority of the cases that took place in a context of deprivation of liberty, sexual violence was used as a form of torture or ill-treatment. It consisted of rape, electrocution, burning, tying up and beating of genitals, forced nudity, forcing someone to watch or conduct sexual violence against another person, unjustified cavity or strip searches, homophobic insults and threats of sexual violence towards victims or their loved ones. Sexual violence was directed mostly against men POWs, but also against detained civilian men. Sexual violence against women in a context of detention mainly consisted of unjustified strip searches or threats of sexual violence.

58. OHCHR documented a case where a man POW was tortured during an interrogation in a so-called ‘prosecutor’s office’ in Donetsk in July 2022. The interrogator told guards to take the POW to the toilet, where the guards taped his mouth with duct tape, beat him and tasered him in the genitals. In a separate case from July 2022, penitentiary guards from Russian-affiliated armed groups tortured a POW in the penal colony near Olenivka, including by stripping him and burning his genitalia with a lighter. Both of these cases were documented during the reporting period through interviews with POWs who were exchanged in September 2022.

59. In another case, a woman was subjected to repeated rape while held by the FSB. In the beginning of April 2022, FSB officers repeatedly visited her to ask about the whereabouts of her son, a SBU officer. ...

60. ... In one case that occurred in Kyiv region in March, three Russian soldiers entered the house of the victim and her husband. One of them took her to a nearby house to ‘talk’. While reloading his gun, he accused her of assisting the Ukrainian armed forces. He pointed his gun to her head, ordered her to undress and threatened to shoot her knee if she did something wrong. He raped her while holding a gun next to her knee.”

761. The section of the report dedicated to the treatment of prisoners of war while under Russian control stated:

“62. During the reporting period, OHCHR interviewed 142 Ukrainian POWs (122 men, 20 women) after their release and repatriation or return. The Russian Federation did not grant OHCHR access to places of internment despite repeated requests. OHCHR documented serious violations of IHL and gross violations IHRL at all stages of captivity, including 14 summary executions, 6 deaths of wounded POWs due to lack of medical attention[.]

...

84. ... OHCHR also documented torture and ill-treatment of POWs before or during their interrogations by so-called ‘prosecutors’ of Russian-affiliated armed groups, either to compel them to confess, to testify against other individuals or to sign records of interrogations with statements that POWs had not provided.”

762. The section entitled “Movements or relocations of civilians” read as follows:

“66. OHCHR documented that approximately 1,600 civilian prisoners who had been serving sentences in different penal colonies in the Kherson region before February 2022 were transferred to the Russian Federation in early November and sent to penal colonies in Krasnodar, Rostov and Volgograd regions. OHCHR was able to establish the identity and general whereabouts of 75 of them. A family member of one such detainee told OHCHR that the man was first transferred from where he was serving his sentence to the Northern Penal Colony No 90 in Kherson, where detainees were forced to work repairing equipment for Russian military needs.”

763. The situation regarding the freedoms of opinion, expression, religion and belief were described as follows:

“76. During the reporting period, OHCHR documented 10 cases (7 men, 3 women) of enforced disappearances and arbitrary detentions of media workers and human rights defenders in territory occupied by the Russian Federation.

...

83. OHCHR documented the case of a Baptist pastor from Kharkiv region who was abducted in May by three masked men in uniforms of the Russian armed forces, then taken to a police station and subjected to severe beatings. While being tortured, he was told that ‘there can be only the Russian Orthodox Church in the area’ and that ‘there is no place for a Baptist church’. No information on his fate and whereabouts was provided to his relatives, nor was his detention acknowledged by the occupation authorities before he was released without conditions.”

(i) Update on civilian casualties in Ukraine covering the period from 24 February 2022 to 15 February 2023, issued on 21 February 2023

764. This update provided the following figures of civilian casualties:

“From 24 February 2022, which marked the start of the large-scale armed attack by the Russian Federation, to 15 February 2023, the Office of the UN High Commissioner for Human Rights (OHCHR) has recorded 21,293 civilian casualties in 1,141 settlements of Ukraine, including 8,006 killed and 13,287 injured.”

(j) “Treatment of prisoners of war and persons hors de combat in the context of the armed attack by the Russian Federation against Ukraine: 24 February 2022 to 23 February 2023”, thematic report of 24 March 2023

765. The section of this report dedicated to summary executions stated:

“29. Through interviews with witnesses, OHCHR documented the summary executions of 14 Ukrainian men POWs shortly after their capture by members of the Russian armed forces and Wagner Group military and security contractors. ...

30. In addition, OHCHR analysed videos widely disseminated via social media on 28 July 2022, which appear to show a member of the Russian armed forces kicking the head of a man wearing a uniform of the Ukrainian armed forces, cutting off his testicles with a utility knife and shooting him dead. Although OHCHR was not able to establish the identity of the victim, the incident does not appear staged and would manifestly amount to torture, including sexual violence, and wilful killing.”

766. According to the report, fifty-five Ukrainian POWs (fifty-two men and three women) had reported various forms of torture or other ill-treatment, including sexual violence, upon their capture:

“32. Fifty-five Ukrainian POWs (52 men and 3 women) reported various forms of torture or other ill-treatment, including sexual violence, upon their capture. Most of them fell into the hands of the Russian Federation during battle and were not seriously wounded. POWs were tortured and ill-treated to extract information of military relevance or as a form of punishment. They reported being beaten with fists, tactical gloves with knuckles, rifle butts, shovels, batons or sticks; kicked; stabbed, subjected to mock executions with the use of firearms; subjected to electric shocks; strangled; held in cold temperature without clothes and threatened with mutilation. Some of them lost their teeth or fingers, had their ribs, fingers or noses broken, or suffered from pain for extended periods of times.

33. OHCHR documented six cases of torture of Ukrainian POWs at the Melitopol Air Base, where Russian armed forces were stationed. Several POWs held in the building of a pilot school were subjected to prolonged beatings and electrocution with a TA-57 military telephone by servicepersons of the armed forces of the Russian Federation. On 9 May 2022, the POWs heard another Ukrainian POW being tortured and saw signs of beatings on his body after he was brought to the room where they were held. He died shortly after, due to the injuries sustained.”

767. OHCHR also documented seven cases where members of Russian armed forces had seized POWs’ bank cards and withdrawn money from their bank accounts.

768. On the issue of conditions of POW internment, the report stated as follows

“11. ... Many POWs reported poor and often humiliating conditions during their evacuation to transit camps and permanent places of internment, notably being packed into overcrowded vehicles, often half-naked, with hands tied behind their backs.

...

38. OHCHR documented 19 cases of Ukrainian POWs evacuated in a manner and under conditions contravening the Third Geneva Convention, which prescribes that the evacuation of POWs be carried out humanely and in conditions similar to those for the forces of the Detaining Power during their change of station. The POWs reported being transferred with their hands tied and eyes covered in overcrowded cargo trucks or ‘paddy wagons’ lacking fresh air. Moreover, several POWs reported that they were neither allowed to use a toilet nor provided with food or water during evacuations which lasted for a day or two. This raises concerns regarding respect of the obligation to treat POWs humanely and the prohibition of humiliating or degrading treatment...

42. OHCHR identified 48 places of internment located in Russian-occupied territory of Ukraine and the Russian Federation. These include 28 pre-trial detention facilities and penal colonies, four places of temporary detention and cells in buildings of Ukrainian law enforcement bodies, tent camps and makeshift places of internment usually located in industrial buildings. Men and women POWs were held separately from each other, and POWs were held separately from persons detained under criminal laws.

43. Through the accounts of POWs who spent time in these places of internment, OHCHR documented consistent patterns of torture and ill-treatment, poor quartering conditions, and lack of food, water and proper medical attention.

...

46. One hundred and thirty-seven of the interviewed Ukrainian POWs (24 women and 113 men) reported overcrowded cells which lacked beds, fresh air and adequate sanitation and cold temperatures during early spring, autumn and winter in 18 places of internment. For example, POWs told OHCHR that toilets in their cells or barracks were either unavailable or usually clogged, sanitary water was absent or delivered irregularly, and cells were covered extensively with mold and fungus. Nor were these POWs provided with any items to clean their cells. One hundred and twenty POWs also complained that items for personal hygiene were not provided, or were provided in insufficient quantities.

47. OHCHR also documented poor hygiene and sanitation with regard to the provision of food, risking spread of infection or disease. For example, in pre-trial detention facilities in the Russian Federation, POWs shared dishes, which were passed from one another, but which could not be cleaned in between use, as no detergent was provided. As a result, POWs sometimes received food served on dirty and unsanitary dishes. Moreover, POWs observed guard dogs licking their dishes and rats sitting on them while being stored in a food cart in the corridor.

48. Of the 203 Ukrainian POWs interviewed by OHCHR, 157 POWs (139 men and 18 women) reported poor quality of food or lack of food in 20 places of internment. POWs told OHCHR that their food was undercooked, rotten, or contained sand or small rocks. Those POWs who complained about the inadequate quantity of food reported being given only three or four spoonfuls of porridge and a small piece of bread per meal, which they felt was enough only to keep them alive. Twenty two POWs released from four places of internment described being forced to consume their food in a harmful or humiliating manner. For example, the guards gave POWs only 45 seconds to 2 minutes to eat, including very hot food which burned their mouths and throats.

49. Through interviews with 77 POWs, OHCHR identified four places of internment where POWs suffered from lack of or poor quality of water. In such places, POWs received only limited amounts of drinking water or dirty water with insects. This issue was particularly acute in a penal colony near Olenivka and the SIZO in Donetsk.

...”

The report also contained information about the labour of POWs:

“54. The majority of Ukrainian POWs interviewed by OHCHR were not required to perform work while interned. However, OHCHR documented the case of eight POWs who were forced to load artillery ammunition in Alchevsk city, in violation of IHL norms on the appropriate labour of POWs. OHCHR also received reports that a group of Ukrainian POWs from a penal colony near Olenivka had to collect and load dead bodies in Mariupol in May and June 2022.”

769. The lack of medical attention during internment was illustrated as follows:

“5. In relation to the treatment of POWs in the power of the Russian Federation, OHCHR documented ... the deaths of two wounded men POWs due to a lack of medical care[.]

...

50. Thirty-four per cent of interviewed POWs complained about the lack of medical attention during their internment in penitentiary facilities. Nineteen POWs complained that no medical care was provided despite requests. Many POWs informed OHCHR that the absence of adequate medical care for gastro-intestinal infections, which was

common due to poor food, water, hygiene and sanitation, was a major issue. Ten POWs reported that guards beat them or other POWs when they requested medical assistance. Twenty-one POWs also complained that medical personnel in penitentiary institutions only treated and bandaged their wounds to prevent sepsis, but did not provide any medication.

51. Of deep concern, OHCHR documented the death of four wounded or sick POWs due to lack of proper medical attention. In summer 2022, a man POW died in a penal colony near Olenivka due to lack of treatment for hepatitis. On 10 July 2022, a wounded POW died in a makeshift place of internment in Pervomaisk, Luhansk region, after Wagner Group military and security contractors refused to provide him with antibiotics and a catheter, despite several requests from other POWs.”

770. The report provided the following description of torture or other forms of ill-treatment, including sexual violence, during internment:

“58. One hundred seventy-three Ukrainian POWs (153 men and 20 women) interviewed were subjected to torture or other forms of ill-treatment while interned by the Russian Federation, in breach of article 13 of the Third Geneva Convention. Their accounts revealed widespread use of torture or other ill-treatment both to extract military information or testimony for tribunals in occupied territory, and to intimidate and humiliate POWs. ...

59. The most widespread forms of torture or ill-treatment were beatings by hand (usually with tactical gloves), batons, wooden hammers or other objects, and kicks to various parts of the body, but usually avoiding the head and other vital areas. Electric shocks were also used, both with tasers and TA-57 military telephones. Other common forms of torture or ill-treatment reported to OHCHR included stabbing, strangling, suffocation with a bag, applying pressure, hitting or stepping on wounded limbs, attacks or threats of attacks by dogs, threats with weapons, mock executions, placement in a hotbox or stress position, hanging by hands or legs, burns with cigarettes or lighters, exposure to cold temperatures, twisting or breaking of joints or bones, applying a tourniquet to cause pain, with the POW fearing loss of limb due to constriction of blood circulation, and threats of mutilation with pressing sharp objects against POW’s body parts.

...

62. Fifty-four POWs provided accounts of various forms of sexual violence, including forced nudity. In 27 cases (against men), perpetrators targeted the victim’s genitalia during beatings or with electric shocks from a taser, or pulled men POWs by a rope tied around their genitalia. 17 POWs (11 men and six women) were subjected to unnecessary and humiliating cavity searches. 31 POWs (18 men and 13 women) were threatened with rape or other sexual violence in circumstances that made them believe such threats would be executed.

63. Even though perpetrators did not usually target vital areas of the body, OHCHR documented five cases at two facilities where men POWs died after being tortured.

...

77. OHCHR interviewed 24 women POWs upon their release from internment in facilities near Olenivka, in Donetsk and in the Russian Federation.

78. Fifty-four per cent of the women in facilities located in the Russian Federation were subjected to cavity or naked searches during the ‘admission procedures’ in the presence of men guards and to ‘welcome beatings’. Women POWs were also beaten by

FSIN members in their legs and buttocks during daily checks or forced to remain in stress positions for extended periods of time.

79. In SIZOs in Donetsk (Russian-occupied territory of Ukraine) and in Taganrog (Russian Federation), women POWs were forced to undress, walk naked from one room to another, and shower in the presence of men guards, which they found humiliating. They were also frequently forced to walk in a stress position (half-bent) through the hall while being beaten by guards with batons. Every month in Taganrog SIZO, a new shift of the Special Forces of FSIN forced POWs to run from the canteen to their cell within ten seconds, and from their cell to the toilet within six seconds, or be shocked with a taser. They also forced them to move imitating ducks under threat of beatings or taser shocks.

80. Seventy per cent of the women POWs interviewed who were held in pre-trial detention facilities in the Russian Federation and Donetsk region reported being subjected to beatings and electric shocks and threatened with sexual violence during interrogations.

81. Women POWs also suffered from dire conditions of internment. They were held in close confinement in overcrowded cells and permitted walks outside their cells on rare occasions. Up to 30 persons could be held in a six-bed cell. They lacked mattresses, bed linen and hygiene items, and generally suffered from constant digestive problems and extreme weight loss as a result of the poor quality and quantity of food and water. Most women POWs reported issues with their sexual and reproductive health while in captivity, notably termination of their menstruation, due to stress and the conditions of internment. All women POWs interviewed by OHCHR, except one, reported that the administration of internment facilities did not offer them specialized medical assistance, check-ups by medical professionals or access to sexual and reproductive health treatment.”

771. The July 2022 incident involving the killing and injuring of POWs at the penal colony near Olenivka was addressed in the following way:

“66. In April 2022, [Olenivka] penal colony became a major place of internment for POWs from Mariupol and other parts of southern and eastern Ukraine, as well as for civilians detained in the course of so-called ‘filtration’ processes.⁴⁷ POWs were held in ten barracks (located in five two-story buildings) and in overcrowded cells of the disciplinary isolation ward (DIZO). In addition, for two days 193 men POWs were held in a building in the industrial zone of the colony, where explosions during the night of 28–29 July 2022 killed at least 50 POWs and injured many others. OHCHR assesses that the maximum number of POWs and detained civilians held simultaneously in the colony may have reached about 4,000.

...

68. POWs interned in the colony suffered from poor quality of food and drinking water, poor hygiene and sanitation conditions, irregular food distribution, a lack of beds in the barracks, as well as inadequate medical services and a lack of medication to treat infectious diseases. Most POWs reported significant weight loss due to these dire conditions. ...

72. During the night of 28–29 July 2022, at least 50 Ukrainian POWs were killed and many more injured after explosive weapons reportedly hit a barrack with 193 Ukrainian POWs (all members of the ‘Azov’ regiment) in the penal colony No. 120, located approximately 5 km east of the town of Olenivka (part of Donetsk region occupied by the Russian Federation).

73. OHCHR collected and analyzed publicly available information on the incident, including over 20 statements by officials of the Russian Federation and representatives of the (former) self-proclaimed ‘Donetsk people’s republic’; over 70 videos and photographs related to the incident, including from inside and outside the barracks; satellite imagery of the barracks and the colony before and after the incident; and other relevant contextual information. Additionally, from September 2022 to January 2023, OHCHR interviewed 55 Ukrainian POWs who were in the colony on the night of the attack and the next day, including eight survivors from the affected barracks, and several POWs who took part in bringing out dead bodies from the barracks on the next day.

74. OHCHR documented that the 193 POWs were transferred on 27 July to this barrack, which was refurbished from an industrial shed that stood separately from the other barracks in the colony. That same day, the colony management ordered that the guard post be moved further from the barrack and that a fortified trench be dug for the guards, which was not done for other barracks. On 28 July, the guards of the barrack wore bullet-proof vests and helmets, which they had not done before and unlike other colony personnel who rarely wore them. POWs interned in different barracks reported that a ‘Grad’ rocket system, which had been placed close to their barracks and near the colony’s fence just before the incident, was firing in a westerly direction away from the colony and covered the sounds of the explosions that killed and injured the POWs. A Ukrainian civilian detainee who acted as a liaison for the administration ordered the POWs who cleared debris and removed dead bodies on 29 July to keep silent about what they saw.

...

76. OHCHR will continue to gather and analyse information on this incident. OHCHR found that the number of POWs who died from the attack could have been considerably lower if those heavily injured by the explosions had been provided with prompt medical care. The survivors had numerous injuries, including serious burns and wounds from fragments of projectiles and the barrack. However, medical assistance was not provided by personnel of the colony, and survivors had to do what they could to try to help stop each other’s bleeding without proper medical equipment. OHCHR documented that multiple injured POWs died on the ground near the entrance to the colony, reportedly due to massive blood loss. Survivors were taken to hospitals in Donetsk only 5-7 hours after the attack, in overcrowded trucks that drove over bumpy roads, causing additional suffering to the injured POWs. The POWs who survived with light injuries were placed in a so-called disciplinary isolation ward for one month, where they were effectively isolated from communicating with other POWs in the colony.”

(k) “Detention of civilians in the context of the armed attack by the Russian Federation against Ukraine between 24 February 2022 – 23 May 2023”, thematic report of 27 June 2023

772. This report expressed grave concern relating to “the summary execution of 77 civilians (72 men and 5 women) while they were arbitrarily detained by the Russian Federation, and the further death of one detainee (a man) as a result of torture, inhumane detention conditions and/or denial of necessary medical care”. Cases of detentions based on perceived support of Ukrainian armed forces were described as follows:

“40. Russian armed forces searched individuals, including their telephones or other electronic communication devices, during raids in settlements. Men and women were

detained based on their possession of military-style or tactical clothes, off-road camouflaged vehicles, civilian firearms, amateur radio-equipment, binoculars, telescopes and civilian drones, as well as Ukrainian symbols, literature or tattoos characterised as ‘nationalistic’. In some cases, Russian armed forces raided communities and detained individuals, without being able to identify the specific individuals they claimed to be searching for. In at least ten documented cases (nine women and one man), Russian armed forces detained civilians because they had a relative in the Ukrainian armed forces.

41. Once apprehended, civilians were held for several days, weeks or months in unofficial places of detention where Russian armed forces were stationed. Women, men and children were usually detained together.

...

44. OHCHR has also documented cases where civilians were detained while on the move for entirely lawful reasons – for instance, while fleeing from hostilities, commuting to work, visiting relatives, or trying to evacuate family and friends from danger zones. OHCHR was told that Russian armed forces had accused them of gathering sensitive military information or otherwise supporting the Ukrainian armed forces based solely on their presence in areas subject to hostilities or movement of Russian armed forces. In the absence of information indicating reasonable grounds to believe that the individuals in question posed genuine threat to the security of the Russian Federation, OHCHR has serious concerns about the legality of these detentions under IHL.

...

46. OHCHR notes that the victims in the cases described above were not charged with crimes during the prolonged initial period of detention, and rather appeared to be de facto interned. In the cases described, no procedural safeguards appeared to be implemented as required by IHL and IHRL, rendering the detention arbitrary.”

773. In the same report, OHCHR described detention in the context of “filtration” procedures:

“57. Starting from March 2022, Russian armed forces and affiliated armed groups subjected civilians to a so-called ‘filtration’ process – a system of security checks and personal data collection during which many civilians were detained for periods ranging from several days to several months. The process appeared to be carried out in order to identify their possible affiliation with or support for, the Ukrainian armed forces or authorities, and to collect information about residents in occupied territory. OHCHR documented such ‘filtration’ processes in Russian-occupied areas of Kharkiv, Kherson, Luhansk and Zaporizhzhia regions, with the most comprehensive system being in Donetsk region (in particular Mariupol and its surrounding areas), which included a network of so-called ‘filtration camps’.

58. In some cases, such ‘filtration’ occurred at checkpoints, border and humanitarian crossing points, or during house searches. ...

59. In other cases, ‘filtration’ entailed prolonged detention combined with multiple rounds of interrogation and personal data collection, including biometric data. Individuals were arrested in their homes, on the streets, at checkpoints and border crossing points, or they were called to visit police stations or military commander’s offices of the occupying authorities and subsequently taken to so-called ‘filtration camps’. At these camps, civilians (men, women, boys and girls) were detained for periods ranging from several days to several weeks, while Russian armed forces

inspected their identity documents, conducted body examinations, photographed them and collected their fingerprints, searched their belongings including the content stored or accessible through their electronic devices, and interrogated them about their personal background, family ties, and political views and allegiances.

60. Russian armed forces issued a certificate to individuals who were not considered a threat and allowed them to leave. Those who raised suspicion (mostly men) were transferred to various detention centres, notably to police departments in Donetsk city and Donetsk region and to a penal colony near Olenivka. These detainees were held from one to several months, and some were still in detention on 23 May 2023. OHCHR documented cases where victims were detained for more than three months. So-called ‘law enforcement authorities’ continued to interrogate them and to gather information about them. Upon release, some were informed that they had been held under ‘administrative detention’, while others received no information at all regarding the grounds for their detention.

61. The documented practice of such detention of civilians in the course of ‘filtration’, in particular where civilians were held for weeks or months, appears to constitute an unnecessary and disproportionate measure amounting to arbitrary detention. Those detained did not enjoy procedural guarantees. Detainees were not informed about the reasons for their detention, were held incommunicado, and had no access to a judicial or administrative mechanism to review or challenge their detention. Moreover, in some cases, the Russian Federation carried out mass detention and transfer of civilians from local communities to ‘filtration’ sites, as well as prolonged deprivation of liberty without an individualised assessment of the security risk of each person, which is prohibited by the Fourth Geneva Convention.

62. For example, OHCHR documented the case of a young man from Mariupol, Donetsk region, who was detained with his father and two other male relatives. On 13 April 2022, Russian servicemen took them to a nearby house where they were gathering men from the area. The men were told that they would undergo ‘filtration’ and were brought to a school in Kozatske village, where they were detained for 42 days. On the second day, the young man was taken to a tent camp in Bezimenne, where FSB and [Ministry of the Russian Federation for Civil Defence, Emergency Situations and Elimination of Consequences of Natural Disasters] officers interrogated, photographed and fingerprinted him, seized his passport, and searched his phone, before returning him back to the school. He heard from the guards that more than 190 men were detained at the school. The detainees slept on desks and lacked food, water and medical care. The victim said that he witnessed one detainee die from illness. The victim was never informed about the grounds of his detention, nor provided access to procedures for its review. The victim told OHCHR that when he was released on 25 May 2022, he was in a state of exhaustion and had lost 12 kilograms of body weight due to the conditions of detention.

63. In early April 2022, a 17-year-old boy was apprehended by Russian-affiliated armed groups on a street in Mariupol. He was stripped to his underwear and taken to a military commissariat for ‘filtration’. Despite pointing out that he was an unaccompanied child, he was transferred 12 kilometres away, to Sartana, Donetsk region. There, he was undressed again and questioned. Together with about 100 detained men, the boy was taken to the ‘filtration’ camp in Bezimenne, then transferred to the House of Culture in the same village. His identification card was seized and no reason was provided for his detention. He only managed to contact his relatives three days later through his brother-in-law, who was brought to the same facility. The boy slept on the floor for several weeks and fell sick due to cold

temperatures and poor nutrition. In May 2022, he managed to escape after he had been taken to a hospital in Novoazovsk.”

774. Cases of mass arrests and collective detention by Russian armed forces were described as follows:

“72. Mass arrests and detentions without an individualized assessment of the security threat posed by each person concerned contravene both IHRL and IHL rules protecting individuals from arbitrary detention. In addition, mass arrests or collective detentions may raise concerns with respect to the prohibition of collective punishment under IHL.

73. OHCHR documented three cases where Russian armed forces detained large groups of residents, seemingly to reduce possible risks to their military operations or to gain unimpeded access to the houses or apartments of those detained. In all of the cases, the location of detainees in or near locations where armed forces were stationed could raise concerns that the civilian detainees were used to shield military objectives from attacks on them.”

775. On the topic of detention of children, the report stated as follows:

“81. OHCHR documented the cases of seven boys between 14 and 17 years old who were arbitrarily detained by the Russian armed forces and affiliated armed groups in Donetsk, Kyiv, Kherson, Mykolaiv, and Zaporizhzhia regions. Some were also forcibly disappeared. In all cases, the boys were ill-treated or tortured while in detention, and in one case, the boy was also deported.

...

83. OHCHR is also concerned about documented cases where 90 children were detained and used as human shields by Russian armed forces in Kyiv and Chernihiv regions in February and March 2022. OHCHR has received numerous further allegations of detention of children in territory controlled by Russian armed forces and is in the process of verifying them.”

776. As regards the lack of procedural safeguards and preventive measures, OHCHR noted in the same report:

“84. While the Russian Federal Law on Martial Law provides for the internment of foreign citizens ‘in accordance with generally recognized principles and norms of international law’, OHCHR has not received information that the Russian Federation has adopted procedures or practices to uphold the safeguards enshrined in the Fourth Geneva Convention, in particular the right to challenge lawfulness of or otherwise appeal internment decisions and to have them reviewed through fair procedures on a regular basis.

85. The case examples above illustrate how the practices of the Russian Federation with regard to detention of civilians, combined with the lack of procedural safeguards and preventive measures observed, have created an environment which creates a serious risk of arbitrary detention, and along with other serious human rights violations such as torture, ill-treatment and enforced disappearances.”

777. The report went on to describe torture and ill-treatment of detainees, including sexual violence:

“87. OHCHR has received credible and reliable accounts regarding the treatment of 178 civilian detainees (129 men, 42 women and 7 boys) held by the Russian Federation

during the reporting period. The vast majority – 91 per cent – described to OHCHR subjection to torture and ill-treatment during detention.

88. OHCHR is gravely concerned by widespread practices of torture or ill-treatment by Russian armed forces, law enforcement and penitentiary authorities. Torture and ill-treatment appear to have been carried out to force victims to confess to providing assistance to Ukrainian armed forces, to compel them to cooperate with the occupying authorities, or to intimidate those with pro-Ukrainian views. Perpetrators used methods of torture or ill-treatment such as punching and cutting detainees, putting sharp objects under fingernails, hitting with batons and rifle butts, strangling, waterboarding, electrocution, stress positions for long periods, exposure to cold temperatures or to a hot box, deprivation of water and food, and mock executions or threats. ...

89. OHCHR documented 36 cases of sexual violence against 25 men and 11 women perpetrated by actors of the Russian Federation in the context of arbitrary detention. Forms of sexual violence included rape, threats of rape against victims and their loved ones, electrocution to genitals or nipples, beating to genitals, forced stripping and nudity, and unjustified strip searches.”

778. The conditions of detention were reported on as follows:

“90. OHCHR documented numerous violations of IHL/IHRL in relation to conditions of detention, including serious overcrowding; inadequate food, water, medical care, and sanitation; and cold temperatures. ... Moreover, detainees were often held incommunicado, in violation of their right to access the outside world. The uncertainty about the whereabouts and fate of their loved ones increased the suffering of the families of detainees[.]”

779. The conditions of release were described as follows:

“96. In addition, OHCHR documented the cases of at least 57 detainees (48 men and 9 women) who were reportedly released during prisoner exchanges between the Russian Federation and Ukraine. OHCHR notes that the detention of civilians and assignment of POW status to them solely for the purpose of carrying out a prisoner exchange may amount to hostage-taking, which would be considered a war crime in this context.”

(l) “Human rights situation in Ukraine between 1 February to 31 July 2023”, report of 4 October 2023

780. The report described documented cases of killings of civilians in the following way:

“47. During the reporting period, OHCHR documented 28 cases of summary executions (24 men, 3 women and 1 girl) and 31 killings through attacks on individual civilians (22 men, 6 women, 1 boy and 2 girls) that occurred in 2022. ...

48. The 2022 killings documented during the reporting period took place either in areas of northern Ukraine controlled by Russian armed forces until April 2022 (15 cases in Chernihiv region, 7 in Kyiv region, 1 in Sumy region) or in Russian-occupied territory over which the Government regained control in autumn 2022 (18 cases in Kharkiv region, 17 in Kherson region, 1 in Mykolaiv region).

...

51. In total, since 24 February 2022, OHCHR documented the killing of 521 civilians (404 men, 85 women, 23 boys, and 9 girls) by Russian armed forces, either through summary executions or attacks on individual civilians.”

781. Summary executions and forced labour of POWs were described as follows:

“73. In September 2022, a member of a Russian-affiliated armed group shot dead a Ukrainian POW whose leg was wounded after stepping on a mine while he was forced to perform dangerous labour near a frontline position. Another Ukrainian POW was shot dead when he refused to carry out the same dangerous labour. Both POWs were part of a group of Ukrainian POWs (all men) captured by Russian-affiliated armed groups in Donetsk region in August 2022. For three months, they were forced to carry heavy loads of ammunition and supplies to Russian frontline positions and to retrieve wounded Russian combatants. The POWs were exposed to mines and shelling without protection or body armour. POWs told OHCHR that at least five of them were injured while performing this labour.”

782. Providing an update on the explosions at the penal colony near Olenivka, the report stated:

“83. Based on interviews with more than 50 witnesses and survivors, as well as analysis of available video and photographic footage, OHCHR concluded that the explosions were not caused by HIMARS rockets, launched by Ukrainian armed forces. The degree of damages to the walls, ceiling, roof and windows of the barracks, the condition of the bunk beds inside, the size of the residual crater, and the impact radius are not characteristic of impacts by HIMARS ammunition. Even a single HIMARS rocket would likely have caused damage and destruction of the barracks and surrounding area of a significantly larger and more severe scale. In addition, witnesses described to OHCHR hearing multiple explosions.

84. Video and photographic footage from the destroyed barracks appeared to show a point of impact on the interior of the western wall and two possible points of penetration through the roof. While the precise type of weapon and its point of origin could not be determined, the pattern of structural damage appeared consistent with a projected ordnance having travelled with an east-to-west trajectory.

85. OHCHR recalls that under international law, a Detaining Power has a fundamental obligation to ensure humane treatment of POWs. Any act or omission by the Detaining Power causing death or seriously endangering a POW in its custody is prohibited and a serious breach of the Geneva Convention. Russian armed forces began holding Ukrainian POWs at the colony in March 2022 which, at that time, was located 4.6 kilometres from the frontline. While the frontline shifted slightly over the next few months, it remained relatively close to the colony. On 28 July 2022, the colony held thousands of Ukrainian POWs and conflict-related detainees, and the distance to the frontline was approximately 14 kilometres. The close proximity of the colony to the frontline exposed POWs to dangers of the hostilities, contrary to the primary IHL provision on security of POWs.

86. Under IHL, in the event of any death or serious injury of a POW in their captivity, a Detaining Power has an obligation to carry out an immediate official investigation, which is effective, thorough and transparent. Should the inquiry indicate individual criminal responsibility for the death or injury of a POW, the Detaining Power must take all measures to ensure those persons are prosecuted.

87. The Office has not received information that the Russian Federation has carried out these obligations of investigation and prosecution.

88. In particular, the scene of the explosions was not preserved in order to allow for a full and proper inspection and investigation by experts. Instead, the scene was

contaminated and the physical evidence disturbed. Starting at 9:00 a.m. on 29 July, POWs were ordered to remove debris and dead bodies from the barracks and to clear pieces of corrugated tin sheets which had been blown from the roof. Further, at 11:00 a.m., members of the self-proclaimed ‘Donetsk people’s republic’ walked Russian journalists around the inside of the barracks to film. The journalists were shown fragments of purported HIMARS ammunition displayed on a bench outside the barracks. However, no such fragments were shown in situ.

89. The Russian Investigative Committee arrived at around 11:00 a.m. and at 12:17 p.m. announced it had opened a criminal case against Ukraine for carrying out the strike, allegedly with purported HIMARS rockets. This announcement was made before any expert analyses or autopsies could be performed or witnesses interviewed. Since 8 August 2022, no information has been published on the investigation by the Committee or other investigatory body of the Russian Federation.

90. On 3 August 2022, upon request of both Ukraine and the Russian Federation, the United Nations Secretary-General established a Fact-Finding Mission (FFM) tasked with ascertaining the facts of the incident. On 5 January 2023, the Spokesperson of the Secretary-General announced the decision to disband the FFM, noting the absence of conditions required for the deployment of the Mission to the site. The Russian Federation provided neither satisfactory assurances about secure access for the United Nations to visit the particular site, nor granted general requests by the UN Human Rights Office to access occupied areas of Ukraine.”

783. In respect of arbitrary detention, the report read as follows:

“63. OHCHR documented that Russian armed forces arbitrarily detained 43 civilians (35 men and 8 women) in occupied territory during the reporting period. OHCHR documented 375 additional cases (328 men, 44 women, 2 boys and 1 girl) of arbitrary detention by Russian armed forces which occurred before the reporting period.

64. Many civilians have been subjected to arbitrary detention for over one year, during which time their families have suffered from a lack of information about the whereabouts and fate of their loved ones. Many of these cases may amount to incommunicado detention or enforced disappearances. For example, in February 2023, almost a year after her son was arrested by Russian armed forces, the mother of Mykyta Shkriabin, a 19-year-old student from Kharkiv region, received a letter from the Russian Ministry of Defence confirming that he was detained for ‘resisting the special military operation’. The letter did not specify his whereabouts or the formal charges against him. As of 31 July, she had not received any additional information about him or the conditions for his release. OHCHR also documented five additional cases of civilian men who were forcibly disappeared by Russian forces in Kyiv, Chernihiv and Sumy regions in March 2022, and who have been held in the Russian Federation for more than a year. Relatives told OHCHR that the Russian Federation authorities did not acknowledge their detention. Their only source of information were former detainees who contacted them after their release.

65. The Security Service of the Russian Federation (FSB) arbitrarily detained 18 civilian men and 3 civilian women in Crimea during the reporting period. A number of these cases may amount to incommunicado detention or enforced disappearances. Moreover, three detained civilian men were forcibly transferred from Russian-occupied territory of Donetsk, Luhansk, Kherson and Zaporizhzhia regions to Crimea, across the Administrative Boundary Line (ABL) between Crimea and mainland Ukraine. OHCHR also documented 37 additional cases of arbitrary detention, incommunicado detention or enforced disappearance (all men) which occurred before the reporting period.

66. In one case, FSB officers apprehended a journalist who had reported on pro-Ukrainian demonstrations in Kherson on 7 March 2022. He was first detained in unofficial places of detention in Kherson. Nine days later, the FSB unlawfully transferred him to Crimea, where he was held in a pre-trial detention facility (SIZO) in Simferopol. FSB officers tortured him to force him to record a statement to the effect that the Ukrainian Security Service had financed pro-Ukrainian demonstrations in Kherson. During the period of detention, the man was held without charges and denied the right to challenge the lawfulness of the detention. His relatives tried to establish his fate and whereabouts, but the occupying authorities provided no information in response to their requests and concealed his location by categorically denying his presence in all places of detention visited by his relatives even though he had been present in one such location. He was eventually released after 11 months of unofficial and arbitrary detention.

...

69. In total, since February 2022, OHCHR documented that Russian security forces arbitrarily detained 996 civilians (872 men, 115 women, 8 boys and 1 girl). Many of these cases may amount to enforced disappearance. Of the total, 448 victims (365 men, 75 women and 8 boys) were released after various periods of detention usually lasting for several days or weeks. Eighty of the victims (74 men, 5 women and 1 girl) were found dead with signs of violence on their bodies or died in detention. Four hundred and sixty-eight victims (433 men and 35 women) remain disappeared or arbitrarily detained, usually in formal places of detention in the occupied territory of Ukraine and in the Russian Federation.”

784. In respect of forced conscription, the report noted:

“98. OHCHR documented the intimidation by the occupying Power of men and their relatives residing in occupied parts of Donetsk and Luhansk regions to pressure the men to serve in the Russian armed forces, which is a violation of IHL. In one case, men in civilian and military clothing claiming to be from the Military Prosecutor’s Office and the Military Administration (*komendatura*) came to a woman’s home four times starting in June 2023. They interrogated her and her child without her permission, and threatened her husband with jail or death if she did not give his location. They also attempted to force her and the child into a vehicle to take them to his location. Following the Russian Federation’s unlawful annexation of the occupied parts of Donetsk and Luhansk regions on 30 September 2022, Russian armed forces began using coercive tactics to compel men residing in former self-proclaimed ‘republics’ to enlist in the Russian armed forces, especially those who had been forcibly conscripted to the armed groups after the announcement of a ‘mass mobilisation’ in February 2022. These tactics included preventing conscripts on the frontline from rotating unless they signed a contract with the Russian armed forces, not allowing men who had reached retirement age or would be normally exempt from service to leave the armed forces, and threatening women relatives of men who had deserted the armed forces to reveal their whereabouts.”

785. In respect of conflict-related sexual violence, the report noted:

“58. In one case, two armed men repeatedly asked a woman POW who had been captured by Russian armed forces in May 2022 to sexually “serve” the soldiers in the facility where she was detained in Lyman, Donetsk region. On a later occasion, another member of the Russian armed forces intervened to protect her from being beaten by his colleague, and then asked her for sexual acts in return. On both occasions, she dissuaded them by stating she had tuberculosis and was menstruating. After one week, she was

forcibly transferred to Valuyki penal colony No. 9 in the Russian Federation where, along with other ill-treatment, staff forced her to do sit-ups while naked with men present, and only allowed her to use the toilet while observed by a man guard.

59. OHCHR also documented sexual violence against four civilian women and one girl in residential areas where Russian armed forces were stationed. In July 2022, members of Russian armed forces abducted a woman from her home in occupied areas of Donetsk region and raped her at gunpoint. One of the men told her he would kidnap her to become his ‘third wife’.

60. In total, since 24 February 2022, OHCHR documented that members of Russian armed forces, law enforcement officials or penitentiary staff in occupied territory or in the Russian Federation perpetrated 149 cases of conflict-related sexual violence (94 men, 51 women, 4 girls).”

786. The situation regarding freedom of religion and belief was illustrated by the following example:

“117. In occupied territory, OHCHR documented that Russian armed forces disappeared two clergymen belonging to the UOC. They detained one victim, a pro-Ukrainian priest, from August 2022 to May 2023 in three different facilities in Kherson region. In one of them, he was tortured and ill-treated. Russian armed forces detained the second victim, UOC archpriest Kostiantyn Maksimov, when he attempted to cross the ABL with Crimea in May 2023. As of 31 July 2023, his fate and whereabouts remained unknown despite multiple requests from his relatives to the occupying authorities and official institutions of the Russian Federation, raising serious concerns with respect to enforced disappearance.”

(m) “Human rights situation during the Russian occupation of territory of Ukraine and its aftermath between 24 February 2022 to 31 December 2023”, report of 19 March 2024

787. The general climate of violence and repression in Russian-occupied territories was described as follows in this report:

“36. Civilians interviewed by OHCHR provided detailed accounts of the Russian armed forces’ use of violence and repression during the initial stages of the occupation. This included killings, torture and ill-treatment, sexual violence, enforced disappearances, arbitrary detention, random violence, and intimidation, targeting a wide circle of civilians perceived to be assisting Ukrainian forces or opposing the occupation.”

788. The report proceeded to describe cases of detention and violence targeting civilians opposing or perceived as opposing the occupation:

“37. Russian armed forces conducted widespread arbitrary detentions, including enforced disappearances, in the initial months of occupation from February to May 2022, with 634 cases recorded by OHCHR. While under IHL an occupying Power may deprive civilians of liberty on security grounds, security detention is the most severe measure of control that an occupying Power may resort to in relation to protected persons. It is permissible only when necessary for ‘imperative reasons of security’ and must respect procedural safeguards. The absence of these safeguards led to arbitrary detention, often coupled with violence. Moreover, civilians who posed no apparent security threat to the occupying Power were among those detained.”

789. The following examples of pillage and requisitions of property were provided:

“61. Russian armed forces conducted frequent searches of persons and property beyond checkpoints. They launched unannounced searches on the street, at workplaces, and in homes, resulting in a pervasive sense of insecurity and raising questions as to the compatibility of these measures with the right to be protected against arbitrary or unlawful interference with privacy, family, home or correspondence.

69. Interlocutors consistently reported having experienced or witnessed widespread pillage of private property by members of Russian armed forces at the outset of occupation. A wide range of items were pillaged, including electronics, kitchen appliances, boilers, air conditioners, televisions, jewellery and alcohol. One interviewee described how Russian soldiers ‘simply took whatever they liked’. Another told OHCHR that from the first days of the occupation, they went from house to house, conducting searches and taking any cash found.

70. In several villages and towns of Kherson and Zaporizhzhia regions, members of Russian armed forces asked residents to identify uninhabited houses, looting them first. One couple told OHCHR that if people refused to provide information about uninhabited houses, they were verbally intimidated or beaten. Russian soldiers also pillaged inhabited houses, arriving when the owners were not home and continuing to remove belongings and load them onto trucks even if the owners returned. The risk of losing any unattended property often influenced residents’ decisions to stay in occupied territory.

71. Russian soldiers pillaged property openly, without any apparent fear of disciplinary measures. In Kharkiv region, a woman watched as Russian soldiers pillaged blankets, alcohol, phones, notebooks, shavers, perfumes, watches, drinks and other belongings during a search of her home. In Zaporizhzhia region, Russian soldiers arrested a man and took all his belongings in public, even removing the boots from his feet.

72. Members of Russian armed forces seized vehicles from homes, private businesses, government facilities and churches, as well as at checkpoints, for both military and personal use. Those confiscating or requisitioning property generally failed to respect procedures prescribed by IHL. In Kherson city, the FSB raided the Toyota dealership and used the vehicles when intimidating and detaining residents. An interlocutor described how, as a result, his family members felt nervous whenever they saw specific Toyota vehicles drive by. An interlocutor from Melitopol (Zaporizhzhia region) witnessed Russian soldiers block a civilian driving in the city centre, order him out of his vehicle, push him to the ground, and drive off in his vehicle.

73. Russian soldiers also took equipment from educational and medical facilities. In Kharkiv region, computers, multimedia equipment, kitchen appliances and furniture were pillaged from schools in three different areas where Ukraine regained control in September 2022. They also looted and destroyed many pharmacies in Kharkiv and Kherson regions, reducing residents’ access to essential medications. In one village of Kharkiv region, residents had to drive to a neighbouring town for medical support after the local ambulatory was damaged and its equipment looted in March 2022.

...

161. Moreover, the pillage of property by members of Russian armed forces upon their retreat left communities without access to essential equipment. For example, on the night before Russian armed forces left Bilozerka village (Kherson region), they took

the residents' private generators. ... Since the village lacked electricity, the loss of generators left residents in darkness, and without the ability to pump water from their wells. Interlocutors reported that office equipment and furniture were pillaged from public buildings, which later complicated efforts to re-establish public order and services."

790. According to the report, actions by Russian armed forces in the first months of occupation had the cumulative impact of creating a climate of fear: many residents feared detention and torture, including sexual violence; they feared sexual violence in residential areas. The majority of victims of the Russian forces were active or former public officials of local authorities, human rights defenders, civil society activists, journalists and media workers.

791. The report described the following changes in the administration of schools:

"92. Russian occupying authorities began approaching teachers and school administrators for their cooperation as early as April 2022. However, as the 2021-2022 school year was almost over, teachers were initially allowed to continue teaching the Ukrainian curriculum, often via online classes due to the security situation. By September 2022, Russian armed forces and occupying authorities had instructed teachers and school administrators to switch to the Russian curriculum, to conduct classes in the Russian language, and to submit formal documents transferring educational facilities and employment contracts to the Russian education system.

93. Russian occupying authorities approached teachers and school administrators to persuade them to cooperate, using enticements such as high salaries, promotions, and new school equipment, or appealing to their sense of duty to the children. Those who refused were taken for 'talks', had their homes and cell phones searched;

94. OHCHR documented 13 cases in which school administrators and teachers (concerning 11 women and 2 men) who refused to teach the Russian curriculum were arbitrarily detained, tortured, ill-treated, and/or threatened with violence."

792. The report proceeded to comment on the Russian forces' efforts to erase Ukrainian culture and identity:

"130. In June 2022, the Russian Minister of Education announced that at the start of the 2022-2023 academic year, all schools in occupied territory of Ukraine would work according to Russian standards. Ukrainian teachers were pressured into implementing the Russian curriculum and holding classes in Russian language, sometimes with physical violence, or were terminated from their positions (see paras. 92-94 above). By September 2022, Russian occupying authorities had replaced the Ukrainian curriculum with the Russian curriculum in many schools, contrary to the occupying Power's obligation not to interfere with the institutions in place in occupied territory. One year later, in August 2023, the Russian Minister of Education stated that 'in the new regions of Russia, we are conducting systematic work, we are trying to integrate them as quickly as possible into a unified educational space'. He emphasized the 'real war over history' and reported that a new program had been established to teach history. ...

131. The imposed curriculum, approved by the Russian Ministry of Education, did not represent Ukraine as an independent and unique country. OHCHR analyzed a history textbook distributed to 16 and 17-year-old children in the occupied territory; it stated that 'a junta came to power' in Ukraine in 2014 after 'a bloody armed rebellion', and that the goal of the 'special military operation' was the 'protection of the region of

Donbass’. The textbook also referred to present-day Ukraine as an ‘ultra-nationalist State’, and declared that ‘[i]n liberating the cities, our [Russian] soldiers are finding evidence of mass crimes by Ukrainian nationalists who abuse civilians and torture prisoners of war’.

...

133. To force a complete transition to the Russian curriculum, occupying authorities sought to remove the possibility for children to follow studies according to the Ukrainian curriculum, both by seizing Ukrainian education material (see para. 140 below) and threatening teachers and parents. Teachers who no longer worked in school but taught online classes following the Ukrainian curriculum were sought out and threatened. Russian armed forces arbitrarily detained a teacher in Zaporizhzhia region teaching the Ukrainian curriculum online. They held her for two days, interrogated her about the reasons for her refusal to teach the Russian curriculum, and threatened to shock her with electric current, to throw her in a cold cell with no water or food, and to harm her elderly father. They forced her to sign a paper stating she would not teach Ukrainian classes online. Before releasing her, the soldiers warned that they were monitoring her electronic devices and should she attempt to teach the Ukrainian curriculum online again, she would be ‘brought to the basement and will not come out’. OHCHR also received information about other teachers in Zaporizhzhia region being threatened with expulsion and other reprisals for teaching Ukrainian classes online.

...

140. Russian occupying authorities have also targeted Ukrainian textbooks and literature for removal or seizure. In Kharkiv region, orders to seize and put into storage Ukrainian literature, textbooks, teaching aids, ‘propaganda materials’ (such as posters, stands, etc.), signs, and school documentation were carried out in August 2022. In Luhansk region, occupying authorities instructed the removal from educational facilities of items considered to be ‘extremist’ or ‘portraying the ideology of Ukrainian nationalism’, including comic books, literature about events since 2014, teaching guides, literature about the Holodomor, and ‘propaganda of European gender values’. Occupying authorities in Melitopol announced they had removed ‘pseudo-historical books promoting the idea of nationalism’ from the central library, replacing them with books ‘that tell the true story’.”

(n) “Two-Year Update – Protection of civilians: impact of hostilities on civilians since 24 February 2022”, report of 22 February 2024

793. The report provided the following figures of civilian casualties as of 15 February 2024:

“Since 24 February 2022, conflict-related violence in Ukraine has killed at least 10,582 civilians and injured 19,875 (30,457 total civilian casualties).”

(o) “Treatment of prisoners of war and update on the human rights situation in Ukraine between 1 June 2024 and 31 August 2024”, report of 1 October 2024

794. While mainly focusing on events that took place between 1 June 2024 and 31 August 2024, the report also described a number of cases documented during the reporting period but which had occurred earlier:

“96. Many of the recently documented cases occurred in 2022 and 2023 and confirmed previously-documented patterns. For example, two women civilian detainees

released in May 2024 described multiple due process violations after Russian authorities apprehended them in June and December 2022, with guards in a detention facility subjecting them to punches and beatings with batons and tasers respectively as punishment for alleged disciplinary violations, and not receiving adequate medical assistance during their detention. In another case, the occupying authorities in Kherson repeatedly subjected a detained man to beatings, suffocation, waterboarding, electric shocks, including to genitals, and threats of castration after his apprehension in September 2022. They also raped the man anally with a metal object and simultaneously administered electric shocks to his anus and genitals.

...

98. During the reporting period, OHCHR verified the summary execution of three male civilians in two incidents that occurred in March 2022 in Chernihiv region. These cases are also consistent with previously documented patterns. In one case, Russian armed forces detained three brothers and subjected them to torture for several days before they shot them in the head and threw them into a pit which was buried. One of them survived and managed to extract himself from the pit after it was covered.

...

100. During the reporting period, OHCHR verified the execution of 14 Ukrainian servicemen hors de combat in seven incidents that took place during previous reporting periods. In one case, Russian armed forces captured a group of Ukrainian servicemen near the village of Zaitseve, Donetsk region, in August 2022. During evacuation, a Russian serviceman executed one of the captured servicemen, who appeared simply not to have been moving fast enough.”

(p) “The impact of the armed conflict and occupation on children’s rights in Ukraine (24 February 2022 – 31 December 2024)”, report of 21 March 2025

795. This report describes widespread violations of children’s rights in the context of the prolonged hostilities and occupation following the full-scale invasion of Ukraine by the Russian Federation in the reference period. In the four regions of Ukraine that were illegally annexed by the Russian Federation in 2022, children had been particularly affected by violations of international human rights law (IHRL) and international humanitarian law (IHL), including summary executions, arbitrary detention, conflict-related sexual violence, torture and ill-treatment. Some children were deported from or forcibly transferred within occupied territory, particularly in the months following the full-scale invasion. Without access to the Russian Federation or the occupied territory of Ukraine, OHCHR had not been able to fully assess the scale of these transfers and deportations; however, it had been able to verify that at least 200 children have been affected by these measures. The report also found as follows:

“45. The large-scale displacement of children due to intense hostilities affected children’s rights to an adequate standard of living (including food and housing), to health, and to respect for their home, privacy and family life. During the initial months of hostilities, civilians fearing for their lives fled to places of greater safety, especially to protect their children. The displacement of families became prolonged and entrenched, as heavy weapons continued to strike population centres throughout 2023 and 2024. As of December 2024, over 3.6 million people had been displaced inside

Ukraine, including an estimated 737,000 children (50 per cent girls and 50 per cent boys).

...

71. As Russian armed forces rapidly seized Ukrainian territory in early 2022, they routinely used violence and other acts of repression against the civilian population under their control, including summary executions, attacks, and arbitrary detention accompanied by torture and other forms of ill-treatment. OHCHR documented that at least 76 children were killed and 50 injured, mainly during close encounters with Russian armed forces. The majority of these child casualties – 65 killed and 43 injured – occurred during the first weeks of the full-scale invasion, including when soldiers opened fire on civilian vehicles of families trying to flee to safer locations, in potential violation of fundamental IHL principles of distinction and precaution. In addition, five boys and two girls were summarily executed in 2022 and 2023. The wilful killing of civilians is a war crime and a grave breach of the Geneva Conventions.

72. OHCHR also documented 12 cases of conflict-related sexual violence by Russian armed forces against 12 children (10 girls and 2 boys) aged between 3 and 17 years old. In all but one case, this sexual violence occurred in residential areas, including in the victims' homes. In March 2022 in Kherson region, a Russian soldier entered a house where a seven-month pregnant 16-year-old girl and her relatives were hiding from shelling. The soldier raped the girl after threatening to gang rape and execute her. In another case in March 2022, a 3-year-old boy was present while a Russian soldier attempted to rape his mother in Chernihiv region. The children who endured or were exposed to sexual violence suffered trauma and described psychological consequences, such as impaired memory, fear of all men in uniform, learning difficulties, and nightmares.

73. OHCHR documented the arbitrary detention of 16 boys by Russian armed forces in 2022 and 2023, 10 of whom were tortured or otherwise ill-treated. For example, in May 2022 in occupied territory of Zaporizhzhia region, Russian soldiers searched the cell phone of a 14-year-old boy and, upon finding pro-Ukrainian content, detained him. The boy was held for five days, during which he was beaten with sticks and metal wire and subjected to electric shocks. His parents were denied access to their son during this time.

74. In the first year following the invasion, some children, especially those in institutional care or who had been separated from their parents or guardians during hostilities, were forcibly transferred within occupied territory or deported outside Ukraine, potentially in violation of strict IHL restrictions on the movement of children. OHCHR verified that around 200 children – almost all from institutions – were transferred individually or in groups within occupied territory or to the Russian Federation, mainly in 2022. For example, in late 2022, the occupying authorities moved children from at least two institutions in Kherson region, mostly within occupied territory, but with a few children deported to the Russian Federation. Many of the children had disabilities or were under the age of three.

75. Without access to the Russian Federation or occupied territory of Ukraine, OHCHR has not been able to fully assess the scale of these transfers; thus, the total number of children who may have been deported or forcibly transferred, and have been unable to return, is unknown.

76. The tracing and return of these children have been slow. The Ukrainian authorities have faced challenges in updating data about these children. The Russian Federation has not upheld its obligation to provide detailed information to the Central Tracing

Agency about children whom it moved. This has thwarted efforts to trace children forcibly transferred or deported and to reunify them with their families.

77. Parents and relatives who tried to bring their children home had to travel long distances at considerable expense and faced risks of interrogation or detention at checkpoints. One mother described to OHCHR how the Federal Security Service of the Russian Federation detained her for approximately 32 hours in a basement, blindfolded and interrogated her, and subjected her to a polygraph test. Some older children travelled to territory controlled by Ukraine on their own or with help from volunteers. One 16-year-old boy who returned to Ukraine described the treatment he endured in the Russian Federation. He received military training, including shooting practice, at school. Russian students verbally abused Ukrainian students, using derogatory terms such as ‘khokhly’, ‘nazis’, and ‘banderovtsy’. The boy made three unsuccessful attempts to cross the border to Ukraine. On his fourth attempt, Russian armed forces beat him after searching the messages on his mobile phone, but allowed him to leave. He reunited with his family.

78. According to the Ombudsperson of Ukraine, 1,183 children have been returned from occupied territory and the Russian Federation. OHCHR is unable independently to verify these numbers.

79. Following the illegal annexation of four regions of Ukraine in 2022,⁹¹ the Russian Federation imposed its legal and administrative systems, disregarding its obligations under IHL to maintain, as far as possible, the existing systems of the occupied territory. This has affected children at every level, from birth registration through education and social and cultural development, to eligibility for military conscription.

80. The Russian Federation has required medical staff in occupied territory of Ukraine to issue Russian official birth notifications and prohibited them from transmitting data on newborns to the National Health Service of Ukraine. While at first, some parents were able to obtain Ukrainian birth certificates, eventually the civil registries began issuing exclusively birth certificates of the Russian Federation, which used Russian spelling of names and places and identified the Russian Federation as the country of birth instead of Ukraine. Mandatory issuance of Russian birth certificates contradicts the temporary nature of occupation, the responsibilities of an occupying Power regarding the identification of children, and the inviolability of rights and status of protected persons. It further violates IHRL provisions aimed at preserving a child’s identity.

81. Access to basic rights, including health care, education, and social security benefits, was made contingent on Russian citizenship, amounting to discrimination on the grounds of nationality. Parents faced significant pressure to also change their status, since without Russian citizenship they could not adequately care for their children. In one case, a woman with three children told OHCHR that her entire family had to apply for Russian citizenship and passports so that she could continue working, enrol her children in school, and receive social benefits. This effective imposition of nationality also violated children’s right to privacy. Furthermore, the imposition of Russian nationality is tantamount to forcing inhabitants of the occupied territory to swear allegiance to the occupying Power, which is prohibited under international humanitarian law.

82. According to laws adopted by the Russian Federation on 4 October 2022, Ukrainian citizens and stateless persons in occupied territory, including children, were ‘recognized’ as citizens of the Russian Federation provided that they swear an oath. In disregard of IHL, taking the oath effectively required children aged 14 and above to swear allegiance to the occupying Power. Public ceremonies were sometimes organized

to showcase the presentation of Russian passports to children. For example, ceremonies were held to present Russian passports to 14-year-old boys who lacked parental care in the occupied parts of Kherson, Luhansk, and Zaporizhzhia regions, as well as in Sevastopol.

83. IHL requires that the status of children in occupied territory be preserved. However, the President of the Russian Federation issued decrees that facilitated and expedited the issuance of Russian citizenship to children lacking parental care, enabling guardians, caretakers, and heads of institutions (such as orphanages and care facilities) to apply for Russian citizenship on behalf of children in their care, regardless of whether the child had a parent. For children separated from their families, changes to their names and nationality has hindered tracing and reunification, which contributed to prolonged separation.

84. Under Russian legislation, only children who are Russian nationals can be placed in Russian families for custody and guardianship, foster care, or adoption. In December 2022, Russian authorities reported that 380 children from Donetsk and Luhansk regions lived with foster families in the Russian Federation. The current number is likely higher since children from occupied territory have continued to be placed in foster care in the Russian Federation.

85. Russian officials have stated that no children from occupied territory have been adopted. Conversely, the Ombudsperson for Children’s Rights in Luhansk has stated that families from the Russian Federation had adopted 29 children from Luhansk region in 2023. OHCHR has confirmed that Ukrainian children were listed on Russian adoption websites, and OHCHR documented one case in which a family from the Russian Federation adopted a Ukrainian child from Kherson region.

86. From the 2022-2023 academic year, the Russian Federation imposed its state curriculum across schools in occupied territory in place of the Ukrainian curriculum, contrary to the occupying Power’s obligation to facilitate the work of all educational institutions for children, without interfering with their usual activities. The stated goal was to completely integrate occupied territory into the Russian educational and cultural spheres. In February 2023, the Russian Federation adopted a law governing the education system’s transition: temporary accreditation was granted to educational institutions in occupied territory, and deadlines established for them to change their names and charters and to comply fully with Russian national legislation. It further stipulated that ‘foreign’ educational institutions – including Ukrainian institutions – had to close by 1 June 2023.

87. The Russian Federation educational curriculum introduced history textbooks in which Ukraine was not represented as an independent country. New mandatory lessons entitled ‘Conversations about Important Things’ began in the third quarter of 2022, which covered topics selected by the Ministry of Education to ‘[form] spiritual and moral values in accordance with the [Russian] National Security Strategy.’ One lesson plan for 8th and 9th grade students (ages 13-15) focused on “the objectives of the ‘special military operation’ and instructed that residents of occupied territory were Russian people, making their return to Russia important; and that Russian soldiers were heroes.”

88. These changes to the school system effectively exposed Ukrainian children to propaganda for war, and deprived them of an education respectful of their individual cultural identity, language and values, and the national values of their country, in violation of IHRL.

...

98. Russian authorities amended educational and cultural policies to promote military training and future military service for children, including Ukrainian children in occupied territory. Children in occupied territory underwent military education and training at school and in organized patriotic youth groups and were exposed to military propaganda urging enlistment in the armed forces of the occupying Power. These programs and practices violated fundamental provisions of IHL, including prohibitions on compelling protected persons to swear allegiance to an occupying Power, using pressure or propaganda to secure voluntary enlistment in the occupying Power's armed forces, and enlisting children in formations or organizations subordinate to the occupying Power, including those with political aims.

99. The militarization of education further exposed children to propaganda for war and violated the right to an education that prepares children for 'responsible life in a free society, in the spirit of understanding, peace, [and] tolerance...'. This militarized education prepared children for service in armed forces engaged in hostilities against their country of origin, which risks perpetuating conflict.

...

106. Ukrainian boys who turned 18 in occupied territory were subjected to conscription into the Russian armed forces for a period of 12 months, on the basis of their imposed Russian citizenship. In November 2024, the first groups of conscripts from occupied territory reportedly travelled to the Russian Federation to serve in the Russian armed forces. Compelling persons from occupied territory to serve in the Russian armed forces constitutes a grave breach of the Geneva Conventions.

107. Before children turned 18, teachers encouraged students to sign military contracts or to enrol in cadet academies. Vulnerable children, such as those from single-parent households, were often targeted. For example, a woman whose son lived with his grandparents in occupied Mariupol told OHCHR that teachers and school administrators began pressuring the grandparents to enrol their grandson in the new Naval Military School after they discovered the boy was in their care. Teachers in Starobilsk schools encouraged children to sign contracts with the Russian army, saying it was a good financial opportunity for those reaching conscription age."

C. OSCE

1. Reports of the OSCE Special Monitoring Mission to Ukraine ("SMM") and the OSCE Observer Mission to the two Russian checkpoints of Gukovo and Donetsk ("the Observer Mission" or "BM")

796. Information about the OSCE SMM's deployment, mandate and tasks, as well as its suspension on 7 March 2022, has been summarised in Annex A (A 133). Information about the OSCE BM's deployment, tasks and scope, as well as its discontinuation on 30 September 2021, has also been summarised in Annex A (A 134-136).

797. The sections below further complement the information included in Annex A (A 137-1135) and are not meant to be exhaustive. The OSCE missions regularly published reports on their observations. These reports constitute contemporaneous accounts of events as they unfolded in eastern Ukraine. The following sections include summaries or excerpts of reports

relevant to the allegations concerning unlawful military attacks, the changes in the school curriculum and the abduction of Ukrainian children, and are structured accordingly. The entirety of the reports can be found on the websites of the OSCE.

(a) Reports concerning military attacks

(i) 2014

798. The relevant part of the SMM update for 11 June 2014 read as follows:

“In Donetsk the SMM met the new Sloviansk ‘mayor’ Vladimir Pavlenko ... While armed clashes had continued in Sloviansk with Ukrainian government forces, he said there had been no use of artillery and mortars on 10-11 June.”

799. The relevant part of the SMM update for 16 June 2014 read:

“On 15 June a Maidan activist, who had been held by the ‘South Eastern Army’ in the Ukrainian Security Service (SBU) building in Luhansk, died in hospital shortly after being released. His death was reported in the media and later confirmed by different sources to the SMM.”

800. The relevant part of the SMM update for 30 June 2014 read:

“The situation in parts of the Luhansk and Donetsk regions was tense and unchanged compared to the previous reporting period.

In Luhansk in the night from 29 to 30 June, the SMM heard, from an unidentified direction, five explosions.

On June 30 at around 13.00, 15.20 and 18.30, artillery and mortar fire was heard by the SMM, all coming from the northern part of Luhansk city.”

801. The relevant parts of the SMM update for 8 July 2014 read:

“On 8 July, the SMM in Luhansk was asked to visit a Ukrainian border guard camp adjacent to the village of Yuganivka, 45 km north-east of Luhansk city, and just 200 m from the border with the Russian Federation. The SMM talked to the border guards and local villagers, and was shown the impacts of mortar shells and unexploded rounds.

The SMM spoke to two local villagers, who confirmed that there had been shelling the previous night, but that the origin of the shelling was unknown. In the camp the SMM monitoring teams were shown a jeep and a bus that had been hit by shrapnel. ...

The SMM in Luhansk concluded that while there was sufficient evidence to suggest a mortar attack had taken place[.]”

802. The relevant parts of the SMM update for 13 July 2014 read:

“On 12 July, the SMM went to Kramatorsk ... With the exception of the very centre, where houses had been highly damaged by shelling, the SMM saw little sign of fighting or shelling.

...

The situation in Donetsk city remained tense. According to media, in the south-west suburbs (Marinka) there was fighting, involving heavy artillery.”

803. The relevant part of the SMM update for 7 August 2014 read:

“On 6 August the SMM visited a Ukrainian Border Guard encampment located less than one km from the Russian border, in the vicinity of Krasnyi Derkul village (54km north-east of Luhansk), which reportedly came under artillery fire in the night between 5 and 6 August, and early in the same morning on 6 August. The SMM saw smouldering forest and shrapnel fragments around the area, where the Border Guard unit had built underground shelters, and four shell craters in an open field on the edge of the camp. The SMM monitors with a military background assessed - based on the trajectories - that 122mm and 152mm cannons had been used.”

804. The SMM spot report for 6 September 2014 “The Situation in Luhansk, Mariupol and Donetsk” read, in so far as relevant:

“In the village of Lebedynske (20 km to the east of Mariupol) the SMM spoke with a man whose house had been destroyed. He said that on 5 September, early in the morning, at around 06:00hrs, Ukrainian forces brought a Grad system to the outskirts of the village, fired it to the east, and immediately left the area. Thirty minutes later retaliatory strikes arrived from the east, killing two children and an elderly woman. An elderly man was seriously injured and taken to a hospital in Mariupol. The SMM could not independently verify this report.”

805. The relevant part of the SMM update for 10 September 2014 read:

“In Dzerzhynsk (55km north of Donetsk) daily life seemed to continue normally. The head of the local police informed the SMM that the situation in the town remained peaceful, but claimed that Ukrainian checkpoints were shelled on a daily basis from Horlivka by the ‘DPR’. During the meeting, the SMM heard 2 instances of shelling consistent with mortar use. The secretary of the town hall said that all schools were operating, including two schools damaged in July.

The SMM visited five checkpoints on the outskirts of Mariupol. At two of them, in the village of Stary Krym (4km north-west of the city) and on the road N20 (north of the city), Ukrainian soldiers corroborated information, passed earlier to the SMM by local residents, that on 10 September three explosions were heard.”

806. The relevant parts of the SMM update for 11 September 2014 read:

“In Stanitsa Luhanska, at the last Ukrainian CP, the Ukrainian commander informed the SMM that there had been no shelling but that he had heard shooting from the south-western part of ‘LPR’-controlled territory. The SMM then continued to the ‘LPR’ CP behind the Siverskyi Donetsk River. The ‘LPR’ CP commander likewise reported no problems during the last 24 hours, and attributed the shooting in the distance to target practice by the ‘LPR’.

...

In Avdeevka (15km north of Donetsk) the situation appeared relatively calm ... The SMM spoke with the commander of a Ukrainian CP located at the south exit of Avdeevka, who stated that for the past days the situation was calm and quiet, though shelling and explosions could be heard farther southwest. The SMM could hear artillery coming from a southwest direction for approximately 30 minutes at the CP at the eastern exit of Avdeevka ...

...

In Karlivka (30km northwest of Donetsk), the SMM observed that schools were operational and the situation appeared to be calm. At a Ukrainian military CP the SMM

was informed that there had been shelling in the night of 10 to 11 September on the neighbouring villages. Leaving the village, the SMM spoke to the military personnel from the Ukrainian Army on the H15 road CP, who said that the CP was attacked during the night of 10 to 11 September with two mortars located approximately 500 meters north of their location; the shelling lasted for 40 minutes, according to the interlocutor.

At the Ukrainian CP on the road from Debaltsevo towards the Russian Federation the commander stated that on 11 September around 08:00hrs, two Ukrainian soldiers in armoured personnel carrier (APC) were shot from the direction of Vulegirska supposedly controlled by irregular armed forces. The injured were sent to the hospital in Artemivsk (80km north of Donetsk). The SMM visited the hospital in Artemivsk and learnt that one soldier died of injuries and the other one survived.

...

The SMM visited several CPs around Mariupol city (15km northeast of the city centre) and was told by local residents living in the respective area that they had heard gun fire during the night 10 to 11 September coming from the southeast direction.”

807. The relevant part of the SMM update for 19 September 2014 read:

“At 19:00hrs, the head of the village council of Pavlopol (25km northwest of Mariupol) claimed to the SMM by phone that there had been artillery shelling, involving URAGAN MLRS, between 16:00 and 18:00hrs. The shelling, he said, emanated from the area around Krasnoarmeyske (29km, northeast of Mariupol) – controlled by the ‘Donetsk People’s Republic’ (‘DPR’) – and targeted the Ukrainian-controlled village of Kelchik (22km north of Mariupol) and the H20 road (22km north of Mariupol). At 20:45hrs, the SMM heard shelling to the northeast of Mariupol. The village council head again called almost immediately, saying shelling had recommenced with the same fire-line as he had earlier indicated. The SMM noted that the shelling lasted for one hour, with approximately 45 rounds being fired.”

808. The relevant parts of the SMM update for 22 September 2014 read:

“The SMM – stationary in Stanitsa Luhanska (24km north-east of Luhansk city) – heard two incoming artillery rounds, seemingly emanating from territory controlled by the ‘LPR’. Ukrainian soldiers manning a nearby checkpoint told the SMM that the rounds had been fired from Metalist (9km north of Luhansk city).

...

A Ukrainian checkpoint commander – speaking to the SMM 8km north-east of Sartana (19km north-east of Mariupol) – claimed the checkpoint had been hit by three artillery rounds and a salvo of GRAD rockets on 21 September. The SMM observed three craters and a destroyed military vehicle at the scene.

The SMM – stationed approximately 5km east of Debaltsevo (72km north-east of Donetsk city) – heard a number of incoming 120mm artillery rounds, coming from a south-easterly direction. On reaching a nearby Ukrainian military checkpoint, the SMM were told by the checkpoint commander that the checkpoint had just been hit by artillery fire, resulting in three soldiers being injured. The commander also claimed that an eastern suburb of Debaltsevo had been subjected to a GRAD attack the previous day, resulting in the death of one woman and the wounding of a child. Municipal officials in Debaltsevo corroborated the information supplied by the commander. The SMM later visited the scene of the alleged attack, observing eight damaged apartment blocks, with smashed window panes.”

809. The relevant part of the SMM update for 23 September 2014 read:

“The SMM visited a temporary checkpoint of the Ukrainian army near Talakivka (20km north-west of Mariupol), which had been shelled on 22 September from the north-east direction, and observed twelve shell craters in the vicinity of the checkpoint; at least eight houses and two gas pipelines were seriously damaged. The SMM observed checkpoint personnel preparing to detonate an unexploded mortar shell lodged in the road about 30 meters away from the area. One local resident, who lived across the street from one of the damaged pipelines, confirmed the attack.”

810. The relevant part of the SMM update for 24 September 2014 read:

“Local residents of Zolote village, both men and women, informed the SMM that in the morning of 20 September shelling from the direction of Ukrainian positions killed a civilian adult woman, who was a local resident. The SMM was shown the place of the incident and saw a crater, with a diameter of one and a half meters, beside a small destroyed garden shed where the woman was allegedly killed. Three villagers said that following the shelling of the village from the direction of the Ukrainian positions, a house was entirely destroyed by shelling which came from the direction of the ‘LPR’ positions.”

811. The relevant parts of the SMM update for 29 September 2014 read:

“The SMM spoke with staff members of Shchastya (25km north of Luhansk) hospital following the shelling which took place in the area on 26 and 27 September 2014.

The interlocutors told the SMM that the hospital premises had not sustained severe damage after the aforementioned shelling. The SMM noticed craters and impacts of mortar shells around the hospitals’ facility. The SMM also noticed that mortar shrapnel had shattered the hospital’s windows and left superficial impacts on the external walls. Based on the observation of the impacts and shrapnel, the SMM assessed that the mortar shells were coming from the ‘Luhansk People’s Republic’ (‘LPR’)-controlled sectors.

...

On 28 September in Avdiivka (20km north of Donetsk), the SMM heard five volleys of mortar shelling coming from the ‘DPR’-controlled areas. The mortar shells landed approximately 500 meters east of the Ukrainian checkpoint deployed in Avdiivka.”

812. The relevant part of the SMM update for 12 October 2014 read:

“The SMM visited the village of Krasnogorovka (28km west of Donetsk), controlled by Ukrainian forces, to follow up on information received from the mayor’s office on 10 October, referring to alleged shelling of the village. The SMM inspected the site and found traces of 8 impacts consistent with incoming ‘Grad’ shelling. During its visit, the SMM noticed a group of men, women and children, around 15 in total, in the process of fetching water in a square who informed them that Krasnogorovka has no public water supply since July.”

813. The SMM spot report for 14 October 2014 “Civilians killed, injured in GRAD missile strike northeast of Mariupol” read, in so far as relevant:

“At 14:23hrs on 14 October, the SMM – in Mariupol (113km south of Donetsk city) – heard what it assessed to be heavy GRAD shelling to the northeast of the city. A Ukrainian military officer attached to the Joint Control and Co-ordination Centre in Mariupol and the Liaison Officer at the ‘Anti-Terrorist Operation’ based in Mariupol later informed the SMM that the shelling had been directed towards a Ukrainian military checkpoint 1km east of the village of Sartana (19km northeast of Mariupol). Another

source told the SMM that seven people had been killed and 10 to 15 injured in the shelling.

The SMM arrived in Sartana at 17:00hrs, and observed the remnants of a GRAD rocket lodged in the ground. Its positioning suggested it had been fired from the east. A man – who appeared to be a plain-clothes policeman – told the SMM that seven people had been killed and fifteen wounded in the village as a result of incoming shelling at approximately 14:20hrs. The SMM left the village after 15 minutes because of constant shelling exchanges, assessed by the SMM to have been taking place between Ukrainian soldiers at a checkpoint just to the east of the village and unknown, presumably irregular armed forces affiliated to the ‘Donetsk People’s Republic’, positioned somewhere further to the east.

The SMM went to a hospital in Mariupol at 17:30hrs, where a doctor on duty said 14 people – seven males and seven females aged between 33 and 65 – had been admitted. The 14, two of whom were seriously injured according to the doctor, had sustained injuries caused by shrapnel. At the hospital, an Orthodox priest, who claimed to have been at the scene immediately after the attack, told the SMM that he had seen several corpses.”

814. The relevant part of the SMM update for 19 October 2014 read:

“The SMM visited the town of Granitne (40 km north-east of Mariupol) which, according to Ukrainian forces and residents, had been shelled on 18 October. According to them between 12 and 30 shells struck the town resulting in severe damage to five houses where families continue to live. The SMM observed recent damage to some houses from heavy-caliber shelling, as well as numerous other destroyed and seriously damaged houses and buildings on top of the hill on the north-western edge of Granitne town, which also appeared to have been heavily shelled.”

815. The relevant part of the SMM update for 26 October 2014 read:

“On 25 October a Ukrainian military commander in Hranitne (90km south-east of Donetsk city) and several residents told the SMM that the town had been shelled six times the previous evening. The SMM observed damage consistent with shelling on the roof and windows of a local school in the centre of the town, which, according to the mayor during an earlier visit, was until recently used as a Ukrainian army barracks. The SMM also noted two recent impacts – caused by what appeared to have been mortar rounds – on the western outskirts of the town. The impacts suggested that the rounds had been fired from ‘DPR’ – controlled territory to the east of the town. Local people told the SMM that the electricity supply – only just recently restored – had been cut as a result of recent shelling.

In the neighbouring town of Andriivka (85km south-east of Donetsk city) – also under government control – the SMM at 13:42hrs heard more than 20 artillery shells being fired towards Hranitne and one towards Andriivka.”

816. The relevant parts of the SMM update for 28 October 2014 read:

“A Ukrainian military CP commander in Krimske (43km W of Luhansk) told the SMM that there had been heavy shelling close to the village earlier in the morning. The SMM observed several fresh mortar impact points.

...

The head of the local administration in Talakivka (20km NE of Mariupol) told the SMM that 12 houses had been damaged as a result of the previous day’s alleged

shelling. The SMM – because of security considerations– was unable to confirm the claim....”

817. The relevant part of the SMM update for 30 October 2014 read:

“On 30 October the SMM visited Stanitsa Luhanska (17km N of Luhansk), controlled by Ukrainian forces, where local residents and the head of the local administration informed the SMM that the town is subject to constant exchanges of fire between Ukrainian forces and irregular armed groups affiliated to the so-called ‘Luhansk People’s Republic’ (‘LPR’). The head of the local administration said that on 29 October the bus station in the town had been shelled at 11.00hrs and that a woman had been injured. According to the head of the local administration, ‘LPR’ forces, positioned on a hill on the southern riverbank, are shelling the town on a daily basis. According to a local resident, one Ukrainian tank and one armoured personnel carrier (APC) are located in the city, next to the area which had been shelled the previous day.”

818. The relevant part of the SMM update for 3 November 2014 read:

“The SMM visited the Ukrainian checkpoint at Maiorsk (50km SE of Kramatorsk), where the commander informed the SMM that there had been 82mm mortar and tank fire on 1 November at 02:00hrs from an unknown distance to the south of the CP. He stated that the shells exploded in the CP’s yard injuring two soldiers, one of whom died later in hospital. The SMM could not verify this. He also informed that an unspecified number of tanks shooting from approximately 8km distance to the south reportedly destroyed water infrastructure in Maiorsk town. Towards the end of the meeting the SMM heard several explosions, according to the CP commander 400-500 meters west of the CP, followed by small arms fire. The Ukrainian Army responded with small arms fire and grenade launcher.

... In Talakivka, the head of the council informed the SMM that the village had sustained damages to private residences and public infrastructure as a result of the recent shelling of the nearby Ukrainian Army position.”

819. The relevant parts of the SMM update for 4 November 2014 read:

“In Stepnoe, in the Ukrainian-controlled Marynski district (30km SW of Donetsk), the SMM heard heavy incoming artillery shelling from the east at an unspecified distance. The SMM spoke to locals who said that, according to them, shelling occurred near the village of Taramchuk (7km NE of the village of Stepnoe). According to the local inhabitants, Ukrainian military units from the National Guard are stationed in the vicinity of that village.

...

In the vicinity of Hranitne, controlled by Ukrainian forces (57km S of Donetsk), the SMM heard unspecified artillery shelling at 15:00hrs from an eastern direction ...”

820. The relevant parts of the SMM update for 9 November 2014 read:

“On 9 November the SMM visited the Ukrainian checkpoint at Trokhizbenka (41 kilometres north-west of Luhansk) and was shown two (sub) munitions by Ukrainian soldiers, which were fired from what appeared to be cluster carrier rockets that were found in the gardens of houses in the village. The SMM could not ascertain when and from which direction the munition had been fired.

...

On 8 November the SMM went to the village of Hranitne (57 kilometres south of Donetsk) where it heard tank shelling close to the village. The SMM observed several houses with sustained serious damage consistent with shelling, which residents said had been ongoing in recent days.”

821. The relevant part of the SMM update for 17 November 2014 read:

“The SMM patrolled the villages of Hranitne (57 km south of Donetsk) and Starohnativka (48 km south of Donetsk), both controlled by Ukrainian forces. In Hranitne local residents told the SMM that the village had been repeatedly shelled during night and day, over the three days from 12 to 14 November. According to them, shelling caused damage to the post office, the village cultural house, and two shops. The SMM observed extensive external damage to all four buildings. Most of the damage had already been observed during the last SMM patrol to Hranitne on 8 November. The SMM observed new damage caused by a direct hit to the roof of the cultural house.”

822. The relevant parts of the SMM update for 18 November 2014 read:

“On 17 November the SMM met with the governor of Luhansk to discuss ways to facilitate relief activities in the village of Trokhizbenka (45km NW of Luhansk), under the control of Ukrainian forces, where inhabitants have been without electricity and water for several days as a result of heavy shelling. As the village is located close to areas where fighting is ongoing, repair workers have thus far not been able to proceed ...

...
The SMM visited the town of Vuhlehirs’k (50km NE of Donetsk), controlled by Government forces, which seemed abandoned with no people in the streets ... The SMM visited a CP controlled by Ukrainian forces on the outskirts of Vuhlehirs’k, where the personnel on duty said that 122mm mortar fire hit the area in close proximity to the CP three days earlier. The SMM observed several craters consistent with 122mm mortar impacts, at approximately 50-70m from the building where Ukrainian soldiers had established their base.”

823. The relevant parts of the SMM update for 23 November 2014 read:

“On 23 November the SMM visited the hospital in government-controlled Shchastya (23 km north of Luhansk) to investigate claims of civilian casualties. Hospital staff said that on 21 November, six wounded civilians and two Ukrainian Army soldiers had been transported to the hospital. The SMM interviewed one of the civilians who said that he had sustained his injuries in a mortar attack in government-controlled Verkhnia Vilkhova (25 km north-east of Luhansk) on 21 November at 23:00 hrs.

...
On arrival in Debaltseve the SMM visited the headquarters of the Joint Centre for Control and Co-ordination (JCCC). The chief of staff of the Ukrainian contingent said that on 21 November at 22:39 hrs incoming shelling had injured seven civilians and caused serious damage to the town centre. Officers of the General Staffs of Ukraine and Russia said they had kept a low profile during the day due to the fear of a backlash by the local community.

Later, on patrol in the town, the SMM saw damage to the windows of two schools, two shops, a bank, a court and a police station. Splinters and shrapnel indicated shelling consistent with the use of Grad rockets. The SMM spoke to the local commander of the

Ukrainian Armed Forces, who said shelling had started at 22:30 hrs and lasted for five minutes.

The SMM also met with the chiefs of police of Debaltseve and of the Donetsk region. The latter said that a second shelling of Debaltseve took place on the same day, originating from Fashchivka (65 km north-east of Donetsk, under control of ‘DPR’), and starting at 23:30 hrs. This shelling lasted for about 30 minutes.

...

On 22 November the SMM travelled to the government-controlled town of Hranitne (57 km south of Donetsk) where it observed extensive damage to civilian buildings and infrastructure caused by shelling, which local inhabitants said had occurred on 19 November.”

824. The relevant part of the SMM update for 25 November 2014 read:

“The SMM visited government-controlled Verkhnia Vilkhova (27km north of Luhansk). The local residents of the village said that six houses had been damaged by Grad shelling on 24 November at approximately 13:30hrs and 15 more on 20 November. The SMM observed damaged houses and remnants of Grad rockets.”

825. The relevant parts of the SMM update for 27 November 2014 read:

“Whilst in government-controlled Teple (33 km north-east of Luhansk), the SMM heard numerous artillery explosions, which it assessed to have impacted in government-controlled Shchastya (23 km north of Luhansk). The rounds appeared to have originated from Stanytsia-Luhanska (25 km north-north-east of Luhansk), which is controlled by the ‘Lugansk People’s Republic’ (‘LPR’).

...

When it was in government-controlled Mykhailyuky (35 km north of Luhansk) on 26 November, the SMM heard at least six explosions, assessed to have been artillery rounds impacting approximately 10 km to the south in Shchastya.

...

The head of the Village Council and 15 residents of government-controlled Pavlopil (32 km north-east of Mariupol) each told the SMM that relatives of theirs had been injured in shelling of the village. The SMM heard several explosions from a location it assessed to be approximately five kilometres to the south. Later, when passing through a Ukrainian military checkpoint five kilometres to the south of the village, the SMM observed Ukrainian soldiers positioning themselves in trenches.

The SMM observed two homes completely destroyed by what it assessed to be Grad rockets in government-controlled Petrun’ky (27 km north of Donetsk). The head of the local ambulatory told the SMM that the shelling had happened in the early hours of 26 November.

...

The SMM – whilst in government-controlled Volnovakha (60 km south-south-west of Donetsk) – heard two explosions 5-7 km north-east of the village.”

826. The relevant parts of the SMM update for 7 December 2014 read:

“On 6 December, the SMM visited the JCCC headquarters in government-controlled Debaltseve (55 km north-east of Donetsk). The Ukrainian duty officer informed the SMM that incoming mortar fire from the area between Fashchivka (15 km south-east

of Debaltseve, in the frontline area) and government-controlled Kruhlyk (8 km east of Debaltseve) and directed at ‘LPR’-controlled Chernuhyne (6 km east of Debaltseve) and the northern suburbs of Debaltseve, had occurred at 07:45 hrs, 08:10 hrs, 09:45 hrs and 10:00 hrs. He added that the Ukrainian Army was responding to every set of incoming fire with artillery fire directed at ‘Donestk People’s Republic’ (‘DPR’) positions in Fashchivka and Kruhlyk ...

On 6 December, during a visit to the JCCC in government-controlled Svitlodarsk (90 km north-east of Donetsk), at 12:10 hrs the SMM heard incoming shelling originating around 11 km from the east/south-east.

On 6 December, the SMM visited Starohnativka (48 km south of Donetsk, in the frontline area). Villagers and Ukrainian Army personnel informed the SMM that shelling of Ukrainian Army positions on the outskirts of Starohnativka had been ongoing for several weeks. The local nursery has been closed since September due to the shelling and also due to the lack of firewood. Around 200 children live in the village, the same number as before the conflict.

On 7 December, the SMM visited government-controlled Artemove (40 km north of Donetsk) to follow up reports of mortar shelling. Local residents, mostly elderly women told the SMM that there had been regular artillery strikes in the past two days, which resulted in two casualties and one fatality. The SMM was unable to verify the casualties but observed craters consistent with 120mm mortar strikes. At 11:55 hrs the SMM heard incoming artillery originating from approximately 2 km to the south-east and left the scene.

...

On 7 December, the SMM was informed by the [Joint Centre for Control and Coordination (‘JCCC’)] staff in government-controlled Olenivka that they had received a report of a severe artillery attack on 2 December at a bridge checkpoint located on the southern edge of the village of Olenivka that resulted in the death of 10 soldiers and nine civilians. The SMM attempted to visit the site but was refused an escort by the ‘DPR police’ due to security concerns.”

827. The relevant part of the SMM update for 8 December 2014 read:

“At a Ukrainian Army checkpoint in Maiorsk (45 km north of Donetsk), the checkpoint commander reported that at approximately 18:00 hrs on 6 December, heavy mortar shelling targeting the checkpoint hit the city of Maiorsk instead. According to the checkpoint commander, the shelling lasted for about 15 minutes and originated from a nearby coal mine (two kilometres south of Maiorsk). The SMM was unable to independently verify the origin of the rounds. The SMM saw seven craters consistent with mortar shelling. The SMM found one 120 mm mortar tail fin near one crater. Evidence of the mortar strikes, as seen by the SMM, was spread across an area of approximately of 260 square metres. The SMM spoke to local residents who expressed fear of further shelling and frustration with the ongoing hostilities. While on foot patrol at a three kilometres distance from Maiorsk, the SMM heard an intense shelling duel between government forces somewhere in or around the town and ‘DPR’ forces at an indeterminate location somewhere outside the town.”

828. The relevant part of the SMM update for 11 December 2014 read:

“Two residents separately told the SMM in government-controlled Shchastya (23 km north of Luhansk) that there had been some shelling directed at the town on 10 December.

In government-controlled Muratove (66 km north-west of Luhansk), a Ukrainian military checkpoint commander told the SMM that two Ukrainian soldiers had been killed, and one injured, by a sniper on 10 December in government-controlled Trokhizbenka (40 km north-west of Luhansk)."

829. The relevant part of the SMM update for 15 December 2014 read:

"In government-controlled Debaltseve (55km north-east of Donetsk), the SMM visited the JCCC headquarters (HQ), where officers of the Ukrainian and Russian General Staff were present, together with members of the 'Donetsk People's Republic' ('DPR') and 'Lugansk People's Republic' ('LPR'). At the JCCC HQ, the Ukrainian chief of staff (CoS) in the JCCC said that, at 09:02hrs on 15 December, 10 BM-21 Grad rockets had landed in the north-eastern part of Debaltseve, about 5km from the JCCC HQ. He said that the rockets had been fired from the direction of 'LPR'-controlled Zorinsk (90km north-east of Donetsk). The Russian representative at the JCCC HQ and members of 'DPR' and 'LPR' agreed that the rockets had been fired from an 'LPR'-controlled area ..."

(ii) 2015

830. The relevant parts of the SMM update for 2 January 2015 read as follows:

"In government-controlled Debaltseve (55km NE of Donetsk) at the JCCC headquarters (HQ), the SMM met the Ukrainian (UA) and Russian Federation (RF) leading army officers at the JCCC, together with members of the 'Donetsk People's Republic' ('DPR') and 'Lugansk People's Republic' ('LPR'). The two senior officers expressed concern about the last 48 hours, during which 38 incidents caused by small arms and light weapons (SALW) fire, artillery and multiple rocket launcher system (MRLS) shelling were registered around Donetsk airport, government-controlled Pisky (7km NW of Donetsk) and 'DPR'-controlled Horlivka (43km NE of Donetsk).

...

On 2 January, the SMM visited Hirske (70 km NW of Luhansk, government-controlled) to verify reports received from a civilian of shelling there on 1 January. The SMM spoke to a police officer at a check point (CP) on the outskirts of Lysychansk (90 km NW of Luhansk, government-controlled). The officer confirmed the shelling and although he could not be certain, believed he heard 20-40 impacts from a 'GRAD' system. At a CP before entering Hirske, the SMM spoke with a CP commander who also confirmed the shelling. He stated that on 1 January, at around 20:00hrs in the evening, he had witnessed 80 impacts being fired, reportedly from two 'GRAD' systems. The CP commander claimed that the shelling hit two houses 200-300m from the CP and informed the SMM that unexploded ordnance (UXO) remained. However, due to the possible presence of UXO in the area of the CP, the SMM could not confirm the impacts of shelling or rumours about casualties."

831. The relevant part of the SMM update for 7 January 2015 read:

"On 7 January, the SMM visited Trokhizbenka (40km north-west of Luhansk, government-controlled) and spoke with members of the public in the village and Ukrainian Armed Forces at a checkpoint on the outskirts. Members of the public and checkpoint personnel reported mortar shelling, in the vicinity of the village on 2 January. The SMM could not independently verify the information. The SMM were also told that electricity and water supplies have been restored to the village, following

damage to the supply system caused by fighting in the area (see SMM Daily Report, 16 December).”

832. The relevant parts of the SMM update for 12 January 2015 read:

“In government-controlled Avdiivka (13km north of Donetsk) the SMM met with the chief engineer and the security officer of a chemical factory. Both told the SMM that shelling of the factory had taken place on 11 January and had lasted for two hours. They stated that a total of 15 rockets had impacted on the factory’s premises. The SMM saw four shell impacts at the factory’s main office. Damage was also visible to the front of the main building, to another building in close proximity, and to the parking area. The security officer reported that an additional rocket damaged a sulphur tank. He also said five rockets hit the area surrounding the factory. Due to continuous shelling heard in and around Avdiivka from unidentified directions, the SMM had to leave the place. The chief engineer told the SMM that when the shelling started the workers emptied the tanks filled with dangerous chemical components leaving only indispensable compounds inside.

In government-controlled Novoluhanske (53km north-east of Donetsk) at approximately 11:42hrs the SMM heard more than 10 Grad rockets being launched from a ‘DPR’-controlled area. About seven seconds later, impact blasts were heard at a distance of approximately 7km north-west of Novoluhanske. Two minutes later, a second volley of Grad rockets followed. The rockets seemed to be launched from an area controlled by ‘DPR’ in the vicinity of Holmivskiyi.

...

In the vicinity of government-controlled Makarove (26km north-east of Luhansk) the SMM heard numerous heavy shelling from an eastern direction starting from 12:45hrs but could not ascertain whether it was outgoing or incoming. In the vicinity of an abandoned Ukrainian checkpoint at Shchastya (23km north-west of Luhansk) the SMM heard Multi-Launch Rocket System (MLRS) fire at 14:10hrs.”

833. The relevant part of the SMM spot report for 14 January 2015 read:

“At approximately 14:35hrs on 13 January the regional traffic police confirmed to the SMM that a Grad rocket struck close to a civilian bus when it stopped at a Ukrainian Armed Forces checkpoint approximately 2km north of Volnovakha (35km south-west of Donetsk).

The SMM arrived at the location of the incident at 17:45hrs and witnessed the removal of two of the dead passengers from the bus. The bus had shrapnel damage consistent with a nearby rocket impact, estimated by the SMM to be 12-15 meters from the side of the bus. The SMM visited the Volnovakha hospital where the staff confirmed that ten persons on the bus were killed instantly, while two died later in the hospital. Another 17 passengers were injured.”

834. The relevant parts of the SMM update for 14 January 2015 read:

“In government-controlled Hranitne (57km south of Donetsk) the commander of a garrison of the Ukrainian Armed Forces confirmed to the SMM the death of a three-year old girl on 11 January. He said that mortar shells struck two houses in the north-eastern part of the village and subsequently seriously injured the girl, who then died on the way to Volnovakha hospital. Between 11:40hrs and 11:45hrs, the SMM observed what it assessed as four mortars of 120 mm impacting in the outskirts of the village. The last mortar impacted approximately 400 metres from where the SMM was located.

According to the SMM the mortars were assessed to originate from a south-eastern direction. ...

In Luhansk the SMM received information separately from Ukrainian Armed Forces and ‘Lugansk People’s Republic’ (‘LPR’) about heavy shelling which occurred in government-controlled Shchastiya (23km north of Luhansk). Both sides told the SMM on separate occasions that the Ukrainian Armed Forces and ‘LPR’ exchanged tank fire, artillery, and machine gun fire. As independently reported by both sides, at least one civilian was killed and several wounded. Residents from Shchastiya contacted the SMM, saying that at 16:00hrs mortar fire had started and lasted approximately 15 minutes. Reportedly the residential area was damaged. The SMM could not independently verify this information due to the security situation.”

835. The relevant part of the SMM update for 15 January 2015 read:

“The SMM went to Hranitne (57km south of Donetsk, government-controlled), a village that, according to residents, has been subject to near daily shelling for months. When in the village, the SMM observed the funeral of a three-year old child who residents said was killed when a mortar struck a house on 11 January. The SMM were invited to see the house and saw severe damage to the roof.”

836. The relevant part of the SMM update for 16 January 2015 read:

“The SMM concluded its third fact-finding patrol to government-controlled Volnovakha (35km south-west of Donetsk), where 12 civilian passengers of a bus had been killed and 17 injured on 13 January (see SMM Spot Report 14 January and SMM Daily Report 14 January). The SMM conducted a comprehensive inspection, focusing on five craters caused by explosions that had occurred during the incident. The investigation included comprehensive crater analysis of two specific blast craters, including the crater located 10 metres from the side of the passenger bus. In the SMM’s assessment all craters examined were caused by rockets fired from a north-north-eastern direction.”

837. The relevant parts of the SMM update for 18 January 2015 read:

“On 18 January, the SMM spoke with residents in Hirske (69km west of Luhansk, government-controlled) who stated that they heard shelling on a daily basis. At 09:40hrs the SMM heard two sets of multiple impacts of military ordinance, conceivably Grad impacts, possibly in an area north of Hirske. At 15:09hrs, when the SMM stopped on the outskirts of Shchastia (23km north of Luhansk, government-controlled), they heard artillery, mortar, and Grad fire exchange. The SMM was unable to pinpoint the firing location or impact areas.

...

Near the village of Semenivka (22km north-west of Donetsk, government-controlled), the SMM heard numerous outgoing and incoming rounds of an unknown type. Ukrainian soldiers at a checkpoint near Ocheretyne (32km north-north-west of Donetsk, government-controlled) reported that just prior to the SMM arrival, the area was shelled with Grad rockets. The SMM heard artillery fire nearby and saw up to ten fresh craters, fired from a location unknown which appeared to be consistent with Grad rocket impact.

...

In Andriivka (57km south of Donetsk, government-controlled) the SMM saw three craters caused by recent shelling. The direction of fire was unknown. The SMM also saw three craters caused by shelling, in close proximity to the local school in Kamyanka

(62km south of Donetsk, government-controlled). The shells were fired from an unknown direction.”

838. The relevant part of the SMM update for 19 January 2015 read:

“According to the Ukrainian Armed Forces and the Russian Federation Armed Forces representation at the JCCC headquarter in government-controlled Debaltseve (55 km north-east of Donetsk), on 19 January at 07:40hrs, at least 30 Grad rockets impacted in and around the centre of Debaltseve killing three civilians and wounding twelve. The SMM observed that the rockets had caused significant damage to buildings and covered an area of approximately one square kilometre. The SMM saw at least seven unexploded rockets [(‘UXOs’)]. A crater analysis performed by the SMM showed that the Grad rockets came from a western direction, the direction of ‘DPR’-controlled Horlivka.”

839. The relevant parts of the SMM update for 20 January 2015 read:

“In government-controlled Debaltseve (55km north-east of Donetsk), the director of the education department of the local administration told the SMM that 860 school children were no longer attending class and were instead engaged in distance-learning, as a result of shelling in the city on 19 January.

...

In government-controlled Staronativka (48km south of Donetsk), the SMM heard six outgoing artillery rounds from a location approximately 5km to the south. A female resident told the SMM that there had been shelling in the village the previous evening and overnight. The SMM observed several shell impacts close to homes, and noted homes which had been damaged, apparently by shells.”

840. The relevant part of the SMM update for 22 January 2015 read:

“In Dzerzhynsk (42 km north of Donetsk, government-controlled) the SMM heard several heavy artillery rounds outgoing from a south-south-eastern direction and impacting in a north-north-east location at an indeterminate distance. Heavy machine gun and anti-aircraft fire was heard coming from the same direction. The SMM saw damage to a civilian house in Dzerzhynsk consistent with a medium calibre artillery shell. Furthermore, the SMM ascertained that the artillery was fired from a south-eastern direction. Heavy artillery impacts were heard by the SMM in areas to the south of the village fired from an unknown area. When leaving the location, the SMM heard seven more impacts.”

841. The relevant parts of the SMM update for 23 January 2015 read:

“In government-controlled Novhorodske (34 km north of Donetsk) the SMM met the head and the deputy head of the local administration, who said that as a result of shelling, on 21 January, the underground electricity cables that supply power to the central water heating were damaged, leaving the town without heating and hot water supply. ... While in town, the SMM heard the sound of automatic grenade launchers, mortars, and at least one tank shot. The SMM also heard outgoing shelling concentrated at an approximate distance of 10 km in a north-easterly direction.”

842. The relevant part of the SMM update for 24 January 2015 read:

“At approximately 09:15hrs on 24 January, the SMM in government-controlled Mariupol heard at its location incoming massed Multi-Launch Rocket System (MLRS) attacks from a north-east direction, consisting of an extremely heavy barrage lasting 35 seconds. Twenty minutes later the SMM received information from the Joint Centre

for Control and Co-ordination (JCCC) in Mariupol and other sources, that shelling had occurred in the area of Olimpiiska Street, in Ordzhonikidzevskiy district, 8.5 km north-east of Mariupol city centre, approximately 400 metres from a Ukrainian Armed Forces checkpoint.

At 10:20hrs the SMM went to Olimpiiska Street and saw seven adult civilians dead. The SMM observed in an area of 1.6 km by 1.1 km, including an open market, multiple impacts on buildings, retail shops, homes and a school. The SMM observed cars on fire and windows facing the north-eastern side of a nine-storey building shattered. The SMM was able to count 19 rocket strikes and is certain there are more. Four hospitals and the emergency service in the city informed the SMM that at least 20 people died and 75 people were injured and hospitalized. Ten of the wounded were in a critical condition, according to a hospital representative.

The SMM conducted a crater analysis and its initial assessment showed that the impacts were caused by Grad and Uragan rockets. According to the impact analysis, the Grad rockets originated from a north-easterly direction, in the area of Oktyabr (19 km north-east of Olimpiiska Street), and the Uragan rockets from an easterly direction, in the area of Zaichenko (15 km east of Olimpiiska Street), both controlled by the ‘Donetsk People’s Republic’ (‘DPR’).”

843. The relevant parts of the SMM update for 25 January 2015 read:

“On 24 January, the SMM visited the site of an extremely heavy barrage of Multi Launch Rocket System (MLRS) which impacted in the area of Olimpiiska Street, 8.5km north-east of Mariupol city centre (95km south of Donetsk), approximately 400 meters from a Ukrainian Armed Forces checkpoint (see SMM Spot Report 24 January). Media reports the death toll to be 30 fatalities and an additional 102 wounded all of which are civilians.

...

When contacted by the SMM, Ukrainian Armed Forces checkpoint personnel near government-controlled Novoluhanske (55km north-east of Donetsk) said that incoming heavy artillery and Grad shelling was on-going for the past four days and impacting in areas close to government-controlled Zaitseve (67km north-north-east of Donetsk) and government-controlled Myronivsky (75km north-east of Donetsk). When contacted by the SMM, the mayor and the municipal council secretary of Novoluhanske confirmed the information about the shelling and that there were no casualties but there were material damages including to the central heating plant serving the town.”

844. The relevant part of the SMM update for 29 January 2015 read:

“The SMM visited government-controlled Novotroitske (32km south of Donetsk), where damage to houses was caused reportedly due to shelling on 26 January. At a Ukrainian Armed Forces checkpoint the commander told the SMM that from the evening of 28 January there had been incoming artillery fire on the west and south-east sides of Novotroitske. The mayor of Novotroitske confirmed to the SMM that the village had suffered shelling in the evening hours on 28 January. The SMM analysed three craters and determined that they were caused by impacting Grad rockets fired from a direction north-east of Novotroitske. While in Novotroitske the SMM heard outgoing Grad rocket fire from a south-western direction and return artillery fire from a north-easterly direction six to eight kilometres from where the SMM was located.”

845. The relevant part of the SMM update for 1 February 2015 read:

“On 1 February the SMM spoke over the phone with the Ukrainian Major-General, Head of the Ukrainian side to the JCCC, who stated that the JCCC headquarters (HQ) building in government-controlled Debaltseve (55km north-east of Donetsk) was hit multiple times by Grad rockets at approximately 14:00hrs on 1 February. He said that during the attack the Ukrainian Armed Forces chief of staff assigned to the JCCC HQ was wounded in the shoulder and moved to a hospital in Kharkiv. He also said that as the JCCC HQ building is also used for civilian administration purposes, during the attack two civilians were wounded. A third civilian was wounded outside the building. The SMM was unable to independently verify this information ...”

846. The relevant part of the SMM update for 2 February 2015 read:

“On 2 February, the SMM visited Buhas (41km south of Donetsk, government-controlled) to verify two Grad shellings on 31 January, which had been reported to the SMM by the personnel at the Ukrainian Armed Forces checkpoint at Volnovakha (35km south-west of Donetsk) and the head of Buhas village council. The SMM observed 10 damaged houses and, following six crater analyses, estimated the rockets originated from the north-north-east. While at the site, between 12:30hrs and 13:00hrs, the SMM heard intermittent shelling taking place approximately 25km south-east of the SMM’s position, but could not ascertain whether it was incoming or outgoing fire.”

847. The relevant parts of the SMM update for 3 February 2015 read:

“At government-controlled Novokalynove (27km north-west of Donetsk) the SMM observed a number of craters on both sides of the main road going through the village. Seven distinct craters could be seen in the field to the north of the road. The SMM examined two of these craters and found evidence consistent with Grad rocket impacts, fired from a south-easterly direction – the result of an attack on the evening of 2 February, according to residents. They told the SMM that one person was wounded in the attack and underwent surgery at the hospital in government-controlled Dymyrov (50km north-west of Donetsk). A crater, the SMM observed on the south side of the road, 50m from a farmhouse, appeared to have been caused by a mortar round, as evidenced by the splash pattern and shrapnel. The villagers stated that this impact had occurred on 18 January.

...

The SMM attended, on 2 February, the local security meeting in the district administration building in government-controlled Mariupol (98km south-west of Donetsk). According to the report of the co-ordination group, responsible for recovery repair after the 24 January shelling, two of the four damaged schools were already operational; some buildings suffered such severe damage that they may be structurally unsound; 76 people, including six children, were still being treated in hospital. Two adults are still in serious condition.”

848. The relevant part of the SMM update for 5 February 2015 read:

“The deputy head of the village council in Sartana (90km south of Donetsk, government-controlled) showed the SMM the location of recent shelling impacts. According to him, the area was hit by up to 30 shells in a 15-20 minute period from 02:10hrs on 5 February. The area (2km square), is located south-west of Ukrainian Armed Forces positions on the outskirts of the village. The SMM was told that there were no casualties. The SMM saw damage to 18 houses and observed that power lines were cut. An analysis of four craters by the SMM determined that they were caused by mortars (120mm and 82mm), likely fired from a north or north-easterly direction.

In Orlivka village (19km north-west of Donetsk, government-controlled) the SMM followed-up on reports by residents and Ukrainian Armed Forces personnel of a Grad shelling in the village at approximately 22:00hrs on 4 February. The SMM was told that six rockets struck the area. No analysis was performed on the craters observed. The SMM saw shattered windows and damaged roofs.”

849. The relevant part of the SMM update for 6 February 2015 read:

“The SMM then observed the evacuation of civilians from heavily shelled government-controlled Debaltseve (55km north-east of Donetsk). The SMM patrols were dispatched to Debaltseve after all sides had agreed to an eight-hour temporary truce. They observed that several hundred civilians, including at least 100 children, were able to leave Debaltseve during the truce. The SMM followed approximately 50 buses coming from Donetsk and Kramatorsk, which, after entering Debaltseve, collected civilians at assembly points in the city. Those who wanted to leave the city were given the choice between two destinations. The buses that were bound for areas within ‘DPR’ had about 40 people on board, whereas about 766 people were leaving to government-controlled territory, according to figures provided by the JCCC.

While in Debaltseve, the SMM observed significant damage to civilian infrastructure and residences caused by earlier artillery strikes. In addition, constant outgoing shelling was observed during the evacuation. The Russian Major-General, Representative of the Armed Forces of the Russian Federation to the JCCC and the Ukrainian Major-General, Head of the Ukrainian side to the JCCC, were both present at the evacuation site.”

850. The relevant part of the SMM update for 9 February 2015 read:

“The SMM visited Pavlopil (80km south of Donetsk, government-controlled) where it observed four houses that had suffered substantial damages allegedly from shelling on 4-7 February, as reported by the mayor. The SMM observed other craters in the area but could not conduct crater analysis due to the fresh snow.

In Novoselivka (63km south of Donetsk, government-controlled) the SMM observed artillery impacts including a severely damaged house which according to local residents were caused by shelling on 7 February at 23:45hrs. The SMM conducted two crater analyses based on which it estimates the impacts to have originated from an east-north-easterly direction.”

851. The relevant parts of the SMM update for 10 February 2015 read:

“At 12:33hrs, while at Kramatorsk Boulevard 50, the SMM heard at least four blasts in the surrounding area. For security reasons, the SMM did not check the sites of the explosion. The SMM observed a rocket landing 30 metres from their position behind a building on Kramatorsk Boulevard 50. The rocket landed on the ground in the yard behind the building (at its north-western side) without exploding. The SMM noticed that the windows of the apartment building on Kramatorsk Boulevard 55 (facing north-west) were shattered.

The SMM spotted a second set of unexploded ordnance (UXO) at Lenin Street 45, which landed behind the house on the yard side (facing north-west). The site is located 2.5km north-east of Kramatorsk Boulevard 50. The SMM did not notice damage in the surrounding area. The SMM also observed sub-ammunition bomblets (clusters) in the surroundings of Lenin Street.

...

At 16:00hrs an official from the Donetsk Region Administration informed the SMM that the shelling in Kramatorsk killed 7 civilians and injured 26, including 5 wounded children.”

852. The relevant part of the SMM update for 10 February 2015 read:

“At 12:33hrs the SMM, from their location on Kramatorsk Boulevard, heard at least four blasts in the area and saw a rocket land that did not explode. More unexploded ordnance (UXOs) were seen in the area and damage to buildings was observed. The SMM assessed that the shells were 300mm calibre ammunition fired from a BM-30 Smerch or Tornado Multiple Launch Rocket System (MLRS). Based on observation at the scene, the SMM assessed the shelling came from a south-south-east direction. An official from the Donetsk region administration told the SMM that the shelling in Kramatorsk killed seven civilians and injured 26, including 5 children, and 32 Ukrainian Armed Forces personnel were injured at Kramatorsk airport.”

853. The relevant parts of the SMM update for 11 February 2015 read:

“On 11 February the SMM followed-up on the shelling which hit Kramatorsk (government-controlled, 80km north of Donetsk) – see Spot report by the OSCE Special Monitoring Mission to Ukraine (SMM): Shelling in Kramatorsk, 10 February 2015. The SMM conducted crater and impact analysis and assessed the angle of the fall of rocket remnants at two different sites: behind an apartment building at No.42 Lenin Street (on its south-eastern side) and in front of a building at No.37 Kramatorsk Boulevard (on its south-eastern side). The SMM confirmed the rocket remnants were from 300mm ammunition. The strike was fired by one single launcher system - probably a BM-30 Smerch or Tornado Multiple Launch Rocket System (MLRS).

...

In government-controlled Myrne (60km south of Donetsk) – located 10km west of the contact line – the SMM spoke to representatives of the local administration and inhabitants who reported shelling which had hit the village on 5, 9 and 10 February. The SMM observed damage to local residential houses. While in Myrne, the SMM heard between 10:15 and 10:45hrs continuous distant artillery shelling, approximately 15km south of the SMM’s position. The SMM could not estimate the origin and direction of the shelling.”

854. The relevant parts of the SMM update for 15 February 2015 read:

“On 14 February, the SMM spoke separately to an official from the State Emergency Service of Ukraine, Ukrainian Armed Forces personnel and local police about shelling in Artemivsk (40km north of Donetsk, government-controlled) that happened the previous day. According to all interlocutors, a seven-year old boy was killed when a kindergarten was struck by a shell. A second person was also killed and another six were injured. The SMM were told by these interlocutors that houses, a factory and a school were damaged. The SMM saw several craters, unexploded ordnance (UXOs) and shrapnel consistent with a Smerch rocket (BM-30). The SMM also saw demining personnel working on unexploded cluster sub-munitions found in the ground. Three craters were analysed by the SMM and the direction of fire was established to have been from the south-east of Artemivsk.

...

The SMM encountered two restrictions to their freedom of movement on 15 February in Donetsk region: on the outskirts of Debaltseve by members of the ‘Donetsk People’s

Republic’ (‘DPR’) and near Vynohradne (101km south-south-west of Donetsk) by Ukrainian Armed Forces personnel.”

855. The relevant parts of the SMM update for 23 February 2015 read:

“At 10:45hrs, whilst stationary to the north of government-controlled Avdiivka (14 km north-north-west of Donetsk) the SMM heard several outgoing mortar rounds (assessed as 82mm calibre) fired from a location several hundred meters to the south-east of its position. The SMM observed that many buildings within the city have sustained damage to their roofs and/or windows from shelling. The deputy mayor of Avdiivka told the SMM that the town had been without gas, water and electricity supply for the last two months.

The chief of police in Avdiivka showed the SMM to Maladiozhnaja Street – the location of a shelling that he said took place on the morning of 23 February. The SMM analysed a single crater on the road and determined that it was likely caused by artillery fired east-south-east from the impact site. A definitive assessment of the firing distance could not be made.

According to Avdiivka’s chief of police, incoming Grad rounds at 07:45hrs on 23 February had caused damage to an abandoned warehouse at Industrialnaya Street. At this location the SMM saw shelling damage and aluminium tubing resembling Grad remnants. The SMM was unable to determine the distance and the direction from where the rounds were fired. The SMM also saw damage to a factory administration building and to the Ministry of Emergency Services building within an industrial complex in the northern part of the town. The SMM visited a cafe in Avdiivka where media reported three local men were killed when a rocket struck on 21 February, and saw remnants of a Grad rocket at the site.

...

According to a member of the village council in government-controlled Trokhizbenka (40km west of Luhansk), the area has been calm since the ceasefire came into effect on 15 February. This was corroborated by Ukrainian Armed Forces personnel at a checkpoint outside the village. The SMM saw severe damage to village infrastructure, including water and gas lines. There is no gas supply or mains water due to damage caused by shelling. Residents draw water from private wells, according to the village council member. The interlocutor stated that the village has been reconnected to the electricity network.”

856. The relevant part of the SMM update for 9 March 2015 read:

“While in government-controlled Novotoshivske, the SMM observed significant damage to houses and civilian infrastructure, including the local school which appeared to have been completely destroyed by shelling ...”

857. The relevant part of the SMM update for 10 March 2015 read:

“The SMM entered Pisky and saw that most structures had been damaged by shelling. The SMM did not see any civilians. Ukrainian Armed Forces personnel in the area said that fighting has been occurring at night. The SMM spoke to local officials in Hyrnyk and Ukrayinsk (government-controlled, 35km and 36km north-west of Donetsk), who said that the previous night several explosions were heard from the direction of Pisky.”

858. The relevant parts of the SMM update for 11 March 2015 read:

“At a checkpoint near government-controlled Pisky (12km north-west of Donetsk), the SMM heard approximately 20 incoming mortar and artillery rounds. The Ukrainian

Armed Forces commander said that ‘DPR’ forces had been shelling from the direction of the airport. The commander then led the SMM to the outskirts of Pisky, where, he said, a mortar strike had hit 20 minutes earlier and the SMM witnessed the damage along with mortar remnants in the area.

...

Furthermore, while flying over government-controlled Pisky the UAV observed very recent shelling marks and extensive damage to civilian infrastructure, which was on fire as a result of the shelling. One battle tank and three armoured personnel carriers (APCs) were observed in the area.”

859. The relevant part of the SMM update for 15 March 2015 read:

“On 14 March, while in Pisky (government-controlled, 12km north-west of Donetsk), the SMM heard 10 to 12 mortar impacts in the vicinity of Pisky village. Ukrainian volunteer battalion personnel of the Pravyi Sektor battalion 1 said that there had also been mortar shelling 60 minutes prior to the SMM’s arrival; the SMM saw the impact of this shelling, including damage to the roof of a building.”

860. The relevant part of the SMM update for 22 March 2015 read:

“On 22 March, the police chief of Avdiivka (government-controlled, 14 km north-west of Donetsk) told the SMM that on 20 and 21 March, the town had come under shelling. The SMM saw damage to several buildings. Through crater analysis, the SMM estimated the bearing of the incoming projectiles as east and south-east. Residents told the SMM that the damage had been caused on 20 and 21 March, respectively. Based on shrapnel fragments found on site, the SMM assessed that the damage had been caused by tank projectiles (125mm HE-FRAG). On 20 March, a 35-year-old man was killed after a direct hit to his house, the SMM was told by the police chief and the deceased’s neighbour.”

861. The relevant part of the SMM update for 23 March 2015 read:

“In Avdiivka (government-controlled, 14km north-west of Donetsk) the SMM met with the chief of police who escorted it to the ‘Mekofood’ factory on the outskirts of the city to observe damages allegedly caused by shelling on 21 March at 12:10hrs. The SMM observed four impacts consistent with impact from 125mm high explosive fragmentation shells.”

862. The relevant parts of the SMM update for 27 March 2015 read:

“While attempting to facilitate a local ceasefire to allow the Donbas volunteer battalion to clear the government-controlled western edge of Shyrokyne from UXOs, the SMM travelled through the north of Shyrokyne and passed the ‘DPR’ checkpoint on highway E-58[...] While the SMM was returning to the government-controlled part of Shyrokyne, it heard mortar shells impacting and saw fields, northwest of the village, on fire. The SMM could not ascertain additional details.”

863. The relevant part of the SMM update for 29 March 2015 read:

“While in government-controlled Avdiivka (14km north-west of Donetsk) the SMM received information from the chief of the Emergency Situation and Civil Protection Service that shelling had occurred at 12:00hrs in a residential area. At the scene, the SMM found parts of the munitions and assessed that the impact was most likely caused by anti-tank guided missiles. The SMM also assessed based on a crater analysis that the anti-tank missile came from an easterly direction. While at the scene, the SMM heard

one incoming explosion approximately 3-4km south of its position. The SMM could not ascertain the exact distance or the type of weapon used.”

864. The relevant part of the SMM update for 1 April 2015 read:

“In Sopyne (government-controlled, 15km east of Mariupol, 2.5km west of Shyrokyne), an elderly resident spoke of deteriorating living conditions in Sopyne due to poor access to public services, pensions not being received and difficulties in being able to afford food. Ukrainian Armed Forces personnel told the SMM that Sopyne had been shelled on 31 March by the ‘DPR’, despite earlier discussions between the Ukrainian Armed Forces and the ‘DPR’ for a local ceasefire to start at 16:00hrs on 31 March. The SMM inspected a house in Sopyne that had been partially destroyed by mortar shelling on 31 March, and was told by its sole resident that he had been unharmed by virtue of being in a different part of the house than the corner that was hit. On the outskirts of Sopyne members of the Azov volunteer battalion told the SMM of incoming mortar shelling that had occurred between 16:00 and 20:00hrs on 31 March, and that three of their number had been injured; the SMM were shown craters caused by this shelling. Between 15:45 and 15:59hrs, the SMM heard 11 outgoing mortar rounds and eight outgoing artillery rounds, fired to the east of the SMM’s position.”

865. The relevant parts of the SMM update for 19 April 2015 read:

“The SMM was told by the Joint Centre for Control and Co-ordination (JCCC) of an 18 April shelling when eight Grad rockets hit the outskirts of government-controlled Avdiivka (13km north-west of Donetsk city centre). According to JCCC officers (from both Ukrainian Armed Forces and Russian Federation Armed Forces) and to local residents, three rockets hit the residential area of Avdiivka old town and five landed in fields. The SMM went to the location with Ukrainian Armed Forces JCCC representatives. The SMM saw three impacts in the area, and related damage to civilian property. The SMM conducted crater analysis and examined rocket fragments and assessed the impacts to have been caused by Grad rockets incoming from areas to the east and south-east. The owners of two damaged houses said the explosions occurred on 18 April around 18:00hrs and caused no injuries.

...

On 19 April, the SMM saw damage caused by a Grad missile strike said, by members of the Aidar volunteer battalion, to have taken place on 18 April at 15:55hrs in the government-controlled village of Valiuske (20km northeast of Luhansk). One missile destroyed a house and two others impacted in close proximity to two other homes. A fourth missile landed outside the village. No one was injured. Members of the Aidar volunteer battalion, who requested the SMM visit the scene, showed supposed remnants of the alleged Grad missile.”

866. The relevant part of the SMM update for 20 April 2015 read:

“The Joint Centre for Control and Co-ordination (JCCC) Ukrainian Armed Forces and Russian Federation Armed Forces representatives at their Avdiivka observation post informed the SMM that at approximately 11:00hrs three 82mm mortar rounds landed in the residential area of Avdiivka (government-controlled, 14km north-north-west of Donetsk) resulting in a civilian casualty. The SMM visited the local hospital and was able to briefly speak to the woman who was injured and was being transferred to the trauma department in the hospital in Dymytrov (government-controlled, 52 km north-west of Donetsk) for further treatment. The SMM then visited the impact site in Avdiivka and saw a crater degraded by the weather conditions.”

867. The relevant part of the SMM update for 23 April 2015 read:

“In government-controlled Avdiivka (16km north of Donetsk), two mortar shells (82mm) exploded 30 metres from an SMM team monitoring the Ukrainian Armed Forces conducting crater analysis on a shelling incident that occurred that morning. One civilian was slightly injured by shrapnel. The SMM monitors left the scene unharmed.”

868. The relevant parts of the SMM update for 26 April 2015 read:

“On 26 April, while at an observation point on the eastern outskirts of Berdianske (1.5km west of Shyrokyne, 19km east of Mariupol, government-controlled) the SMM observed a Ukrainian Armed Forces military truck towing an ambulance and traveling from east to west. The soldiers stopped and asked the SMM to look at the ambulance, which according to them was hit the same morning in Shyrokyne, by shrapnel from exploding self-propelled howitzer shells, incoming from a ‘DPR’-controlled area. The SMM could observe impacts of unidentified shell fragments on the front glass, roof and outer sidewalls of the ambulance.

...

In Hranitne, (government-controlled, 59km south of Donetsk), ... [t]he SMM visited an area in the south of the village, where soldiers reported that shelling had taken place at 01:00hrs on 25 April. They reported that the line of contact is the river and that the SMM could not access the north of the village, due to its proximity to the line. The SMM met three civilians who confirmed the time of the shelling and reported that it was the first time they were hit by Grad rockets. The SMM observed five craters consistent with Grad shelling and some damaged houses. The SMM could not ascertain from which direction the Grad had been fired.”

869. The relevant part of the SMM update for 28 April 2015 read:

“The SMM gained access to Staromarivka (controlled by neither side, 46km north-east of Mariupol) for the first time and crossed the Kalmius river over the remnants of the partially destroyed bridge to neighbouring Hranitne (government-controlled, 47km north-east of Mariupol) located on the west side of the river. Local residents told the SMM that out of 370 inhabitants, 80 people are still living in the village. The SMM observed craters and damages to houses which, residents said, occurred on 24 April at 01:40hrs. The SMM conducted crater analyses and assessed that two 122mm artillery shells had been fired from the west-north-west and nine 82mm mortar shells fired from the easterly direction.”

870. The relevant part of the SMM update for 4 May 2015 read:

“In a field 500m north-east of government controlled Novotoshkovske (53km north-west of Luhansk), the SMM observed several fresh impact craters, with a diameter of 300-350cm and a depth of 100-150cm. The SMM assessed that the responsible projectiles had been fired from the ‘Luhansk People’s Republic’ (‘LPR’)-controlled villages of Frunze (40km north-west of Luhansk) and Donetsk (50km north-west of Luhansk).”

871. The relevant part of the SMM update for 7 May 2015 read:

“From an observation point on the eastern outskirts of government-controlled Berdianske (1.5km west of Shyrokyne; 18.5km east of Mariupol), the SMM, from 17:24 to 17:34hrs, heard more than a hundred detonations, assessed to have been incoming fire from Grad multiple launch rocket systems (MLRS) located approximately 6 km north-north-east of its position.”

872. The relevant parts of the SMM update for 11 May 2015 read:

“The SMM noted a calm situation in areas around government-controlled Berdianske (1.5km west of Shyrokyne) in the morning of 11 May. At a regular SMM observation post on the eastern outskirts of the village, however, it observed numerous fresh craters – one just metres from the actual observation post. The SMM observed an additional eight craters in residential areas in the village – caused by 122mm artillery rounds – and a further two, caused by 152mm artillery rounds. Local people told the SMM that the shelling had occurred the previous night.

...

The general calm in the Berdianske-Shyrokyne area came to an end at 16:30hrs, when an intensive exchange of tank, mortar and anti-aircraft rounds began, which continued even as the SMM left the area at 19.20hrs.

...

In government-controlled Stanytsia Luhanska (16km north-east of Luhansk), the SMM noted two houses next to a Ukrainian Armed Forces checkpoint, one destroyed and the other damaged. Checkpoint personnel and local residents told the SMM that a barrage of small arms, anti-aircraft, and automatic grenade launcher fire – emanating from across the bridge in ‘Lugansk People’s Republic’ (‘LPR’)-controlled territory – had been directed towards the checkpoint for four hours in the evening of 10 May. Interlocutors explained that a gas explosion had resulted, causing the damage to the houses.”

873. The relevant part of the SMM update for 13 May 2015 read:

“The checkpoint personnel said that on 12 May between 21:00 and 02:00hrs armed members of the ‘Lugansk People’s Republic’ (‘LPR’) attacked the town of Stanytsia Luhanska and the bridge with wire-guided anti-tank rockets (TUR) and rocket propelled grenades (RPG). According to the interlocutor, exchanges of fire between government forces and ‘LPR’ members had taken place over the last days and several small groups of armed persons tried to access government- controlled territory. Local female residents told the SMM that several houses and the gas pipeline were damaged by the attacks of 12 May.”

874. The relevant parts of the SMM update for 17 May 2015 read:

“On 16 May the Ukrainian Armed Forces at a checkpoint prior to the government-controlled Stanytsia Luhanska bridge (16km south-east of Luhansk) informed the SMM about incoming artillery and sniper fire from ‘Lugansk People’s Republic’ (‘LPR’)-controlled territory the same day. The SMM observed damage consistent with artillery shelling to the roof and walls of a house next to the checkpoint. Two mortars (probably 60mm) that allegedly struck the concrete wall of the house next to the checkpoint were also presented to the SMM.

...

The SMM also spoke with the commander of the government-controlled checkpoint at the bridge in Stanytsia Luhanska. He said that on 16 May between 20:00 and 00:00hrs on 17 May there had been intensive mortar shelling from ‘LPR’-controlled territory into Stanytsia Luhanska. According to the interlocutor no injuries had been reported. The SMM observed two houses close to the checkpoint which had been completely destroyed and the statue on the bridge was severely damaged.”

875. The relevant part of the SMM update for 21 May 2015 read:

“On 20 May, while in Shchastia (government-controlled, 20km north-west of Luhansk) the SMM observed several craters and damages to garages which the Ukrainian side of the JCCC and local residents confirmed to have occurred on 20 May at 01:10hrs. Crater analysis conducted by the SMM showed that the shelling had been caused by mortars (82mm and 120mm) fired from the south.”

876. The relevant part of the SMM update for 22 May 2015 read:

“The Ukrainian Armed Forces Major-General at the Joint Centre for Control and Co-ordination (JCCC) headquarters in Soledar (government-controlled, 77km north-north-east of Donetsk) told the SMM that the coke and chemical plant in Avdiivka (government-controlled, 17km north-north-west of Donetsk) had been shelled on 21 May. The Chief Engineer of the plant later corroborated the information, telling the SMM that thirty 120mm mortars had impacted in the plant, killing one worker and injuring two.”

877. The relevant part of the SMM update for 24 May 2015 read:

“At 18:50hrs the SMM heard four explosions and subsequently saw flames emanating from the area of the coke-chemical plant in Avdiivka (government-controlled, 13 km north-west of Donetsk). According to Ukrainian representatives at the JCCC office in Avdiivka, 45 artillery and mortar rounds had impacted in the area of the factory, causing injuries to one civilian and initiating a fire within the factory as well as creating an ammonium leak.”

878. The relevant part of the SMM update for 25 May 2015 read:

“Ukrainian Armed Forces representatives in Avdiivka told the SMM over the phone that crater analysis conducted by them on 45 impact sites – following the shelling of the coke and chemical plant in Avdiivka (see SMM Daily Reports published on 23 and 25 May, and respectively) – indicated that 122mm artillery rounds, fired from ‘DPR’-controlled Yasynuvata (12km north of Donetsk), had been used in the attack.”

879. The relevant parts of the SMM update for 27 May 2015 read:

“The SMM saw the aftermath of shelling in ‘DPR’-controlled Horlivka (39km north-north-east of Donetsk). Residents, including one injured by the shelling, told the SMM that shells struck at 18:00hrs on 26 May. The SMM saw nine crater impacts (all within a radius of 200 metres) at three locations in residential areas and conducted crater analysis at one location. At this location, the SMM saw the body of a deceased woman close to two crater impacts. The SMM estimated that the craters were caused by incoming artillery from the north-north-west. In both craters the SMM found shrapnel consistent with 122mm artillery. The SMM saw a house in Planernaya Street that had sustained a direct hit that destroyed the eastern facade, and found shrapnel consistent with 122mm artillery. At this location the SMM saw traces of blood. According to the ‘DPR’ ‘emergency services’ and local residents, a 38 year old man and his 11 year old daughter were killed instantly in this strike and his wife and two young children had been hospitalized with injuries. At City Central Hospital No.2 the SMM spoke with the wounded mother. She and her children had suffered shrapnel wounds. Later, the SMM saw three bodies at the mortuary (one a middle aged man, one woman and a child). The SMM assessed that all three were victims of the shelling.

The Ukrainian Armed Forces Major General, head of the Ukrainian side to the Joint Centre for Control and Coordination (JCCC) headquarters in government-controlled Soledar (77km north-north-east of Donetsk) alleged that the 26 May shelling of Horlivka came from Mine 6-7 (42km north-north-east of Donetsk and 7km north-west

of Horlivka respectively), in areas controlled by ‘DPR’. The Major General alleged that the shelling was observed by the Ukrainian Armed Forces representative at the JCCC office in government-controlled Volnovakha (35km south-west of Donetsk).

...

In government-controlled Artema (26km north of Luhansk) the SMM were told by two men and three women (all in their sixties) that a number of houses were damaged by shelling on 23 May. The SMM saw one destroyed house and damage to several others. The SMM was not able to determine the direction from which the shells were fired.”

880. The relevant part of the SMM update for 29 May 2015 read:

“The SMM is restrained in fulfilling its monitoring functions by restrictions imposed by third parties and security considerations including the lack of information on whereabouts of landmines.

The security situation in Donbas is fluid and unpredictable and the cease-fire does not hold everywhere.

A local ‘DPR’ military commander in the Kirovskyi district of ‘DPR’-controlled Donetsk city (10km south-west of Donetsk city centre) said the SMM had no authorization to be in the area or to speak to residents, and he requested that the SMM leave the area immediately. The SMM left the area.

The SMM was denied entry to a ‘DPR’ heavy weapons holding area by a ‘DPR’ member who said the site commander was not present and the SMM had not been expected.

The SMM was denied access at another ‘DPR’ heavy weapons holding area. The SMM observed six D-30 howitzers (122mm) and two MT-12 anti-tank guns (100mm), but was not able to record details, including serial numbers.

At three Ukrainian Armed Forces checkpoints in the government-controlled towns of Krasne (47km west of Donetsk), Kramatorsk (80km north-north-west of Donetsk) and Volnovakha (50km south-south-west of Donetsk), personnel requested to check SMM monitors’ IDs and nationalities. The SMM was allowed to proceed after 15-20 minutes.”

881. The relevant part of the SMM update for 3 June 2015 read:

“The SMM observed that the overall security situation in the Luhansk region remained calm. The SMM heard one burst of automatic small arms fire outgoing from 300 to 400m south-east of the SMM position at the last checkpoint manned by Chernihiv battalion serving under the Ukrainian Ministry of Interior, prior to the Stanytsia Luhanska bridge (government-controlled, 16km north-east of Luhansk). The Chernihiv battalion commander informed the SMM that a ‘Luhansk People’s Republic’ (‘LPR’) unit had attacked the last checkpoint prior to the bridge. The SMM inspected the site of the incident and observed multiple craters around the checkpoint, assessed to have been caused by automatic grenade launcher fire, and three damaged civilian houses. The SMM observed holes in the roofs and damaged walls, shrapnel in front of the houses and broken windows.”

882. The relevant part of the SMM update for 5 June 2015 read:

“The SMM visited Hranitne (47km northeast of Mariupol, government-controlled), 13km across the contact line from Telmanove, and met with three female members of the village administration. They reported that their electricity supply is frequently

interrupted due to damage to the power line caused by shelling. The SMM analyzed 15 recent craters and assessed that four of them were caused by mortar shelling originating from the south-east.”

883. The relevant part of the SMM update for 7 June 2015 read:

“On 7 June, between 11:15 and 11:25hrs, at the government-controlled Shchastia (20km north of Luhansk) bridge, the SMM heard ten explosions, probably originating from a mortar (82mm calibre). The shells landed approximately 100-500 metres north and south of the SMM’s position in the area around the bridge.

In government-controlled Stanytsia Luhanska (16km north-east of Luhansk), Chernihiv battalion personnel serving under the Ukrainian Ministry of Interior informed the SMM that on the evening of 5 June, from 21:00-24:00hrs, there was an exchange of fire between their battalion and ‘Lugansk People’s Republic’ (‘LPR’) armed groups. The SMM spoke with three female residents (two young and one elderly) who spoke of the lack of electricity, which caused water supply problems. According to them, for the last seven days there was no electricity and water. They said that residents were using wells and hand pumps to obtain water. According to the interlocutors, the kindergarten was closed, due to the lack of water and electricity.”

884. The relevant part of the SMM update for 9 June 2015 read:

“In government-controlled Stanytsia Luhanska (16km north-east of Luhansk) nine residents (seven females and two males, from 30 to 70 years old) told the SMM that the village had sustained heavy shelling on the evening of 8 June. The SMM was told by residents that the Stanytsia Luhanska bridge continued to be closed for all traffic, which was confirmed by the personnel at the last checkpoint prior to the bridge.”

885. The relevant parts of the SMM update for 10 June 2015 read:

“In government-controlled Novokalynove (26km north-west of Donetsk), the SMM observed seven craters, caused by 120mm mortars, and a damaged house. In nearby government-controlled Soloviove (28km north-west of Donetsk), the secretary of the village council told the SMM that a residential house in Novokalynove had been severely damaged by shelling a few days previously. In government-controlled Keramik (27km north-north-west of Donetsk), Ukrainian Armed Forces soldiers told the SMM that Novokalynove had been shelled five days previously.

In government-controlled Kurdiumivka (52km north-north-east of Donetsk), the SMM observed two destroyed and three damaged civilian residences. The SMM conducted crater analysis on a number of impact sites in the village, assessing that 122 or 152mm tubed artillery rounds fired from the direction of “DPR”-controlled Holmivskiyi (11km south-east of Kurdiumivka; 47km north-north-east of Donetsk) had been responsible. ...

In government-controlled Lebedynske (16km east-north-east of Mariupol), the SMM observed a number of shell-damaged houses and craters. The commander of the Kryvbas volunteer battalion serving under the Ministry of Internal Affairs told the SMM that the village had been shelled on 2 June, with approximately 60 heavy artillery rounds impacting in the village in the space of 40 minutes.

...

On 9 June, at the bridge in government-controlled Shchastia (20km north of Luhansk), the SMM conducted crater analysis on two impacts, both of which held mortar shell tails. The SMM assessed that 120mm mortars – fired from the direction of

‘Lugansk People’s Republic’ (‘LPR’)-controlled Vesela Hora and Obozne (16 and 18km north of Luhansk, respectively) – had been responsible.”

886. The relevant parts of the SMM update for 11 June 2015 read:

“In the area of Berdianske (18km east of Mariupol) the SMM observed two 120 mm mortars as well as a great amount of shrapnel spread in the area surrounding the observation point located at 1.5km west of Shyrokyne. In the SMM’s assessment, the shrapnel and the respective impacts were recent. The SMM performed crater analysis from which it assessed by the angle of the impacts that the fire originated from a north-easterly direction. The SMM also observed that a number of private houses had suffered severe damage; some of them from direct impact.

...

The SMM met the director and deputy director of the Western Water Filter Station company located in government-controlled Bilohrivka (89km north-west of Luhansk). They told the SMM that the damaged water pipes had resulted in the loss of large quantities of water but that some half of the necessary repairs had been conducted ...”

887. The relevant parts of the SMM update for 12 June 2015 read:

“On 11 June, the SMM conducted several crater analyses in Lebedynske (government-controlled, 16km east-north-east of Mariupol). The SMM assessed that the craters were caused by artillery (152mm) and mortar (120mm) shelling originating from a north-eastern direction. In addition, the SMM observed damage caused by shrapnel to various houses.

...

The SMM observed a railway bridge three kilometres south-west of Popasna (government-controlled, 69km west of Luhansk) that had been damaged by an explosion caused by an improvised explosive device, consisting of at least two artillery shells (152mm).”

888. The relevant part of the SMM update for 14 June 2015 read:

“On 14 June, in government-controlled Trokhizbenka (33km north-west of Luhansk), the SMM was told by residents about early morning grenade and Grad rocket explosions. The SMM observed a hole in the roof of an abandoned building. On the ground near the building the SMM observed metal pieces from the rockets. Five metres south of the village’s main road, the SMM located a crater with a Grad rocket casing. Another crater was observed approximately 30m from the road in the area of the local tuberculosis hospital. The SMM observed several metal pieces around the crater. Based on analysis at the scene, the fire had been incoming from the south-west.”

889. The relevant part of the SMM update for 17 June 2015 read:

“In Novokalynove (government-controlled, 35km north-west of Donetsk) the SMM monitored the situation concerning shelling of a gas pipeline on 12 June. The SMM observed that the site area was severely burnt. The SMM examined two craters assessed to have been caused by shells (122mm or larger) fired from 150 degrees in a south-south-easterly direction.”

890. The relevant parts of the SMM update for 21 June 2015 read:

“In government-controlled Pavlopil (26km north-east of Mariupol), the SMM observed that the bridge connecting Pavlopil to Orlovske (23km north-east of Mariupol), which had previously been damaged by shelling in September 2014, was

completely destroyed by explosives on 20 June. The SMM talked to civilians in the area who said that the bridge was blown up early morning on 20 June.

...

On 20 June, in government-controlled Trokhizbenka (33km north-west of Luhansk) the SMM analysed an impact crater (3-4m deep with a diameter of 20-25 cm) caused by an unidentified rocket. The rocket had impacted in a garden located around 100 m from a private residence, but the shell had not exploded. The SMM estimated the rocket to have been fired from a southern direction in 'LPR'-controlled areas.

The SMM conducted crater analysis also north of Trokhizbenka. The SMM saw two impact sites. The first rocket had hit an abandoned civilian shop next to an apartment building. The SMM observed broken windows and damage caused by shrapnel. At the second site, the SMM observed that the rocket (Grad BM-21) casing was still in the crater. The SMM estimated that it was fired from a south-westerly direction in 'LPR'-controlled areas."

891. The relevant part of the SMM update for 23 June 2015 read:

"At Karlivka (government-controlled, 30km west-north-west of Donetsk), the SMM spoke to a farmer who reported unexploded ordnance (UXO) in a nearby field. SMM examined the 120mm mortar round and advised him to contact the Ukrainian Armed Forces for safe disposal. The SMM visited the site of the shelling; farm buildings and surrounding trenches, and observed shell damage to one building, however, was unable to carry out any further examination due to the risk of UXO."

892. The relevant part of the SMM update for 24 June 2015 read:

"At a water supply facility in government-controlled Zolote (60km north-west of Luhansk), the SMM noted that one of the water-pump stations and a transformer were damaged, caused – according to plant employees – by MLRS Grad rockets on 23 June. The SMM noted a large crater impact outside the damaged pump station."

893. The relevant part of the SMM update for 26 June 2015 read:

"The SMM conducted an assessment of damage caused by shelling in the area of Berdianske and found four houses damaged, one of which was destroyed and another completely burned down. The SMM conducted crater analysis on 17 impacts, and assessed that they resulted from 120mm artillery shelling from the east-north-east."

894. The relevant part of the SMM update for 28 June 2015 read:

"On 27 June, in government-controlled Stanytsia Luhanska (16km north-east of Luhansk) the SMM followed up on reports of shelling of a Ukrainian Armed Forces position and a residential area. The SMM met two Ukrainian JCCC representatives who stated that the shelling took place on the night of 26 June. As a result, they said, one woman (age 56, a resident of Luhansk) was killed and three Ukrainian soldiers were wounded (one seriously), one civilian house was burned down and another was damaged. The SMM confirmed ten impacts: four from 120mm mortars (mortar rounds' tails were still visible in the blast site), three craters from undetermined weapons, and one impact assessed as likely from a 30mm AGS-17, where the SMM was told that the woman was killed (fresh blood was found three meters from the impact). Eight explosions were in close proximity to an abandoned gas station on the way to the last Ukrainian Armed Forces checkpoint before the bridge. Two more impacts were found in a populated area: one shell had hit a house resulting in the whole house burning down,

while another shell had hit a different house, causing a hole in the building wall. The positioning of mortar tails indicated that the shells were likely fired from the south.

On 28 June, in government-controlled Toshkivka (60km north-west of Luhansk) the SMM spoke with one female shopkeeper who reported fighting taking place the night before around government-controlled Svetlichna, near government-controlled Nyzhnie (56 km north-west of Luhansk). According to her, both the electric cables and water pipes in Svetlichna were damaged, leaving Toshkivka without water supply. The SMM went to the Svetlichna water plant to follow up on the reports of shelling. The SMM spoke with one Ukrainian Armed Forces soldier who stated that there had been a barrage of 25 Grad rockets at 03:30hrs the night before, lasting approximately five to ten minutes. The rockets had hit the water station and also damaged the electrical infrastructure. Based on crater analysis, the SMM determined from the angle of the impact that the rockets had originated from a southerly direction.”

895. The relevant parts of the SMM update for 2 July 2015 read:

“The deputy mayor of Avdiivka told the SMM that there was no water in the town due to shelling on 29 June and that repair works of the water supply system were underway. Part of the town has been without electricity, he added.

...

In Stanytsia Luhanska (government-controlled, 16km north-east of Luhansk), the SMM met a Ukrainian Armed Forces colonel, who was assessing the impact of shelling on 1 July north-west of the bridge. He said the situation in the town remained tense, with periodic exchange of fire and that on 1 July, between 21:00 to 22:20hrs, the shelling of the government-controlled areas had resulted in the burning of two houses. The SMM saw that the two houses had been burnt.”

896. The relevant part of the SMM update for 3 July 2015 read:

“In government-controlled Stanytsia Luhanska (16km north-east of Luhansk), the SMM noted a house whose roof was damaged and windows shattered, caused by shelling. The owner claimed that Ukrainian Armed Forces routinely position tanks near the house and fire, which attracts fire upon the area.”

897. The relevant part of the SMM update for 5 July 2015 read:

“On 4 July, in Shchastia (government-controlled, 20km north of Luhansk), the SMM observed ceasefire violations. Following up on a JCCC report that the Shchastia power station had been subjected to heavy weapons fire the previous evening, the SMM visited the site on 5 July and analysed five fresh craters, estimating that four had been caused by 82mm mortar and one – by a 122mm howitzer, originating from an easterly direction. At the hospital in Shchastia, the SMM was told that two workers of the power plant, wounded by shell fragments, had been brought in on the evening of 4 July and received first medical aid[.]”

898. The relevant parts of the SMM update for 9 July 2015 read:

“In government-controlled Marinka (23km west-south-west of Donetsk), male and female residents told the SMM of regular night-time shelling between Ukrainian Armed Forces’ positions on the contact line and ‘DPR’ positions further east. They said there had been consequential damage to gas pipes. ... In government-controlled Krasnohorivka, 7km further north, local residents also spoke of regular night-time shelling and [small arms and light weapons] fire. The head of the civilian-military

administration in the town told the SMM that both electricity and water-supply infrastructure had been damaged in the fighting.

...

In government-controlled Stanytsia Luhanska (16km north-west of Luhansk), a Ukrainian Armed Forces representative to the Joint Centre for Control and Co-ordination (JCCC) on 8 July told the SMM of a skirmish close to the bridge in the early hours of the morning. He said [small arms and light weapons], including heavy machine-guns; anti-aircraft guns and grenade launchers were used. He reported no casualties. The SMM observed fresh craters caused by grenade launchers and 82 mm mortars close to the Ukrainian Armed Forces checkpoint at the northern end of the bridge. It observed one heavily-damaged house in the vicinity.”

899. The relevant part of the SMM update for 13 July 2015 read:

“The SMM followed up on observations and reports of shelling by visiting towns including Krasnohorivka (government-controlled, 21km west of Donetsk). There, the head of the civilian-military administration and, independently, several civilians described incoming tank fire between 3:30 and 4:00hrs. The SMM observed six fresh craters and one impact on a residential building – and concluded that the craters had been caused by 125mm main battle tank (MBT) incoming rounds fired from the east-south-east.”

900. The relevant part of the SMM update for 14 July 2015 read:

“In government-controlled Stanytsia Luhanska (16km north-east of Luhansk), the SMM met with Ukrainian Armed Forces representatives to the JCCC, who said that exchange of fire between government forces and ‘Lugansk People’s Republic’ (‘LPR’) had occurred during the night of 13 July. According to them, the exchange of fire started at 22:15hrs and lasted five hours and causing damage to houses in Stanytsia Luhanska. The SMM saw one fire-damaged shed. In a back garden of another house, the SMM observed five fresh craters, caused by shelling of an automatic grenade launcher.”

901. The relevant parts of the SMM update for 19 July 2015 read:

“Meanwhile the SMM on 18 July visited the JCCC office in government-controlled Avdiivka (15km north-north-west of Donetsk), where Ukrainian and Russian Federation representatives described tank and artillery shelling for the second consecutive day (17 and 18 July) from the direction of ‘DPR’-controlled Spartak (10 km north-west of Donetsk). They also reported that three civilians had been killed when a nine-storey apartment building and a house were struck by artillery.

...

The SMM also travelled to the settlement of Lastotska (government-controlled, 5km west of Avdiivka and 18km north-west of Donetsk), where it observed three unexploded howitzer rounds (152mm), 18 craters that it assessed to have been caused by howitzer rounds (152mm) and substantial damage to surrounding buildings consistent with artillery shelling. Furthermore the SMM on 18 July observed evidence in the form of shell fragments and fuses consistent with Ukrainian Armed Forces reports of artillery shelling on 16 July near the JCCC observation point in Luhanske (government-controlled, 59 km north-east of Donetsk).”

902. The relevant part of the SMM update for 21 July 2015 read:

“In government-controlled Krasnohorivka (29km west of Donetsk) the SMM met together with the senior officer of a Ukrainian Armed Forces base and the head of the

village council who said that Krasnohorivka came under heavy shelling in the early hours of 19 July. According to them, 16 houses were damaged and no one was injured. The SMM analysed two shell impact craters in a residential area and assessed the direction of fire as from the south-east.”

903. The relevant parts of the SMM update for 22 July 2015 read:

“Close to Avdiivka (government-controlled, 15km north-north-west of Donetsk), the SMM observed ten fresh craters both on the H20 road and on the surrounding fields. The SMM conducted a crater analysis and estimated that they had been caused by multiple launched rocket systems (MLRS BM-21 Grad) from a north-north-easterly direction. While at the same location, between 13:20 and 14:40hrs, the SMM heard 20 loud explosions of incoming rounds south-east of its position. The SMM estimates that the bombardment was caused by both 120mm mortars and 122mm artillery rounds.

...

In government-controlled Stanytsia Luhanska (17km north-east of Luhansk), the SMM was informed by several interlocutors that houses had been damaged there on the night of 19 to 20 July. On Bukaieva Street, the SMM observed damages on two houses, caused by shrapnel in the first and by small arms in the second case (two broken windows).”

904. The relevant part of the SMM update for 24 July 2015 read:

“In government-controlled Novohorodske (35km north-east of Donetsk) at approximately 12:30 on 24 July, the SMM observed a residential building on fire, said by Ukrainian Armed Forces JCCC officers at the scene to have been caused by recent shelling.”

905. The relevant parts of the SMM update for 26 July 2015 read:

“On 25 July in Avdiivka (government-controlled, 14km north-west of Donetsk), the SMM was told by a check point officer of the Ukrainian Armed Forces that the old part of the city had been shelled the previous day. The SMM saw that a street at the location indicated by the officer had been heavily shelled, with six houses partially destroyed by the shelling (roofs collapsed, windows broken, holes in the walls). ... In the middle of the same street, the SMM also saw a Ukrainian Armed Forces checkpoint with trenches and an armoured personnel carrier (BTR-60).

On 26 July in Krasnohorivka (government-controlled, 21km west of Donetsk), the SMM was told by the head of the military-civilian administration that shelling had occurred during the night between 25 and 26 July. The SMMU observed that a nine-story apartment building had been damaged (balconies collapsed, one apartment destroyed, windows broken, holes in the roofs and in the walls). The SMM observed one apartment still burning at the fifth floor, with residents extinguishing the fire to prevent it from affecting the other apartments. At the location, the SMM also saw civilians clearing the remnants of the debris of the apartments. The SMM observed visible evidence of artillery/tank impacts (ranging in size from 30 to 50cm) to the east-facing side of the building[.]

...

On 25 July, in order to verify a ceasefire violation reported by the Joint Centre for Control and Co-ordination (JCCC) on 24 July, the SMM visited government-controlled Stanytsia Luhanska (16km north-east of Luhansk). The SMM observed that one house and the shed of another house were burned completely and the roof of a third house was

damaged. The SMM estimated that the houses had been shelled by an anti-tank recoilless gun (SPG-9) from a 1.5km distance from a southerly direction.”

906. The relevant parts of the SMM update for 27 July 2015 read:

“The SMM met the deputy manager and other personnel of the Svitlodarsk (government-controlled, 56km north-east of Donetsk) power plant who said that the plant had been shelled at around 00:57hrs on 27 July and as a result it had stopped working at full capacity. The deputy manager estimated that damages from shrapnel would take three days to repair. In the meanwhile, he added, the plant could not fully supply electricity to parts of Horlivka (‘DPR’-controlled, 33km north-east of Donetsk) and Artemivsk (government-controlled, 67km north-east of Donetsk).

...

Following up on information received from the JCCC, the SMM visited Stanytsia Luhanska (government-controlled, 16km north-east of Luhansk) and observed ten civilian houses heavily damaged by recent shelling of different calibre. From the analysis of four fresh craters, the SMM assessed that a large number of weapons had been used, including small arms, semi-automatic grenade launchers, 72mm grenade launchers, 82mm mortar and artillery of 122mm. The SMM estimated that the firing originated from the south.”

907. The relevant part of the SMM update for 30 July 2015 read:

“Representatives from the JCCC office in government-controlled Dzershinsk (54 km north of Donetsk) accompanied the SMM to several areas in the town that they said had been hit by a late evening/early morning shelling on 29/30 July. The SMM observed 12 impacts caused by mortar and artillery and conducted crater analysis at two locations. The SMM assessed the direction of fire to have been from an east-south-east direction. At least five houses had suffered direct hits, destroying roofs and walls. Telephone, electricity and gas infrastructure had also been affected and repair works were observed by the SMM. Several residents expressed concerns about the presence of Ukrainian soldiers in their neighbourhood. At the Dzershinsk central city hospital, the SMM verified that two civilians and one Ukrainian soldier had been killed, and that one civilian and one soldier had been injured in the shelling.

The SMM met with the respective JCCC representatives of the Ukrainian Armed Forces and Russian Federation Armed Forces at the coke and chemical plant in government-controlled Avdiivka (17km north-west of Donetsk). Both informed the SMM of a 26 July shelling (122mm artillery) of the plant, which according to them originated from the area of Spartak and Donetsk airport, to the south of the town. The JCCC representatives told the SMM that on the same day, a 50-year-old woman had been killed and one person had been injured by a grenade. In Avdiivka, the SMM saw three craters, assessed by the SMM to have been caused by 122mm calibre artillery, and the remnants of a multiple launch rocket system (9K51/BM-21 Grad). The team also observed three houses with holes in their roofs and windows blown out. Due to damage sustained, it was impossible to say which side of the houses had been hit. Additionally, the SMM saw a shed with a collapsed (south-facing) wall and three craters nearby, assessed by the SMM to have been caused by 122mm artillery rounds. No crater analysis was conducted.”

908. The relevant part of the SMM update for 2 August 2015 read:

“On 31 July, the SMM saw damage to five houses in government-controlled Toshkivka (60km north-west of Luhansk) which several residents (and the Ukrainian Armed Forces deputy battalion commander in the area) said was caused by shelling

during the night of 30-31 July. The SMM observed windows blown out, blast damage to walls, and saw that the roofs of three houses were heavily damaged. Residents (ten women and men of various ages) said one man suffered light injuries.

In government-controlled Stanytsia Luhanska (16km north-east of Luhansk) on 1 August the SMM met with two Ukrainian Armed Forces representatives from the JCCC at the location of an alleged recent shelling. According to a female resident, a house was struck by a shell during the early hours of 1 August. The SMM observed that two houses in the area were completely destroyed and that the roof was damaged on another. The SMM saw two more houses that were hit, according to the Ukrainian Armed Forces, on the late evening of 31 July, both of which were gutted by fire.”

909. The relevant parts of the SMM update for 3 August 2015 read:

“In Marinka (government-controlled, 23km west of Donetsk), the SMM visited an area which had been reportedly shelled on the night between 1 and 2 August. It observed a number of impacts on the roofs of several houses. The SMM could not perform crater analysis for security reasons.

...

The SMM visited Stanytsia Luhanska (government-controlled, 16km north-east of Luhansk) to follow up on allegations of shelling (see SMM Daily Report 3 August 2015). The SMM visited nine houses, which had been damaged by shelling allegedly on the night of 1 to 2 August and on 3 August. It observed damages consistent with shelling, including impacts on the roofs and bullet holes in the windows and walls, as well as burnt interiors. Three of the houses were completely destroyed.”

910. The relevant part of the SMM update for 4 August 2015 read:

“According to the Ukrainian Armed Forces commander at the JCCC observation point in government-controlled Svitlodarsk (55km north-east of Donetsk), the government-controlled areas of Luhanske (57km north-east of Donetsk), Myronovskiy (56km north-east of Donetsk) and Svitlodarsk (55km north-east of Donetsk) had been shelled on 2 August, as a result of which two soldiers had died and 12 had been wounded. In Luhanske (57km north-east of Donetsk), the SMM observed shrapnel damage to three houses and saw a crater near a gas line. Crater analysis was impossible as repair work had begun.”

911. The relevant part of the SMM update for 6 August 2015 read:

“The SMM observed damage to the power plant in government-controlled Shchastia (20km north of Luhansk). A Ukrainian Armed Forces officer explained to the SMM that shelling at approximately 22:30hrs on 5 August had damaged a high-voltage cable supplying the northern part of the region.”

912. The relevant part of the SMM update for 7 August 2015 read:

“At government-controlled Zolote (60km north-west of Luhansk) the SMM spoke with two female residents, aged 45 and 50, who stated that shelling had occurred on 6 August between 23:00 and 24:00hrs, in the fields south of Zolote where Ukrainian Armed Forces personnel have their positions, although one shell impacted near a children’s playground in the middle of the settlement where the SMM observed a crater showed by a 45 year-old male resident who confirmed the time and location of the shelling. The SMM observed two houses, which were completely burnt, located in the south-western part of the settlement. The SMM observed an anti-aircraft gun (ZU-23) mounted on a military truck in the street where the houses had been destroyed.”

913. The relevant part of the SMM update for 13 August 2015 read:

“The SMM observed damage in government-controlled Avdiivka (15 km north-west of Donetsk) following reports from Ukrainian Armed Forces JCCC representatives of shelling. The SMM conducted crater analysis on impacts near five civilian houses. One house and one shed were destroyed. The SMM assessed that the craters were caused by 122 mm calibre artillery fired from the south-east. In another area of Avdiivka the SMM saw damage to three apartments, one of which was destroyed by shelling. The south-facing walls had sustained shell impacts. According to Ukrainian Armed Forces JCCC representatives, one civilian was injured. The SMM analysed a crater at the location and assessed it to have been caused by 122 mm calibre artillery fired from the south.”

914. The relevant parts of the SMM update for 14 August 2015 read:

“Following information received by Ukrainian Armed Forces personnel at a checkpoint outside of government-controlled Marinka (23km south-west of Donetsk) about shelling of the town in the early morning hours, the SMM went to the spot to conduct crater analysis and assess the damage. Windows and fences of several houses were damaged by shrapnel. The SMM observed ten impacts and conducted five crater analyses. According to the SMM’s assessment, all five impacts were consistent with 120mm mortar ammunition fired from an easterly direction. ...

In government-controlled Chernenko (86km south of Donetsk), local residents told the SMM about shelling between 21:30 and 03:00hrs. The SMM observed a barn which was completely destroyed as it collapsed due to the detonation and according to its owner 20t of hay were ruined as well. The SMM counted six craters and estimated that the impacts were caused by 100mm artillery fired from a north-north-easterly direction.”

915. The relevant parts of the SMM update for 16 August 2015 read:

“On the same day in government-controlled Andriivka (41km north-north-east of Mariupol), the SMM conducted crater analysis of eleven fresh craters caused by shelling on the previous day, according to information received from a resident. The SMM assessed that the impacts have been caused by 152mm artillery incoming from a north-easterly direction. Three residential houses were severely damaged and others slightly. The SMM was told by the residents that five civilians had been injured due to the shelling.

...

On 15 August, in government-controlled Stanytsia Luhanska (16km north-east of Luhansk) the SMM visited three sites that according to a report from a Ukrainian Armed Forces representative at the JCCC had been shelled on 14 August. All three sites were located near Ukrainian Armed Forces checkpoints or military unit locations in residential areas. ... The SMM observed shell impacts including four severely damaged houses and analysed craters in three sites. The SMM assessed that the craters were caused by fire originating from the south.”

916. The relevant part of the SMM update for 17 August 2015 read:

“In government-controlled Sartana (15km north-east of Mariupol), the SMM observed and carried out analysis on 11 craters, concluding that either 122 or 152mm artillery rounds – mostly fired from the east – had caused them. Residents told the SMM that two civilians had been killed in the shelling – later confirmed by the morgue in Mariupol – and six injured. The SMM subsequently verified the reported injuries,

visiting two hospitals in Mariupol, where it was told one of the injured included a girl who had lost one of her legs. The mayor of Mariupol told the SMM in Mariupol that the shelling in the village had occurred late the previous night, resulting in damage to 54 houses, five of which were completely destroyed. He added that electricity, gas and water supplies had been cut in at least some parts of the village because of the shelling. The SMM at the scene observed 25 partially and severely damaged residential dwellings.”

917. The relevant parts of the SMM update for 18 August 2015 read:

“The SMM followed up on information about casualties of shelling that had occurred during the night of 16 August around the government-controlled area of Sartana (15 km north-east of Mariupol). In addition to two civilians that had been killed in the shelling (see SMM Daily, 18 August), the SMM was informed by the head of the village council and his deputy that a third seriously injured woman died at the hospital in the morning.

...

Near government-controlled Stanytsia Luhanska (18km north-east of Luhansk), the SMM observed two craters close to the ‘LPR’-controlled checkpoint, which it assessed to have been caused by an automatic grenade launcher (AGS 17) and a 120mm mortar round that had hit the railing of the bridge. ... The Ukrainian Armed Forces personnel at the checkpoint on the government-controlled side of the bridge told the SMM that the mortar shelling occurred on the night of 12 August between 22:00 and 03:00hrs. The SMM observed 11 UXO from a 120mm mortar around the checkpoint area and assessed that it had been fired from a southerly direction.”

918. The relevant part of the SMM update for 21 August 2015 read:

“In government-controlled Prohorivka (55km south-west of Donetsk), following up on information received separately from the head of the village council and residents of Starohnativka about one male civilian killed in overnight shelling, the SMM observed one crater and a piece of shrapnel near the farm compound where according to residents the victim had been hit. The SMM assessed that a 152mm shell – fired from a north-easterly direction – had caused it.

In government-controlled Lebedynske (16km north-east of Mariupol), the SMM observed six fresh craters and assessed that five of them were caused by 82mm mortar shells fired from a south-easterly direction, while the sixth was caused by a calibre above 120mm originated from the same direction. The SMM saw shattered windows and damage to fences and gas pipelines of nearby houses. The head of the village told the SMM about shelling that had occurred at 04:00hrs the same morning. He added that there were no casualties but the electricity line and gas pipeline were damaged.”

919. The relevant parts of the SMM update for 24 August 2015 read:

“In the vicinity of Marinka the SMM was told by two Ukrainian Armed Forces officer present that shelling had taken place during the previous night. The SMM visited two sites in the town, where it observed that a projectile had penetrated through the concrete roof of the hospital, exploded its wall and broken its windows. The SMM analysed six fresh craters and assessed them to have been caused by 122mm calibre artillery originating from the south or the south-east.

...

In government-controlled Svitlychne, the south-eastern part of government-controlled Nizhniy (56km north-west of Luhansk), the SMM observed two fresh impacts and carried out crater analysis, concluding that they had been caused by fire from a southerly

direction. The type of weapon used was assessed to be 122mm Grad multiple launch rocket systems (MLRS) rockets. The SMM noted that a gas pipeline was heavily damaged and electric cables were cut.

On 23 August, the SMM visited the government-controlled northern side of Stanytsia Luhanska (16km north-east of Luhansk), where an elderly female resident told the SMM that shelling had taken place on 22 August and two houses had burnt down. The SMM saw that one civilian house was still smouldering. The SMM also observed one fresh crater on the road and assessed it had been caused by a calibre above 120mm.”

920. The relevant part of the SMM update for 27 August 2015 read:

“In government-controlled Sopyne (16km east of Mariupol) various local residents said that the latest incoming shelling hit a currently unused children’s summer camp in the village. The SMM saw fresh craters near the camp[.]”

921. The relevant parts of the SMM update for 28 August 2015 read:

“In government-controlled Kominternove (23km north-east of Mariupol), between 12:32 and 13:10hrs, the SMM heard 12 explosions from undetermined distance southeast of its position and saw one impact at a location 3km south of its position. Whilst in Kominternove, local residents showed the SMM three craters which they said resulted from shelling on 26 August. The SMM analysed craters in a residential area. Analysis indicated that 120mm mortar rounds – two were fired from the east, another one was fired from a westerly direction – had caused the damage including blown-out windows and a pitted roof.

...

The SMM visited the checkpoint near the government-controlled northern side of the Stanytsia Luhanska bridge (16km north-east of Luhansk), where a Ukrainian Armed Forces officer informed them that shelling and fire exchange had occurred during the previous night. The SMM observed and carried out analysis on three craters around the checkpoint, who assessed that they had been caused by 82mm and 120mm mortars – fired from a southerly direction. The SMM also visited four sites of a residential area in the town and observed four damaged civilian houses including a house with a completely destroyed summer kitchen, and another house with its roof entirely burnt. The SMM analysed craters and assessed that the impacts had been caused by 82 mm and 120 mm mortar.

...

In government-controlled Orikhove (56km south-west of Luhansk), local residents informed the SMM about heavy shelling that occurred the previous evening. The SMM observed temporary military installation in a residential area, saw civilian houses damaged by shrapnel fragments and met with one injured civilian. It found the remnants of ammunition from multiple launch rocket systems (MLRS) (BM-21 Grad, 122mm) on the ground in several sites in the village.”

922. The relevant part of the SMM update for 30 August 2015 read:

“On 28 August in government-controlled Avdiivka (15km north-west of Donetsk), the SMM saw two craters and an impact to a wall of a residential building. In the SMM’s assessment, the impact to the wall was caused by ordnance (type unknown) fired from the south. Two apartments had been heavily damaged, with holes in roofs and blown out windows observed by the SMM.

...

On both sides of the contact line in Donetsk region, the SMM observed schools being repaired in preparation for the start of the school year in many towns, including in ‘DPR’-controlled Vuhlehirsk (47km north-east of Donetsk) and Horlivka (37 km north-east of Donetsk), and in the government-controlled towns of Marinka (23 km south-west of Donetsk) and Krasnohorivka (21km west of Donetsk). In these towns the SMM observed (and were told by interlocutors) that although schools should be operational for the start of the school year, nine schools in the aforementioned towns, and in other locations, will not be ready.

...

In government-controlled Stanytsia Luhanska (16km north-east of Luhansk), a woman and a young girl told the SMM that as the local school had been destroyed by shelling, children would be split up and taught at different locations in the town. According to the interlocutors, 40 children would attend school.”

923. The relevant part of the SMM update for 31 August 2015 read:

“In government-controlled Pavlopil (26km north-east of Mariupol), a school director told the SMM that the only school in the village has been closed due to a lack of drinking water (as the water pipeline had been damaged by shelling) and a lack of capacity in providing children with meals as a result of conflict. The interlocutor added that seven school-aged children in the village would attend the school in government-controlled Talakivka (17km north-east of Mariupol) – 9km south-east of Pavlopil.”

924. The relevant part of the SMM update for 1 September 2015 read:

“... At a school in government-controlled Krasnohorivka (21km west of Donetsk), the SMM observed significant damage caused by shelling to windows, walls and the roof, which the principal said could be repaired within a month if there were no fighting. He said the school – which had only approximately 25 percent of its pre-conflict enrollment – also hosted another local school which had lost approximately 90 percent of its pre-conflict enrollees. The principal of another school in the town told the SMM that the school had suffered significant damage – sustaining 12 direct hits on 3 June, and most recently, two on 27 August – forcing staff and pupils to abandon the building.”

925. The relevant part of the SMM update for 4 September 2015 read:

“In government-controlled Krymske (43km north-west of Luhansk), a Ukrainian Armed Forces commander informed the SMM about shelling by 120mm mortar in the government-controlled northern area of Zholobok (48km north-west of Luhansk) near the contact line, during the night of 2 September. Due to security reasons, the SMM could not observe possible impact areas, which were mined according to signs.”

926. The relevant part of the SMM update for 13 September 2015 read:

“On 12 September, in government-controlled Novotoshivske (52km north-west of Luhansk), two interlocutors (female aged 35 and 55) and a Ukrainian Armed Forces officer present separately informed the SMM about shelling from an easterly direction in the morning of 11 September. The SMM did not see any craters as the interlocutors could not specify the exact location of the shelling.

On 12 September, in government-controlled Krymske (41km north-west of Luhansk), the SMM spoke with a Ukrainian Armed Forces officer who stated that four rounds of 82mm mortar had been fired from a ‘Lugansk People’s Republic’ (‘LPR’) controlled area during the night of 10 September. The SMM could not access the alleged impact

sites near the Ukrainian Armed Forces military position as according to the interlocutor the area was mined.”

927. The relevant part of the SMM update for 23 September 2015 read:

“In government controlled Pisky and Opytne (11km and 12km north-west of Donetsk respectively), the SMM spoke with residents still living there. A 77-year-old woman told the SMM that her home in Pisky was heavily damaged in shelling. The SMM saw an abandoned house where she lives with her severely disabled son.”

928. The relevant part of the SMM update for 12 October 2015 read:

“In government-controlled Hranitne (47km north-east of Mariupol), the head of the village council told the SMM that ... [a]pproximately 600 houses had been partially damaged, ..., ten completely destroyed.

...

In government-controlled Valuiske (20km north-east of Luhansk), the head of the village council told the SMM that 1,012 houses had been damaged in fighting since the start of the conflict in Valuiske and surrounding villages, 30 of them in August. Eighteen civilians had been killed, and 70 injured, he added.”

929. The relevant part of the SMM update for 25 October 2015 read:

“In [government-controlled] Pisky, the SMM saw damage to houses and apartments, some of which was caused by shelling, although other damage was assessed to have been caused by criminal activity.”

930. The relevant part of the SMM update for 30 October 2015 read:

“The SMM followed up on reports of an explosion at an ammunition depot in government-controlled Svatove (127km north-west of Luhansk). The SMM was stopped 5km from Svatove by Ukrainian Armed Forces personnel and prevented from reaching the location due to security concerns. According to a representative of the Anti-Terrorist Operation, a fire had caused over 3,000 tons of ammunition to explode. Two persons (one civilian woman and one male soldier) had been killed and eight injured, the interlocutor said, adding that buildings had been destroyed and utility supplies severely disrupted. The SMM also spoke with a representative of the Civil-Military Administration of the Luhansk region, based in government-controlled Sievierodonetsk (74km north-west of Luhansk), who said that civilians and military personnel had been evacuated from the area while the authorities attempted to bring the situation under control. According to the interlocutor, 58 pieces of unexploded ordnance had been located by 15:00hrs on 30 October.”

931. The relevant part of the SMM update for 1 November 2015 read:

“On 1 November in government-controlled Svatove (127km north-west of Luhansk), the SMM noted damage to roofs and windows of houses within a three-kilometre radius around an ammunition depot which exploded on 29 October (see SMM Daily Report 31 October 2015). The head of the State Emergency Services told the SMM that gas, electricity and water supplies had been restored, and that residents evacuated following the explosion – apart from those whose homes were deemed unsafe or had been destroyed – had returned home. The mayor of Svatove told the SMM that 5,000 of the town’s 20,000 residents had been evacuated. He raised concerns about the possible impact of the explosion on local industry, as the depot is close to an industrial area and some factory buildings had suffered major damage. The presence of unexploded ordnance (UXO) could also affect industrial production, he added. The SMM observed

a significant amount of UXO scattered in the fields around the depot, and demining teams working to neutralize them.”

932. The relevant part of the SMM update for 2 November 2015 read:

“In government-controlled Svatove (127km north-west of Luhansk), from a temporary checkpoint approximately 200m east of an ammunition depot which exploded on 29 October (see SMM Daily Report 31 October), the SMM observed that ten demining team personnel were on-site – Ukrainian Armed Forces personnel prevented the SMM from reaching the location, citing security concerns. The SMM also saw 20-30 depleted combustion chambers of multiple launch rocket system (MLRS) in the surrounding area. On the way to government-controlled Milovatka (120km north-west of Luhansk), the SMM noticed tens of exploded and unexploded fragments of MLRS rockets in the surrounding fields at distances between 500m and 5km from the ammunition depot.”

933. The relevant part of the SMM update for 5 November 2015 read:

“Following up on information supplied by a Ukrainian Armed Forces officer attached to the Joint Centre for Control and Co-ordination (JCCC) about alleged shelling the previous night in government-controlled Pisky (11km north-west of Donetsk), the SMM observed a fresh impact crater in the town. Following crater analysis, the SMM assessed that it had been caused by a 30mm automatic grenade launcher round, fired from the south, most probably from ‘Donetsk People’s Republic’ (‘DPR’)-controlled Volvo Centre area (9km west-north-west of Donetsk). While at the scene – just under half an hour – the SMM heard numerous explosions caused by incoming fire, accompanied by sporadic small-arms fire, south of Pisky.”

934. The relevant parts of the SMM update for 6 November 2015 read:

“Following up on reports of shelling at three locations in Krasnohorivka, the SMM observed one fresh impact crater in the town. The SMM conducted a crater analysis and assessed that it had been caused by an 82mm mortar and was likely fired from the east. While at the site, the SMM observed a large fire and a lot of smoke some 600-1000m east of its position. A Ukrainian Armed Forces officer suggested that this fire was caused by automatic grenade launcher impacts, which had occurred some 30mins prior to the SMM’s arrival. At 14:34hrs, the SMM heard an explosion assessed as an impact about 1-1.5km south of its position, and left the area due to security considerations. At the two other locations in the town, the SMM observed impact craters and no shrapnel. As a consequence the SMM was unable to assess the site properly.

...

The SMM visited the eastern outskirts of government-controlled Novotroitske (38km south-west of Donetsk) for the first time. During the visit, the SMM observed several destroyed houses[.]”

935. The relevant part of the SMM update for 17 November 2015 read:

“In government-controlled Krasnohorivka (21km west of Donetsk), the SMM found remnants of an 82mm mortar round and a fresh crater. Crater analysis carried out by the SMM showed the mortar was fired from the east. At a second location, the SMM was shown remnants of a BM-21 Grad rocket (assessed as unexploded), which the Ukrainian Armed Forces said had been fired the previous night. The SMM observed no evidence of impact or damage caused by the rocket.

Residents in villages near the contact line reported hearing fighting at night. In government-controlled Marinka (23km south-west of Donetsk), a group of 15 male residents told the SMM that fighting between the sides had taken place in recent evenings.”

936. The relevant part of the SMM update for 20 November 2015 read:

“The SMM followed up on allegations of multiple launch rocket system (MLRS) shelling on 17 November in the area between government-controlled Zoriane (30 km north-west of Donetsk) and government-controlled Kurakhivka (32km west of Donetsk). The impact crater location was 400m from residential buildings; the SMM did not observe material damage to the buildings. The SMM was unable to conduct comprehensive crater analysis, because the crater had been tampered with (by the local police, according to the Ukrainian Armed Forces and local residents) and affected by the weather conditions, but saw the remnants of a rocket in the crater. The SMM assessed that the rocket was launched by an MLRS, but could not determine the type. In the SMM’s assessment, the crater was over a week old, which was confirmed by local residents.”

937. The relevant parts of the SMM update for 1 December 2015 read:

“The SMM spoke with residents in villages near the contact line. In government-controlled Krasnohorivka (21km west of Donetsk), the SMM observed damage to an apartment building, with many windows broken, only some of which had been covered ...

In government-controlled Pavlopil (26km north-east of Mariupol), ... [a]ll residents reported hearing firing and explosions during the night hours over the last week, but added that it had been quiet for the last two nights.”

938. The relevant part of the SMM update for 8 December 2015 read:

“The SMM followed up on reports of shelling on both sides of the contact line. In government-controlled Pisky (11km north-west of Donetsk), the SMM saw four relatively fresh craters consistent with 120mm mortar rounds in a garden of the villa occupied by soldiers and assessed to have been fired from a south-easterly direction. A Ukrainian Armed Forces Commander told the SMM that shelling had occurred during the night of 6 December.”

939. The relevant part of the SMM update for 10 December 2015 read:

“The SMM conducted crater analysis at several locations. In government-controlled Krasnohorivka (21km west of Donetsk), Zoriane (30km west-north-west of Donetsk) and Oleksandropil (30km west of Donetsk), the SMM analysed five craters. It assessed that four of them were caused by multiple launch rocket systems (MLRS; BM-21 Grad 122mm) rockets (two in Zoriane and two in Oleksandropil), which was evident from the shrapnel found at the sites. The rockets were assessed to have been fired from an east-south-easterly direction. The SMM assessed that the crater in Krasnohorivka was caused by a 125mm tank round, but the direction could not be determined precisely as the fuse tunnel could not be ascertained. The SMM assessed all craters as being less than 48 hours old, which was supported by the residents’ assertions that the shelling had occurred on 8 and 9 December.”

940. The relevant part of the SMM update for 13 December 2015 read:

“On both sides of the contact line, the SMM observed civilians suffering without public utilities. At the headquarters of the civil-military administration in [government-

controlled] Krasnohorivka, the SMM observed approximately 50 civilians (mainly pensioners) angrily demonstrating about having no electricity. According to them, they had been without electricity since the main power line supplying the city was damaged by shelling on 5 December.”

941. The relevant parts of the SMM update for 14 December 2015 read:

“Whilst in government-controlled Avdiivka (15km north of Donetsk), the SMM heard three mortar impacts at a location 4km north-east of its position.

...

The SMM monitored repairs to high voltage electrical power lines east of government-controlled Trokhizbenka (33km north-west of Luhansk). The workers belonged to an electrical infrastructure construction company from government-controlled Artemivsk (96km west of Luhansk). They said that they were repairing the lines on the government-controlled side of the contact line.”

942. The relevant parts of the SMM update for 20 December 2015 read:

“On 19 December, in a field 1km from the centre of Zaitseve village (50km north of Donetsk), the SMM observed four fresh craters and assessed three of them to have been caused by 120mm mortar fired from a south-south-easterly direction. The Ukrainian Armed Forces commander present told the SMM that the impacts had been caused on 17 December ...

On the same day, in government-controlled Marinka (23km south-west of Donetsk), residents informed the SMM that they had heard explosions and shooting – incoming and outgoing – the previous night. The SMM observed the tail of a self-propelled-grenade (RPG-7) lying in a garden and fresh shrapnel on the roof of a residential house.

On 20 December, in government-controlled Novhorodske (34km north of Donetsk), the SMM followed up on reports that two houses and a school in the village had been damaged by shelling on 18 December. The SMM could not see damage to the school as the roof had allegedly already been repaired, while it observed two houses had been hit several times by automatic-grenade-launcher fire, which had caused damage to the south-eastern side of the walls, and the roofs.”

943. The relevant part of the SMM update for 22 December 2015 read:

“The SMM also heard a total of 40 undetermined explosions – 25 of them caused by artillery fire – in government-controlled areas north and north-east of Mariupol, including Berdianske, Starohnativka and Hranitne (18km east, 53km north-east and 47km north-east of Mariupol, respectively).

In government-controlled Krasnohorivka (21km west of Donetsk), following up on reports on shelling on 20 December, the SMM visited two separate unpopulated locations, where it found two relatively fresh craters. The SMM assessed both of them to have been caused by a multiple launch rocket system (MLRS; BM-21 Grad, 122mm) fired from an east-south-easterly direction.”

944. The relevant parts of the SMM update for 27 December 2015 read:

“On 27 December, the SMM followed up on reports of a woman allegedly killed in Zaitseve (50km north of Donetsk) on 26 December. At the only hospital in Dzerzhynsk (government-controlled, 43km north of Donetsk) hospital staff told the SMM that military personnel had delivered to them the body of a woman, approximately 65 years

old, late on 26 December. They said the woman was as yet unidentified and had died of wounds sustained in shelling. According to the hospital staff, the paramedic who had brought the body had said that the woman had been killed when her house was shelled.

...

The SMM is restrained in fulfilling its monitoring functions by restrictions imposed by the parties and security considerations, including mine threats, damaged infrastructure, and the unpredictability of the situation in Donbas. 'LPR' members continue to prevent the SMM from monitoring many areas alongside the border in parts of Luhansk region not controlled by the Government.

Denial of access:

On 24 December at the junction between the main road and the road to 'LPR'-controlled Prokhladne (54km south-east of Luhansk), armed men stopped the SMM at a temporary checkpoint. Due to restrictions previously faced in 'LPR'-controlled Komsomolskyi and Sverdlovsk (see SMM Daily Report 24 December 2015), the SMM had planned an alternative route avoiding known checkpoints, but noted that the checkpoint had now moved forward, to the junction.

On 26 December, armed men prevented the SMM from proceeding through a checkpoint near Olenivka ('DPR'-controlled, 23km south-west of Donetsk). The armed men asked the SMM for 'accreditation' from 'DPR authorities'.

On 26 December an 'LPR' member again denied the SMM access to the site of the recently damaged television broadcast tower in 'LPR'-controlled Rovenky (55km south of Luhansk), where the SMM intended to confirm alleged damage by explosions (see SMM Daily Report 18 December 2015).

On 26 December the SMM attempted to visit government-controlled Novooleksandrivka (68km west of Luhansk), near government-controlled Popasna (69km west of Luhansk), but was unable to access the village via any of the three roads leading to it, as large cement roadblocks had been installed by the Ukrainian Armed Forces. A local interlocutor told the SMM that access was only possible on foot.

Security concerns related to the continued presence of explosive devices on the road prevented the SMM from reaching Kominternove from the government-controlled side of the village.

Delay:

On 24 December, armed men delayed the SMM for 45 minutes at the checkpoint at the southern entrance to 'DPR'-controlled Olenivka (23km south-west of Donetsk).

On 25 December, at a 'DPR'-controlled checkpoint 5.7km north-east of Kominternove (23km north-east of Mariupol) armed men made the SMM wait for 25 minutes at the side of the road. The SMM was then allowed to proceed, but was instructed to 'stay on the main street, and not to proceed further west than the town square due to the danger of snipers in the area.'

On 26 December, armed men delayed the SMM's passage through a temporary checkpoint near 'LPR'-controlled Prokhladne (54km south-east of Luhansk) for 38 minutes.

On 27 December, Ukrainian Armed Forces soldiers delayed the SMM for 25 minutes at a checkpoint in the north-eastern part of government-controlled Zolote (59km west of Luhansk), so-called 'Zolote 1'. The Ukrainian Armed Forces personnel requested the

SMM to show the national passports. The SMM did not comply. This was the first time that the SMM was allowed to pass through this checkpoint.

On 27 December, two armed men delayed the SMM for 50 minutes at a checkpoint near Vlasivka (53km south-east of Luhansk). The armed ‘LPR’ member demanded to check the patrol plan. The SMM was allowed to proceed after the Joint Centre for Control and Co-ordination intervened and the armed men received instructions from their superiors.

On 27 December, the SMM was delayed for ten minutes by a mobile patrol of ‘LPR’ ‘border guards’ while traveling between ‘LPR’-controlled Vlasivka (53km south-east of Luhansk) and ‘LPR’-controlled Krasnodarskyi (57km south-east of Luhansk). The mobile patrol demanded to check the SMM’s patrol plan and then allowed it to proceed.

Conditional access:

On 25 December, at the entrance to Kominternove (23km north-east of Mariupol) a ‘DPR’ soldier on foot, identified himself as the SMM escort officer and remained nearby the SMM in Kominternove.

On 26 December, two armed men stopped the SMM in ‘LPR’-controlled Shakhtarske (60km south of Luhansk). They demanded to see the SMM patrol plan and thereafter - to escort the SMM through Sverdlovsk (61km south-east of Luhansk).

On 26 December, at a temporary checkpoint, armed men only allowed the SMM to proceed to Prokhladne – after a 38-minute delay– under escort by ‘LPR’ armed members.

Other impediments:

On 25 December, the SMM mid-range UAV sustained small-arms fire damage near government-controlled Troitske (69km west of Luhansk).”

945. The relevant part of the SMM update for 28 December 2015 read:

“On the government-controlled side of Zaitseve (50km north of Donetsk), the SMM visited a house, where a woman was allegedly killed by shelling on 26 December (see: SMM Daily Report on 28 December). The SMM assessed that an 82mm mortar shell had penetrated a window facing the east and observed its crater and bloodstains inside the house. In the front and back of the house, the SMM also saw two other craters and assessed them to have been caused by 82mm mortar originating from the east.”

(iii) 2016

946. The relevant part of the SMM update for 10 January 2016 read as follows:

“On 10 January, in government-controlled Novhorodske (34km north of Donetsk), a resident informed the SMM that at the evening of 7 January shelling had hit his garden. At the location, the SMM saw two relatively fresh craters and assessed that the fire had originated from a south-westerly direction.”

947. The relevant part of the SMM update for 25 January 2016 read:

“In government-controlled Starohnativka (53km north-east of Mariupol), the SMM followed up on reports about shelling during the nights of 20, 21, 22 and 23 January. At a location near Ukrainian Armed Forces positions, it saw 13 fresh craters assessed to be consistent with impacts from both 82mm mortar and 122mm artillery. The

analysis showed that one of the craters had been caused by 122 mm artillery fired from the north-east.”

948. The relevant part of the SMM update for 27 January 2016 read:

“In the government-controlled part of Zaitseve (50km north-east of Donetsk), the SMM followed up on reports about shelling in the evening of 26 January. The SMM analysed three craters located in the western part of the village close to the contact line. On a residential street, it saw in one crater remnants of a 82mm mortar round assessed as having been fired from the south. About 100m north-east of the first crater, the SMM saw another crater, in which it observed remnants of a 82mm mortar round assessed as having been fired from the south-east. The SMM found in a third crater remnants of a 120mm mortar round, about 1.5km north-west from the first crater, assessed as having been fired from the east.”

949. The relevant parts of the SMM update for 1 February 2016 read:

“The SMM recorded several ceasefire violations in the Marinka (government-controlled, 23km south-west of Donetsk) area where it heard between 10:57 and 13:40hrs five undetermined explosions 10km south-west and one undetermined explosion 7km north-east of its position.

...

In ... government-controlled part of Zaitseve (50km north-east of Donetsk), the SMM observed in the area of an electricity substation five fresh craters, which it assessed had been caused by mortar rounds fired from the south-south-east. The SMM saw that power lines running to and from the substations were severed. According to Ukrainian Armed Forces personnel, shelling had occurred during the night between 30 and 31 January.

The SMM visited a house in the governmental-controlled residential part of Zaitseve which was severely damaged by shelling. The SMM saw that the whole roof was damaged and several windows shattered. The house has been rendered uninhabitable. According to residents, the shelling had occurred on 31 January at 18:15hrs.

...

The SMM continued to facilitate and monitor adherence to the ceasefire to enable repairs to critical infrastructure noting on-going repair work in government-controlled Marinka (23km south-west of Donetsk). Whilst there, the SMM heard five undetermined explosions at 10km south-west of its position.”

950. The relevant parts of the SMM update for 5 February 2016 read:

“Whilst facilitating and monitoring repairs to gas pipelines in government-controlled Marinka (23km south-west of Donetsk), the SMM heard 57 undetermined explosions of 82mm mortars 6-10km north-east of its position.

...

The SMM went to the hospital in Kurakhove (government-controlled, 40km west of Donetsk) to follow up on reports about a civilian injured during shelling in Marinka (government-controlled, 23km south-west of Donetsk). A nurse told the SMM that a 63-year-old man from Marinka had suffered shrapnel injuries to his face, right leg and shoulder and both arms including the loss of two fingers on his right hand. The SMM spoke with the injured man who said that an exchange of small-arms fire had occurred at 19:00hrs on 4 February, which then turned into an exchange of shelling. According to him, he had heard at least ten impacts in his neighbourhood before he got injured by

multiple fragments of shrapnel from an impact that had occurred less than 2m from him.”

951. The relevant part of the SMM update for 14 February 2016 read:

“Following up on reports of shelling, the SMM went to a residential area on the eastern side of Marinka which had reportedly been shelled on the evening of 13 February. On Shevchenko Street the SMM saw that the north-east facing wall of a house had been damaged by two separate impacts. The SMM found fresh shrapnel consistent with an automatic grenade launcher (AGL) round and remnants of an exploded rocket propelled grenade (RPG-7). The residents of the house, who said they were home at the time of the incident, reported they had heard a loud impact at approximately 18:00hrs on 13 February.”

952. The relevant part of the SMM update for 16 February 2016 read:

“In government-controlled Marinka (23km west-south-west of Donetsk), the SMM conducted crater analysis at a house where it found three impacts on the house and one just outside of the house, as well as rocket-propelled grenade (RPG-7) fragments. The SMM assessed that three of the rockets had been fired from a north-north-easterly direction. Less than 100m north-east of the house, the SMM observed what appeared to be a military observation post.”

953. The relevant part of the SMM update for 17 February 2016 read:

“Residents in the government-controlled part of Zaitseve told the SMM that the area had been shelled on 15 February. The SMM observed seven craters in the gardens of houses, each 2-4m in diameter. The craters were consistent with mortar and artillery shells. One crater was close to a south-east facing wall that had visible trajectory traces which the SMM assessed had been caused by a projectile fired from the south-east. Within 150m of the houses, the SMM observed an armoured vehicle (BRDM), equipped with a 14.5mm machine-gun, parked in a garden.”

954. The relevant part of the SMM update for 19 February 2016 read:

“The SMM followed-up on reports of shelling in Marinka (government-controlled, 23km south-west of Donetsk). The SMM examined damage to several houses, including fresh damage to the roof of a house; the owner told the SMM that it had also been shelled two weeks earlier and that he had also been wounded at that time. Whilst moving to assess further damage in the area, the SMM heard several shots fired 300m to the north-east and left the area.”

955. The relevant part of the SMM update for 24 February 2016 read:

“In Marinka, a resident (woman, about 50 years old) told the monitors that the roof of her house had been damaged by shelling on 16 February[.]”

956. The relevant part of the SMM update for 26 February 2016 read:

“Following up on reports of shelling, the SMM observed a damaged house in government-controlled Marinka (23km south-west of Donetsk). The owner (a man in his late sixties) said the roof of the house had been destroyed late in the afternoon on 18 February. He explained that his neighbours had helped him extinguish the fire as the fire brigade had not been able to respond due to the shelling. The roof, which was being repaired by workers at the time of the SMM visit, had been completely destroyed.”

957. The relevant part of the SMM update for 30 March 2016 read:

“At a hospital in Avdiivka, the SMM met with a man who had been admitted on 28 March with wounds to his head, which he said he had sustained from an explosion during the night of 27 March. The SMM subsequently met with the chief of police in Avdiivka, who said that the police would conduct analysis on the shrapnel collected from the man’s home to determine the type of explosive. At a hospital in government-controlled Lysychansk (75km north-west of Luhansk), the SMM spoke with a man who said he had been injured in an explosion on 29 March near his home in government-controlled Popasna (69km west of Luhansk). The SMM also spoke with a Ukrainian Armed Forces commander who said that following alleged shelling on 29 March, the man had approached their position with visible wounds on his arms and face, and that they had transported him to the hospital after providing first-aid.”

958. The relevant part of the SMM update for 31 March 2016 read:

“The SMM followed up on reports of shelling. In government-controlled areas of Zaitseve (50km north-east of Donetsk) the SMM visited a site near Ukrainian Armed Forces positions in a residential area close to the contact line. The SMM saw and analysed three craters and assessed that the first was caused by a 122mm artillery round, while the second and third were caused by 152 mm artillery rounds. All three craters were assessed as caused by rounds fired from the south-south-east.”

959. The relevant parts of the SMM update for 1 April 2016 read:

“While in government-controlled Svitlodarsk (57km north-east of Donetsk) between 19:30 and 21:30hrs on 31 March, the SMM heard 45 impacts of mortar rounds (120mm) and 101 bursts of heavy-machine-gun fire in areas 3-5km south-west of its position.

...

While in government-controlled Avdiivka (17km north of Donetsk) the SMM heard 10 impacts of mortar rounds (82 and 120mm), two impacts of artillery rounds (122mm), 16 impacts of automatic-grenade-launcher rounds, 13 impacts of recoilless-gun (SPG-9) rounds, and eight impacts of infantry fighting vehicle (IFV; BMP-1), along with bursts of heavy-machine-gun and small-arms fire in areas 2-5.5km north-east, east, south-east and south of its position.”

960. The relevant part of the SMM update for 3 April 2016 read:

“While in government-controlled Svitlodarsk (57km north-east of Donetsk) between 17:00-and 20:30hrs on 1 April, the SMM heard 36 mortar impacts (17 assessed as caused by 82mm mortar and 29 by 120mm mortar) 3-5km south-west of its position.”

961. The relevant parts of the SMM update for 5 April 2016 read:

“Whilst in government-controlled Svitlodarsk (57km north-east of Donetsk), the SMM heard, between 17:59 and 23:30hrs on 4 April, 40 explosions assessed as caused by 73mm cannon (BMP-1) and 82mm mortar rounds, and multiple bursts of heavy-machine-gun fire, mostly 2-3km south of its position ...

Whilst in the northern outskirts of government-controlled Lebedynske (16km north-east of Mariupol), the SMM saw and heard, between 10:05 and 12:58hrs, 11 air bursts caused by mortar rounds (82mm and 120mm), as well as heard 23 undetermined explosions ... Between 10:59 and 11:06hrs, the SMM camera in Shyrokyne (20km east of Mariupol) also recorded at least 20 explosions caused by impacts of unknown ammunition 6-7km to the north-north-west.”

962. The relevant part of the SMM update for 6 April 2016 read:

“Whilst in [government-controlled] Avdiivka, the SMM heard 62 explosions assessed as caused by artillery (122mm) and mortar rounds (82 and 120mm), heard 16 impacts of mortar rounds (82 and 120mm), 11 impacts of artillery rounds (122mm), four impacts of rocket propelled grenade rounds, four impacts of an automatic grenade launcher, along with 56 single shots of small-arms and ten bursts of heavy-machine-gun fire 3-5km east, north-east and south of its position.”

963. The relevant part of the SMM update for 8 April 2016 read:

“Whilst in government-controlled Avdiivka (17km north of Donetsk) during the day, the SMM heard 52 explosions and 30 airbursts of 82 and 120mm mortar rounds, five explosions of 152mm artillery fire, 65 impacts of 82 and 120mm mortar rounds, eight impacts of automatic grenade launcher rounds, and intermittent small-arms fire at locations 2-10km north, north-east, east south-east and south of its position.”

964. The relevant part of the SMM update for 10 April 2016 read:

“The SMM carried out crater analysis in a number of locations near the contact line. The SMM analysed two craters in the vicinity of the technical school in Krasnohorivka. According to a Ukrainian Armed Forces officer and local residents, the area was shelled around 23:00hrs on 9 April. The SMM observed the tailfin of a 120mm mortar shell stuck in the road. The SMM assessed that the mortar had been fired from the east and that the impact was relatively fresh. A second crater was seen in the floor of the school’s athletic hall, which also contained a 120mm mortar tailfin. The shell had penetrated the roof of the school. The direction of fire could not be determined. No casualties were reported. In government-controlled Chermalyk (31km north-east of Mariupol), the SMM analysed nine craters in a 400x100m area in the centre of the village. All impacts were assessed to have been caused by 82mm mortars fired from the east-south-east. The SMM found an 82mm mortar tailfin and observed shrapnel patterns on nearby walls and fences consistent with a mortar impact. Two houses had broken windows. All craters were in the yards and gardens of residential housing. Residents told the SMM that the shelling had taken place on 7 April at approximately 23:00hrs and said no one was injured. The SMM observed a partially destroyed house in government-controlled Marinka (23km south-west of Donetsk) which, according to residents was struck by shells at 19:50hrs on 9 April. As the roof was in danger of collapse, further analysis was not possible.”

965. The relevant part of the SMM update for 11 April 2016 read:

“Near government-controlled Vodiane (19km north-east of Mariupol), the SMM observed that a road was made impassable by recent heavy damage caused by an explosion, which Ukrainian Armed Forces personnel said was the result of an 82mm mortar hitting four anti-tank mines that were placed close together.”

966. The relevant part of the SMM update for 18 April 2016 read:

“The SMM visited the bridge in Stanytsia Luhanska to follow up on reports that part of the bridge had been destroyed as a result of shelling during the night of 17 April. The SMM observed that the makeshift section of the bridge was intact. The SMM noted 13 fresh marks on the asphalt near the government checkpoint north of the bridge, consistent with under-barrel grenade launcher rounds fired from a southerly direction. The SMM observed a nearby block of concrete bearing a visible fresh impact, possibly also from the same type of weapon, and a bullet hole in an electricity meter attached to one of the green containers used for checking civilians’ documents crossing the checkpoint. The SMM noted 30 fresh bullet holes on the outer walls of the containers, and that most of the window panes were shattered and there was glass on the ground.”

967. The relevant part of the SMM update for 24 April 2016 read:

“On 22 April, in government-controlled Krasnohorivka (21km west of Donetsk), the SMM analysed three fresh craters – one was in a house’s driveway and the two others in its backyard – and assessed them to have been caused by 82mm mortar rounds fired from the east. The SMM also observed an impact mark on a concrete surface 40cm from the eastern wall of an apartment building. A group of elderly women told the SMM that the impact had been caused on the night of 21 April and that a 36-year-old female resident had been injured as a result.”

968. The relevant parts of the SMM update for 25 April 2016 read:

“In a field on the northern edge of government-controlled Pravdivka (36km north of Donetsk), the SMM conducted crater analysis on three of seven craters, assessing they had been caused by 152mm artillery rounds fired from an east-south-easterly direction. A piece of unexploded ordnance – assessed as a 152mm artillery round – was also observed in the field. In the village centre, the SMM observed damage to a house – blown-out windows and shrapnel-scarred walls – assessed as having been caused by a shell hitting a nearby tree and exploding 2m above the ground. Across the street, the SMM observed a church with several windows shattered and a wooden bell tower punctured by shrapnel from the same round. Approximately 300m east of the church, the SMM observed a crater, assessed as having been caused by a 152mm artillery round fired from an east-south-easterly direction. A power line next to it was damaged. Several residents told the SMM that between 40 and 50 shells had impacted in and around the village in the early hours of 24 April. ... The SMM observed a Ukrainian Armed Forces position on the northern edge of the town.”

969. The relevant part of the SMM update for 8 May 2016 read:

“During a one-hour stretch in the early afternoon of 7 May, the SMM heard 23 mortar impacts (both 120 and 82mm) north-east, east and south-east of its position in government-controlled Avdiivka (17km north of Donetsk).”

970. The relevant part of the SMM update for 11 May 2016 read:

“The SMM followed up on media reports that an explosion wounded workers at the power plant in government-controlled Shchastia (20km north of Luhansk). At the plant the SMM spoke with an employee responsible for security who said that on 10 May at approximately 15:35, the third floor of the building was struck by a grenade (AGS-17, 30mm). According to him, one worker had sustained severe shrapnel injuries and two others (all men) light injuries. He told the SMM that all were brought to the hospital in Shchastia for treatment; that one was subsequently released, but two remained in hospital, with the severely injured worker in a critical condition. The SMM saw the alleged impact on the floor next to a north-west facing wall with multiple broken windows. A pool of blood was clearly visible. The SMM assessed that the impact was caused by a projectile not larger than 30mm calibre.”

971. The relevant part of the SMM update for 18 May 2016 read:

“The SMM followed up on reports of shelling in government-controlled Krasnohorivka (21km west of Donetsk). The Ukrainian Armed Forces officer who was present at the site in the Technical School area told the SMM that he had heard three explosions in the early morning hours. The SMM analysed one partly contaminated crater (with footprints seen on one side) and assessed that it had been caused by an 82mm mortar round fired from the east-southeast.”

972. The relevant part of the SMM update for 22 May 2016 read:

“The SMM followed up on Joint Centre for Control and Co-ordination (JCCC) reports about shelling of Avdiivka during the night of 21-22 May and observed impacts and saw six civilian houses damaged. The SMM observed damage to doors, windows and roofs, and one house burned down. The SMM conducted analysis of three craters and its assessment showed that the impacts were caused by 82mm and 120mm mortar rounds, fired from east and east-south-east directions.”

973. The relevant part of the SMM update for 27 May 2016 read:

“The SMM followed up on shelling between 24 and 26 May near Stanytsia Luhanska (16km north-east of Luhansk). The SMM observed a large hole (15cm in diameter) in a pipe of the heating system located outside of the district administration building. The SMM assessed the damage as caused by the impact of a projectile fired from a southerly direction. Some 100m from the regional administration building, the SMM observed that one small hole to a gas pipe had been recently repaired. According to a Joint Centre for Control and Co-ordination (JCCC) Ukrainian Armed Forces representative, the supply of gas had been interrupted just briefly during the repair works. The SMM observed holes on the southern side of the roof and the ceiling of a private house near the railway bridge: two projectiles had pierced the roof and one had pierced the gable of the attic, and one of the projectiles had also pierced the ceiling of the kitchen. The SMM assessed the damage as caused by impacts of projectiles of 12.7mm calibre weapons fired from a southerly direction.”

974. The relevant part of the SMM update for 29 May 2016 read:

“In government-controlled Novohnativka (40km south of Donetsk), a man and a woman (both 50 years old) told the SMM that the shelling had taken place on the north-eastern edge of the village on the evening of 27 May. The SMM observed an impact but was unable to conduct a crater analysis. The SMM noted broken windows and a broken fence assessed as damaged by shrapnel at four houses along the street. The damage occurred on the northern side of two houses and on the eastern and western side of two other houses, as the rounds landed between the houses. The SMM assessed the damage as having been caused by 122mm or 152mm artillery rounds fired from the north.”

975. The relevant parts of the SMM update for 5 June 2016 read:

“In a residential area of government-controlled Marinka (23km south-west of Donetsk), the SMM analysed four fresh craters and assessed them as caused by 120mm mortars fired from a north-easterly direction (two craters) and 122mm artillery rounds fired from an east-north-easterly direction (two craters). The SMM also observed a punctured gas pipeline, fractured walls, and destroyed roofs. ... In government-controlled Pervomaiske (17km north-west of Donetsk), two female residents (aged 60) informed the SMM they had heard shelling the previous night. At four locations in the village, the SMM analysed four fresh craters and assessed them as caused by 120mm mortar rounds fired from an easterly direction (one crater) and an east-south-easterly direction (three craters). The SMM saw one of the craters on an asphalt surface 4m away from the kindergarten building and another one in the kindergarten playground, and observed at least 60 broken windows and most parts of the roof broken. The kindergarten director told the SMM that due to the damage they would not be able to receive pupils in September. At an industrial compound in the village, a security guard informed the SMM that after the shelling during the previous night he had found his colleague (man, aged 42) dead at the compound. The SMM saw a human body lying partly covered with the roof debris and the upper part of his body covered with blood, and a big pool of blood under his torso.

...

In a residential area in the north-eastern parts of government-controlled Mykolaivka (41km south-west of Donetsk), the SMM conducted crater analysis on nine fresh craters, which had allegedly been the result of shelling on the night of 4 June, and assessed that they had been caused by 120mm mortar rounds fired from a northerly direction. The SMM saw that one house had been partially damaged by a direct hit, which had destroyed the roof completely and penetrated the north-facing wall and the ceiling of the house.

On the eastern outskirts of government-controlled Novotroitske (36km south-west of Donetsk), the SMM analysed 12 fresh craters and assessed them as caused by 82mm mortar rounds fired from a north-easterly and northerly direction. The SMM saw at least three houses had damages to their walls, windows, and roofs facing north and north-east.

In government-controlled parts of Stanytsia Luhanska, the SMM assessed damage to houses which, according to residents, had been caused by shelling on 2 and 3 June. At one house, the SMM observed that all windows were broken, and the west-facing walls were charred by burning. At three other houses, it observed holes on west-facing walls and entrance doors, which it assessed as caused by projectiles of undetermined weapons.”

976. The relevant parts of the SMM update for 8 June 2016 read:

“Whilst in government-controlled Avdiivka (17km north of Donetsk), the SMM heard 63 undetermined explosions; heard and saw one air explosion caused by an 82mm mortar and 13 airbursts caused by anti-aircraft gun fire; saw an additional 100 airbursts caused by anti-aircraft gun fire; heard 78 impact explosions, 37 assessed as having been caused by 122mm artillery rounds, 20 by 120mm and 15 by 82mm mortar rounds, and six by automatic-grenade launcher projectiles; heard three rounds fired from a recoilless gun (SPG-9, 73mm); and heard innumerable shots and bursts from small-arms and heavy-machine-gun fire, 3-8km east to south of its position.

...

In Avdiivka, the SMM spoke to a doctor in the hospital who said that a middle-aged local man had been admitted the previous day, having sustained shrapnel wounds as he worked in his garden.”

977. The relevant part of the SMM update for 10 June 2016 read:

“Whilst in government-controlled Avdiivka (17km north of Donetsk), the SMM heard more than 100 undetermined explosions 2-6km south and south-east of its position over a two-and-a-half-hour period. During this time, the SMM also heard an additional 26 explosions from mortar rounds, two assessed as 120mm impacts and 24 assessed as outgoing rounds (82mm, 120mm and undetermined), 1-2km south and south-east of its position and saw and heard two airbursts, assessed as 82mm mortar rounds, 3-5km south-east of its position.”

978. The relevant parts of the SMM update for 12 June 2016 read:

“Whilst in government-controlled Avdiivka (17km north of Donetsk), the SMM recorded 119 explosions (eight of which were assessed as caused by mortar impacts) at locations ranging from east to south 2-5km of its position. ...

During the night of 10 June, whilst in government-controlled Svitlodarsk (57km north-east of Donetsk), the SMM heard 157 explosions (seven of which were assessed as caused by mortar impacts) 2-4km south of its position.

...

In government-controlled Krasnohorivka (21km west of Donetsk), the SMM conducted crater analysis on two fresh craters – one in the garden of a house and another in a field 10-15m from a house and concluded that both had been caused by 125mm tank rounds fired from an easterly direction.”

979. The relevant part of the SMM update for 13 June 2016 read:

“Whilst in government-controlled Avdiivka (17km north of Donetsk), the SMM heard over 90 explosions assessed as caused by various weapons, including: incoming and outgoing automatic-grenade-launcher-rounds, 82mm mortar and recoilless gun round (SPG-9) impacts, and two 120mm mortar round impacts; all 3-7km south-east of its position.”

980. The relevant parts of the SMM update for 14 June 2016 read:

“Whilst in government-controlled Avdiivka (17km north of Donetsk), the SMM heard 93 explosions assessed as caused by various weapons, including: one 122mm artillery round impact, 29 mortar round impacts (82mm), 16 cannon (BMP-1, 73mm) round impacts; all 2-7km south-east and east of its position.

...

The SMM followed up on reports of shelling on both sides of the contact line. In the northern part of Avdiivka, the SMM found a crater 3m to the side of the road close to the coke and chemical plant. Analysis carried out by the SMM indicated that the crater was caused by a 122mm artillery round fired from a south-south-westerly direction. The Joint Centre for Control and Co-ordination (JCCC) told the SMM that the crater had been the result of shelling on 13 June.”

981. The relevant parts of the SMM update for 15 June 2016 read:

“Whilst in government-controlled Svitlodarsk (57km north-east of Donetsk), the SMM heard during the night hours of 14-15 June, 220 explosions of which the majority was assessed as caused by 82mm mortar round impacts 5km south-east of its position.

...

The SMM followed up on reports of shelling. In government-controlled Chermalyk (31km north-east of Mariupol), the SMM observed three fresh craters - one in front of a still burning house and two others about 5-10 metres away - and assessed them as caused by 120mm mortar rounds fired from a westerly direction. The SMM observed that the south-eastern wall of the house was still burning partially and the garden fence had been entirely destroyed by shrapnel. The SMM saw that four neighbouring houses had sustained minor damages. In government-controlled Marinka (23km south-west of Donetsk), the SMM analysed seven fresh craters and assessed them as caused by 82mm mortar rounds (five fired from a north-easterly, two from a south-easterly direction).

... Residents [of Chermalyk] told the SMM that in one of the damaged houses, a family was still within the building during the shelling but had not been wounded. The SMM spoke to representatives of the village council, who said that a 13-year-old girl who had been in the damaged house, had been transported to Mariupol hospital for a medical examination.”

982. The relevant parts of the SMM update for 16 June 2016 read:

“During the night of 15 June, whilst in government-controlled Svitlodarsk (57km north-east of Donetsk), the SMM heard 13 explosions assessed as caused by 82mm mortar round (five impacts and eight outgoing rounds) 3-5km east and south-east of its position.

...

The SMM followed up on reports of injuries to a civilian caused by shelling in government-controlled Krasnohorivka (21km west of Donetsk). The director of a hospital in government-controlled Kurakhove (40km west of Donetsk) told the SMM that a woman (aged 54) had been injured in the heel by shelling during the night of 14 June. The patient confirmed the information to the SMM, adding that she had been evacuated from her balcony by the fire brigade. The SMM saw black burn marks on upper third floor façade of a four-storey apartment where she was said to be living.”

983. The relevant part of the SMM update for 17 June 2016 read:

“Whilst in government-controlled Avdiivka (17km north of Donetsk), the SMM heard 12 explosions in a 15-minute period: eight assessed as 82mm mortar impacts and four as outgoing 82mm mortar rounds 2km east-south-east.”

984. The relevant parts of the SMM update for 19 June 2016 read:

“In government-controlled Avdiivka (17km north of Donetsk), within 15 minutes in the morning the SMM heard 19 outgoing bursts of infantry fighting vehicle (BMP2) cannon fire approximately 1-1.5km and two undetermined explosions 3km south-east from its position. In the afternoon, within one minute, the SMM heard five explosions assessed as caused by 82mm mortar round impacts 3km east-south-east of its position.

...

In government-controlled Krasnohorivka (21km west of Donetsk), the SMM observed damage from shelling. The SMM saw that the east-facing wall of School number 5 in the village had sustained a direct hit at a height of 6-7m above the ground (the first floor of the building). At the school, the SMM saw three other impact sites on the same floor and found remnants of a 125mm projectile. At a second location in the village, the SMM observed damage to the eastern side of the roof of a four-storey residential building and found remnants of a 125mm projectile. At a third location, the SMM saw damage to the ceiling of a flat on the fourth floor in a residential building. The SMM assessed the damage at all locations as caused by 125mm projectiles fired from an easterly direction.”

985. The relevant parts of the SMM update for 20 June 2016 read:

“In government-controlled Svitlodarsk (57km north-east of Donetsk), the SMM heard two explosions, assessed as 82mm mortar round impacts, 2-3km south-east of its position on the night of 19 June.

...

Whilst in government-controlled Shchastia (20km north of Luhansk), the SMM heard 63 explosions assessed as mortar rounds 0.5-2km south-south-east and two assessed as mortar rounds 1km east in less than 30 minutes in the afternoon.”

986. The relevant parts of the SMM update for 21 June 2016 read:

“On 20 June, in a residential area of government-controlled Krasnohorivka (21km west of Donetsk), the SMM saw three impact sites, which according to residents, had resulted from shelling during the previous night. The SMM conducted analysis on three craters and assessed them as caused by armour-piercing discarding sabot rounds fired from an easterly direction. The SMM observed punctured east-facing walls of an apartment building at one site, shattered windows, an east-facing partially collapsed roof and fractured walls of an apartment building, and what it assessed to be the metal core of an anti-tank gun (100mm) round lying at the second site. At the third site, the SMM saw two holes – one on an east-facing exterior wall and another on a west-facing exterior wall of an apartment building – and assessed that a projectile had pierced through the eastern wall and exited through the western wall. The SMM also observed a pool of blood inside the building’s stairwell. A medical staff of a hospital in government-controlled Kurakhove (40km west of Donetsk) told the SMM that a woman, who had been in the apartment at the time of shelling, had sustained shattered bones and had a metal fragment removed from her hip.

...

In Avdiivka, the SMM saw a hole in the east-facing wall of an uninhabited house, which it assessed as caused by an 82mm mortar round fired from a south-easterly direction. The SMM also observed damage to east-facing roof and fence of the house, and minor damage to a neighbouring inhabited house. Residents of the latter house told the SMM that they had heard two loud explosions seven minutes apart on the previous night.

On 20 June, in government-controlled Novozvanivka (70km west of Luhansk), the SMM saw five fresh craters in an open field and assessed them as caused by 122mm artillery rounds fired from an easterly direction.”

987. The OSCE SMM spot report stated that on 22 June 2016 in government-controlled Vodian, the SMM had witnessed the village being hit by seven mortar rounds and had later heard two additional explosions. The SMM had seen two impacts, one of which had caused a house to catch fire and burn fiercely.

988. The relevant part of the SMM update for 22 June 2016 read:

“In government-controlled Vodian (94km south of Donetsk), during a visit that had been co-ordinated with representatives of the Joint Centre for Control and Co-ordination (JCCC), the SMM heard seven mortar round impacts, assessed as 82mm calibre, in the village. Half an hour later, the SMM saw and heard another two mortar impacts 100-150m south-east and north of its position, respectively. (See SMM Spot Report 22 June 2016.)”

989. The relevant parts of the SMM update for 27 June 2016 read:

“The SMM camera in government-controlled Avdiivka (17km north of Donetsk) recorded 15 explosions, 11 of which were assessed as impacts at a range of 2 to 7km east-south-east, south-east and east of its location.

...

Whilst in government-controlled Svitlodarsk (57km north-east of Donetsk), the SMM heard 44 explosions, 23 of which were assessed as caused by 82mm mortar rounds (including 15 explosions assessed as impacts) 3-6km east-south-east and south-east of its position.

...

Whilst in Avdiivka, the SMM heard 26 explosions, including 12 explosions assessed as automatic grenade launcher impacts 5km south-east of its position within two minutes in the morning, as well as two mortar (82mm) explosions at unknown distance west of its position later in the day.

...

On 26 June the SMM analysed eight fresh craters near a Ukrainian Armed Forces checkpoint near government-controlled Troitske (69km west of Luhansk) and assessed them as having been caused by a heavy weapon (the precise type could not be assessed, possibly artillery). For six of the craters the SMM assessed that the projectile was fired from a south-easterly direction, one was also fired from a north-easterly direction, and for one the direction of fire could not be determined.

On 27 June, in government-controlled Popasna (69km west of Luhansk), the SMM followed up on allegations of shelling of the Popasna TV tower, which, according to a Ukrainian Armed Forces representative of the Joint Centre for Control and Co-ordination (JCCC), had not been in use since May 2014. No visible signs of direct impact were observed on the tower. At a location about 400m east of the tower, the SMM observed a fresh impact crater it assessed as having been caused by a wire-guided anti-tank missile (9K111 Fagot, 120mm), fired from a south-easterly direction.”

990. The relevant parts of the SMM update for 28 June 2016 read:

“Positioned in government-controlled Avdiivka (17km north of Donetsk), the SMM heard 44 explosions: nine assessed as 82mm mortar round impacts, six as recoilless-gun (SPG-9) round impacts, and nine as impacts of automatic-grenade launcher fire ...

...

Whilst in government-controlled Svitlodarsk (57km north-east of Donetsk) the SMM, during the night of 27 June, heard 38 explosions (31 assessed as caused by outgoing automatic-grenade-launcher rounds and seven assessed as 82mm mortar round impacts) ...”

991. The relevant part of the SMM update for 30 June 2016 read:

“In government-controlled Popasna (69km west of Luhansk), the SMM conducted analysis on a fresh crater 2-3m from a house which it assessed as caused by a 120mm round from an unknown weapon fired from an easterly direction. The SMM observed damage to the house: cracked wall, broken windows, shrapnel damage all over the wall.”

992. The relevant parts of the SMM update for 3 July 2016 read:

“Whilst in government-controlled Svitlodarsk (57km north-east of Donetsk), the SMM heard five explosions assessed as 82mm mortar round impacts 3-6km south-south-east on the afternoon of 2 July.

...

Whilst in government-controlled Troitske (69km west of Luhansk) on 3 July, the SMM heard three explosions assessed as mortar round impacts 5km south-west of its position.

...

Near government-controlled Myronivskiy (62km north-east of Donetsk), the SMM observed ten fresh craters in an agriculture field approximately 500 metres north of the settlement. The SMM analysed six of the craters and assessed that they had been caused by 152mm artillery rounds fired from a southerly direction. In the settlement, the SMM observed that the roof, door and windows of a service building between a power station and a water reservoir had been completely destroyed. The SMM assessed that the fire which had destroyed the roof had come from a southerly direction. Ukrainian Armed Forces representatives from the Joint Centre for Control and Co-ordination (JCCC) and the Ukrainian military were present at the sites.”

993. The relevant part of the SMM update for 4 July 2016 read:

“In government-controlled Klynove (68km north-east of Donetsk), the SMM conducted analysis on three craters in a field and assessed them as caused by 120mm mortar rounds fired from a south-south-easterly direction.”

994. The relevant parts of the SMM update for 5 July 2016 read:

“In government-controlled Avdiivka (17km north of Donetsk), the SMM recorded nine undetermined explosions, five explosions assessed as impacts of mortar rounds of unknown calibre and five explosions assessed as impacts of 82mm mortar rounds at locations ranging from 3 to 7km south-west, south and south-south-east of its position.

...

In a field in government-controlled Myronivka (64km north-east of Donetsk), the SMM observed 15 fresh craters (with diameters 2.5 to 3 metres wide and 30-40 centimetres depth) covering an area of approximately 300x300metres. The SMM assessed that the impacts were caused by 122mm artillery weapons systems fired from a south-south-easterly direction.”

995. The relevant part of the SMM update for 8 July 2016 read:

“While in government-controlled Svitlodarsk (57km north-east of Donetsk) the SMM heard, during the night of 7 July, 12 undetermined explosions, 15 explosions assessed as artillery (152mm) impacts and ten explosions assessed as caused by outgoing automatic-grenade-launcher rounds 4-6km north-east of its position.”

996. The relevant part of the SMM update for 10 July 2016 read:

“On 9 July, in a residential area of government-controlled Marinka (23km south-west of Donetsk), the SMM saw multiple fresh craters and assessed them as caused by 30mm rounds fired from an east-north-easterly direction. The SMM observed minor damage to the east-facing wall of a barn, the tiles of the roof of another barn and two impacts in a garden. On the same day, near government-controlled Lebedynske (16km north-east of Mariupol), the SMM saw a fresh crater on the north side of the road and assessed it as caused by a 152mm artillery round fired from a north-easterly direction. The SMM also saw the destroyed basement of a concrete pylon for electricity and telecommunication wires.”

997. The relevant part of the SMM update for 11 July 2016 read:

“In Heorhiivka (government-controlled, 26km south-west of Donetsk), in an agricultural field the SMM observed six fresh craters and assessed them as caused by 122mm artillery rounds fired from an easterly direction. One additional fresh crater was assessed as caused by a 152mm self-propelled howitzer round, fired from an easterly direction. In Marinka (government-controlled, 23km south-west of Donetsk), the SMM observed on Gorki Street damage to an east-south-east-facing wall of a house and

shattered windows on the east-south-east-facing side of the house. The SMM assessed the direct impact as caused by a 122mm artillery round fired from an east-south-easterly direction. On the same street, the SMM observed damage to concrete poles in the yard of another house and markings of shrapnel on the west-south-western-facing wall of a barn. The SMM assessed the damage as caused by a 122mm artillery round fired from an east-south-easterly direction. The SMM also observed damage to north-east-facing roofs of several houses located on Karl Marx Street. At five different locations, the SMM saw a total number of seven impacts and assessed them as caused by 30mm rounds fired from a north-easterly direction.”

998. The relevant part of the SMM update for 12 July 2016 read:

“On 11 July, in Stanytsia Luhanska, the SMM observed a burned-down house located in Barbashov Street. The SMM saw remnants of a 30mm automatic grenade launcher (AGS) round and assessed it as fired from an easterly direction. The SMM could smell fresh burning on the spot. The SMM spoke to the owner of the house, who said shelling occurred in the early morning hours of 11 July. The owner said that the fire brigade had arrived at the spot after 20-30 minutes due to ongoing shelling and had to return again due to lack of sufficient water in the vehicle’s tank. The SMM observed another fresh crater in the backyard of another house located in Lomonosov Street, approximately 400 metres east of the burned house. The SMM assessed the impact as caused by a 30mm automatic grenade launcher (AGS) round fired from a south-easterly direction.”

999. The relevant part of the SMM update for 13 July 2016 read:

“In government-controlled Kamianka (38km north-east of Mariupol), the SMM observed one crater next to a road and another in a field 50 meters from the road, both some 50 meters from the nearest houses. The SMM assessed both craters as fresh and caused by 122mm artillery rounds fired from a north-easterly direction.

In Stanytsia Luhanska the SMM followed up on reports of shelling on the night of 12-13 July. At Lomonosova Street, the SMM observed a 50cm hole in the south-facing wall of a house assessed as caused by 73mm [infantry fighting vehicle] (BMP-1) cannon rounds fired from a south-easterly direction. At the railway area the SMM observed seven impacts assessed as caused by 82mm mortar rounds and 16 impacts assessed as caused by automatic grenade launcher (AGS-17) rounds, all fired from a southerly direction. At the Stanytsia Luhanska bridge, the SMM observed damage and impacts on the road leading to the broken section of the bridge assessed as caused by 30mm automatic grenade launcher (AGS) fire, and holes in the barriers at the Ukrainian Armed Forces position immediately north of the broken part of the bridge assessed as caused by 82mm mortar rounds all fired from a southerly direction, and fresh damage to the canopy and sides of the emergency service tent assessed as caused by shrapnel.”

1000. The relevant part of the SMM update for 14 July 2016 read:

“Near government-controlled Vozdvizhenka (formerly Krasnyi Pakhar, 66km north-east of Donetsk), the SMM analysed five fresh craters in agricultural fields. Four craters were assessed as caused by 122mm artillery rounds and the fifth as caused by a 152mm artillery round, all fired from a south-south-easterly direction.”

1001. The relevant parts of the SMM update for 15 July 2016 read:

“During the night of 14 July, positioned in government-controlled Stanytsia Luhanska (16km north-east of Luhansk), the SMM heard more than 100 explosions assessed as mortar rounds ...

...

On 14 July, in government-controlled Marinka (23km south-west of Donetsk), the SMM observed 11 fresh craters – two in a residential area, two in a closed factory and seven in a Ukrainian Armed Forces compound – and assessed them as caused by 122mm artillery rounds fired from a north-easterly and an east-north-easterly directions. The SMM saw four of those craters on asphalt roads, damage to surrounding trees and shattered windows of vacant office buildings.

At the government checkpoint in Maiorsk (45km north-east of Donetsk), the SMM analysed four fresh craters – two on the asphalt of a road and two in the soil on the side of the road. It assessed three as caused by 82mm mortar and the fourth as caused by 120mm mortar, all fired from an easterly or south-easterly direction.”

1002. The relevant part of the SMM update for 18 July 2016 read:

“On 17 July, in a residential area of government-controlled Marinka (23km south-east of Donetsk), the SMM analysed one fresh crater on a concrete driveway close to a house and assessed it as caused by an 82mm mortar round fired from a north-easterly direction. The SMM saw a hole (1m diameter) on its north-facing roof, and assessed it as caused by an 82mm mortar round fired from a north-easterly direction. It saw also shattered hinges of the east-facing door of an outhouse, a hole on the north-facing brick wall of a house and a hole on the north-facing brick wall of an outhouse and assessed them as caused by rocket-propelled grenade rounds fired from a north-easterly direction.”

1003. The relevant parts of the SMM update for 19 July 2016 read:

“While in government-controlled Svitlodarsk (57km north-east of Donetsk) during that night, the SMM heard two explosions assessed as impacts of 120mm artillery rounds, eight explosions assessed as impacts of 82mm mortar rounds, four explosions assessed as impacts of recoilless gun (SPG-9) rounds, 12 explosions assessed as impacts of automatic-grenade-launcher rounds, and 19 bursts of heavy-machine gun fire 3-4km south-east of its position.

...

Positioned in government-controlled Avdiivka (17km north of Donetsk), the SMM heard six undetermined explosions, four explosions assessed as impacts of 82mm mortar rounds, five bursts of heavy-machine-gun fire, and five bursts of small-arms fire 3-5km east-south-east of its position.

...

In government-controlled Avdiivka (17km north-west of Donetsk), the Ukrainian Armed Forces JCCC officer informed the SMM about two homes that had been damaged by alleged shelling on 18 July and a man who had reportedly received non-fatal shrapnel wounds. The local police confirmed this report and the chief surgeon at the Avdiivka hospital said that the patient had received multiple small, but deeply embedded shrapnel wounds to the back.”

1004. The relevant part of the SMM update for 20 July 2016 read:

“On 19 July, in government-controlled Popasna (69km west of Luhansk), the SMM observed seven fresh impact sites but was unable to analyse them, as evidence from the sites had been removed. The SMM observed a broken window and traces of blood at one house. Neighbours said that a man in his early sixties and his wife had been hospitalized due to injuries sustained during shelling the previous night. On 20 July, the SMM spoke with two government officials, as well as two doctors from a hospital in Popasna, who confirmed the injuries to the man. A doctor who had treated the man

stated that he had undergone surgery for two wounds to his stomach and that his life was not at risk. Separately, the SMM observed a fresh crater in front of a house on 20 July, and assessed that the crater had been caused by a recoilless gun (SPG-9) round fired from a north-easterly direction.”

1005. The relevant part of the SMM update for 22 July 2016 read:

“The SMM saw two fresh craters 30m apart in agricultural fields south of Semyhiria (government-controlled, 56km north-east of Donetsk) and assessed them as impacts of a 122mm artillery rounds fired from a southerly direction. In government-controlled Kodema (56km north-east of Donetsk), the SMM saw ten fresh craters, nine of which were on the western edge of the village on soft terrain; crater analysis could not be conducted, because fragments had been removed. The tenth crater was in a garden, approximately 50m from a house, and the SMM assessed it as caused by a 122mm artillery round, fired from a southerly direction. The SMM saw shrapnel damage to a tractor in the garden; there were no casualties. The owner of the house (man, about 50 years old) told the SMM that all craters had been caused by shelling that occurred on 19 July after 23:00.”

1006. The relevant parts of the SMM update for 24 July 2016 read:

“On 23 July, south of government-controlled Novozvanivka (70km west of Luhansk), the SMM heard, between 12:04 and 13:15, about 80 explosions, most assessed as incoming artillery (unknown type) fire, 3.6-4km east of its position.

...

On 23 July [2016], in government-controlled Berdianske (18km east of Mariupol), the SMM observed at least 14 similar fresh craters, some 150m north of the SMM camera site. The SMM conducted analysis on four craters which it assessed as caused by 120mm mortar rounds fired from a north-easterly direction. In Soniachnyi neighbourhood of government-controlled Krasnohorivka (21km west of Donetsk), the SMM conducted analysis on six fresh craters near a five-story apartment building. The SMM saw four of the six fresh craters in an open field near the building, three assessed as caused by tank rounds and one as caused by an 82mm mortar round, all fired from an easterly direction. The SMM assessed one fresh crater at the playground of a school near the building as caused by an 82mm mortar round, and another crater on the north-east-facing exterior wall of the school assessed as caused by a 125mm tank round, fired from a north-easterly and easterly direction, respectively. The SMM saw that Ukrainian Armed Forces had an observation post on the last floor and roof of the school.

...

On 24 July [2016], in [government-controlled] Popasna the SMM saw three fresh craters assessed as caused by 122mm artillery rounds fired from an east-south-easterly direction.”

1007. The relevant part of the SMM update for 25 July 2016 read:

“On the night of 24 July through the early morning of 25 July, whilst in government-controlled Svitlodarsk, the SMM heard 64 explosions: 17 assessed as 82mm mortar round impacts, 42 assessed as automatic-grenade-launcher round impacts, and three assessed as outgoing and two as impacts of 122mm artillery rounds, all 5-6km east-south-east of its position.”

1008. The relevant parts of the SMM update for 26 July 2016 read:

“While in government-controlled Svitlodarsk (57km north-east of Donetsk) during the night of 25-26 July [2016], the SMM heard 12 explosions assessed as outgoing rocket-propelled-grenade rounds 0.7-1km south-south-east and 23 explosions assessed as impacts of 82mm mortar rounds and bursts of heavy-machine-gun fire 5-6km south-south-east of its position.

...

In government-controlled Krasnohorivka (21km west of Donetsk), the SMM examined damage to School No. 1 on Solnychniye Street, where it found aluminium and steel fragments and assessed that a 125mm tank round had penetrated the 60cm-thick south-facing wall on the first floor of the school, leaving a 2.5m diameter hole, and was fired from a southerly direction.”

1009. The relevant part of the SMM update for 28 July 2016 read:

“North east of Ukrainian Armed Forces positions on the eastern outskirts of government-controlled Troitske (65km west of Luhansk), near Shchorsa Street, the SMM observed two completely destroyed houses and several others abandoned. The SMM could also observe mine warning signs on both sides of the street. In late May, the SMM had seen the aftermath of a booby-trap that injured a woman in that area (see SMM Daily Report 26 May 2016). The SMM assessed that at least one of the houses was recently destroyed as the ruins were still smouldering. According to a Ukrainian Armed Forces officer present, the house was destroyed in shelling on the night of 26-27 July [2016].”

1010. The relevant part of the SMM update for 31 July 2016 read:

“The SMM observed two houses damaged by shelling in Avdiivka that an accompanying Ukrainian Armed Forces JCCC representative said had taken place on 30 July [2016]. A fresh crater was seen a few meters from a house. The walls, roofs and windows of two nearby houses were badly damaged by shrapnel. An electricity pole had been snapped in half and had fallen into a yard of one of the houses. No injuries were reported. The residents of the house - a couple aged in their 70s - said that this was the second time their house had been shelled since May. They added that shelling starts every day at 17:00 and lasts until 5:00.

The SMM, following up on JCCC reports of shelling in government-controlled Popasna (69km west of Luhansk) observed four fresh craters and damage to houses in a residential area. One crater was situated in the middle of the street and another in the garden of a house, with shrapnel damage evident to the wall and fence of two houses. One house had broken windows. Two shells had landed away from houses, causing little damage. The SMM were told of another shell that had landed in tall grass which the SMM could not observe because of security concerns. Based on analysis of four craters the SMM assessed that they were caused by 82mm mortars fired from an easterly direction. Residents told the SMM that the shelling happened on 29 July [2016] and that no one was injured.”

1011. The relevant part of the SMM update for 3 August 2016 read:

“The SMM observed four fresh craters at a farm in government-controlled Pobeda (27km west of Donetsk). Due to security concerns the SMM could not conduct crater analysis. The SMM saw from a distance that the craters were in soft ground and contained fragments of 125mm shells. The SMM saw that one shell had hit a concrete fence facing a southerly direction, while another shell had hit a pigsty. The director of the farm told the SMM that shelling had occurred on 2 August [2016].

In government-controlled Hnutove (20km north-east of Mariupol) the SMM observed damage to a fence surrounding a house and damage to the roof of the house. The SMM saw shattered windows and shrapnel damage on the house's wall facing a southerly direction. The SMM did not observe any crater."

1012. The relevant part of the SMM update for 4 August 2016 read:

"In government-controlled Luhanske (59km north-east of Donetsk), the SMM saw four relatively fresh craters with fragments of 120mm mortar rounds and 122mm artillery rounds in a garden of an inhabited house. The SMM was unable to determine the direction of fire due to contaminated craters after the recent heavy storms.

In government-controlled Novozvanivka (70km west of Luhansk), the SMM saw four craters near an inhabited house and assessed two of them as caused by 82mm mortar and the other two as caused by 122mm artillery rounds, all fired from an easterly direction. Two residents told the SMM that shelling had taken place during the night time two days prior."

1013. The relevant part of the SMM update for 5 August 2016 read:

"In government-controlled Krasnohorivka (21km west of Donetsk) the SMM visited two residential properties reportedly shelled on the night of 4-5 August. At the first, the SMM saw a crater in the asphalt surface on the yard of the house, and minor shrapnel damage to the nearby east-facing wall. The SMM saw the tail fin of an 82mm mortar round stuck in the asphalt and assessed that the round had been fired from an east-south-easterly direction. At the second location, a five-storey apartment building, the SMM saw a direct impact on the east-facing wall and assessed it as caused by an 82mm mortar round fired from an east-north-easterly direction."

1014. The relevant part of the SMM update for 8 August 2016 read:

"The SMM visited a hospital in government-controlled Kurakhove (40km west of Donetsk) and spoke with an elderly woman who had been hit by shrapnel in her left arm. She confirmed that the incident had taken place in the backyard of her house in the western part of government-controlled Marinka (23km south-west of Donetsk) on the evening of 6 August.

The SMM, accompanied by a Ukrainian Armed Forces officer from the Joint Centre for Control and Co-ordination (JCCC), observed three fresh craters in government-controlled Krasnohorivka (21km west of Donetsk). The first crater, located on an empty asphalt parking lot, was assessed as caused by an 82mm mortar round fired from a south-easterly direction. The second crater, which had damaged the concrete curb of a street, was assessed as caused by an 82mm mortar round. The SMM was unable to determine the direction of fire. The third crater was in an empty field approximately 70 metres from a five-story apartment building and was assessed as caused by a 120mm mortar round fired from an easterly direction. The SMM observed that a window on the third floor of the building had been shattered. An elderly woman told the SMM that the shelling, which had caused the damage on 7 August, had caught residents by surprise as it had started earlier than usual (approximately 17:00)."

1015. The relevant parts of the SMM update for 9 August 2016 read:

"In government-controlled Krasnohorivka (21km west of Donetsk), the SMM saw eight craters: one in a field 25m away from a hospital, two in and around the gym of a college, one on an asphalt road, and four in yards of two different inhabited houses. It assessed seven of them as caused by 120mm mortar rounds fired from east-south-easterly (five of them) and easterly (two of them) directions, and one by an

82mm mortar round fired from an east-south-easterly direction. The SMM saw a tail fin from a 120mm mortar round stuck in the floor of the gym of the college and assessed that the round had penetrated its roof. The SMM observed shattered windows and shrapnel damage to the wall of a house. The Ukrainian Armed Forces representative to the Joint Centre for Control and Co-ordination (JCCC) and residents told the SMM that shelling occurred between 04:00 and 05:00.

...

At the eastern edge of government-controlled Popasna (69km west of Luhansk), the SMM conducted analysis on two fresh craters on an asphalt road – 500m away from a residential area, and assessed them as having been caused by 82mm mortar rounds fired from an east-south-easterly direction. ... Ukrainian Armed Forces personnel ... told the SMM that shelling had occurred on the previous night and no casualties had been reported.”

1016. The relevant part of the SMM update for 12 August 2016 read:

“On 11 August, at a hospital in government-controlled Kurakhove (40km west of Donetsk), medical personnel told the SMM that two boys (8 and 13 years of age) had been treated for minor shrapnel injuries on 10 August. The deputy head of the Kurakhove police station told the SMM that both children had been injured in Marinka on the evening of 10 August.”

1017. The relevant part of the SMM update for 15 August 2016 read:

“The SMM observed craters in government-controlled Novoselivka (55km south of Donetsk) following information from the JCCC that the village was shelled during the night of 14-15 August. The commander at a Ukrainian Armed Forces position reported ten mortar impacts to their position that wounded two soldiers who were brought to hospital in Mariupol. At the north-eastern side of the village the SMM observed 14 fresh craters (six in the vicinity of the Ukrainian Armed Forces position and eight in a residential area) and assessed them as caused by 122mm artillery shells fired from a north-easterly direction. The SMM saw one house destroyed by a direct impact and eight other houses with damage to windows, roofs and walls. Residents said that the shelling had occurred between 23:35 and 00:40 and that nobody was injured. According to them, electricity has been cut since the shelling.”

1018. The relevant part of the SMM update for 16 August 2016 read:

“In government-controlled Chermalyk (77km south of Donetsk), the SMM observed 19 fresh craters that, according to the Ukrainian Armed Forces officers from the Joint Centre for Control and Co-ordination (JCCC) who accompanied the patrol, resulted from shelling that had begun just after midnight. The craters were near houses and at a nearby farm, where a barn was still burning, and approximately 250m away from a Ukrainian Armed Forces compound and ammunition stockpile. The SMM assessed that all the craters had been caused by 122mm artillery shells fired from between the east and east-north-east.

The SMM returned to government-controlled Novoselivka (55km south of Donetsk) for the second consecutive day to assess the results of shelling, (see SMM Daily Report 16 August), which JCCC representatives and residents said had occurred around 03:30 on 16 August. The SMM observed relatively minor damage to four houses, including broken windows, a broken gate and shrapnel damage to walls and roofs. There were no reports of casualties. Six residents, men and women of mixed ages the SMM spoke with appeared to be in shock after experiencing two nights of shelling in a row. The SMM

conducted analysis on five craters in Novoselivka and assessed that they had all been caused by 122mm artillery shells fired from the east.”

1019. The relevant part of the SMM update for 17 August 2016 read:

“In government-controlled Lobacheve (17km north-west of Luhansk), the SMM spoke with an elderly woman and observed minor wounds on both of her legs which she stated she had sustained during shelling on 13 August. The woman showed the SMM a crater in the yard of her home, located approximately 100 metre north of the contact line. The SMM assessed that the crater was caused by a 40mm automatic-grenade-launcher (AGS) round fired from a northerly direction. The SMM has previously observed Ukrainian Armed Forces positions approximately 1km to the north of Lobacheve.

On 16 August, in government-controlled Komyshuvakha (68km west of Luhansk), the SMM observed a fresh crater on an asphalt street. The SMM assessed that the crater was caused by an artillery round of unknown calibre fired from a south-easterly direction. It observed that the windows of three neighbouring houses and on the first and second floor of a nearby apartment building had been shattered and that a telephone line had been brought down by the blast. A resident told the SMM that the shelling had occurred at approximately 04:20 that morning. A Ukrainian Armed Forces officer from the JCCC was present at the site.

On the same day, the SMM observed four fresh craters at the north-eastern edge of government-controlled Popasna (69km west of Luhansk). The SMM was able to perform an analysis of three of the craters and assessed one as having been caused by a 152mm artillery round, one as having been caused by an artillery round of an unknown calibre and one as having been caused by an artillery or mortar round of an unknown calibre, all fired from a south-easterly direction. A Ukrainian Armed Forces officer from the JCCC told the SMM that the craters had been caused by shelling two days earlier.”

1020. The relevant parts of the SMM update for 18 August 2016 read:

“In government-controlled Marinka (23km south-west of Donetsk), the SMM observed a fresh impact to the north-east-facing corner wall of a fourth floor apartment and assessed that it was caused by a projectile (likely a 122mm artillery round) fired from an east-north-easterly direction. No casualties were reported. At a nearby factory the SMM observed nine fresh craters. The SMM examined one crater close to a military compound in the neighbourhood. The SMM found a fuse (RGM-2M) assessed as part of a 122mm artillery round. Crater analysis indicated that the round was fired from an east-north-easterly direction.

...

Ukrainian Armed Forces officers from the JCCC showed the SMM shell impacts and damage to Ukrainian positions on the bridge at Stanytsia Luhanska that they said had taken place during the exchange recorded by the SMM the previous night. The SMM saw that containers and bunkers had sustained impacts and that tires used to reinforce positions were smouldering. Part of the newly constructed shelter providing shade for civilians was damaged. Grass had been burnt in the area. Fragments of what was assessed as rocket-propelled grenades were observed. The SMM assessed that the fire had originated from south and south-easterly directions. The SMM saw damage to two houses in Barbashova Street. The female owner (aged in her fifties) of one of the houses showed the SMM two shattered windows on the southern side of the house and burnt possessions inside. The SMM observed the house had no electricity and saw an elderly

man attempting to reconnect the power, which they said was cut when the shells hit. The SMM assessed the damage to have been caused by projectiles fired from a southerly direction. ...

The management of the water filtration plant in government-controlled Svitlodarsk (57km north-east of Donetsk) told the SMM that their facility had been shelled at approximately 05:30 on 17 August. They also informed the SMM that the plant served Svitlodarsk and the government-controlled village of Ulianivka (approximately 12,800 people); and that it was the exclusive source of water for the Svitlodarsk power plant. According to management, two shells exploded in the immediate vicinity of the plant. The SMM saw that a shell had struck one of the reserve tanks, completely destroying it. As a result, they said the plant could operate at about half its capacity, and the plant's management foresaw a serious water shortage. The SMM saw a fresh crater on an asphalt driveway on the west side of the building, about ten metres from the outside wall. The concrete wall of the building was lacerated with shrapnel, and all the windows on both floors were blown out. Damage inside the building was extensive."

1021. The relevant parts of the SMM update for 19 August 2016 read:

"Positioned in government-controlled Kostiantynivka (60km north of Donetsk) on the night of 18 August, the SMM heard 28 explosions: 23 of them assessed as impacts of 152mm artillery rounds and five as impacts of 120mm mortar rounds, all 15-20km east-north-east of its position.

...

In government-controlled Myrne (40km north-east of Mariupol), the SMM observed eight fresh craters in a residential area on 18 August and assessed them as caused by 122mm artillery rounds fired from an easterly direction. One house and a garage were completely destroyed and the SMM observed minor shrapnel damage to the walls and windows of another home. The owner of the destroyed house (an elderly woman) now sleeps in a summer kitchen in her garden. The SMM observed four additional craters inside a military compound located 600-700 metres from residential buildings. The four craters were also assessed as caused by 122mm artillery rounds fired from an easterly direction. A group of Ukrainian Armed Forces soldiers told the SMM that the village had been shelled on 18 August between 03:27 and 04:25."

1022. The relevant parts of the SMM update for 21 August 2016 read:

"On 19 August, at the school no.2 located in the centre of government-controlled Marinka (23km north-east of Donetsk), the SMM saw a hole in the east-facing window of a school museum located on the third floor, and a hole in the frame of one of the paintings hanging on a wall inside the museum and assessed a bullet had been fired from an easterly or a north-easterly direction. The director of the school told the SMM that a bullet had passed through the school window the previous evening.

On 19 August in Svitlodarsk, the SMM observed three fresh craters in and around a sunflower field near the water filtration plant. One crater was located 70m away from the premises of the station and two others were located near high-voltage power lines. The SMM conducted analysis on two of them and assessed them as caused by 152mm artillery rounds fired from an east-south-easterly direction. On the ground near the third crater, the SMM also found shrapnel consistent with a 152mm artillery round. The SMM also saw the power line severed as a result of shelling that the Ukrainian Armed Forces officer at the JCCC said had taken place that morning. In government-controlled Hranitne (25km north of Mariupol), the SMM saw three fresh craters 5-10m east of a factory and assessed them as caused by 122mm or 152mm artillery rounds fired from

an easterly direction. The SMM observed shrapnel damage to the east-facing wall of the factory and a rail track leading into the factory. A resident (woman aged 40) informed the SMM that she had heard approximately 65 explosions between 23:23 and 2:30 on 16-17 August.

...

On 20 August in government-controlled Komyshevukha (68km west of Luhansk), the SMM saw a fresh crater in an open field 70m from an inhabited house and assessed it as caused by a 122mm artillery round fired from a south-easterly direction. The SMM observed shrapnel damage to a power line and fruit trees.

...

On 21 August in government-controlled Solodke (33km south-west of Donetsk), the SMM saw a completely destroyed detached building and shattered windows of the main house, located less than 100m away from a military compound. The SMM observed 13 fresh craters – one inside the detached building, another in the garden of the house and 11 others in an adjacent field – and assessed that all of them were caused by 122mm or 152mm artillery rounds fired from a north-easterly direction.”

1023. The relevant parts of the SMM update for 24 August 2016 read:

“In government-controlled Solodke (33km south-west of Donetsk), the SMM observed seven impacts, all within or near an agricultural compound used for grain storage, located 200m from a building used by Ukrainian Armed Forces. The SMM saw grass and hay around and inside the compound still burning upon its arrival. The SMM analysed four craters, concluding that they had resulted from 152mm artillery rounds fired from a north-easterly direction. The SMM also noted a severely damaged section of the roof and assessed that a round from an undetermined weapon had penetrated the roof before impacting on the grain inside.

...

On 24 August, at the Avdiivka central railway station, the SMM observed that a four-story station building had a large hole on the south-east-facing wall of the first floor, seven windows shattered, portions of the roof fallen off and the front entrance doors blown off. The SMM assessed that a 122mm artillery round fired from an easterly direction had directly hit the building. The SMM also saw a fresh crater on a railway track and assessed to have been caused by a 122mm artillery round fired from an easterly direction. The SMM observed some electrical lines above the train track sustained damage. According to Ukrainian Armed Forces officer at the JCCC, shelling had occurred the previous night.

In government-controlled Krasnohorivka (21km west of Donetsk), the SMM observed eight craters – one crater was located on the road, two on a pathway leading to a Ukrainian Armed Forces facility on the top of the hill, four within 10m from a house and assessed them as caused by 122mm artillery rounds. Analysis of craters indicated the direction of fire (seven out of eight) to have been from the east. The SMM saw that a fence around a farm and two storage sheds had been destroyed and four buildings had sustained shrapnel damage to three roofs, walls and windows. Residents told the SMM that the shelling had occurred during the night of 23 August.

...

In government-controlled Popasna (69km west of Luhansk), the SMM observed nine fresh craters which, an accompanying Ukrainian Armed Forces officer at the JCCC said were the result from shelling on the night of 23 August. Four craters were assessed as

caused by 152mm artillery rounds (two fired from a north-westerly direction, and one from a north-north-easterly direction and one from an easterly direction) and other five were assessed as caused by 122mm artillery rounds (two fired from an east-south-easterly direction, one from an easterly direction, one from an east-north-easterly direction and one from a southerly direction). The SMM observed that ten houses sustained shrapnel damage including: shattered windows, damaged walls, a destroyed toilet, a destroyed roof and a destroyed cellar entrance. A resident (a middle-aged man) told the SMM that his wife had suffered cuts on both her legs by shattered glass and was treated at a hospital. The SMM saw broken windows and glass debris heavily scattered throughout the house.”

1024. The relevant parts of the SMM update for 26 August 2016 read:

“On 25 August, in government-controlled Stanytsia Luhanska, the SMM observed that an electricity line over a roof had been severed. A worker from an electrical company told the SMM that the cable had been damaged the night before. The SMM also observed a hole in the middle of the roof of the same house. The SMM observed fresh craters in the garden of the house and assessed that the damage had been caused by three or four rounds from an automatic grenade launcher (AGS-17) fired from an undetermined direction. The owner of the house told the SMM that her husband had been injured in the shelling and was in a hospital in Stanytsia Luhanska. A doctor at the hospital confirmed to the SMM that a male resident of the damaged house had been admitted to the hospital with injuries.

...

In government-controlled Marinka (23km south-west of Donetsk), the SMM followed up on reports of shelling on 24 and 25 August. The SMM observed a direct impact to a tree and shrapnel damage to the walls and roof of a house in front of the tree. The SMM assessed the impact as having been caused by a 125mm tank round fired from a north-easterly direction. At a second site, the SMM also found a direct impact to a tree approximately 15m from a house. The SMM observed shrapnel damage to a shed and assessed the impact to have been caused by a 125mm tank round fired from a north-easterly direction.”

1025. The relevant parts of the SMM update for 28 August 2016 read:

“In government-controlled Popasna (69km west of Luhansk), on 27 August, the SMM followed up on reports of civilian casualties resulting from shelling on the night of 23-24 August. At the hospital in Popasna, medical personnel told the SMM that there had been a female casualty who had been treated for minor injuries as an outpatient.

...

In government-controlled Krymske (42km north-west of Luhansk), on 26 August, the SMM saw two fresh impacts and noticed destroyed trees and many shrapnel holes in one the building walls located in the vicinity at the eastern edge of the village. The SMM assessed both craters as caused by 122mm artillery rounds fired from a southerly direction. ... On 27 August, the SMM analysed four fresh craters in government-controlled Krasnohorivka (21km south-west of Donetsk), reportedly caused by shelling on the night of 26-27 August. One of the craters was located in the yard of house and the SMM assessed it as caused by a 122mm multiple-launch rocket system round fired from an easterly direction. At the site, the SMM saw that part of the roof and windows on the northern part of the residence were damaged, while a hay storage shed located in the backyard, 2m north of the house, was completely burned down.”

1026. The relevant part of the SMM update for 30 August 2016 read:

“The SMM observed ten fresh craters in a residential area of government-controlled Troitske (69km west of Luhansk). The SMM was able to analyse three of the craters and assessed them as caused by 122mm artillery rounds fired from an easterly direction. At the impact sites the SMM observed a small hole in the roof of one house caused by shrapnel, several broken windows in another house, and a severed electrical line at a third site. Four residents, a Ukrainian Armed Forces commander, and a Ukrainian Armed Forces officer at the JCCC told the SMM that the area had been shelled on the night of 29 August. The SMM observed two fresh craters in government-controlled Krasnohorivka (21km east of Donetsk), both assessed as caused by 125mm tank rounds fired from an easterly direction. At the first site, the SMM saw shrapnel damage on the south-facing wall of a building 2m from the site and on the south-south-eastern-facing side of a car 3-4m from the impact site. The second round had impacted 10m from another house and caused shrapnel damage to the west-facing side of a fence. According to residents at the two sites, the rounds had impacted early in the morning on 29 August.”

1027. The relevant parts of the SMM update for 31 August 2016 read:

“On 31 August, the SMM observed damage caused by shelling in Shchastia the night before. In a field close to an abandoned gas station—approximately 500m south-west of its forward patrol base—the SMM found three fresh craters and assessed them as caused by 82mm mortar rounds fired from an easterly direction. At Haharin Street, the SMM saw damage to the third floor of a residential building that was assessed as caused by a mortar or an artillery round impact. The south-east facing balcony of one apartment was destroyed. According to the apartment owner, the impact had occurred at 22:05 on 30 August when he was home.... The SMM assessed that the projectile came from a south-westerly direction.... The SMM saw damage to two houses on the south-east side of Haharin Street. The SMM observed a second crater nearby, 1.5m from the north-west facing wall of a residential building, and saw numerous shrapnel fragments indicative of large calibre shell. Based on the crater analysis and shrapnel spray, the SMM assessed the direction of fire as from the north or north-west. On nearby Pryozerna Street, the SMM observed a destroyed house that was still on fire, which fire-fighters were attempting to bring under control. Three interlocutors (two men in their fifties and one woman in her forties) told the SMM that a woman, wounded in the shelling, had subsequently died in hospital.

...

In government-controlled Krasnohorivka (24km north of Donetsk), the SMM assessed five fresh craters, all within approximately 100m of each other, as caused by 122mm artillery fired from a southerly direction. The village was reportedly shelled from 00:13 to 00:20 on 29 August, resulting in damage to the roof of an inhabited two-story civilian apartment at Haharin Street. Inside the building, the ceiling of one apartment was damaged. Another civilian structure—a small storage-shed—was directly hit, blowing out approximately half of two walls (one facing south-east, the other south-west) and approximately one quarter of the roof. Additionally, The SMM observed that a Ukrainian Armed Forces facility, situated approximately 100m south of the shelled apartment building, had received a direct hit.

...

On 30 August, the SMM followed up on reports of shelling that had occurred the night of 29 August in government-controlled Lobacheve (17km north-west of Luhansk) and conducted analysis of 12 fresh craters in two residential areas. In the first neighbourhood, two craters were located on a road between two houses and four were in the yards of houses that were also damaged. The type of damage was consistent with

the impact of 82mm mortar rounds. The SMM assessed all of the rounds as fired from a north-north-easterly direction.”

1028. The relevant part of the SMM update for 2 September 2016 read:

“The SMM observed six fresh craters near government-controlled Shchastia (20km north of Luhansk), all located between 70-220m south-west, west, and north-west of a Ukrainian Armed Forces checkpoint. The checkpoint is located at the end of a residential street and the craters ranged from 15-30m away from civilian homes and a car repair shop. The SMM assessed that one of the craters had been caused by a 120mm mortar round and that four craters had been caused by 122mm artillery shells, and that five out of six were fired from a southerly or south-westerly direction. The SMM observed that an impact had destroyed a concrete fence in the vicinity of a house, damaged six square metres of the south-west building wall of a car repair shop, and observed shrapnel damage near the craters and surrounding areas. Additionally, the SMM observed damages to a garage building where the flat wooden roof was entirely destroyed, traces of shrapnel were found on all interior walls and a metal door on the southern side of the garage was pierced by shrapnel. The southern wall of a residential building to the north of the garage showed clear traces of shrapnel. The SMM assessed the damages as caused by a 120mm mortar shell fired from a southerly direction.

In government-controlled Kamianka (58km north-east of Donetsk), the SMM observed two craters on the edge of the village. One had been filled in but the SMM assessed the second crater as caused by a 120mm mortar round fired from a south-easterly direction. The SMM also observed a destroyed storage and damages to a fence nearby.”

1029. The relevant part of the SMM update for 6 September 2016 read:

“The SMM followed up on reports of a civilian casualty caused by shelling on 30 August in government-controlled Shchastia (20km north of Luhansk). The head of the police informed the SMM that a woman (28 years old) had been critically wounded in the head by shrapnel on 30 August and died on 4 September. She was a resident on Haharin Street where shelling took place and a nurse who worked at the local hospital.”

1030. The relevant part of the SMM update for 12 September 2016 read:

“Hospital staff in government-controlled Toretsk (formerly Dzerzhynsk, 43km north of Donetsk) told the SMM that after shelling on 7 September in government-controlled Verkhnotoretske (23km north-east of Donetsk), two injured people had been brought to the hospital by Ukrainian Armed Forces soldiers. The interlocutor added that shrapnel of a grenade had been extracted from their bodies. The Chief of Police of Toretsk confirmed the incident to the SMM.”

1031. The relevant part of the SMM update for 14 October 2016 read:

“Medical staff at the hospital in government-controlled Kurakhove (40km west of Donetsk) told the SMM that a woman had been admitted on 12 October but had been transferred to a hospital in nearby government-controlled Krasnohorivka (21km west of Donetsk) the following day. According to the hospital register, she had suffered numerous shrapnel wounds to her face and hands. In Mariupol the SMM spoke to a woman injured on the evening of 8 October when she said shells had hit the village of Vodiane.”

1032. The relevant part of the SMM update for 16 October 2016 read:

“In government-controlled Popasna (69km west of Luhansk) the SMM, accompanied by Ukrainian Armed Forces officers at the JCCC, observed damage to the roof and the ceiling of two apartments in a two-storey house on Tsyolkovskovo street, which it assessed as caused by an 82mm mortar round possibly fired from an east-north-easterly direction. On the street 10m outside the house, the SMM observed another crater and assessed it as caused by an 82mm mortar round possibly fired from an east-north-easterly direction. According to the persons occupying one of the flats the shell had landed on 15 October at 22:59; two persons had been inside the apartment but there had been no casualties. In the garden located next to each other a few metres from the house on Lev Tolstoy street; the SMM observed two pieces of unexploded ordnance (UXO), which were assessed as 82mm mortar rounds possibly fired from an east-north-easterly direction.”

1033. The relevant part of the SMM update for 20 October 2016 read:

“In government-controlled Vynohradne (10km east of Mariupol), accompanied by a Ukrainian Armed Forces officer to the JCCC, the SMM followed up on reports of damage caused by shelling on 18 and 19 October. The SMM saw five impacts, four of which were in the yards of civilian houses and one at a field 50m from the residential area, assessed as caused by 122mm artillery shells, fired from an easterly direction. The SMM noted damages to civilian infrastructure, including severed gas pipelines and power lines, broken windows and cracked walls. Two houses had suffered substantive internal damage.”

1034. The relevant part of the SMM update for 21 October 2016 read:

“In government-controlled Krasnohorivka, the SMM observed four fresh impact sites which were the result of shelling from the previous evening, according to a Ukrainian Armed Forces officer at the Joint Centre for Control and Co-ordination (JCCC) who was present at the sites. The SMM assessed three of the impacts as most likely having been caused by mortar rounds fired from an easterly direction. It observed shrapnel damage to the wall of an electricity sub-station and damage from a direct hit to the roof of the sub-station.”

1035. The relevant part of the SMM update for 23 October 2016 read:

“On 23 October, a Ukrainian Armed Forces officer from the Joint Centre for Control and Co-ordination (JCCC) led the SMM to three impact sites in government-controlled Talakivka (90km south of Donetsk). The first impact site was located in a field on the north-eastern side of the village. The SMM observed that at the second impact site, there was damage to the main gas pipeline and two civilian houses approximately 6m from the impact site. The gas pipeline had large shrapnel holes and both houses had broken window panes. The third impact site was located between a road and a residential house, and the SMM observed shrapnel damage to a nearby gas pipeline and the house, and noted that wires of a nearby electrical pylon were severed. The SMM assessed that all three craters were caused by 122mm artillery round impacts fired from an east-south-easterly direction.”

1036. The relevant part of the SMM update for 24 October 2016 read:

“In Krymske the SMM observed damage to houses on two separate streets. On the first street the SMM saw fresh shrapnel damage to the roof and walls of one house located approximately 500m from Ukrainian Armed Forces positions. A woman living in the house said the damaged had occurred on the 22 October. At another house the SMM observed broken windows and shrapnel damage on the outer walls. On another street the SMM observed a crater in the garden of a house. The SMM assessed that the

crater was caused by a high-explosive anti-tank warhead fired by a recoilless gun (SPG-9).”

1037. The relevant part of the SMM update for 27 October 2016 read:

“In government-controlled Zolote-4 (60km north-west of Luhansk), the SMM observed damage to the building and windows on the southern side of the cultural centre. The SMM also observed fresh shrapnel impacts on a fence of a house and a nearby tree, as well broken windows on the house. Just opposite this house, the SMM saw one piece of shrapnel in the wooden fence around a school, assessed as caused by an automatic-grenade launcher (AGS-17). The SMM assessed that in all cases fire came from a southerly and south-easterly direction. Several local residents on site told the SMM that the shelling had taken place on 26 October between 15:30-17:00 while humanitarian aid was being distributed in the cultural club and that at least 30 people had taken cover.

In government-controlled Popasna (69km west of Luhansk), the SMM observed seven impacts in residential areas. The SMM spoke with a Ukrainian Armed Forces officer at the JCCC in Popasna who informed the SMM that the shelling had taken place between 22:30 and 23:00 on 25 October. At the first site, the SMM saw one fresh impact and shrapnel, which it assessed as caused by a high calibre shell (122mm or higher) fired from an easterly direction. The impact was located 30m away from a five-storey civilian building and the SMM observed several shattered windows. At the second site, the SMM observed a burned down wooden home, which the SMM assessed to be recent. At the third site, the SMM observed severe damage to the roof of a garage. The neighbouring inhabited house, which was located only 5m away, had sustained 30-40 shrapnel hits. At the fourth site, the SMM observed that the roof of a house had completely collapsed. A resident of the damaged home told the SMM that another resident of the house had sustained head wounds and had been admitted to the hospital. The fifth impact, approximately 1m in diameter and 0.5m deep, was located in the middle of Gagarina Street and the SMM assessed it to have been caused by a shell fired from an easterly direction. The SMM observed a sixth impact – 3m wide and 1.5m deep – in a garden as well as shrapnel, approximately 40m away from a house. The SMM assessed that it was caused by a shell 122mm or higher fired from an easterly direction. The seventh impact was located approximately 5m away from a residential building and the SMM observed many shrapnel marks on the nearby building wall. The impact was approximately 1.5m wide and 0.5m deep, and the SMM assessed that it was caused by a shell 122mm or higher fired from an easterly direction.”

1038. The relevant part of the SMM update for 28 October 2016 read:

“In government-controlled Pivnichne (formerly Kirove, 44km north-east of Donetsk) the SMM observed broken windows and shrapnel damage to the fence of a house. The head of the city administration told the SMM that the shelling had occurred on 27 October and a resident confirmed that the shelling had taken place at 06:50 on 27 October.”

1039. The relevant part of the SMM update for 3 November 2016 read:

“At the eastern outskirts of Mariupol, in government-controlled Vynohradne (10km east of Mariupol), the SMM observed six fresh impact sites, all assessed as caused by artillery rounds fired from a north-easterly direction. All of the impact sites were in close proximity to houses. The SMM observed shrapnel damage to a gas pipeline and the walls and roofs of several houses, downed electricity lines and broken windows. The SMM observed a dead dog with a large flesh wound in the garden of one home. Three residents separately told the SMM that the shelling had taken place shortly before

midnight on 2 November. Two residents separately told the SMM that until 22 October Ukrainian Armed Forces had been present in a resort area at the southern edge of the settlement (about 300m from residential areas to the north) where four of the impact sites were located.”

1040. The relevant part of the SMM update for 4 November 2016 read:

“In government-controlled Vynohradne (10km east of Mariupol) the SMM observed relatively fresh impacts and saw damage to nearby houses and a restaurant (see SMM Daily Report 4 November). Damage included shrapnel penetration to walls and roofs and shattered windows on the north, east and west-facing sides. The SMM observed an impact in the backyard of a house, and saw shrapnel damage to a nearby metal fence. This crater and two others on softer ground nearby were assessed as caused by 122mm artillery fired from a north-north-easterly direction. A resident showed the SMM a bruise on his abdomen which he said had been caused by a piece of shrapnel that had come through a wall before striking him. The SMM observed a Ukrainian Armed Forces checkpoint about 300-400 metres from the impact sites.”

1041. The relevant parts of the SMM update for 6 November 2016 read:

“In government-controlled Troitske (69km west of Luhansk) the SMM saw two impact sites approximately 150m from a house at the eastern edge of the settlement assessed as possibly caused by 82mm mortar rounds fired from an easterly direction. The owner of the house told the SMM that the shelling had occurred during the afternoon of 5 November. The SMM observed that the man had a shrapnel wound on his leg. A Ukrainian Armed Forces officer at the JCCC and a television crew were present at the site.

...

In government-controlled parts of Zolote (60km north-west of Luhansk) a group of residents told the SMM that houses in the settlement had been damaged by shelling on 23, 26 and 30 October. The SMM observed damage to a garage and chicken coop of one house. The SMM observed an unexploded grenade in the yard of the house and assessed it as an automatic-grenade-launcher (AGS-17) round. At another house the SMM observed a fresh impact site in the garden which it assessed it as caused by a rocket-propelled-grenade (RPG-7) round fired from a south-westerly direction. At a third site, the SMM observed shrapnel damage to a wooden gate and electricity metre of a house, and assessed them as caused by an automatic-grenade-launcher (AGS-17) round fired from a south-easterly direction. The impact sites were about 1km outside the disengagement area.”

1042. The relevant part of the SMM update for 7 November 2016 read:

“At a hospital in government-controlled Kurakhove (40km west of Donetsk), the SMM spoke with a woman (44 years old) and a man (in his twenties) who had both sustained shrapnel wounds during shelling they said had taken place during the evening hours of 5 November in government-controlled Krasnohorivka (21km west of Donetsk). The woman told the SMM that she had been at home after 23:30 on 5 November when she had heard outside her window a loud bang, after which she described that “the window exploded” and pieces of glass, wood and tiles had flown inside the room, which had also filled with dust and smoke. She told the SMM that shrapnel fragments had hit her arm and face and the SMM saw bandages on her wounds.

In Krasnohorivka, the SMM observed three fresh impacts in a residential area caused by shelling that had reportedly taken place on 5 November. A Ukrainian Armed Forces

officer at the Joint Centre for Control and Co-ordination (JCCC) accompanied the SMM and at the first site, the SMM observed that a projectile assessed as a 120mm mortar round had hit the north-eastern side of the roof of a house and penetrated the room. The inhabitants said there were no casualties from the incident. At the second site, the SMM observed an impact between two houses, which it assessed to be caused by an 82mm mortar round. The SMM observed shrapnel damage to nearby windows, a fence and a garage door. At the third site, the SMM observed an impact on the ground in front of the south side of a house, which the SMM assessed as caused by a 120mm mortar round and which resulted in shrapnel injuries to the female resident (described above). There was shrapnel damage to the house as well as the fence and car parked nearby. The SMM could not determine the direction of fire in either case. While in Krasnohorivka, the SMM heard seven undetermined explosions from approximately 3km south-west.”

1043. The relevant parts of the SMM update for 9 November 2016 read:

“Both the police in government-controlled Toretsk (formerly Dzerzhynsk, 43km north of Donetsk) and medical staff at a hospital in Toretsk said that a 30-year old man had died on 8 November from shrapnel wounds, when an artillery shell exploded in his yard in government-controlled Novhorodske (35km north of Donetsk).

In government-controlled Marinka (23km south-west of Donetsk) the SMM saw a 63-year-old man with wounds on his head. The man said he was in the garden of his house in Marinka on 5 November, when he had seen a flash and fallen unconscious.

...

In Marinka the Mission observed damage to a five-storey apartment building on Voroshilova Street from shelling which allegedly occurred on 8 November. The SMM noted damage on the east-facing wall of the building and broken windows on all five floors. The Mission saw that repairs were being conducted. The SMM noted damages to the walls and furniture inside a first floor apartment. It assessed the fire to be from an undetermined weapon from an easterly direction. The Mission also observed damage on the west-facing side of the same apartment building, including small craters on the sidewalk – about 8m from the building – as well as broken windows and two damaged trees nearby. The SMM could not determine the direction of fire or type of ammunition as the area had been cleaned.”

1044. The relevant part of the SMM update for 10 November 2016 read:

“Near the Ukrainian Armed Forces checkpoint north of government-controlled Troitske (69km west of Luhansk), the SMM observed two fresh impacts. The SMM could not determine the direction of fire or weapons used. The first impact was located about 15m from two houses on Ovsepiana Street, where the SMM saw broken windows and an external roof and wall damaged by shrapnel. The second impact was in an open field 60-70m from the houses. The checkpoint commander said their position had been shelled by mortars at 18:40 on 9 November. According to him, there were no civilian or military casualties.”

1045. The relevant part of the SMM update for 11 November 2016 read:

“The SMM met a man (49 years old) in intensive care in a hospital in Toretsk (formerly Dzerzhynsk, 43km north of Donetsk). The man had bandages on his head, right hand and legs. He told the SMM that his left leg had a hole in it and that his right leg was broken. Medical staff told the SMM that the man had received emergency surgery upon arriving at the hospital on 9 November. A man, who said he was driving behind the victim at the time of the incident, told the SMM that the incident occurred

on 9 November when a shell impacted close to the victim's car while he was driving near government-controlled Verkhnotoretske (23km north-east of Donetsk).

In government-controlled Marinka (23km south-west of Donetsk) the SMM observed a fresh crater approximately 15m from a fire station. The SMM assessed that it had been likely caused by fire from a north-easterly direction and assessed a piece of shrapnel provided by the employees at the fire station as likely belonging to a 120mm or larger calibre shell. The SMM noted that several windows of the fire station were broken."

1046. The relevant parts of the SMM update for 13 November 2016 read:

"On 12 November, the SMM observed significant damage to five houses in government-controlled Popasna (69km west of Luhansk) consistent with shelling. Two houses on the north-western side of the street were heavily damaged, including the roofs and walls. The north-western side of one of the houses had been directly hit by a round. Three houses on the opposite side of the street had shrapnel damage and broken windows. The SMM assessed the damage to have been caused by 120mm mortar fire.

...

On 13 November, the SMM saw at least 21 fresh impacts in and around a grain storage and processing complex in government-controlled Marinka (23km south-west of Donetsk). The SMM observed 16 impacts on the asphalt and five impacts in soil surrounding the buildings, as well as damage to the northern part of the roof of the warehouse in multiple places and a nearby electrical post which had been knocked down. The SMM assessed the impacts and damage as caused by artillery fire (122 and 152mm calibre) fired from an easterly and east-south-easterly direction."

1047. The relevant part of the SMM update for 14 November 2016 read:

"On 14 November a law enforcement official in government-controlled Oleksiievo-Druzhkivka (66km north of Donetsk) confirmed information provided by the Joint Centre for Control and Co-ordination (JCCC), that a man had been killed by shelling on 11 November in government-controlled Tonenke (19km north-west of Donetsk)."

1048. The relevant part of the SMM update for 16 November 2016 read:

"In government-controlled Marinka (23km south-west of Donetsk), a Ukrainian Armed Forces officer of the Joint Centre for Control and Co-ordination (JCCC) led the SMM to a school, where the SMM observed a 2m wide impact in the concrete roof of the school garage, which had destroyed parts of the concrete roof entirely, collapsing into the garage in some places, and severely deformed the rebar reinforcements inside the destroyed concrete. The SMM observed shrapnel damage on the eastern wall of the garage and nearly 45 damaged windows. The SMM assessed that the damage was caused by 122mm artillery rounds fired from an easterly and north-easterly direction."

1049. The relevant parts of the SMM update for 20 November 2016 read:

"On 19 November in government-controlled Lebedynske (16km north-east of Mariupol) the SMM observed eleven fresh impacts in the northern part of the village and assessed: six – located in a field – as caused by 122mm artillery rounds fired from a direction ranging from east-north-east to east-south-east; four – located in close proximity of houses – as caused by 82mm mortar rounds (two fired from an east-north-easterly direction and two from undetermined direction); and one – located in a road – as caused by 120mm mortar (direction of fire undetermined). The SMM saw that a tree had been cut, a metal fence of a house had been destroyed and, and shrapnel marks on

the walls of a brick storage and three houses. Two residents (men aged 60) said they had heard about twelve explosions on the morning of 18 November.

...

On 19 November a police officer in government-controlled Kurakhove (40km west of Donetsk) and medical staff at a hospital in government-controlled Pokrovsk (formerly Krasnoarmiisk, 55km north-west of Donetsk) separately told the SMM that a woman (aged 50) had suffered injuries to her head and right arm by an explosion, which had occurred during the previous night in government-controlled Krasnohorivka (21km west of Donetsk). At the hospital the SMM met the victim, who said that when she had been leaving her apartment building she had seen a flash, adding that the door to the apartment building and the surroundings had been damaged by the explosion.”

1050. The relevant parts of the SMM update for 27 November 2016 read:

“Positioned in government-controlled Sopyne (16km north-east of Mariupol) the SMM heard 25 explosions assessed as impacts of mortar rounds 2-4km north-north-east, 19 undetermined explosions at unknown distances east, north-east and north, more than ten minutes of continuous bursts of cannon fire at unknown distances north-north-east, and saw one airburst assessed as an artillery round at an unknown distance north-east.

...

On 27 November, in an area controlled by the Government, the SMM observed eight fresh craters in a field 1km west of government-controlled Bohdanivka (41km south-west of Donetsk) near the Petrivske disengagement area which it assessed as caused by 122mm artillery rounds fired from a northerly direction.”

1051. The relevant part of the SMM update for 28 November 2016 read:

“The SMM saw a fresh 82mm unexploded mortar round in the middle of a road in [government-controlled] Lobacheve. Local residents told the SMM that fighting had taken place from the afternoon of 27 November until that same night.”

1052. The relevant parts of the SMM update for 29 November 2016 read:

“Positioned in government-controlled Orikhove-Donetske (44km west of Luhansk) the SMM heard three explosions assessed as impacts of 120mm mortar rounds and 15 outgoing shots of automatic-grenade-launcher (AGS-17) fire, all 1.5-2km south.

...

The SMM monitored repairs to essential infrastructure co-ordinated by the JCCC. The SMM monitored the ongoing repair of water pipes near government-controlled Leninske (40km north-east of Donetsk) reportedly damaged by shelling on 22 November which left more than 50,000 residents in and around government-controlled Toretsk (formerly Dzerzhynsk, 43km north of Donetsk) without water. The SMM has observed water distribution taking place in the area and residents collecting water in buckets over the past few days. The SMM also monitored repair work on damaged electrical infrastructure near government-controlled Lozove (52km north-east of Donetsk).”

1053. The relevant parts of the SMM update for 30 November 2016 read:

“Positioned in government-controlled Sopyne (16km east of Mariupol) for about five hours, the SMM recorded five explosions assessed as outgoing mortar rounds 3-4km north and another five assessed as impacts of mortar rounds 3-4km north-north-east, as

well as 20 undetermined explosions and 15 explosions assessed as impacts of multiple-launch rockets system (MLRS) rockets at an unknown distance north-east and east-north-east.

Positioned near government-controlled Lebedynske (16km north-east of Mariupol) the SMM heard four explosions assessed as impacts of mortar rounds and more than 350 shots of heavy-machine-gun and small-arms fire, all at unknown distances in locations ranging from north to east.

...

Following reports by the Joint Centre for Control and Co-ordination (JCCC) the SMM saw at a hospital in Avdiivka a 49-year old man who was wounded by shrapnel in the morning of 30 November in Avdiivka. The police reported also damages to houses in Avdiivka.”

1054. The relevant part of the SMM update for 4 December 2016 read:

“In government-controlled Luhanske (59km north-east of Donetsk), accompanied by a Ukrainian Armed Forces officer of the JCCC, the SMM observed three fresh craters on Myra Street, assessed as caused by mortar (82mm) rounds fired from a south-south-easterly direction. Two craters were in the yards of two houses, one in each, and one on the street between them. The SMM noted broken windows and shrapnel damage to the walls and a fence. Residents said that they had heard shelling at around 22:00 on 1 December.”

1055. The relevant part of the SMM update for 4 December 2016 read:

“The SMM followed up on damage to houses in government-controlled Lobacheve (17km north-west of Luhansk). In Shevchenko Street the SMM observed five houses with ten impacts assessed as caused by under-barrel grenade launchers (VOG25) on walls facing south. One house had the roof damaged and a shop located opposite to the ferry crossing had also damage on the roof and to the windows. According to residents, shelling had occurred the night before.”

1056. The relevant part of the SMM update for 6 December 2016 read:

“On Verkhnia Street in government-controlled Luhanske (59km north-east of Donetsk) the SMM observed three fresh impacts. One of the impacts, seen in the yard of a house, had damaged a fence but not the house itself. Two impacts were observed in a field 15-20m from the street. The SMM assessed the impacts had been caused by 82mm mortars fired from a southerly direction. A resident told the SMM the shelling had occurred at around 16:00 on 5 December. No one was injured, according to her.”

1057. The relevant part of the SMM update for 16 December 2016 read:

“At a hospital in government-controlled Kurakhove (40km west of Donetsk) the SMM met a man (aged 62) – a resident in government-controlled Marinka (23km south-west of Donetsk), who said that he sustained injuries to his legs by one stray bullet when travelling by bicycle 150m from a Ukrainian Armed Forces checkpoint in Marinka on the morning of 14 December. The SMM saw him walking with crutches. Medical staff in the hospital told the SMM that a woman (aged 60) had sustained injuries in her legs by the shrapnel of a round from automatic grenade launcher on the morning of 15 December in Marinka. The police officer in Kurakhove confirmed to the SMM that the woman had been wounded by the impact of a grenade.”

1058. The relevant part of the SMM update for 19 December 2016 read:

“In government-controlled Luhanske (59km north-east of Donetsk), following up on reports of damage from fighting on 18 December (see SMM Daily Report 19 December 2016), the SMM observed a fresh crater, assessed as caused by an artillery or mortar round, about 150m from a kindergarten and about 50m from an abandoned hospital. One of the kindergarten’s windows was completely blown out. On Kalinina street, the SMM observed workers repairing an electricity supply line; while there the SMM heard two explosions assessed as impacts of mortar (120mm) rounds 500-800m in an undetermined direction and left the area.”

1059. The relevant parts of the SMM update for 26 December 2016 read:

“On 25 December, a police officer in government-controlled Selidove (41km north-west of Donetsk) told the SMM that an elderly woman had received shrapnel wounds between 18 and 19 December in government-controlled Opytne (12km north-west of Donetsk) and had been transferred to a neurosurgery department in government-controlled Mariupol (102km south of Donetsk). Medical personnel in Mariupol told the SMM that the woman had been transferred to Mariupol on 19 December and had been unconscious for 24 hours.

...

On 24 December in Svitlodarsk, accompanied by a Ukrainian Armed Forces officer of the JCCC, the SMM observed 12 fresh impact sites in the south-eastern part of the settlement. The SMM noted broken windows and shrapnel damage to the walls of two shops in a market and two apartment buildings, which also had broken windows and burn marks on the façade of the buildings, affecting about 45 apartments. The SMM assessed the impacts as having been caused by one 152mm artillery round, six 122mm artillery rounds and three 120mm mortar rounds, all fired from southerly and the south-easterly directions. The SMM was unable to assess the direction of fire of two additional impact sites assessed as caused by 122mm artillery rounds. Two of the 120mm mortar rounds had hit a market about 400m north of the SMM forward patrol base, one 120mm mortar round and one 122mm artillery round had impacted about 70m from the forward patrol base and five 122mm and one 152mm artillery rounds had impacted 150-170m south of the forward patrol base. The base is located in a residential area within 100m of other houses.”

1060. The relevant part of the SMM update for 28 December 2016 read:

“On 26 December, following reports of residents of government-controlled Troitske (69km west of Luhansk) the SMM visited Pryvilna Street and observed recent damage to one house, including shrapnel damage to a wall and two broken windows, which had already been covered with plastic sheets. The people living in the house (a man and a woman around 65 years old) said that fighting had occurred on 23 December, but no one had been hurt.”

(iv) 2017

1061. The relevant part of the SMM update for 2 January 2017 read as follows:

“In government-controlled Luhanske (59km north-east of Donetsk) on 1 January, the SMM observed a destroyed concrete barn on Lenin Street next to a house that had sustained cracks to a wall and broken windows. Three women said they were in the house at the time of the shelling which they said happened at about 15:00 on 22 December. The SMM saw pieces of an artillery shell (122mm) at the site. The roof of one neighbouring house was damaged by shrapnel and windows were broken in

another. On Skeleva Street the SMM observed that three houses had sustained minor shrapnel damage and had their windows broken. There was a crater about 60-80 metres from one of the houses, which was covered with snow. According to a 70 year-old male resident and a Ukrainian Armed Forces officer of the Joint Centre for Control and Co-ordination (JCCC), the crater was caused by a mortar shell on 23 December.

In government-controlled Roty (66km north-east of Donetsk) the SMM observed that the walls and roofs of three houses (one on Vokzalna and two on Poliova Street) had been damaged by shrapnel. According to a resident aged in her fifties, shells landed in the yards of these houses. The SMM also observed broken windows and shrapnel damage to another house on Poliova Street. The residents, a family of three (including a two-year old), told the SMM that they were at home at the time of the shelling but were not injured. The walls of another house on the same street had been damaged by shrapnel and its windows broken.”

1062. The relevant part of the SMM update for 4 January 2017 read:

“A Ukrainian Armed Forces officer at the Joint Centre for Control and Co-ordination (JCCC) led the SMM to damaged houses and impact sites in government-controlled Krynychne (67km north-east of Donetsk). The SMM observed broken windows on three houses on Krynychne Street. The Mission observed three craters, all approximately 1m in diameter, in a field nearby and assessed that they were caused by 122mm artillery shells and that the direction of fire was from the east-south-east. Approximately 300m south-east, the SMM observed a house with two broken windows and a crater located 5m away from the house, approximately 1m in diameter. The trees around the crater were shredded and one had been cut in half. The SMM assessed that the crater and damage here were also caused by 122mm artillery shells and that the direction of fire was from the east-south-east. The SMM observed that another house had two broken windows. The elderly man and woman living in the house told the SMM that the shelling had happened the night of 22-23 December. The SMM spoke with Ukrainian Armed Forces personnel who told the SMM that they were living in houses in the settlement and that shelling had taken place on 22-23 December. A Ukrainian Armed Forces Officer of the JCCC led the SMM to another crater in a field approximately 80m south of the road, which was about 5m in diameter with a large amount of earth thrown up around the crater. The SMM assessed that it was caused by high-calibre artillery fired from the east-south-east.”

1063. The relevant part of the SMM update for 8 January 2017 read:

“On Verkhnya Street in government-controlled Luhanske the SMM, accompanied by Ukrainian Armed Forces officers of the Joint Centre for Control and Co-ordination (JCCC), saw damage to a garage caused by shrapnel and blast damage to the roof. It observed a relatively fresh crater that had been covered in snow 50m north-west of the house. The SMM assessed it was consistent with an impact of a 122mm artillery round but the direction of fire could not be determined. The SMM observed Ukrainian Armed Forces in a house nearby and an armoured vehicle parked outside. It also saw soldiers approaching the house with sleeping bags. The SMM observed a fresh crater in the garden of a house on Krasnoshapky Street and assessed it was caused by an artillery round (122mm) fired from an east-south-easterly direction. The house had sustained shrapnel damage and shattered windows. The owner told the SMM that his mother had suffered minor cuts when the area was shelled between 22:00 and 23:00 on 5 January. Two light military vehicles were parked about 70m away and the idling engine of an armoured vehicle could be heard close by. The SMM observed a crater in the rear garden of another house and assessed it was caused by an artillery round (122mm) fired from a south-south-easterly direction. The window panes of a summerhouse (about 40m

from the crater) were cracked. Two residents said that the shelling happened at about 22:30 on 5 January.”

1064. The relevant part of the SMM update for 10 January 2017 read:

“At a hospital in government-controlled Krasnohorivka (21km west of Donetsk), the head doctor told the SMM that they had the body of a recently deceased woman. A Ukrainian Armed Forces officer of the Joint Centre for Control and Co-ordination (JCCC) told the SMM that the woman had died from shrapnel injuries sustained to her legs and abdomen.”

1065. The relevant part of the SMM update for 12 January 2017 read:

“At a hospital in government-controlled Kurakhove (40km west of Donetsk) a man (aged 57) told the SMM that he had sustained shrapnel injuries to his left leg while sleeping in his apartment in government controlled Krasnohorivka (21km west of Donetsk) the previous night. The SMM saw his leg bandages had been stained with blood. Medical staff at the hospital said the man had been admitted to the hospital and immediately taken to surgery.”

1066. The relevant parts of the SMM update for 15 January 2017 read:

“On 14 January, a police officer at the police station in government-controlled Kurakhove (40km west of Donetsk) told the SMM that a 64-year-old woman had been injured in her chest by shrapnel while at her house in government-controlled Marinka (23km south-west of Donetsk) on 12 January.

...

On 14 January, in government-controlled Novozvanivka (70km west of Luhansk), the SMM observed three fresh impacts. The first two were about 10m apart and some 30m from the asphalt road. The nearest house was about 100m to the east-north-east. The third impact was about 1km south-east of the other two, some 50m west from the road and about 80m from the nearest house. The SMM assessed two of the craters as caused by artillery (152mm) rounds and one by a mortar (82mm) round from an easterly direction. Two residents (men in their forties) said that they had heard explosions on the night of 13 January which, they said, had also damaged electric lines. Two workers of an electric company told the SMM that four sections of the electric line had been damaged but three of them had been already fixed. According to the workers, two houses and some military positions in Novozvanivka had no power.”

1067. The relevant part of the SMM update for 16 January 2017 read:

“In government-controlled Lopaskyne (24km north-west of Luhansk), the SMM observed shrapnel damage to the north and north-eastern corner of a house and nearby trees. On the western side of the house, the SMM observed some copper wires assessed as from an anti-tank wire-guided missile that it assessed was fired from close by. At a nearby location, the SMM noted fresh indents into the soil, which the SMM assessed as traces left by the recoil of mortars being fired.”

1068. The relevant part of the SMM update for 18 January 2017 read:

“In government-controlled Orlivske (23km north-east of Mariupol) the SMM observed eight impacts assessed as caused by 122mm artillery rounds fired from an east-north-easterly direction. The impacts were as close as about 100m from a farm building and two windows were shattered. A resident told the SMM that the village had been shelled on the evening of 10 January.”

1069. The relevant part of the SMM update for 20 January 2017 read:

“The SMM observed damage to civilian infrastructure in government-controlled Novoselivka (31km north-east of Donetsk) where it observed six impact sites. At the first site, in Myra Street, the SMM saw a large hole in the south-facing wall of a shed in front of the house, with damage to the iron door and windows broken. The owner showed fragments of a shell. The SMM assessed the damage to have been caused by 120mm mortar fired from a south-south-easterly direction. At a second site in Myra Street, SMM observed an impact on a concrete wall of an animal coop facing south. A wall had almost completely collapsed and it had been partially repaired. SMM also observed broken windows. The owner showed fragments of a shell. The SMM assessed the damage to have been caused by 120mm mortar fired from a south-south-easterly direction. At a third site in Myra Street, the SMM saw a crater covered by snow near an iron fence surrounding the house. The SMM assessed the damage to have been caused by 120mm mortar fired from a south-south-easterly direction. At a fourth site in Svobody Street, SMM saw a crater covered by snow on the sidewalk, and damage to a concrete electric pole and to trees. The SMM assessed the damage to have been caused by 120mm mortar but was unable to assess the direction of the fire. At a fifth site, an empty field at the eastern outskirts of the village, 50 meters south-east of the closest house, the SMM saw a crater on the ground, about 4m wide and at least 1.8m deep, partially covered by snow, assessed as caused by 152mm artillery but the SMM was unable to assess the direction of the fire. At a sixth site in Svobody Street, the SMM saw an impact on the ground between two houses that had already been covered with sand. The SMM saw damages to the two houses (broken windows) but was unable to assess the direction of the fire. A Ukrainian Armed Forces officer of the Joint Centre for Control and Co-ordination (JCCC) and residents (six men and three women, all middle-aged) said that shelling had taken place on 14 January.”

1070. The relevant part of the SMM update for 24 January 2017 read:

“On 24 January [in Stanytsia Luhanska] the SMM observed one impact of rocket propelled grenade launcher (RPG-7) on the eastern side of the southernmost Ukrainian Armed Forces position, and two automatic grenade launcher round impacts on both sides of it, all assessed as fired from an east-south-easterly direction. Moreover, the SMM observed one ricochet assessed as an impact of small-arms fire (possible 5.45mm) in the southern wall of a heating container. The SMM observed two houses south-east of the railway line. One house had a broken upstairs window. Another house had damage to the gate of a house. The SMM was unable to further assess the damage.”

1071. The relevant parts of the SMM update for 25 January 2017 read:

“The SMM’s monitoring and freedom of movement are restricted by security hazards and threats, including risks posed by mines, unexploded ordnance (UXO), and other impediments – which vary from day to day.

...

Denial of access:

A Ukrainian Armed Forces officer of the JCCC told the SMM that no demining activities had taken place during the previous 24 hours in the Stanytsia Luhanska disengagement area and that, with the exception of the main road, the SMM’s safety could not be guaranteed in the surrounding areas due to the possible presence of mines and/or UXO. The SMM did not consider it safe to proceed and informed the JCCC.

A Ukrainian Armed Forces officer of the JCCC told the SMM that it could not access the disengagement area from a road leading from government-controlled Katerynivka

(64km west of Luhansk) into the Zolote disengagement area due to the possible presence of mines. The SMM informed the JCCC.

An armed 'LPR' member told the SMM that no demining activities had taken place during the previous 24 hours in the Zolote disengagement area. Due to the danger of mines the SMM did not consider it safe to proceed and informed the JCCC.

Due to the lack of security guarantees and the potential threat from mines, the SMM could not travel west from Petrivske. The SMM informed the JCCC.

In 'DPR'-controlled Pikuzy (formerly Kominternove, 23km north-east of Mariupol), armed men said they had no orders to let the SMM pass. The SMM informed the JCCC.

At a checkpoint west of Pikuzy, the SMM could see anti-tank mines on the road and Ukrainian Armed Forces personnel said they could not guarantee the safety of the SMM on the road leading east due to the mines on the road. The SMM informed the JCCC.

The SMM could not cross the bridge in government-controlled Shchastia (20km north of Luhansk) as Ukrainian Armed Forces personnel said there were still mines on the bridge. The SMM informed the JCCC.

Ukrainian Armed Forces personnel at a checkpoint prevented the SMM from traveling on the road between government-controlled Popasna (69km west of Luhansk) and Katerynivka. The personnel said that the road had not been demined and the SMM could see anti-tank barriers. The SMM informed the JCCC."

1072. The relevant part of the SMM update for 26 January 2017 read:

"While in government-controlled Svitlodarsk (57km north-east of Donetsk) on the night of 25 January and during the day on 26 January, the SMM heard eight explosions assessed as outgoing artillery rounds, 14 as impacts of mortar rounds, 11 as outgoing rounds from unknown weapons and 121 undetermined explosions, all 5-12km south, south-east, east and north-east."

1073. The relevant parts of the SMM update for 27 January 2017 read:

"While in government-controlled Svitlodarsk (57km north-east of Donetsk) on the night of 26-27 January, the SMM heard 14 undetermined explosions, 42 explosions of automatic-grenade-launcher rounds (38 assessed as impacts and five assessed as outgoing), ten outgoing explosions of infantry fighting vehicle (IFV; BMP-1) cannon (73mm) fire, nine outgoing explosions of recoilless gun (SPG-9, 73mm) fire, eight explosions assessed as impacts of 82mm mortar rounds, ten explosions assessed as impacts of artillery rounds (type and calibre unknown), five bursts of anti-aircraft cannon fire (ZU-23, 23mm), and about 38 bursts of heavy-machine-gun fire, all 4-8km east-south-east and south-east.

...

A Ukrainian Armed Forces officer of the Joint Centre for Control and Co-ordination (JCCC) led the SMM to three fresh impact sites in government-controlled Zolote (60km west of Luhansk). The SMM observed damage to a house caused by shrapnel as well as broken windows. The SMM saw that a water pipe had been broken and water was pouring out of it and residents told the SMM that as a result, their access to water was interrupted. The SMM could not assess the type of weapon or direction of fire."

1074. The relevant part of the SMM update for 30 January 2017 read:

"The SMM visited a military hospital in government-controlled Pokrovsk (formerly Krasnoarmiisk, 55km north-west of Donetsk) where two Ukrainian Armed Forces

personnel told the SMM that they had admitted three civilian casualties from Avdiivka the day before, all with shrapnel-related injuries. They said the victims were transferred to a hospital in Dnipro earlier in the morning.”

1075. The relevant part of the SMM update for 31 January 2017 read:

“In government-controlled Troitske (69km north-west of Luhansk) the SMM observed impact sites and damage to houses. Ukrainian Armed Forces officers of the JCCC who accompanied the SMM and residents said the shelling had taken place on 29 January. The SMM saw three fresh impact sites, all within 50-200m of houses. One crater was about 50m from a house, which had damage to the south-facing wall and roof. The owner said she had been home during the shelling together with her two sons, and that no one had been injured.”

1076. The relevant part of the SMM update for 1 February 2017 read:

“At a hospital in government-controlled Kurakhove (40km west of Donetsk), a doctor told the SMM that a 55-year-old woman had been admitted at 16:30 on 31 January with shrapnel injuries. The woman told the SMM that she was leaving her house when she suddenly felt pain in her head and had fallen down.

...

In government-controlled Trokhizbenka, Ukrainian Armed Forces officers of the JCCC led the SMM to a school, where the Mission observed fresh damage inside and outside the building, including fresh holes on west-facing and south-facing walls inside and outside on the ground floor, one destroyed west-facing window (covered with a wooden plank) and five broken south-facing windows on the same floor. The SMM assessed that the damage was caused by a 120mm mortar round fired from a westerly or south-westerly direction. Elsewhere in Trokhizbenka three residents showed the SMM three impacts in three yards, all of which were 5-10m away from the nearest house. They told the SMM that shelling had taken place on 31 January at about 20:00. The SMM assessed the impacts to have been caused by 82mm mortars.”

1077. The relevant part of the SMM update for 2 February 2017 read:

“The Head of the Civil-Military Administration in Avdiivka told the SMM that one woman had died during shelling in Avdiivka on the morning of 1 February. A police officer separately told the SMM that a 62-year-old woman had died in Avdiivka from shrapnel wounds. He also said that two civilian men (63 and 68 years old) had been injured in the same area on 1 February. Medical staff at Avdiivka hospital told the SMM that one man had been treated for severe trauma caused by shrapnel wounds.

The SMM observed damage from shelling in residential areas. While passing through the south-eastern part of Avdiivka on 1 February the SMM saw downed power lines and damage from shelling to the roofs, walls and fences of at least six houses. A Ukrainian Armed Forces commander told the SMM that the area had come under rocket fire earlier that morning.

In government-controlled Sartana (15km north-east of Mariupol), the SMM observed large holes in the roof of a farm building and hay burning inside the building. About 100m from the farm the Mission observed a fresh impact site and assessed it as having been caused by a multiple-launch rocket system (MLRS) (BM-21 Grad, 122mm) fired from an easterly direction. The SMM saw a compound guarded by Ukrainian Armed Forces soldiers about 400m from the farm. Three local farmers (men, 40-60 years old) and a Ukrainian Armed Forces commander told the SMM that the shelling had occurred at about 02:00 on 1 February.

In government-controlled Vrubivka (72km west of Luhansk) the SMM observed three fresh impact sites (located 10-30m from houses). The SMM noted severed power lines, a destroyed fence, broken windows of seven homes, and shrapnel damage to the roof and wall of one of the houses. Two residents told the SMM that the shelling had taken place early in the morning on 1 February.

In government-controlled Troitske (69km west of Luhansk) the SMM observed 12 fresh impact sites. Two of the impacts were inside a medical clinic, a third was approximately 50m and a fourth 150m from the building. A window at the medical clinic was broken. The SMM observed two more impacts on a residential street, 25 and 60m from houses. The Mission noted that the south-western corner of the first house was completely destroyed, the roof and wall of the house had suffered shrapnel damage, and all the windows of the home were broken. The SMM saw two broken windows and shrapnel damage to the wall and roof of a second house.”

1078. The spot report for 3 February 2017 “Casualties, damage to civilian infrastructure registered in Donetsk region following fighting”, in so far as relevant, read:

“Medical staff at a hospital in government-controlled Avdiivka (17km north of Donetsk) informed the SMM about two civilian fatalities and two other persons who had suffered shrapnel injuries. According to them, a 25-year-old man had died as a result of an explosion from shelling at a school in Avdiivka and a 47-year-old female employee of the Avdiivka coke factory had died in the operating room due to injuries received after an explosion from shelling. They said that a 48-year-old commander of the State Emergency Services and a British journalist had been injured; adding that the commander was in critical condition, while the journalist had been transferred to a hospital in Dnipro for further care. A member of the regional administration in Dnipro told the SMM that a foreign journalist wounded in Avdiivka on 2 February had been brought to hospital in Dnipro and had undergone surgery.

The SMM observed shelling damage to three residential buildings at the intersection of Vorobiova and Molodizhna Streets in Avdiivka. The SMM saw a large hole in the third floor wall of one of the buildings and an impact near the road. The SMM assessed the latter as caused by a 122mm artillery round fired from a south-easterly direction. Several windows were blown out and the exterior walls of the buildings were damaged. According to residents, the damage had occurred at around 20:30 on 2 February.”

1079. The relevant part of the SMM update for 3 February 2017 read:

“The SMM, accompanied by a Ukrainian officer of the JCCC, observed four fresh impact sites in a field between government-controlled Vidrodzhennia and Roty (64km north-east of Donetsk), assessed as caused by artillery rounds (122mm). The SMM could not determine the direction of fire. In Vidrodzhennia, the SMM saw a fresh impact site, assessed as caused by an artillery (122mm) shell next to a house on Novaia Street, in which the SMM saw Ukrainian Armed Forces personnel. An armoured tracked vehicle (MTLB) with a large antenna was parked outside. Four houses on Novaia Street had sustained light damage. The Ukrainian officer of the JCCC told the SMM that three Ukrainian Armed Forces personnel had been injured and transported to hospital. On Polevaia Street in Roty village, the SMM saw a fresh impact site that had damaged a nearby animal shed, that was assessed to have been caused by an artillery round (122mm). Residents said the shelling happened at around 22:00 on 2 February.

In government-controlled Chernenko (21km north-east of Mariupol), the SMM observed impact sites in a residential area that residents said had been shelled on

31 January. The damage observed was consistent with shelling in recent days. The SMM observed an impact site in the garden of a house and saw shattered windows and shrapnel damage to the walls of a house nearby. The SMM assessed that the damage was caused by a mortar round (82mm) but could not determine the direction of fire. At a second location, the SMM saw damage to the roof of a house.

In government-controlled Sartana (15km north-east of Mariupol) the SMM, accompanied by a Ukrainian officer of the JCCC, observed seven fresh impact sites. Several residents said the shells had stuck around 05:00 of 3 February and no civilians had been injured. The SMM observed impact sites next to houses, damage to the walls of houses and broken windows. Two impacts were observed in a farm complex. The roof of a barn in the complex had been destroyed and scorch marks were visible. The SMM observed a Ukrainian Armed Forces position in the area. At some of the impact sites the SMM found shrapnel from an MLRS (BM-21). The SMM assessed that the impact sites were caused by MLRS (BM-21) fired from an east-north-easterly direction.”

1080. The relevant part of the SMM update for 5 February 2017 read:

“On 4 February the SMM observed five fresh impact sites in Avdiivka. On Nechaeva Street the SMM saw that two rounds had struck the roof of a building. The Mission assessed that the impacts were caused by mortar rounds. On Soborna Street the SMM noted a hole nearly 2m in diameter in the south-west facing wall of the third and fourth floor stairwell of a seven-storey apartment building which it assessed as caused by a 120mm mortar round fired from a south-westerly direction. The SMM assessed the impacts as fresh. Several residents told the SMM that the shelling had taken place at about 21:30 on 3 February. At a school on Molodizhna Street the SMM observed a fresh crater about 25m from the main building. Parked 10m away was an ambulance, which according to Ukrainian JCCC officers had been driven by the 25-year-old man who had died from shrapnel wounds on 3 February (see SMM Spot Report). Several of the windows of the school building were broken. The Mission assessed the impact as caused by a 120mm mortar round fired from a south-westerly direction.

On 4 February in government-controlled Sartana (15km north-east of Mariupol) the SMM observed 13 fresh impact sites and assessed them as having been caused by MLRS (BM-21) rockets fired from easterly and east-north-easterly directions. The SMM saw craters in the garden of a house, on an asphalt road, in front of a house, and in a cemetery, as well as damage to the roof of a shed, the façade of a garage, fence and door of a house, power lines, the roof of a barn, a tractor, and broken windows on a number of houses. Several interlocutors told the SMM that the village had been shelled between 23:05 and 23:30 on 3 February, adding that shortly before the shelling they had heard and seen outgoing fire from north of the village.”

1081. The relevant parts of the SMM update for 6 February 2017 read:

“In government-controlled Lobacheve (17km north-west of Luhansk), the SMM observed four fresh craters close to a shop, which had sustained broken windows. The SMM saw a mortar tail fin nearby and assessed the craters to have been caused by mortar rounds (82mm) fired from a southerly direction. Residents told the SMM that there had been intense exchanges of fire on the night of 5 February.

...

Near government-controlled Orlivske (23km north-east of Mariupol) the SMM observed two fresh craters in a field and saw that power lines had been downed.”

1082. The relevant part of the SMM update for 7 February 2017 read:

“In government-controlled Kurdiumivka (54km north of Donetsk) the SMM observed a fresh crater on an asphalt road in front of a house, and assessed it as caused by a 122mm artillery or 120mm mortar round fired from a southerly direction. The SMM saw shrapnel damage to the garden gate, and walls and ceiling inside the house. A family member and another resident told the SMM that shelling had occurred at 21:30 on 6 February, and a boy (16 year-old) had been struck by shrapnel in his heart and had died immediately as he was walking by the front door of the house. They said that police arrived at the scene and the body was taken to a hospital in Toretsk (formerly Dzerzhynsk, 43km north of Donetsk) and would be released for funeral on 9 February.”

1083. The relevant parts of the SMM update for 9 February 2017 read:

“The SMM returned to government-controlled Kurdiumivka (54km north of Donetsk) where the day before family members had reported the death of a 16-year-old boy on 6 February due to shelling. (See SMM Daily Report 8 February.) The Mission observed 24 impact sites within 50m of houses which it assessed as caused by 122mm artillery rounds fired from a south-easterly direction. The SMM assessed one additional impact site as caused by a 122mm artillery round fired from the north-west. The impact sites were about 200m from a water pumping substation and about 500m from high voltage electricity lines. A checkpoint is located about 100m west of the pumping station. The SMM observed shrapnel damage to the window frames and fences of three houses as well as to the chimney and roof of one of the houses. Another house had suffered a direct hit to the roof which partially destroyed the bathroom and kitchen.

...

After the JCCC facilitated adherence to the ceasefire in the area, the SMM visited government-controlled Vodiane (19km north-east of Mariupol), led by Ukrainian officers of the JCCC, for the first time since 22 June 2016. The SMM met nine residents in the village (seven men and two women, 35-85 years old) who said that 13 residents from seven households were left in the village. They also said that there was no electricity in the village. The Mission observed widespread damage to houses, ranging from shrapnel damage to the walls of buildings to the remains of houses almost completely destroyed and saw severed electricity lines.”

1084. The relevant part of the SMM update for 12 February 2017 read:

“On 11 February, staff at a military hospital in government-controlled Pokrovsk (formerly Krasnoarmiisk, 55km north-west of Donetsk) told the SMM that two men from Avdiivka had been admitted on 9 February. (See SMM Daily Report 11 February 2017.) According to hospital records, the first (aged about 60), following surgery for a head injury caused by shrapnel, was transferred by helicopter to a hospital in Dnipro, and the second (aged about 50) was transferred to the civilian hospital in Pokrovsk after surgery for shrapnel wounds on his right side (forearm and waist).”

1085. The relevant part of the SMM update for 13 February 2017 read:

“In government-controlled Avdiivka (17km north of Donetsk) the SMM, accompanied by Ukrainian officers of the Joint Centre for Control and Co-ordination (JCCC), observed four impacts which according to residents of affected buildings had occurred on the night of 2-3 February. The SMM observed that the roof of a house on Sadova Street was partially collapsed and noted shrapnel damage to the wall of a house on Krasna Street.”

1086. The thematic report of 16 February 2017 “Hardship for conflict-affected civilians in eastern Ukraine” was based on regular

monitoring of the situation of civilians living on both sides of the contact line from May to the end of September 2016. Addressing the issue of the conduct of hostilities in populated areas, the report noted a number of hotspots, in which ceasefire violations had frequently occurred. The report stated, in so far as relevant:

“New hotspots emerged in the area of government-controlled Lobacheve and ‘LPR’-controlled Zhovte (both villages are on opposite sides of the Siverskyi Donets river, the natural barrier that follows the contact line) and government--controlled Lopaskyne. In these locations armed formations have continuously failed to make a clear distinction between civilian and non-civilian objects, firing out of and into populated areas disregarding the protections afforded to civilians under international humanitarian law ...”

1087. The report stated that armed formations had continued to place weapons and military hardware in populated areas, and it provided a number of examples illustrating this practice.

1088. Addressing conflict-related damage to civilian property, the report said:

“Continued fighting in both Luhansk and Donetsk regions, including the use of heavy weapons near populated areas, has led to extensive conflict-related damage to private residences of civilians on both sides of the contact line. The SMM has reported numerous cases of damage to civilian property caused by artillery and mortar shelling with craters found in inhabited areas and in nearby fields on both sides of the contact line. For example, the SMM was informed that around 227 people were residing in the government-controlled part of Zhovanka, south of Zaitseve in Donetsk region, where most houses had been damaged due to the conflict: three out of four houses/buildings suffered light damage, typically shattered windows and light damage to the roofs, around 20 homes require major repairs, while around 16 homes are beyond repair. Residents reported that intense shelling in mid-August had destroyed all homes located on one street. In government-controlled Myrne, Donetsk region, an elderly woman whose house had been completely destroyed by shelling on 18 August, had to sleep in the summer kitchen located in her yard. ...”

1089. The relevant part of the SMM update for 17 February 2017 read:

“In Svitlodarsk the SMM observed five craters 30-70m from houses on Stepova Street. The SMM assessed one of the craters as caused by a 122mm artillery round fired from a south-westerly direction and the four other craters assessed as caused by rounds from an undetermined weapon fired from a south-westerly direction. The SMM observed three shattered windows and the rubble of a greenhouse at one of the houses and a shrapnel hole in a concrete wall, shrapnel damage inside the bedroom, and a shell fragment embedded in the living room wall of another house. Ukrainian officers of the JCCC and residents told the SMM that the shelling had occurred on the night of 5-6 February.”

1090. The relevant part of the SMM update for 19 February 2017 read:

“On 18 February, a Ukrainian Armed Forces soldier in government-controlled Trudivske (47km south of Donetsk) told the SMM that there were civilian casualties from the town as a result of shelling that had occurred the night before (see damage to infrastructure below). At a hospital in government-controlled Volnovakha (53km south of Donetsk), the SMM spoke with a man (43 years old) and his son (15 years old), who

told the SMM that they had been injured during shelling in Trudivske the night before. The SMM saw a bandage on the father's arm, and the head surgeon told the SMM the man's arm been lacerated by shrapnel and that there was still shrapnel embedded in his shoulder. The son was lying on a hospital bed, and head surgeon told the SMM the boy was suffering from a broken clavicle and scapula and had shrapnel removed from both areas.

On 18 February in Avdiivka, a man (in his late fifties) told the SMM that his sons had been injured after the wall of their apartment had collapsed on to them the night before following an explosion. At the Avdiivka city hospital, the surgeon who said he had treated the boys (about 15 and 20 years old) told the SMM that the older brother had bruises on his ribcage, nose and left leg and the younger brother had bruises on his face and head. The surgeon said he had treated and released the boys. Back at the site of the damage on 8 Yubileinyi Street (see damaged infrastructure section below) both the boys told the SMM that they had been sitting in a room near a window on 17 February when a wall had fallen on them following an explosion.

The SMM observed the results of shelling, including damage to infrastructure and direct artillery hits on residential houses on both sides of the contact line. On 17 February, in Avdiivka, the SMM observed a direct impact in the south-south-east wall of an apartment building on 1 Haharina Street, which the SMM assessed was caused by a 120mm or larger-calibre weapon. The projectile penetrated the outer building wall and exploded inside the building resulting heavy damage to five apartments on three different floors. One of the building residents told the SMM that following the explosion, which she had heard from inside her apartment, the electricity and water supply in the building had been cut off.

At a second building in Avdiivka on 12 Haharina Street, a projectile had exploded inside the building on the first floor after breaking through a window on the south-south-east wall, damaging a shop on the first floor. The SMM assessed shrapnel onsite to be from a 122 or 125mm calibre round. At a third building on 9 Kvartal Street, the SMM observed an impact on the outer south-south-east wall about 12m off the ground and saw damage to two apartments, on the fourth and fifth floors, respectively. A resident (a woman in her seventies) told the SMM that an explosion had occurred the night before and that following the explosions there was no heating or hot water in the building.

On 18 February, at a two-story apartment building in Avdiivka on 8 Yubileinyi Street, the SMM observed a crane outside and severe damage to apartments 43 and 44 located on the second floor of the building, where the walls between the apartments had been almost completely destroyed and two residents (as mentioned above and aged 15 and 20 years) had been injured. About 20 people were searching through the rubble for personal items. The ceiling and floor of apartment 43 had collapsed into the apartment located underneath, and several large blocks of concrete walls were visible, as well as structural beams, electrical wiring and pipes.

On 18 February, in Trudivske, the SMM observed 14 impacts that it assessed as caused by artillery shells (122mm and 152mm) and mortar rounds (probable 120mm), fired from a north-north-easterly direction. The SMM observed four impacts 50-100m from a Ukrainian Armed Forces compound, while another impact was observed more than 100m south-east, which had cut power lines. While present, the SMM saw a repairman working on the power lines. On 1 Tsentralnaia Street, the SMM observed shrapnel damage to a house and destroyed shed 10m away, as well as two more impacts 100-200m from the house. The SMM assessed the damage as caused by 152mm artillery fire. About 200m east on the same street, the SMM saw a direct impact on the

northern side of the roof of a house, and a destroyed shed nearby, as well as two other impacts on the other side of the street. At 50 Molodizhna Street, the SMM observed an impact assessed as caused by a mortar (probable 120mm), damage to the roof and windows of a house and a destroyed shed 4m from the house, assessed as caused by 120mm or 122mm rounds fired from the north-north-east. The SMM assessed that an impact 50m south was caused by a 122mm artillery shell.”

1091. The relevant part of the SMM update for 24 February 2017 read:

“While positioned in government-controlled Troitske (69km west of Luhansk) the SMM heard 31 explosions assessed as the impacts of 152mm artillery rounds 5-7km south.”

1092. The relevant part of the SMM update for 26 February 2017 read:

“In Avdiivka, on 25 February, the SMM saw a collapsed house and structural damage to a summer kitchen building on Chernyshevskoho Street. The SMM assessed that the house had been damaged by a shell of at least 122mm in calibre fired from direction ranging from east-south-east to south-south-east. The owners of the house told the SMM that nobody had been injured, the shelling had occurred on the evening of 24 February, and they had heard five more impacts in the area at the time their house had been hit. On Ostrovskoho Street, the SMM saw a fresh crater in soft soil 3m from a house. The SMM noted shrapnel damage to the north-east-facing wall of the house, damage to the roof and all the windows broken. The SMM assessed that the damage had been caused by a shell at least 122mm in calibre fired from directions ranging from east-south-east to south-south-east. The owners of the house told the SMM the shelling had occurred on the evening of 24 February. The SMM noted that Avdiivka and surrounding villages were without power supply as lights were out at shops and power generators were running. On 26 February, the SMM continued to note there was no power supply in Avdiivka.”

1093. The relevant part of the SMM update for 27 February 2017 read:

“On 26 February, in government-controlled Zolote-4 (60km north-west of Luhansk) about 100m from the disengagement area, the SMM saw four houses (on Morozov, Studienska, and Ostrovskoho Streets) with shrapnel damage to east-facing walls and broken east-facing windows, along with six impacts. At three of the sites – including in the ceiling, walls, and furniture of one house, the roof of which had a 60cm hole in it – the SMM observed shrapnel assessed to be from automatic-grenade-launcher (AGS) rounds. The SMM also assessed eight impact sites on the streets as caused by automatic-grenade-launcher rounds, the majority of which were assessed as fired from an easterly direction. About ten local residents told the SMM that shelling had occurred the previous evening.”

1094. The relevant part of the SMM update for 28 February 2017 read:

“At 40 Rokiv Zhovtnia Street in government-controlled Talakivka (17km north-east of Mariupol), the SMM observed 11 fresh impacts, of which three were inside an agricultural compound. The SMM saw a hole in the roof of one storage building for agricultural machines and shrapnel damage on the metal walls. A metal pole outside a covered parking lot had been hit, as had a parked truck which the SMM saw burning. Three other fresh impacts were in a field adjacent to the compound and another five at a nearby abandoned farm where the SMM saw that the outer fence had been hit and two of its metal plates destroyed. The roof, walls and interior of the premises had also been damaged. The SMM assessed all of the above impacts as caused by 122mm artillery rounds fired from an east-north-easterly direction.”

1095. The relevant part of the SMM update for 1 March 2017 read:

“In government-controlled Karbonit (part of Zolote, 60km west of Luhansk), the SMM saw a fresh crater in the area of a water substation. The crater was 10m from the western wall of the substation. The Mission observed shrapnel fragments on the wall and broken branches on nearby trees. The SMM assessed the impact was caused by a 122mm artillery round fired from a southerly direction. The SMM flew a mini unmanned aerial vehicle (UAV) to analyse a second fresh crater located in an open field, around 200m north of the facility. The Mission assessed it as caused by a 122mm artillery round fired from an easterly or east-south-easterly direction.”

1096. The relevant parts of the SMM update for 2 March 2017 read:

“At the hospital in government-controlled Krasnohorivka (21km west of Donetsk), medical staff told the SMM that an elderly woman had been admitted with shrapnel wounds to her right arm sustained on the evening of 1 March. According to them, she had been transferred to the Kurakhove hospital where she had received treatment and had already been discharged.

...

In government-controlled Zolote-4 (60km north-west of Luhansk) the SMM, accompanied by a Ukrainian Armed Forces officer of the Joint Centre for Control and Co-ordination (JCCC) representative saw damage to four houses. At the first, on Nahimov Street, the SMM saw a fresh crater and visible shrapnel scarring on garden constructions, which the SMM assessed had been caused by an 82mm mortar round fired from an east-south-easterly direction. At a second house on the same street the SMM observed a fresh crater and shrapnel scarring on the west-facing walls and on a wooden construction inside the yard and broken windows; the SMM assessed the damage had been caused by an 82mm mortar round fired from an east-east-southerly direction. At a third house, the SMM saw a hole one square metre in size in the roof of the entrance to the house with the tail-fin of an 82mm mortar round protruding from it. Neighbours told the SMM the shelling had taken place on the evening of 1 March and that a young man living in the house had suffered non-lethal injuries to his head, arm, and hands. They added that he had subsequently been transported to the hospital in government-controlled Lysychansk (75km north-west of Luhansk). At a house on Morozov Street, the SMM saw a fresh crater and shrapnel scarring on the wall and on wooden constructions inside the yard and broken windows. The SMM assessed the damage had been caused by an 82mm mortar round fired from an east-east-southerly direction.”

1097. The relevant part of the SMM update for 3 March 2017 read:

“Outside a hospital in government-controlled Hirske (63km west of Luhansk) the SMM saw a man with a bandage on his left hand; he said that his head and hand had been injured by fragments of an exploding mortar round while he was entering his house on Nakhimov Street in government-controlled Zolote-4 (60km north-west of Luhansk) on the evening of 1 March.”

1098. The relevant part of the SMM update for 5 March 2017 read:

“On 3 March on Pivnychna Street in government-controlled Popasna (69km west of Luhansk) the SMM observed a fresh crater in the soil in front of a garage, and assessed it as having been caused by a round with calibre higher than 100mm. The SMM also observed damage to a house – located 6m north-east of the crater – with broken

windows and a destroyed metal gate. A resident (a man aged 35) told the SMM that shelling had occurred on the night of 2 March.

On 3 March in Avdiivka the SMM observed seven impact sites. (See SMM Daily Report 4 March 2017). On Mendeliev Street 5, the SMM saw a hole in the south-east-facing wall of an apartment building and assessed it as caused by an artillery (122mm) or tank (125mm) round. The fifth floor and the roof of the building had also sustained damage, while several windows had been shattered. On Haharin Street 10 the SMM observed two fresh impact sites on the north and south-east side of a yard, respectively four and 20m from a kindergarten, as well as shattered windows of the kindergarten building and a nearby house. The Mission assessed the impacts as caused by artillery (122mm) or tank (125mm) rounds, fired from an easterly or east-south-easterly direction. On Haharin Street 8A the SMM observed a large hole in the east-facing wall of the fifth floor of an apartment building, assessed as caused by a round fired from an easterly or east-south-easterly direction. The Mission also observed broken windows and damage to a balcony of a nearby building. On Haharin Street 1 the SMM observed an impact in the eastern section of the roof of a five-story building. Large-size shrapnel fragments with copper bands on them were at the spot. The SMM assessed the damage as caused by 122mm artillery rounds fired from an east-south-easterly direction. On Mendeliev Street 3 the SMM observed a large hole on the east-south-east-facing wall of the fourth floor of a building and shattered windows. The SMM assessed the damage as caused by artillery (122mm) or tank (125mm) rounds fired from an east-south-easterly direction. On Komunalna Street 10 the SMM observed a large crater about 10-15m from the main entrance of School No.7, and assessed it as caused by a round fired from an east-south-easterly direction. The SMM also saw shrapnel damage to the school's walls, fence, and a broken window. On Molodizhna Street 17 the SMM saw an impact on the south-east facing corner of an abandoned house. Several residents separately told the SMM that the shelling had occurred on the afternoon of 2 March."

1099. The relevant part of the SMM update for 6 March 2017 read:

"In government-controlled Kurakhove (40km west of Donetsk) the Chief of Police told the SMM that a woman (born in 1969) had received minor shrapnel injuries in government-controlled Marinka (23km south-west of Donetsk) on 1 March. According to him, another woman (about 65 years old) had suffered a shrapnel injury to her shoulder on 3 March in government-controlled Krasnohorivka (21km west of Donetsk). Medical staff in Kurakhove confirmed that both of the women were treated for injuries before being discharged.

In the government-controlled neighbourhood of Zhovanka in Zaitseve (50km north-east of Donetsk) the SMM observed 12 fresh craters, the closest within 15m of civilian houses, assessed as caused by 120mm mortar rounds fired from a easterly and south-easterly direction. The SMM noted that two houses had broken windows and shrapnel damage to their walls. A woman told the SMM that the damage had been caused by shelling on 4 and 5 March, and another woman told the SMM that the village had been shelled on the night of 5 March. She went on to say that the village had been without electricity for eight months, that there was no gas and that the water in the wells had become undrinkable. The SMM has repeatedly noted the lack of electricity and the presence of generators in the neighbourhood. She told the Mission that while electricity generators had been provided by a humanitarian organization there was no fuel to keep them running. Three elderly women later also complained to the SMM about the lack of water and electricity."

1100. The relevant part of the SMM update for 7 March 2017 read:

“In the hospital in government-controlled Bakhmut (formerly Artemivsk, 67km north of Donetsk), a woman (aged 24) with a bandage on her leg told the SMM that at 10:30 on 4 March, while on Manuiskoho Street (near buildings 43 and 44) in the government-controlled neighbourhood of Zhovanka in Zaitseve (50km north-east of Donetsk), she had been struck by shrapnel from a 120mm mortar shell that had landed 300-400m from her, an assessment that corresponded with SMM observations on 6 March (see SMM Daily Report 7 March 2017). The hospital’s head doctor said the woman would be hospitalized for ten more days.”

1101. The relevant parts of the SMM update for 9 March 2017 read:

“In government-controlled Pokrovsk (formerly Krasnoarmiisk, 55km north-west of Donetsk) the SMM spoke with a man (36 years old) who had a bandage on the back of his head. He said that he had sustained a shrapnel injury to his head near his home in government-controlled Avdiivka (17km north of Donetsk). Medical personnel at a hospital in Avdiivka told the SMM that the man had been treated for an injury before being transferred to a hospital in Pokrovsk.

...

In government-controlled Luhanske (59km north-east of Donetsk) the SMM observed three fresh impact sites at 102 Kalynove Street, all assessed as caused by 82mm mortar rounds fired from a southerly direction. One of the rounds had impacted on the roof of a house, partly destroying it; a second had left a hole in the south-east facing wall of that house and a third had impacted in the yard. The SMM was accompanied by a Ukrainian officer of the JCCC.

In government-controlled Verkhnotoretske (23km north-east of Donetsk) the SMM observed a fresh crater in the yard of a house at 39 Kolhospna Street. The Mission observed that windows had been shattered and noted a destroyed water well, broken windows and shrapnel damage to the roofs of two neighbouring houses. The SMM assessed that the damage was caused by a round fired from an east-south-easterly direction. In an open field about 200m away the SMM observed five fresh craters between two farm buildings. The head of the Village Council said that the shelling had taken place on the evening of 8 March and had damaged two power lines, leaving the village without electricity. Two workers from an electrical company confirmed that the village was without electricity.”

1102. The relevant part of the SMM update for 10 March 2017 read:

“On the north-eastern outskirts of government-controlled Borivske (65km north-west of Luhansk) the SMM, led by Ukrainian Armed Forces personnel, observed two fresh craters in a wooded area, and assessed them as having been caused by 152mm artillery rounds. The SMM also saw that an electrical cable; located 2-3m from one of the craters, was dangling down from the pylon and assessed that it had been damaged by shrapnel.”

1103. The relevant parts of the SMM update for 12 March 2017 read:

“On 11 March, about 3km north of government-controlled Sartana (15km north-east of Mariupol), the SMM saw 11 craters, two to three days old, in a large open field. The SMM assessed six of the craters as caused by 120mm mortar fire from an undetermined direction and five craters as caused by MLRS (BM-21) fire from an east-north-easterly direction. The SMM saw a nearby power line that had been recently damaged.

...

On the morning of 11 March in government-controlled Vyskryva (76km west of Luhansk) residents showed the SMM a fresh impact and some fresh shrapnel remnants that they had gathered. Vegetation, houses and some electric lines in a radius of about 50m from the impact had sustained shrapnel damage. Five houses had broken south-facing windows and two south-facing doors had small holes in them. Two houses were disconnected from the power line. The SMM assessed the impact as caused by an airburst (122mm artillery) fired from a south-south-easterly direction.

On 12 March, following reports of damage to the building in Avdiivka where the SMM camera was located, the SMM observed that part of the wall below the camera had collapsed. The SMM observed fresh direct impact sites to the south-east side of the building, holes in the walls and structural damage, as well as aluminium shrapnel on the spot. The SMM assessed the damage as having been caused by a 122mm artillery round or a 125mm tank round fired from a south-easterly direction.

...

In government-controlled Bohdanivka (41km south-west of Donetsk) the SMM saw one fresh impact site and a damaged power line about 1km west of Bohdanivka. The SMM assessed the damage as caused by an undetermined projectile fired from an undetermined distance south-east.

On 12 March in government-controlled Mykolaivka (40km south of Donetsk) a Ukrainian officer of the JCCC showed the SMM 13 fresh impact sites on the northern edge of the village. The SMM assessed them as caused by artillery rounds (at least 122mm) fired from a south-easterly direction. Eleven were in an open field, the other two at two inhabited houses, on Gagarin Street 33 and 35. The east-facing windows of the first house were broken and the chimney had fallen. A small outhouse in the backyard of the second house had been completely destroyed by a direct hit."

1104. The relevant parts of the SMM update for 15 March 2017 read:

"Following up on reports of a civilian casualty allegedly wounded in shelling in the industrial zone in Avdiivka on 13 March, the SMM visited a hospital in the town. Medical staff said that a 37-year-old woman had been admitted to the hospital with a shrapnel injury to her abdomen, on the same day.

...

In Avdiivka, the SMM observed lack of power in the town, including at the building where the SMM camera is located. The camera was not operational during the night time and started working again in the morning on generator power. Two officers of the Joint Centre for Control and Co-ordination (JCCC), one Ukrainian and one Russian, said that a power line supplying Avdiivka had been damaged by grenade shrapnel and that the entire town of Avdiivka had been without power since 17:00 on 14 March.

In government-controlled Lobacheve (17km north-west of Luhansk), following up on reports of shelling on 14 March, the SMM observed a fresh crater in the back yard of a house 5m west of 15 Donetska Street. Five north-west-facing windows were broken and the north-west-facing wall had 20-25 holes of different sizes. The SMM assessed the damage as having been caused by an anti-tank round (PG9) fired from a north-westerly direction. At 2A Donetska Street the SMM observed a fresh crater in the garden, 2m east of an inhabited house. Two east-facing windows were broken and the east-facing wall had 30-35 holes of different sizes. The SMM assessed the impact as having been caused by an anti-tank round (PG9) fired from an easterly direction.

...

At 21 and 23 Juvileina Street in government-controlled Pavlopil (26km north-east of Mariupol), following up on reports of shelling on 14 March, the SMM saw small holes on the southern façade of two houses, but no windows broken. A nearby power line was also damaged. The SMM also observed three craters in a nearby field. Due to security considerations, the SMM could not approach the craters to assess the type of weapon or the direction of fire. A village resident said that shelling had occurred on 14 March.”

1105. The relevant part of the SMM update for 16 March 2017 read:

“On 15 March, the SMM saw three impact sites in government-controlled Luhanske (59km north-east of Donetsk). At 121 Kalinina Street, the SMM observed an impact on the south-facing wall of a brick house, and major damages to it, including destroyed external doorway, a partially collapsed roof and blown out windows. The SMM saw three more craters approximately 70m east-north-east of the house. On the same street, at numbers 115/1 and 119, the SMM saw other six fresh craters, 50 to 100m east-north-east of the line of houses. The SMM assessed that all impacts had been caused by 152mm artillery rounds fired from a south-south-easterly direction. Residents told the SMM that the shelling had occurred on 14 March. All three houses were close to Ukrainian Armed Forces positions.”

1106. The relevant part of the SMM update for 19 March 2017 read:

“On 19 March, at 78 Vynohradna Street in government-controlled Hnutove (20km north-east of Mariupol) the SMM saw broken windows and small holes in the walls on the southern façade of a house. The owner (man, 60-70 years old) told the Mission that mortar rounds had landed in fields near his house on the evening of 16 March and around noon on 17 March. The SMM could see three craters but could not assess them, due to security concerns.”

1107. The relevant part of the SMM update for 20 March 2017 read:

“The SMM observed damage from shelling and corroborated reports of two civilian casualties. At the hospital in Avdiivka medical staff told the SMM that on 19 March they had treated an elderly woman from Avdiivka for shrapnel injuries to her left shoulder and right hand, sustained while she was at her house on 139 Kolosava street. Medical staff said the woman had been discharged the same day. The local police in Avdiivka confirmed this information.”

1108. The relevant part of the SMM update for 23 March 2017 read:

“On 22 March following a report by the JCCC, the SMM assessed four impact sites in government-controlled Zaitseve (62km north-east of Donetsk). At 16 Sportyvna Street the SMM saw four broken windows. A warehouse 5m south-east of the house was destroyed. The SMM could not assess the type of weapon or the direction of fire. The neighbouring house at 14 Sportyvna Street had sustained minor damage to the roof. The SMM saw shrapnel in front of the houses. Four female residents said that they had heard two strong explosions, four seconds apart, at 01:20 on 22 March. The SMM noted that buildings on Sportyvna Street had no electricity. Three gas company technicians were repairing two holes in a gas pipeline 15m from the impact site. The residents said they were unaware of any military positions in the vicinity. At 43 Zarechna Street, the SMM assessed a fresh impact site about 10m north of a one-story house. Two east-facing windows as well as a west-facing wall and a window were cracked. Two wooden boards supporting the roof of a storage house 5m from the house were broken. The SMM saw damaged power lines 100m away and noticed that the house had no electricity. Another impact site was in a field about 150m from the nearest civilian building, on the northern outskirts of Zaitseve. The SMM saw freshly broken tree

branches. At 24a Veterinarna Street the SMM saw a fresh impact site in the backyard of an abandoned building. Six south-facing windows were completely shattered. Two windows of a neighbouring house were also shattered. The SMM saw shrapnel nearby and assessed the damage as caused by 152mm artillery round.”

1109. The relevant part of the SMM update for 26 March 2017 read:

“On 25 March, in government-controlled Orikhove (57km north-west of Luhansk), accompanied by two Ukrainian officers of the JCCC and three local officials, the SMM saw a fresh crater in the backyard of a house on 8 Kutuzova Street, 1.5m from the west-facing wall of the house. All five windows of the house were shattered and some roof tiles had also fallen. Trees located west of the house had many broken branches. The SMM assessed the damage had been caused by a 122mm artillery shell fired from a westerly direction. The owner of the house told the SMM the shelling had taken place on the night of 24 March.”

1110. The relevant parts of the SMM update for 27 March 2017 read:

“The SMM, accompanied by Ukrainian officers of the Joint Centre for Control and Co-ordination (JCCC), observed two impact sites in government-controlled Avdiivka. At 13 Bielinskoho Street, the SMM observed damage from a direct hit on the south-south-east facing portion of the roof. The SMM assessed that the shell had penetrated the roof and exploded inside the house, causing structural damage to the ceiling and the walls of one room. The SMM assessed the impact as having been caused by a multiple launch rocket system (MLRS; BM-21 *Grad*, 122mm) round fired from a south-south-easterly direction. The SMM saw three metal fragments assessed as from MLRS BM-21 rocket casing. The SMM also observed damage to neighbouring houses: on walls and windows of houses on numbers 24 and 26 of the same streets, and on roof and windows of a house on number 11. Two residents separately said the shelling had occurred around noon on 26 March. A second impact site was assessed at a garbage dump on Ostrovskoho Street. The SMM saw one impact on soft ground and assessed it as having been caused by a MLRS (BM-21) round fired from a south-south-easterly direction. The SMM also saw shrapnel damage to windows, walls and roofs of six houses on the south side of the street, about 50m north of the impact site.

...

In government-controlled Popasna (69km west of Luhansk), at 294 Bakhmutska Street, the SMM observed a large hole and broken windows on the south-east facing wall of a one-storey house. At the house number 302 of the same street, the SMM observed one fresh crater 15m from the house, whose windows had been broken. At number 265, the SMM observed a third crater in a garden and broken windows on the north-west facing wall of the neighbouring house (no. 263) The SMM assessed all three impacts as caused by mortar rounds (82mm) fired from southerly directions.”

1111. The relevant part of the SMM update for 29 March 2017 read:

“In a government-controlled part of Zaitseve (50km north-east of Donetsk), the SMM accompanied by Ukrainian officers of the JCCC saw two destroyed buildings near 338 Marshala Rybalka Street. The SMM saw dried blood under the rubble. A police officer in Bakhmut (formerly Artemivsk, 67km north of Donetsk) told the SMM that the elderly couple who inhabited the building had been killed in the shelling on 25 March. Residents of Zaitseve told the SMM the funeral had taken place on 28 March. The SMM saw part of the south-east-facing façade of the main house had been blown out and the roof had collapsed. The roof of the second building (a shed in the yard), located five metres south of the house, had collapsed. The SMM assessed that the

damage to both buildings had been caused by two 82mm mortar rounds fired from a southerly direction. The Mission saw a Ukrainian Armed Forces position some 150m south of the destroyed buildings. Some 150m north, next to the street, the SMM saw one infantry fighting vehicle (IFV) (BMP-2) dug-in. The SMM saw at least two more fresh craters near the destroyed buildings.”

1112. The relevant part of the SMM update for 30 March 2017 read:

“At 264 and 268 Bakhmutka Street in government-controlled Popasna (69km west of Luhansk), 150-200m north of a Ukrainian Armed Forces position, the SMM saw two houses with broken windows and shrapnel damage on their south-facing sides. The SMM assessed small holes at a fresh impact site 25-30m south of 264 Bakhmutka as caused by shrapnel from an MLRS (BM-21) rocket fired from a southerly direction that had exploded 2-4m above the ground, probably due to hitting tree branches, which had been severed from the trunk and lay scattered across an area of ten square metres. A group of residents told the SMM that at 03:05 on 30 March they had heard an explosion in the area. They showed the SMM several pieces of shrapnel that the SMM assessed to be the remnants of an MLRS (BM-21) rocket. The SMM also saw two workers repairing fibre-optic cables leading to the damaged houses.”

1113. The relevant parts of the SMM update for 6 April 2017 read:

“The SMM followed up on a report by a Ukrainian officer of the Joint Centre for Control and Co-ordination (JCCC) about a civilian casualty in government-controlled Avdiivka (17km north-west of Donetsk). The SMM spoke with medical staff in a hospital in Avdiivka, who said that on 5 April, a middle-aged man had arrived at the hospital, where he was treated for shrapnel wounds to his right shoulder. According to the police, shrapnel had hit the man while he was in the garden of his residence in 75 Shevchenko Street in Avdiivka.

...

The SMM followed up on a case in government-controlled Marinka (23km south-west of Donetsk). (See SMM Daily Report 5 April 2017). The SMM spoke with the mother of a 15-year-old boy, who the SMM saw limping. The woman told the SMM that the boy had suffered injuries to his right leg caused by a projectile on 2 April. She explained that her son had heard an undetermined number of shots, immediately before he had been hit. She added that the incident had occurred while he had been cycling from 27 Moskalevskoho Street to 12 Moskalevskoho Street in Marinka. The woman also told the SMM that a further operation in a hospital in government-controlled Kurakhove (40km west of Donetsk) had been scheduled.”

1114. The relevant part of the SMM update for 11 April 2017 read:

“At a hospital in government-controlled Kurakhove (40km west of Donetsk), medical staff told the SMM that a man (38 years old) had been admitted with fragmentation wounds to his chest and abdomen at 19:50 on 10 April and discharged on 11 April. A Ukrainian officer of the JCCC told the SMM that the man had sustained the injuries after the roof of his house at 250 Shevchenko Street in Marinka had been hit by an 82mm mortar round at about 19:00 on 10 April.”

1115. The relevant part of the SMM update for 18 April 2017 read:

“In Avdiivka on Turhenieva Street, the SMM saw two fresh impacts in the ground on the northern side of houses at Turhenieva 76 and 59. At Turhenieva 67 the SMM saw a house, which appeared to have been recently hit directly on the western side by an explosive round. The roof had holes on it, the front door was heavily damaged and

several of the windows were completely shattered. The roof of the neighbouring house also had holes in it and several windows were broken. Three additional houses at Turhenieva 63, 78, 86a had cracks in windows, which had been covered with plastic. The SMM could not assess the direction of fire or type of weapon used.”

1116. The relevant part of the SMM update for 3 May 2017 read:

“The SMM also followed up on a report from a Ukrainian officer of the Joint Centre for Control and Co-ordination (JCCC) that two men living at 220 Prokofieva Street in Marinka had been injured by shelling. According to a logbook in the hospital in Kurakhove, one man (65 years old) with shrapnel injuries to his back, right elbow and left thigh and another (44 years old) with shrapnel injuries to his left thigh and abdomen had been admitted on 2 May.”

1117. The relevant part of the SMM update for 4 May 2017 read:

“On 4 May, at a hospital in government-controlled Avdiivka the SMM saw a woman (81 years old) with bandages on her left lower leg and right thigh who told the SMM that she had suffered injuries from an explosion that occurred in the backyard of her residence at 31 Sportyvna Street on the morning of 4 May. Medical staff at the same hospital told the SMM that she had been admitted with shrapnel wounds to her legs. The medical staff also told the SMM that another woman (55 years old) had suffered shrapnel wounds to her left leg on the same day as a result of an explosion in Avdiivka.”

1118. The relevant part of the SMM update for 5 May 2017 read:

“The SMM also observed damage caused by shelling in government-controlled areas. In Hranitne (60km south of Donetsk) the Mission observed severely damaged west- and south-facing walls of a house at 40 Shevchenka Street and traces of shrapnel damage on the roof of 38 Shevchenka Street and trees nearby. The Mission assessed that the house had been struck by an artillery (122mm) or tank shell (125mm) fired from the south-south-west. A group of residents (three women and a man, all in their sixties) said the shelling happened early on 1 May and that the Ukrainian Armed Forces had removed remnants of the round.”

1119. The relevant part of the SMM update for 9 May 2017 read:

“In government-controlled Popasna (69km west of Luhansk) on 8 May the SMM observed four impact sites. At 144a Pervomayska Street the SMM observed a fresh hole in the south-facing wall of a garage located about 25m from the house, as well as a fresh crater 2m from a hut, about 150m south of the house. The hut itself had sustained damage to its walls and broken windows. At 239 Hrushevskogo Street the SMM saw a fresh crater in a garden about 12-15m from a house. A 6-7m section of wooden fence nearby had been flattened. The SMM observed a fresh crater in a garden about 20m from 125 Nohtenka Street. Nearby, the SMM saw damage to a tree caused by shrapnel. In all cases the SMM assessed that the impact sites were caused by shells fired from a south-easterly or south-south-easterly direction. The SMM could not assess the type of weapon used. Residents told the SMM that the shelling had happened at around 20:00 on 7 May and that there had been no casualties.”

1120. The relevant parts of the SMM update for 14 May 2017 read:

“On 13 May the SMM spoke separately to residents of government-controlled Chermalyk (31km north-east of Mariupol), who told the SMM that a resident (59-year-old woman) had sustained shrapnel injuries to her lower left leg. They added that she had been transported to a hospital in Mariupol. On 14 May the SMM spoke with medical staff at a hospital in Mariupol who confirmed that a 59-year-old woman with

shrapnel injuries had been admitted to the hospital on 12 May and had undergone surgery.

...

On 14 May the SMM followed up on a report by the Joint Centre for Control and Co-ordination (JCCC) about civilian casualties in Avdiivka. At Sapronova Street 53 the SMM saw a fresh impact on the roof, a hole in the south-facing wall, broken windows and door. The SMM assessed the damage as caused by an artillery (122mm) round fired from a southerly direction. The SMM spoke with the police, who told the SMM that out of the five people who had been situated near the impact site on 13 May four had died. At the Avdiivka hospital medical staff told the SMM that four people had died and their bodies were in the morgue of the hospital. Medical staff told the SMM that one person had survived the impact and had been transferred to a hospital in Dnipro.”

1121. The relevant part of the SMM update for 19 May 2017 read:

“Following the SMM camera’s record that on the evening of 18 May two houses were on fire in government-controlled Berdianske (18km east of Mariupol) and that at least five people in military-style clothing were taking out materials from the houses, the SMM visited the site at Morska street and saw two freshly burnt-down houses and their two outbuildings damaged by shrapnel and fire. (See SMM Daily Report 19 May 2017.) The SMM also saw four fresh craters on the paved driveway a few metres south of the houses. The SMM assessed the impacts as caused by rounds of artillery (two 122mm and two 152mm) fired from north-easterly and north-north-easterly directions, respectively. A Ukrainian officer of the Joint Centre for Control and Co-ordination (JCCC) and a resident of Berdianske (male, around 60 years old) separately told the SMM that shelling had occurred between 18:30 and 19:00 on 18 May.”

1122. The relevant part of the SMM update for 28 May 2017 read:

“On 26 May, the SMM observed five fresh impact sites (some of which had multiple craters) in government-controlled Krasnohorivka (21 km west of Donetsk). The SMM saw a fresh crater (four metres in diameter and two metres deep) about 30m north of the Krasnohorivka Hospital, assessed as caused by a 152mm artillery round fired from an east-south-easterly direction. On the northern side of the hospital building, the SMM saw all the windows broken.

At 9/2 Studentska Street, the SMM saw a fresh crater (four metres in diameter and two metres deep) in the garden of a house, assessed as caused by a 152mm artillery round fired from an east-south-easterly direction. The SMM saw that the south-facing windows of the house were shattered. The owner of a house (man, aged about 60) told the SMM that shelling had occurred at about 20:20 on 25 May.

At 53 Lomonosova Street, the SMM saw a fresh crater (four metres in diameter and two metres deep) one metre east of the gate of a house, assessed as caused by a 152mm artillery round fired from an east-south-easterly direction. At 51 and 55 Lomonosova Street, the SMM saw the roofs of houses damaged and several east- and west-facing windows broken. The SMM also saw shrapnel pieces in the surrounding area, assessed as remnants of 122mm artillery and 82mm mortar rounds. A dozen residents of the area told the SMM separately that shelling had occurred at about 20:30 on 25 May.

At 2A Sadova Street, the SMM saw a house with its walls severely damaged and south-facing windows shattered and the house’s garden shed completely destroyed. The SMM also saw two fresh craters five metres north of the wall of the house and 300m north of the house, both of which were assessed as caused by 82mm mortar rounds fired

from an easterly direction. At the same location, the SMM saw a tree damaged by what the SMM assessed had been airburst of an undetermined weapon.

At School No.3 in Krasnohorivka, the SMM saw two fresh craters five metres and ten metres south of the school building, assessed as caused by 122mm artillery rounds fired from an east-south-easterly direction. A teacher of the school (woman, aged about 40) told the SMM that shelling had occurred at about 21:15 on 25 May.”

1123. The relevant part of the SMM update for 29 May 2017 read:

“On 29 May, led by Ukrainian officers of the Joint Centre for Control and Co-ordination (JCCC), the SMM observed impact sites in government-controlled Krasnohorivka (21 km west of Donetsk).

At 4 Nakhimova Street, the SMM observed a fresh crater (five-six metres in diameter and two metres deep) about six metres east of a house, assessed as caused by an artillery round fired from an easterly or south-easterly direction. At 1 Nakhimova, the SMM saw a hospital with broken windows and damage to the south-eastern side of its roof. The SMM saw damage to a tree on the south-eastern side of the hospital and assessed that a projectile had hit the tree and blown out the windows of two wings of the hospital. There was also damage to the north-facing part of the hospital garage’s roof and to the windows of a building ten metres west of the garage. The SMM saw that another building nearby had been completely destroyed and spoke with the resident of the building (a middle-aged man). He told the SMM that an impact had occurred early in the morning on 28 May. At 15 Tsentralna Street, the SMM observed damage to the north-facing roof and walls of a school, as well as broken windows. The SMM was unable to assess the cause of the damage or the direction of fire.”

1124. The relevant part of the SMM update for 6 June 2017 read:

“The SMM observed damage to civilian properties in residential areas caused by shelling in government-controlled Pavlopil (26km north-east of Mariupol). In the compound of a former school north-east of Pavlopil, observed by the SMM as occupied by military personnel, the SMM saw one fresh crater 10m west-south-west of the school building, two fresh craters 25m east of the building (all 120cm in diameter and 40cm deep) and damage to the building’s eastern wing. North of the crater west-south-west of the building, the SMM saw shrapnel damage to a pipe. The roof of the school and its east-facing wall had a hole measuring 1m by 0.5m and the eastern side of a room had a hole in its ceiling measuring 30cm by 40cm and a broken window frame knocked westwards. The SMM assessed that all damage was caused by 122mm artillery rounds fired from an easterly direction, and that one of the rounds which had struck the former school building had not exploded on impact. The SMM saw technicians repairing damaged electricity lines to the east of the compound.

The SMM also saw four fresh craters in a field 50m east of the same compound and one fresh crater in a private garden 50m west of the compound; the SMM could not assess the craters due to security restrictions.

In Pavlopil, the SMM spoke with a border guard commander at the compound who said the shelling occurred between about 18:30 and 19:00 on 5 June. He said that there were no casualties. The SMM spoke with two residents (a man and a woman in their sixties) who lived 300m north of the compound and separately to three women (in their sixties) at a shop in Pavlopil, all of whom confirmed the time of the shelling.”

1125. The relevant part of the SMM update for 8 June 2017 read:

“The SMM observed damage to summer houses in government-controlled Krasnohorivka (21km west of Donetsk). At 5 Heolohichna Street, the SMM saw a summer house that had been destroyed by fire and was still smouldering. Shrapnel damage was visible on walls and on surrounding trees up to 20m away and the SMM also saw remnants of a shell. The SMM assessed the damage was caused by a mortar (82mm) round. The owner (a woman in her fifties) said that she had heard four explosions at around 22:00 on 7 June. At 8 Heolohichna Street the SMM observed two fresh holes in the east-facing wall and another one in the east-facing side of the roof of a shed that was 3-4m south of the house. The owner (a man in his fifties) told the SMM that he had heard three explosions between 22:00 and 22:30 on 7 June. The SMM assessed the damage was caused by IFV (BMP) rounds fired from an easterly direction.”

1126. The relevant part of the SMM update for 9 June 2017 read:

“At a military hospital in government-controlled Pokrovsk (formerly Krasnoarmiisk, 55km north-west of Donetsk) the SMM saw a 15-year-old boy with his right arm and both legs fully bandaged. A doctor told the SMM that the boy was a resident at Svobody 8.2 Street in government-controlled Kamianka (18km north-east of Donetsk) and had suffered multiple shrapnel injuries to lower parts of both his legs. The doctor added that they had removed a piece of shrapnel from the boy’s lower right leg while another had penetrated his left leg. The boy’s right thumb had been fractured, said the doctor, and he had also suffered injuries to his chest and to the back of his head. The boy’s father told the SMM that on the evening of 8 June, together with his son they had been on the street at the back of their house – 50m apart from each-other - when a mortar round had landed and the shrapnel had injured his son.”

1127. The relevant part of the SMM update for 11 June 2017 read:

“At a hospital in government-controlled Kurakhove (40km west of Donetsk), medical staff told the SMM that a man (53 years old) and a woman (55 years old) had been brought to the hospital on 10 June from government-controlled Marinka (23km south-west of Donetsk). The man, who was lying on a hospital bed, told the SMM that he had been inside his home at Zhovtneva Street 171 with his wife (the second casualty) on 9 June when an explosion occurred around midnight and injured them immediately. The man told the SMM that the ambulances had refused to go to the area due to the fighting and that they had been transported to the hospital by Ukrainian Armed Forces soldiers. Medical staff told the SMM that the man sustained open fractures to his lower left leg and fragmentation wounds to his right thigh. Medical staff told the SMM that it could not speak with the injured woman as she was in the intensive care department following surgery. They said that they had removed shrapnel pieces and that she had sustained fragmentation wounds to her right hip and thigh and a closed thighbone fracture to her left leg. The local police and a Ukrainian Armed Forces officer of the JCCC separately told the SMM that shelling occurred in Marinka on the night of 9-10 June.”

1128. The relevant part of the SMM update for 13 June 2017 read:

“In government-controlled Zolote-4 (60km north-west of Luhansk), the SMM saw damage to three houses. At 10 Pavlyka Morozova Street, the SMM saw a broken rear window and several small holes in a wall, all facing east. The SMM was not able to assess the weapon type used and whether the damage was fresh. A man, who presented himself as the owner of the house, told the SMM that the damage had occurred the previous night. At 11 Pavlyka Morozova Street, the SMM observed several small holes in an east-facing window. The SMM also observed a small impact site in the garden about 15m south-east of the house. The SMM assessed the site to be fresh but could not

assess if the damage on the window was fresh or not. A man, who presented himself as the owner of the house, told the SMM that the damage had occurred at around 22:30 the previous night. At 13 Pavlyka Morozova Street, the SMM saw a broken south-facing window about 3m off the ground. The SMM was not able to assess the cause of the damage or whether the damage was fresh. A man, who presented himself as the owner of the house, told the SMM that the damage had occurred between 22:00 and 23:00 the previous night.”

1129. The relevant part of the SMM update for 15 June 2017 read:

“On 14 June, in government-controlled Olhynka (40km south-west of Donetsk) the SMM saw several impact sites. At 12 Tsentralna Street, the SMM saw a fresh crater in a garden 3.5m west of a house, which had its north-north-east-facing front wall completely destroyed. A small shed north of the house had a hole in its south-facing wall. The SMM assessed that the damage had been caused by a 152mm artillery round fired from an east-north-easterly direction. A resident of the house told the SMM the house had been struck on 13 June about 02:00, but she and her husband had not been at home at the time.

At the western edge of the village the SMM saw that an electrical substation was burnt and non-operational due to penetrating shrapnel damage in what appeared to be the control box. In the asphalt of the T-0509 road, 5m south of the substation, the SMM saw a fresh crater, which it assessed had been caused by a 152mm artillery round fired from an east-north-easterly direction. The SMM saw a military checkpoint about 50m west of the crater. Four residents, who were near the impact site told the SMM that the first impact in the village on the night of 12-13 June, had been at that location.

At 17 Tsentralna Street the SMM saw ten shattered windows and a fresh crater in a back garden 20m west of a house. The Mission assessed the damage had been caused by a 152mm artillery round fired from an east-north-easterly direction. A resident of the house told the SMM that a projectile had landed in his garden on 13 June at 02:15.”

1130. The relevant part of the SMM update for 16 June 2017 read:

“The SMM visited the morgue at Kostiantynivka (60km north of Donetsk) municipal hospital following reports that a man had been killed in shelling of government-controlled Sukha Balka (36km north of Donetsk) on the night of 14 June. The morgue logbook showed that a man (52 years old) had died after sustaining multiple serious shrapnel wounds. The SMM went to the house at 8 Molodizhna Street in Sukha Balka, outside of which the man had allegedly been killed and, from a distance, observed damage to the roof and windows.”

1131. The relevant part of the SMM update for 18 June 2017 read:

“On 16 June, the SMM observed four impact sites in government-controlled Shchastia (20km north of Luhansk). The SMM saw a fresh crater on soft ground about 50m south-east of a parking lot of the Shchastia Power Plant. In the parking lot the SMM saw a fresh crater in the asphalt and shrapnel spray about 70m north of the SMM’s forward patrol base on T-1309. The SMM also saw a fresh crater 70cm north of a shop on H-21 road. On a secondary street of Donetska Street the SMM saw a fresh crater 30cm south-east of a garage and noted that the garage’s gate had multiple holes assessed as having been caused by shrapnel impacts. A Ukrainian officer of the JCCC told the SMM that shelling had occurred in the evening of 15 June. The SMM assessed that damage to all above properties had been caused by impacts of 82mm mortar rounds but could not determine the direction of fire.”

1132. The relevant part of the SMM update for 23 June 2017 read:

“On 23 June, the SMM visited a hospital in government-controlled Kurakhove (40km west of Donetsk) following information provided by a Ukrainian officer of the Joint Centre for Control and Co-ordination (JCCC) that a woman in her forties had been injured when her house on Sadova Street 43A in government-controlled Marinka (23km south-west of Donetsk) was hit by a mortar round due to the shelling occurred in the late morning of 22 June. At the hospital the SMM met with the injured woman and saw her limping and wearing bandages on both of her arms, neck and chin. She told the SMM that she had been on the terrace behind her house when she had heard an explosion at around 10:45 on 22 June, which she believed had occurred on the edge of the house, and then had been hit by what she said she believed was shrapnel. Medical staff at the hospital told the SMM that a female resident (born in 1973) of Marinka had been admitted with shrapnel wounds to her left hip and right lower arm and the left side of her chin. Police in Kurakhove gave the SMM the same information as provided by the woman.

In government-controlled Luhanske (59km north-east of Donetsk), on 22 June, a representative of the Luhanske village council told the SMM that a 57-year-old woman, a resident of Luhanske, had been struck in the head by an unknown object whilst in a field behind the village kindergarten on 15 June. On 23 June, the injured woman confirmed to the SMM that she had suffered an injury to her head due to shelling and that she was undergoing outpatient treatment after visiting a hospital in government-controlled Svitlodarsk (57km north-east of Donetsk) the day following the incident.”

1133. The relevant part of the SMM update for 2 July 2017 read:

“On 1 July, following up on separate reports of shelling in government-controlled Marinka (23km south-west of Donetsk) from the Ukrainian representative to the JCCC, the local police and a woman in the market place in Marinka, the SMM visited fresh impact sites accompanied by a Ukrainian officer of the JCCC.

At Karla Marksa Street 39, the SMM observed broken windows, shrapnel marks on the exterior wall of the house and a collapsed part of the roof all on the north-eastern side of a house, assessed as impacts of rounds from unknown weapons fired from a north-easterly direction. A 48-year-old woman told the SMM that shelling had taken place on the evening of 30 June.

At Karla Marksa Street 37, the SMM saw damage to the window panes, window frames and the roof of a house on the north-eastern side of the house. The SMM assessed that the damage was caused by a 120mm mortar or artillery round fired from a north-easterly direction. A woman in her eighties told the SMM that she had heard three explosions at around 23:00 on 30 June.”

1134. The relevant part of the SMM update for 11 July 2017 read:

“On 10 July, in government-controlled Zolote-4 (60km north-west of Luhansk), the SMM followed up on ceasefire violations recorded on the night of 9-10 July by the Mission in Popasna, “LPR”-controlled Kadiivka (formerly Stakhanov, 50km west of Luhansk) and government-controlled Zolote (via SMM camera). (See SMM Daily Report 11 July 2017 and disengagement area section below.)

At six houses on Oktiabrskaya Street, the SMM saw the following fresh damage, assessed as caused by impacts of under-barrel grenade-launcher rounds: at no. 6, four small shrapnel holes in an east-south-east-facing window of a house, and holes and broken sections of the roof of a wooden outbuilding; at no. 18, shrapnel holes on an east-facing roof and two craters on the nearby street, one of which contained grenade

fragments and was assessed as caused by a round fired from a south-easterly direction; at no. 21, a crater in a garden and a crater on the nearby street that contained grenade fragments and was assessed as caused by a round fired from a south-easterly direction; at no. 22, holes and cracks on the roof of an outbuilding and scarring on the surface of the east-facing roof of a house; at no. 25, a crater in a garden with small shrapnel holes through a fence, damage to a kennel, and shrapnel holes in a metal pot; and at no. 26, a small shrapnel hole in a west-facing window, shrapnel damage on a west-facing wall and shrapnel damage on an outdoor wooden structure.

Five residents of these properties (mostly women of various ages) separately told the Mission that shelling had occurred between 22:00 and 03:00 on the night of 10-11 July.”

1135. The relevant part of the SMM update for 13 July 2017 read:

“The SMM followed up on reports of a lack of electricity due to shelling-related damage in government-controlled parts of Zolote-4 (60km north-west of Luhansk). On 12 July, a local official in Zolote-4 told the SMM that the area has had no electricity since 9 July as repairs of power lines were still pending. A group of four residents of Zolote-4 (three women and a man) told the SMM that they had had no electricity for more than four days. According to a local official in Popasna, about 300 residents living on four streets in Zolote-4 were affected by the lack of power.”

1136. The relevant part of the SMM update for 16 July 2017 read:

“On 14 July, the SMM saw fresh shrapnel damage on the north-facing wall of a house in government-controlled Zolote-4 (60km north-west of Luhansk). A man and woman (aged 60-70) at the house told the Mission that shelling had occurred the night of 8-9 July.”

1137. The relevant part of the SMM update for 18 July 2017 read:

“The SMM followed up on reports of damage caused by shelling and firing in government-controlled Zolote-4/Rodina. On 18 July, the SMM saw two fresh craters 20-30m north-west of a Ukrainian Armed Forces checkpoint in a northern part of Zolote-4, assessed as impacts of mortar (82mm) rounds fired from a south-easterly direction. Ukrainian Armed Forces personnel told the SMM that the shelling had taken place at around 20:00 on 15 July.

At Nakhimova Street 12 the SMM saw damage to the eastern and western walls of a property and a hole in a west-facing window, assessed as the exit hole of a projectile. At Pavlika Morozova Street 16/1 the SMM observed a hole (about 2m in diameter) on the eastern side of a property’s roof, assessed as an entry hole caused by a rocket-propelled grenade, and another hole (about 1m in diameter), assessed as the exit hole, on the western side.

At Pavlika Morozova Street 16/2 the SMM saw a property with a hole (about 1.5m in diameter) in the south-facing wall, shrapnel damage in the south-facing door and window and, about 5-6m south at Pavlika Morozova Street 18/1, the SMM observed a fresh crater in a garden and a 3m diameter hole in the northern-facing wall of the property. The SMM assessed the damage to have been caused by a rocket-propelled grenade fired from a south-easterly direction.

At Proletarska Street 2 the SMM saw a hole (about 2m in diameter) in the north-facing wall, a hole (about 1.5m diameter) in the north-facing side of the roof and damage to the north-facing window. At Ostrovskogo Street 24/1 the SMM saw a property with three broken east-facing windows and another property with a broken south-facing

window Ostrovskogo Street 5/2. The SMM assessed the damage to have been caused by a rocket-propelled grenade fired from a south-easterly direction.

At Zhovtneva Street 15 the SMM observed shrapnel damage in the east- and south-facing walls of a property and at Zhovtneva Street 17, the SMM saw where a bullet had penetrated the ceiling of a kitchen. At Zhovtneva Street 25, the SMM saw a broken east-facing window and at Zhovtneva Street 21 the SMM saw shrapnel damage in a wooden fence with a 1.5m hole and a fresh crater in the garden, 10-15m north of the fence. The SMM assessed the damage to have been caused by a rocket-propelled grenade fired from an easterly direction.

The SMM spoke separately with 11 residents of the abovementioned properties (seven men and four women, aged between 40 and 60) who all said that the incidents had taken place on 15 July between 20:00 and 21:00.”

1138. The relevant part of the SMM update for 24 July 2017 read:

“On 22 July, the SMM visited a hospital in government-controlled Kurakhove (40km west of Donetsk) to follow up on a report from a Ukrainian officer of the JCCC that five civilians had been injured by shelling on 21 July in government-controlled Marinka (23km south-west of Donetsk). Hospital staff, however, told the SMM that they were unable to share any information due to its confidential nature. A police officer in Kurakhove confirmed to the SMM that five civilians had been injured in Marinka and said that at 14 Molodizhna Street, a 19-year-old woman had sustained shrapnel injuries to her left forearm, a 14-year-old boy had been injured in his lower leg, and a three-year-old girl had suffered abdominal injuries. According to him, at 162 Heroiv Chornobylia Street a 63-year-old woman had suffered shrapnel injuries to her right hip and at 99 Blahodatna Street, a 70-year-old woman had also sustained shrapnel injuries to her right hip. Both the JCCC and the police officer separately informed the SMM that the shelling had taken place at about 21:30 on 21 July.”

1139. The relevant parts of the SMM update for 16 August 2017 read:

“At a hospital in government-controlled Stanytsia Luhanska (16km north-east of Luhansk), the SMM visited a 15-year-old boy injured by an explosion of an ammunition round he had handled in government-controlled Shyrokyi (38km north-east of Luhansk) and saw bandages on his body, including on his hands, face and neck. The boy said he had thought the shell was empty and therefore not dangerous. (See SMM Daily Report 16 August 2017.) Medical staff told the Mission that the boy remained in stable condition.

...

The SMM followed up on media reports of damage to residential areas caused by shelling on 12 August in government-controlled Novoluhanske (53km north-east of Donetsk). At 10 Pushkina Street, the Mission saw shrapnel damage to the north-west-facing side of a metal fence on the north-western side of a house, shrapnel damage to the house’s east-facing walls, and two broken windows on the house’s west-facing side. A car parked by the house had broken windows and shrapnel damage to its body, and an above-ground gas pipeline had minor shrapnel damage. A metal pole that had held up the pipeline, three metres from the house, was cut in half. The Mission assessed that all the damage at the property was caused by a round of an undetermined weapon fired from a north-westerly direction. The house’s owner told the SMM that a shell had struck the pole on 12 August.

At 5 Pushkina Street, the Mission saw a small crater in a garden 10-12m north-north-west of a house, assessed as caused by a recoilless gun (SPG-9, 73mm)

round fired from a north-north-westerly direction. The house had shrapnel damage on its north-east-facing wall, and a small corn patch in the garden was burnt. The owner showed the Mission a recoilless gun (SPG-9) round tailfin that she said she had found in the garden following an explosion on 12 August. At 3 Pushkina Street, the SMM saw a small crater about five metres north-west of a house, assessed as caused by a grenade, a rocket-propelled grenade, or a recoilless gun (SPG-9) round fired from a north-north-westerly direction.”

1140. The thematic report of 16 September 2017 “Civilian casualties in eastern Ukraine, 2016” confirmed that there had been 442 civilian casualties in the Donetsk and Luhansk Regions in 2016, of which 88 were deaths. The report attributed the vast majority of casualties to shelling, with 32 killed and 231 injured in 2016. The report read, in so far as relevant:

“The SMM established that during the reporting period, the Ukrainian Armed Forces, ‘LPR’ and ‘DPR’ armed formations continued to often fire out of and into residential areas, as they located armed positions in and near civilian objects. With sides positioning themselves as close as 200m from each other in some instances, civilians living near the approximately 500km-long contact line were and continue to be particularly vulnerable to the indiscriminate use of weapons. In many settlements close to the contact line there was no distinction between armed positions and civilian dwellings as armed units were embedded in villages, including through occupation of private properties ...”

1141. The relevant parts of the SMM update for 28 September 2017 read:

“On 27 September, the SMM visited four fresh impact sites in government-controlled Marinka (23km south-west of Donetsk).

...

At 72 Prokofeva Street in Marinka, the SMM saw a fresh crater on a concrete surface between a house and an outdoor kitchen; the crater was located 2m west-north-west of the house. The SMM observed minor shrapnel damage to the west-north-western facing walls and windows of the house, as well as a shattered window and a destroyed window frame in the outdoor kitchen. The SMM assessed that the crater was caused by a mortar (82mm) round fired from an easterly direction. A resident, who introduced herself to the SMM as the sister of the owner of the house, told the SMM that she had heard shelling about 14:00 on 25 September and that the house had not been occupied since 2014.

At 61 Prokofeva Street, the SMM saw a fresh crater in a yard 1m east-north-east of a house. It saw shrapnel damage to the east-north-eastern facing walls and fence of the house, shattered windows, and destroyed window frames. A man (61 years old) told the SMM that he was the son of the owner and that he had heard three explosions about 14:00 on 25 September. The SMM saw shrapnel damage to the west-south-western facing walls of a neighbouring house at 68 Zhovtena Street. It assessed that the damage at 61 Prokofeva Street and 68 Zhovtena Street was caused by a mortar (82mm) round fired from an easterly direction.

At 64 Prokofeva Street, the SMM saw two craters in the yard of a house. The SMM saw damage to the north-eastern part of the roof of an outdoor kitchen, located 3m east-south-east of the house. It saw shrapnel damage to the west-south-western facing walls, entrance door and fence of the house. At 64A Prokofeva Street, the SMM saw shrapnel damage to the east-north-eastern facing walls. On 62A Prokofeva Street, the SMM also saw shrapnel damage to the east-south-eastern facing walls of the houses

and fences, as well as shattered windows. It assessed that the damage was caused by mortar (82mm) rounds fired from an easterly direction.

At 55a Prokofeva Street, the SMM saw shrapnel damage to the west-north-western facing walls of an outdoor kitchen and shrapnel penetration holes in two east-south-eastern facing windows. The SMM was unable to assess the cause of the damage or direction of fire.”

1142. The relevant part of the SMM update for 18 October 2017 read:

“At a hospital in government-controlled Toretsk (formerly Dzerzhynsk, 43km north of Donetsk), medical staff told the SMM that a woman (aged 48) from government-controlled Zalizne (formerly Artemove, 42km north-east of Donetsk) had been admitted on 16 October with injuries to her neck. They added that she had already been discharged. According to a police officer in Toretsk, the woman had sustained shrapnel injuries to her neck caused by a mortar round when shelling started at about 13:30 on 16 October in Zalizne near Ukrainian military installations.”

1143. The relevant part of the SMM update for 29 October 2017 read:

“In Marinka, on 28 October the SMM saw a hole (50-70cm in diameter) in either the east- or south-east-facing side of the roofs of three houses (at 58, 60 and 61 Kashtanova Street, respectively), all assessed as caused by unknown weapons fired from a north-easterly direction. The SMM also saw a fresh crater in the grass 5m from the nearest damaged house, assessed as caused by an unknown weapon fired from a north-easterly direction. Two residents (a woman in her sixties and a man in his seventies) separately told the Mission that shelling had occurred between 21:00 and 21:45 on 27 October.

In Avdiivka, on 29 October the SMM saw a hole in a west-facing fence in front of an apartment building at 128 Nekrasova Street, assessed as caused by an automatic-grenade-launcher (AGS-17) round fired from an east-south-easterly direction. At 127 Nekrasova Street, the SMM saw a hole in the east-facing side of the roof of a shed about 5-7m north of a house, assessed as caused by an automatic-grenade-launcher (AGS-17) round fired from an east-south-easterly direction. A female resident (in her forties) of the house told the Mission that she had been inside the house, together with other three family members when she had heard an explosion at about 15:50 on 28 October.”

1144. The relevant part of the SMM update for 14 November 2017 read:

“On the evening of 13 November, while in government-controlled Svitlodarsk (57km north-east of Donetsk), the SMM heard 40 explosions (19 assessed as impacts of mortar rounds, five assessed as rounds of infantry-fighting-vehicle (IFV) (BMP-1) cannon (73mm) fire and the remainder undetermined), about 20 shots of IFV (BMP-2) cannon (30mm) fire and at least 500 shots and bursts of anti-aircraft cannon (ZU-23, 23mm), heavy-machine-gun and small-arms fire, all 1-6km south-east and south-south-east.”

1145. The relevant part of the SMM update for 19 November 2017 read:

“In the evening of 17 November, while in government-controlled Svitlodarsk (57km north-east of Donetsk), the SMM heard about 40 explosions assessed as outgoing 3-5km south-east as well as almost 70 explosions assessed as impacts, and nearly 200 bursts of heavy-machine-gun and small-arms fire, all 2-7km at directions ranging from east to south. In the morning on 18 November, while in Svitlodarsk, the SMM heard 25 explosions assessed as impacts, 5-7km south-east. That evening, while in the same location, the SMM heard two explosions assessed as outgoing, 4-6km south-south-east, as well as eight explosions assessed as impacts (including two assessed as impacts of

mortar rounds) and, as well as heavy-machine-gun and small-arms fire, all 2-6km south-south-east. The following day, from the same position, the SMM heard 35 undetermined explosions, six explosions assessed as outgoing infantry fighting vehicle (IFV) (BMP-1) cannon (73mm) rounds and six assessed as their resultant impacts, all 1-7km at directions ranging from east to south-south-east.”

1146. The relevant parts of the SMM update for 26 November 2017 read:

“While in government-controlled Svitlodarsk (57km north-east of Donetsk) on the night of 24-25 November the SMM heard: 83 explosions assessed as outgoing rounds (41 assessed as artillery and eight as mortar rounds, the rest undetermined) 3-6km south-east and south, 4-7km north-west, 4-6km north-east and 4-6km east; 57 explosions assessed as impacts 6-8km south and south-east, 8-10km south-west; 25 undetermined explosions 2-5km south and south-east, 4-6km south-west and 4-7km east; and heavy-machine-gun and small-arms fire – including periods of uncountable overlapping bursts of fire – 2-4km south-east.

While in Svitlodarsk on the night of 25-26 November the SMM heard 59 undetermined explosions and heavy-machine-gun and small-arms-fire 2-7km south-east and 6-9km south-west, 15 explosions assessed as outgoing artillery rounds 5-7km north-west and 21 explosions assessed as impacts 7-10km west-south-west.

...

The SMM followed up on reports that an eight-year-old girl was injured by shelling in government-controlled Popasna on 17 November. At 51 Vodoprovizna Street four of the girl’s relatives (a man and a woman, both in their thirties and the girl’s grandparents, both in their sixties) told the SMM that the girl had bruising on her foot and arm as a result of the shelling and also that she now fears being in the dark. The SMM observed a crater in the yard about 10-12m west of the house that the girl’s relatives said was caused by shelling on 17 November. It observed shrapnel damage to the roof and walls and broken windows on all sides of the house, assessed as caused by the blast wave and shrapnel. Windows on the west-facing side of the house had been removed, some window frames had been damaged and other windows had been covered with plastic film. The SMM saw that the roof of the house, which it had observed as destroyed on 18 November, had been partially repaired. It also saw that a shed 10m south-west of the house had been completely destroyed.”

1147. The relevant part of the SMM update for 3 December 2017 read:

“The SMM observed damage to civilian properties from shelling in residential areas of government-controlled Marinka (23km south-west of Donetsk) and Avdiivka.

On 2 December, the SMM visited impact sites in Marinka, following up on information from Ukrainian Armed Forces officers of the Joint Centre for Control and Co-ordination (JCCC).

At 266 Shevchenka Street, the SMM saw fresh holes in the east- and south-east-facing walls and roof of a house and shattered east- and north-east-facing windows. Inside the house, the Mission saw the ceiling under the damaged roof was covered by a ceramic tile. Residents of the house (a man and a woman in their forties) told the SMM that firing had started at around 17:10 on 1 December and that they had heard an impact at around 17:50.

At 258 Shevchenka Street, the SMM saw fresh holes in the east- and north-east-facing walls and roof of a house and shattered east- and north-east-facing windows. Residents

(at 266 Shevchenka Street) told the SMM that there had been no one in the house (at 258 Shevchenka Street) at the time of firing (see above).

At 209 Shevchenka Street, the SMM saw a fresh hole in the north-east-facing side of the roof of a house. A resident of the house (man in his sixties) told the SMM that he and his wife (in her fifties) had been absent from the house at the time of firing (see above).

The SMM assessed that all damage had been caused by small-calibre rounds of undetermined weapons fired from an easterly or north-easterly direction.

On 3 December, the SMM also visited an impact site in Avdiivka, accompanied by Ukrainian Armed Forces officers of the JCCC. At 1G Sportyvna Street, the SMM saw a fresh hole in the east-north-east-facing roof of a house. The Mission also saw that the ceiling of a room under the damaged roof was broken, with parts of the ceiling hanging. The SMM was unable to assess the direction of fire or the type of weapon used. A resident of the house (a man in his seventies) told the SMM that he had been in the house when firing had occurred at around 15:00 on 2 December.”

1148. The relevant part of the SMM update for 5 December 2017 read:

“In Vrubivka, the SMM, accompanied by a Ukrainian Armed Forces officer of the JCCC, observed two fresh craters: the first was on an asphalt road at the south-eastern entrance to the village, the second was about 500m east of the first crater, in the backyard of a house. The SMM observed that all three west-facing windows of the house had been shattered and that tiles had been displaced from the western part of the house’s roof. Public workers were repairing two electricity pylons about 70m from the house. The SMM assessed both craters as caused by 122mm artillery shells fired from a south-easterly direction. The SMM saw seven armed individuals wearing military-type clothes transporting their belongings (including two Fort-221 assault rifles) from the damaged house to a minibus; one of them told the SMM that the house was inhabited by both civilians and Ukrainian Armed Forces personnel.

Approximately 5km north-west of Novotoshkovske, the SMM observed two fresh craters, 10m and 20m south of a house at 12 Radhospna Street. The SMM observed no damage to the house and assessed the craters to have been caused by 152mm artillery shells fired from a south-south-westerly direction. The house’s owner told the SMM that eight rounds had impacted the area at 23:30 on 4 December.”

1149. The relevant part of the SMM update for 11 December 2017 read:

“On 11 December, the SMM observed five fresh impact sites in government-controlled Chermalyk (31km north-east of Mariupol).

At 33 Torhivelna Street, the SMM saw shrapnel damage to the south-facing wall of a barn which had partially collapsed. The SMM also saw the tailfin of a round next to the barn. The SMM assessed that the damage had been caused by a round of either an IFV (BMP-1) cannon or a recoilless gun (SPG-9, 73mm) fired from an east-south-easterly direction.

At 30 Torhivelna Street, the SMM saw a fresh crater 8m south-west of an abandoned house. The SMM also saw shattered windows and shrapnel damage to the south-facing wall of the house and shrapnel damage to the north-facing wall. The SMM assessed that the damage to the south-facing wall had been caused by either a round of an IFV (BMP-1) cannon or a recoilless gun (SPG-9, 73mm) fired from an east-south-easterly direction and the damage to the north-facing wall resulted from the impact to the barn at 33 Torhivelna Street (see above).

About 100m west of the house at 30 Torhivelna Street, the SMM saw a fresh crater in a field; the SMM was unable to determine the direction of fire or the type of weapon used.

At 43 Pervomaiska Street, the SMM saw a fresh crater and three holes in a north-east-facing fence about 20m south-west of a house, assessed as caused by either a round of an IFV (BMP-1) cannon or a recoilless gun (SPG-9, 73mm) fired from an east-south-easterly direction.

At 44 Naberezhna Street, the SMM saw a fresh crater 35m south of a one-storey house, assessed as caused by a mortar (82mm) round. The Mission was unable to determine the direction of fire.

Three female residents (in their sixties) of Chermalyk told the SMM that that shelling had occurred between 08:30 and 14:00 on 10 December. The SMM observed Ukrainian Armed Forces soldiers armed with assault rifles (AK-variant) close to residential houses in Chermalyk, including 40m north-west of the impact site at 43 Pervomaiska Street.”

1150. The relevant part of the SMM update for 12 December 2017 read:

“In government-controlled Avdiivka (17km north of Donetsk), the SMM saw a fresh crater between two pylons and saw that a power line, 15-20m south-east of the crater, had been cut. The SMM assessed that the damage had been caused by a projectile fired from a south-south-westerly direction. The SMM saw employees of the State Emergency Service of Ukraine remove remnants from the crater which, when shown to the SMM, it assessed to be fragments, including a fuse, and part of a tube of a multiple launch rocket system (MLRS) (BM21 *Grad*, 122mm) round. On 11 December, the SMM observed that there had been no electricity in the central part of Avdiivka. (See SMM Daily Report 12 December 2017.) On 12 December, the SMM observed that the central part of Avdiivka was still without electricity.”

1151. The relevant part of the SMM update for 14 December 2017 read:

“In Luhanske, at 10 Khliborobiv Street, the SMM saw shrapnel damage to the south-east-facing side of a house and a destroyed wooden shed in the backyard of the house. About 20m south-west of the house, the SMM observed a fresh crater, assessed as caused by a round fired from an IFV (BMP-1) cannon or a recoilless gun (SPG-9, 73mm). A man in his forties living across the street told the SMM that his mother (in her seventies) lived in the house and that shelling had occurred at around 22:00 on 11 December.”

1152. The relevant part of the SMM update for 20 December 2017 read:

“On 19 December, in Novoluhanske, an SMM mid-range unmanned aerial vehicle (UAV) spotted recent shelling damage to roofs and walls of 36 houses, an apartment block and a public building. The UAV also spotted damage to a kindergarten and to a school: the kindergarten had damage to one side of its roof, where the entry point of a shell was visible, and shattered debris around it while the school had damage to a 4m section of the roof as well as debris in the courtyard. Next to the school, the UAV spotted a fire truck and a truck with an extended telescopic platform which appeared to be working on the school’s roof. The UAV also spotted about 20 fresh craters in the village assessed to have been caused by artillery and mortar rounds: one of the craters was 1m from an agricultural shed and another was seen on the side of a road next to two stationary military-type trucks. Additional armoured combat vehicles (ACV), mines and indications of military-type presence were also spotted in the village (see below). The SMM confirmed civilian casualties from Novoluhanske on 19 December. (See SMM Daily Report 20 December 2017.)”

1153. The relevant part of the SMM update for 21 December 2017 read:

“In Novoluhanske, on 20 December, the SMM saw a fresh crater in a field 40m south-west of the intersection of Michurina and Shchastia Streets, assessed as caused by a round of a multiple launch rocket system (MLRS) (BM-21 *Grad*, 122mm) fired from a south-westerly direction. The crater was located 50m south-west of the nearest house.

At 56 Michurina Street, the SMM saw a burnt house and the south-facing side of the house destroyed. The Mission also saw a hole in the south-east-facing side of the roof, assessed as caused by a round of an undetermined weapon. A female resident of the house told the SMM that she had been outside when the shelling occurred at 17:00 on 18 December. The SMM was unable to assess the direction of fire or the type of weapons used.

At 38 Michurina Street, the SMM saw a fresh hole (1.2m in diameter) in the south-west-facing side of a garage, assessed as caused by a round of an undetermined weapon fired from a south-western direction.

At 32 Michurina Street, the SMM saw a scorched car underneath remnants of a destroyed overhead covering adjacent to a house. A male resident (in his seventies) told the SMM that his wife (in her sixties) had been admitted to a hospital in government-controlled Bakhmut (formerly Artemivsk, 67km north of Donetsk) after having sustained injuries on 18 December. On 19 December, the SMM saw a woman with shrapnel injuries at the hospital in Bakhmut, and medical staff there told the Mission that she was a resident of Novoluhanske. (See SMM Daily Report 20 December 2017.)

At 26 Shchastia Street, the SMM saw that nearly half of the south-west-facing side of a house was destroyed, assessed as caused by a round of an undetermined weapon. The owner of the house told the SMM that shelling had occurred at around 17:00 on 18 December when he and his family had been at home. The SMM was unable to assess the direction of fire.

At 15 Shchastia Street, the SMM saw a fresh crater in the yard of a kindergarten and a fresh hole in the roof, assessed as caused by rounds of an undetermined weapon. The director of the kindergarten told the SMM that 72 children were enrolled and although no one had been there when shelling had occurred at around 17:00 on 18 December, the last child had been taken by his parents just 20 minutes before the shelling. The SMM was unable to assess the direction of fire. On 19 December, an SMM mid-range unmanned aerial vehicle UAV spotted damage to the roof of the kindergarten. (See SMM Daily Report 21 December 2017.)

At 2 Shkilna Street, the SMM saw two fresh craters in the courtyard of a school, as well as shrapnel damage to one of the courtyard walls, assessed as caused by rounds of an undetermined weapon. The SMM was unable to assess the direction of fire. On 19 December, the same UAV spotted damage to the roof of the school. (See SMM Daily Report 21 December 2017.)

At 25 Shkilna Street, the SMM saw shattered windows and shrapnel damage to the south-west-facing side of a medical facility. The director of the medical facility told the SMM that staff had heard shelling at around 16:30 on 18 December and that some of the medical equipment had been damaged as a result.”

1154. The relevant part of the SMM update for 25 December 2017 read:

“On 23 December, approximately 250m south-east of the house at 34 Yuvileina Street in government-controlled Pavlopol (26km north-east of Mariupol), the SMM observed

a fresh crater, assessed as caused by an artillery shell (122mm) fired from an east-north-easterly direction. The SMM observed power lines cut about 75m south of the crater and saw a piece of shrapnel consistent with an artillery shell lodged in the outer pane of a south-facing window of the house at 34 Yuvileina Street. A resident of the house told the SMM that she had heard a loud explosion south-east of her home shortly after 22:00 on 22 December and immediately thereafter lost power. A resident of another house on the same street also told the SMM that he had lost power to his house shortly after hearing a loud explosion just after 22:00 on 22 December.”

(v) 2018

1155. The relevant part of the SMM update for 14 January 2018 read as follows:

“In Avdiivka, the SMM, accompanied by a Ukrainian Armed Forces officer of the Joint Centre for Control and Co-ordination (JCCC), saw two broken windows and several small holes in the north-west-facing wall of house 4/2 on ‘Roadside Station 448km’ street. On the west-facing side of the house, about 4m to the north-west, the SMM saw a fresh crater in front of a small barn and a dead dog. The SMM assessed all the damage as caused by a mortar (82mm) round fired from a southerly or south-easterly direction. A resident of the house (a man, aged 60-65) told the SMM that he had heard three explosions while he was at home on 13 January at around 15:00 and that his dog had been killed.”

1156. The relevant part of the SMM update for 4 February 2018 read:

“On 3 February, in government-controlled Myronivskiyi (62km north-east of Donetsk), the SMM saw damage to two houses. On the south-east-facing side of 4 Sadova Street and the north-west-facing side of 2 Sadova Street, the SMM saw shrapnel marks on the walls and roofs as well as broken windows and pieces of shrapnel on the ground. The SMM also saw a fresh crater 2-3m south-east of the house at 4 Sadova Street and a fresh crater 2-3m north-west of the house at 2 Sadova Street. The SMM could not assess the type of weapon used or the direction of fire. A 50-60 year old male resident of 4 Sadova Street told the SMM that the damage had occurred while he was at home between 21:00 and 22:00 on 1 February.”

1157. The relevant part of the SMM update for 11 February 2018 read:

“On the evening of 9 February, while in Svitlodarsk (government-controlled, 57km north-east of Donetsk), the SMM heard 51 explosions (34 assessed as impacts of rounds of undetermined weapons, 15 assessed as outgoing rounds of undetermined weapons, one assessed as an outgoing mortar (82mm) round and one assessed as an outgoing infantry fighting vehicle (IFV) (BMP-1) cannon (73mm) round), all 4-8km south-east.”

1158. The relevant part of the SMM update for 25 February 2018 read:

“On 24 February, in Pidlisne (government-controlled, 69km north-west of Luhansk), a Ukrainian Armed Forces officer of the Joint Centre for Control and Co-ordination (JCCC) led the SMM to road T0504 where the SMM saw five fresh impacts in a field 200-300m east of the road and a fresh impact in a field 200-300m west of the road. The SMM could not make further assessments due to security considerations.”

1159. The relevant part of the SMM update for 26 February 2018 read:

“On 25 February, in Pidlisne (government-controlled, 70km north-west of Luhansk), the SMM observed a fresh hole (2m wide, 1m high) in the east-facing wall of a house

at 23 Pervomaiska Street, assessed as caused by a 100m artillery round fired from an east-south-easterly direction, and shrapnel damage to the concrete foundation under the wall as well as to three window wooden frames. The Mission saw that the opposite wall had been damaged by shrapnel and bricks had fallen off. The SMM saw that tiles were missing from the eastern side of a semi-detached shade structure on the southern side of the house and saw debris from the tiles in the garden. In addition, the SMM observed fresh shrapnel damage to the trunks of two trees about 1.5m east of the house. A resident of Pidlisne told the SMM that shelling had occurred on 24 February and that nobody had been present in the house at the time, as it was uninhabited.

About 500m north of the abovementioned house and 50m east of a natural gas distribution warehouse, the SMM saw three craters in a field, assessed as caused by 100m artillery rounds fired from an easterly direction. The SMM had also observed fresh impacts in a nearby field in Pidlisne on 24 February (See SMM Daily Report 26 February 2018).

In a residential area in the south-eastern edge of Trokhizbenka (government-controlled, 32km north-west of Luhansk) the SMM observed a fresh impact site (15cm x 15cm) in the ground about 10m north-west of a checkpoint. The SMM could not assess the type of weapon or direction of fire. The SMM saw a black mark, assessed as gun powder residue, on the upper part of the north-east facing wall of a house on Miru Street, 2m south-west of the above impact site. The owner of the house told the SMM that the black mark had been caused by shelling on the evening of 25 February. The SMM also observed multiple fresh shrapnel holes in the south-facing fence of another house on the same street, located about 15m north-east of the abovementioned checkpoint.”

1160. The spot report of 6 April 2018 “Armed men near Kreminets charge weapon near SMM patrol and threaten it” read as follows:

“At 12:14 on 5 April, an SMM patrol consisting of six members and two armoured vehicles was stationary, preparing for a scheduled flight of its mid-range unmanned aerial vehicle (UAV) while positioned on road H15, 2km east of a checkpoint of the armed formations east of Kreminets (non-government controlled, 16km south-west of Donetsk). Just before that, a blue Lada car (with plates AA237 and with ‘police’ markings in Russian) travelling west to east turned around towards the SMM. Three men (one in camouflage clothing, two in blue police-type attire) then emerged from the car, each carrying an assault rifle (AK-variant, hanging down over their shoulders), and approached the patrol. The man in camouflage clothing introduced himself (in Russian) as a ‘commander of a special unit’. He said it was a ‘no-fly zone’ and that they were not informed of the SMM’s activities with the UAV. The SMM explained the mandate of the Mission and its activities, including the operation of UAVs.

At 12:30, a second vehicle (white car) approached the SMM on the H15 road from the west, with two armed men in camouflage clothing on board. One of them, the driver, was carrying an assault weapon (AK-variant). The two men emerged from their vehicle and spoke to the SMM in an aggressive manner. The SMM heard one of them say ‘Get ready’ (in Russian) to the other, who then charged his weapon, keeping his finger on the trigger and pointing the barrel of the gun at the ground.

The man who introduced himself as ‘commander’ then made a number of phone calls, as the SMM patrol leader attempted to calm the situation, explaining its duties and mandate. The men from the Lada car were also present (a total of five men), standing around throughout. The SMM collected its equipment and left the area at 13:03. It

returned safely to its base in Donetsk city at around 14:50. The SMM informed the armed formations in Donetsk about the incident.

In 2018, the SMM has experienced approximately 20 restrictions of its freedom of movement in the Kreminets area.”

1161. The relevant part of the SMM update for 20 April 2018 read:

“At a hospital in Toretsk (formerly Dzerzhynsk, government-controlled, 43km north of Donetsk), medical staff told the SMM that a resident of Novhorodske (government-controlled, 26km north of Donetsk), a 78-year-old man, had been admitted with shrapnel wounds to his left forearm. Police in Toretsk told the SMM that the man had been repairing the roof of his house at Slovianska Street in Novhorodske at around 15:30 on 18 April when shelling had occurred in the area and that he had been injured while descending the roof to take shelter.”

1162. The relevant part of the SMM update for 9 May 2018 read:

“On 8 May, in Loskutivka (government-controlled, 72km west of Luhansk), a representative of Ukrainian State Emergency Services showed the SMM damaged houses on Pervomaiska Street. At 29A Pervomaiska Street, the SMM saw a hole about 1.5m in both length and width in the roof and east-facing side of a single-storey house. An inner wall of the house had collapsed completely. All eight external windows of the house had been shattered, and the SMM observed debris inside and outside of the house. Wooden fences on the northern and southern sides of the house were partially destroyed and multiple trees about 2-3m south-east of the house had branches broken and had no leaves. About 5m of a gas pipeline running along the east-facing side of the house had been blown away. A resident of the house (man, around 60 years old) told the SMM that he had been sleeping when it had been hit by a round and that bricks from the wall had fallen on him as a result of the explosion, around 00:50 on 8 May. He said a doctor had assessed the following day that he had a concussion as a result of the bricks hitting his head. The SMM assessed that the house had been directly hit by an artillery round (152mm) fired from a southerly direction.

At 56 Pervomaiska Street (about 30m north-east of 29A Pervomaiska Street), the SMM observed eight shattered windows on the south- and west-facing side of a single-storey house and damage on the south and west-facing sides of the roof and chimney, which the SMM assessed as caused by shrapnel. The SMM saw a fresh impact about 50m north of the house, which it assessed as caused by an artillery round (152mm) fired from a southerly direction. Residents of the house (a woman and two men, 50-65 years old) told the SMM that they had been at home when the shelling had occurred around 00:50 on 8 May.

At 29 Pervomaiska Street, the SMM saw that 12 windows on the south-facing side of a single-storey house had been shattered and many of the roof tiles were missing. Fences on the southern and northern sides of the house had pockmarks and holes, which the SMM assessed as caused by shrapnel. Three residents of the house (a man and two women, 40-65 years old) said they had not been home at the time of shelling but that their dog had sustained shrapnel injuries from the explosion, which the SMM could see. The SMM assessed the damage as caused by an explosion of an artillery round (152mm) fired from a southerly direction.

At 54 Pervomaiska Street (about 20m north of 29 Pervomaiska Street), the SMM saw that the glass in all of the external south-facing windows of the house had been shattered and that the facade was marked by 3cm holes, assessed as caused by shrapnel. There were at least three larger holes in the south-south-western side of the roof. The gates on

the southern and northern sides of the house had holes, assessed as caused by shrapnel. Residents (two men, 50 and 60 years old) of the house told the SMM that shelling had occurred around 00:50 on 8 May. The SMM assessed the damage as caused by an explosion of an artillery round (152mm) fired from a southerly direction.

The SMM saw four fresh craters (three 15-50m south and one 50m north) near the damaged houses but was unable to assess them due to security restrictions.”

1163. The relevant part of the SMM update for 10 May 2018 read:

“The SMM followed up on reports of fresh damage caused by shelling to civilian properties in a residential area of Myronivskyi (government-controlled, 62km north-east of Donetsk). On 10 May, at 19 Enerhetykiv Street, the SMM saw a fresh crater in the yard of a one-storey house. The SMM assessed it as caused by a mortar (120mm) round (it could not, however, assess the direction of fire). The SMM also saw fresh shrapnel damage to the north-facing outer wall and four shattered windows (three north-facing and one east-facing) of the house at 19 Enerhetykiv Street. At 15 Enerhetykiv Street, the SMM saw fresh shrapnel damage to the north-facing outer wall of a one-storey house and two north-facing shattered windows. At 17 Enerhetykiv Street, the SMM saw fresh shrapnel damage to the north-facing outer wall and a north-facing part of the roof of a one-storey house, as well as two north-east-facing shattered windows. At 16 Matrosova Street, the SMM saw one south-east-facing shattered window of a one-storey house. The SMM assessed all the aforementioned damage as caused by a mortar (120mm) round, but it could not assess the direction of fire.”

1164. The relevant part of the SMM update for 17 May 2018 read:

“The SMM observed fresh damage caused by shelling in residential areas of Mykolaivka (government-controlled, 40km south of Donetsk). On 17 May, the SMM saw a fresh crater in the yard of a one-storey house at 17 Shyiana Street, assessed as caused by a round of an anti-tank guided missile fired from a northerly direction. The Mission also saw that four windows on the south- and west-facing sides of the house were broken (assessed as caused by the wave of an explosion), that the east-facing part of the concrete base of a wooden fence, 50m west of the house, was cracked, and that one of the slats of the fence of an adjacent house was cleaved in half. The owner of the house told the SMM that she had heard an explosion at around 12:30 on 16 May.”

1165. The relevant part of the SMM update for 22 May 2018 read:

“The SMM followed up on reports of fresh damage to an aid station inside the disengagement area near Stanytsia Luhanska (government-controlled, 16km north-east of Luhansk). In the disengagement area, in the parking lot south of the Stanytsia Luhanska bridge, a member of the armed formations (male, aged 30) approached the SMM and requested that it observe shrapnel damage to the mobile centre for “social assistance and administrative services”, which is located 85m south-west of the nearest armed formation checkpoint and about 300m south-west of the bridge. The SMM saw a fresh hole in the vinyl ceiling under the north-eastern section of the centre’s roof, another fresh hole inside the centre in its western wall (panelling over corrugated metal) as well as a piece of metal lodged between the panelling and the outside metal of the western wall. A dent approximately 3cm wide was also observed on the exterior metal wall of the structure. The SMM assessed the damage to have been caused by fragmentation from a mortar or grenade round fired from a north-easterly direction, which had penetrated the north-eastern section of the roof and the western wall. A mobile centre worker (woman, aged 35) told the SMM that when she had arrived at the centre in the morning, she had seen a hole in the north-east section of the roof and a single piece of shrapnel lodged in the western wall of the structure.”

1166. The relevant part of the SMM update for 23 May 2018 read:

“Medical staff at a hospital in Lysychansk (government-controlled, 75km north-west of Luhansk) told the SMM that a woman (36 years old), who they said was a resident of Troitske (government-controlled, 69km west of Luhansk), had been admitted on the early morning of 18 May with serious injuries to her abdomen and lungs and severe blood loss, due to direct shrapnel injuries. The medical staff said the woman was conscious but breathing through a ventilator. They also added that the woman’s son (18 years old) had also been admitted to the hospital with non-critical injuries. In Troitske, three local residents told the SMM that they knew that the husband and the younger son (13 years old) of the injured woman had been killed in shelling at 15 Kuznechna Street around midnight on 17 May, when the woman and her older son had been injured. The SMM was not able to reach Troitske to assess the damage at this address due to security considerations.”

1167. The relevant part of the SMM update for 27 May 2018 read:

“On 26 May, in the intensive care unit in a hospital in Bakhmut, the SMM spoke with a woman (60 years old) who said she had a piece of shrapnel removed from her abdomen. She said that around 19:30 on 21 May, she was leaving her house located at 32/2 Zhuravskoho Street in the government-controlled neighbourhood of Zhovanka in Zaitseve (50km north-east of Donetsk) when she heard an explosion and saw blood on her abdomen. She said she was later taken by military ambulance to the hospital in Bakhmut. On 25 May, while at the entry-exit checkpoint in Maiorsk, a woman (in her fifties) told the SMM that she was a resident of Zhovanka and knew the injured woman and that shelling had taken place near 32/2 Zhuravskoho Street around 19:30 on 21 May. (See SMM Daily Report 24 May 2018.)

The SMM observed fresh damage as a result of shelling. On 26 May in Toretsk (government-controlled, 43km north of Donetsk), the SMM followed up on reports of damage to two hospitals.

At the Tuberculosis Hospital at 25 Haidara Street the SMM saw broken windows on the eastern side of the building on all three floors. Six patients (men, aged 40-50) told the SMM that they had been present when the shelling took place around 04:45 on the morning of 25 May.

Approximately 200m west of the Tuberculosis Hospital, the SMM observed broken windows, about 20 overall, on all three floors on the southern side of the building, damage to the southern side of the roof, and dents and holes in the outer southern wall of the Psychological Hospital. The SMM observed an impact, 2m wide, about 4m south of the building, near the entrance. The SMM observed that Ukrainian Armed Forces personnel had been staying in part of the hospital building, including before the shelling.

On 26 May, imagery from an SMM long-range unmanned aerial vehicle (UAV) revealed an impact on the eastern end of the roof of the Psychological Hospital, which the SMM assessed was caused by a 122mm artillery round. Damage to the southern-facing wall of the building and windows was also visible, along with debris on the ground. Imagery also revealed an impact 100m east of the hospital, which was assessed as caused by a 122mm artillery round fired from a south-easterly direction.

At 14 Rimskoho-Korsakova Street, the SMM saw a hole in the external upper eastern wall of an apartment building (about 650cm in diameter), on the third floor between two windows. At apartment no. 22 on the third floor, the SMM saw a hole about 30cm in diameter in the ceiling and a hole about 20cm in diameter in the floor. Three residents

of the building (women, aged late thirties to sixties) told the SMM that the damage was caused by shelling around midnight on 25-26 May.

On 25 May, in Bohdanivka (government-controlled, 41km south-west of Donetsk), the SMM observed three impact sites. At the first impact site on 1 Lenina Street, the SMM saw at least 25 fresh holes from 4cm to 20cm wide on the south-facing concrete, garden wall, on the east-facing wall of a barn and a shattered window, all assessed to be caused by shrapnel. The SMM saw a crater about 10m south-east of the barn's southern wall and assessed it as caused by a 122mm artillery round fired from a north-easterly direction. A female resident (eighties) who showed signs of shock said that the shelling had happened on 24 May around 21:30 and that she had been at home at the time.

At 52 Lenina Street, the SMM saw a fresh crater about 2m east of a house. The SMM saw 15 holes, up to 7cm in diameter in the north- and south-facing sides of an ambulance parked about 4m east of the house. The driver's side window had been destroyed. The SMM assessed the damage to be caused by an artillery round (122mm) fired from a north-easterly direction.

At 56 Lenina Street, the SMM saw a fresh crater located about 15m south of a house. The SMM assessed that the crater was caused by an artillery round (either 122mm or 152mm) fired from a north-easterly direction."

1168. The relevant part of the SMM update for 29 May 2018 read:

"The SMM followed up on reports of damage caused by shelling in a residential area in Chermalyk (government-controlled, 31km north-east of Mariupol). Accompanied by a Ukrainian Armed Forces Officer of the Joint Centre for Control and Co-ordination (JCCC), at 18 Haharina Street, the SMM saw two shattered windows and minor shrapnel scarring on the north-facing wall of a one-storey house, as well as a fresh crater 8m north of the house. The SMM assessed all damage to have been caused by a 73mm cannon round fired from an easterly direction. A resident of the house (aged 40-50) told the SMM that she had been at home with her husband on the night of 28-29 May when the sound of glass breaking had woken them up and that they had sought shelter in the basement.

At 20 Haharina Street, the SMM saw a fresh crater in the soft soil about 4.5m south-east of a barn which had minor shrapnel damage to its south-east facing wall, assessed to have been caused by a 73mm cannon round fired from an easterly direction. Residents of 21 Haharina Street (a woman, aged 40-50 and her son, aged 20-30) told the SMM that they had been at home when they had heard shelling in the early morning hours of 29 May."

1169. The relevant part of the SMM update for 31 May 2018 read:

"On 30 May, at a hospital in Toretsk (formerly Dzerzhynsk, government-controlled, 43km north of Donetsk), medical staff told the SMM that the body of a 15-year-old girl from Zalizne (formerly Artemove, government-controlled, 42km north-east of Donetsk) had been brought to the hospital on 28 May. Medical staff added that, based on the body's examination, the girl had died instantly on 28 May due to shrapnel wounds. In Toretsk, a representative of the military-civil administration and the deputy head of police told the SMM separately the 15 year-old girl had been killed on 28 May from the explosion of a mortar round that had detonated in front of her house at 11 Michurina Street in Zalizne."

1170. The relevant part of the SMM update for 1 June 2018 read:

“On 24 May, aerial imagery revealed ten buildings damaged by probable shelling (including six without roofs) near Lopaskyne (government-controlled, 23km north-west of Luhansk) (not seen in imagery from 13 November 2017).”

1171. The relevant part of the SMM update for 3 June 2018 read:

“The SMM observed fresh damage as a result of shelling to a civilian property in Chermalyk (government-controlled, 31km north-east of Mariupol). At 39 Khmelnytskoho Street, the SMM saw a crater about 10m east of a single-storey house and about 5m east of the outhouse. The house had about ten shrapnel holes on its east-facing wall, and two east-facing windows had been broken and covered with plywood. The residents (89-year-old woman and her 63-year-old son) said they had been home on 31 May at around 09:00 when they had heard an explosion at the back of the house. The SMM assessed that the crater and damage were caused by an 82mm mortar round fired from a north-easterly direction. The SMM saw a Ukrainian Armed Forces soldier in front of a neighbouring house about 70m south and camouflage netting over the side of that house.”

1172. The relevant part of the SMM update for 7 June 2018 read:

“In the Chyhari area of Pivdenne, the SMM saw several burnt-down houses, some of which were still smouldering. The SMM observed at least 20 civilians in the area, several of whom told the SMM that the security situation had sharply deteriorated since mid-May. The SMM saw that five houses on Zarichna Street and one on Tselinny Lane had been completely destroyed, while houses on Poltavaska and Amurska streets were damaged. The SMM spoke with eight people (men and women, between 20 and 60) who told the SMM the area lacked schools, electricity, running water and basic supplies, while mobile communications were difficult to access.”

1173. The relevant part of the SMM update for 17 June 2018 read:

“On 17 June, at a hospital in Toretsk (formerly Dzerzhynsk, government-controlled, 43km north of Donetsk) a woman (in her forties) with a large blood-stained bandage on her chest told the SMM that on 16 June she had been at home on Poltavaska Street in the Chyhari area of Pivdenne (formerly Leninske, government-controlled, 40km north-east of Donetsk) when she heard shelling and saw that a fire had broken out near her home. She said that she had attempted to extinguish the flames when an explosion occurred nearby and she saw that her chest was covered in blood. She said she immediately went to a nearby checkpoint of the Ukrainian Armed Forces, from where she was taken to the hospital. Medical staff at the hospital told the SMM that more than 20 pieces of shrapnel had been removed from the woman’s body on 16 June.”

1174. The relevant part of the SMM update for 18 June 2018 read:

“On 17 June, at 2 Oleha Vatazhka Street in Novotoshkivske, the SMM saw three craters: the first one in a paved road, 20m east of the south-eastern corner of a four-storey apartment building; the second one in grass 9m east of the building’s south-eastern corner; and the third one in grass 18m west of the building’s south-western corner. The SMM saw multiple shrapnel marks on the south-east corner of the building and six broken windows on the ground floor and the first floor. It also saw shrapnel marks and broken windows on the east side of a second building situated 26m west of the first one. The SMM assessed the damage to have been caused by 120mm mortar rounds coming from a south-easterly direction. Three residents of the first building (women, in their sixties) told the SMM that shelling had occurred at around 21:30 on 14 June.”

1175. The relevant part of the SMM update for 19 June 2018 read:

“The SMM observed damage caused by shelling in a residential area of Orikhove (government-controlled, 57km north-west of Luhansk). At 9 Kolkhozna Street, the SMM saw two holes (around 30cm in diameter each) in the south-west-facing side of the roof of a one-storey house and observed that about one-third of the roof tiles had been blown off on the north-east-facing side of the roof. The SMM assessed the damage as caused by an undetermined weapon round fired from a south-westerly direction. The resident (woman, 50-60 years old) told the SMM that the damage had occurred during the night of 31 May-1 June while no one was present in the house.”

1176. The relevant part of the SMM update for 28 June 2018 read:

“At the hospital in Toretsk (formerly Dzerzhynsk, government-controlled, 43km north of Donetsk), the SMM saw a man (67 years old) with a bandage on his left forearm and a woman (55 years old), his wife, with a bandage on the right side of her back. They told the SMM that they had been in the yard of their house on Kaspiiska Street in Pivdenne on 27 June when they heard two explosions. The man said that shrapnel pieces from the incident remained in his arm. Medical staff told the SMM that the couple were admitted to the hospital with shrapnel injuries on 27 June. The SMM could not reach Pivdenne due to security considerations.”

1177. The relevant part of the SMM update for 10 July 2018 read:

“The SMM followed up on reports of damage caused by shelling in a residential area of Zolote-4/Rodina (government-controlled, 59km west of Luhansk). Accompanied by military-civil administration staff from the Ukrainian Armed Forces, the SMM observed a fresh hole in the north-facing roof of a single-storey house at 5-2 Zlatoustivska Street, assessed as caused by a recoilless gun (SPG-9) round fired from an undetermined direction. Inside the house, the SMM saw a fresh hole in the ceiling and shrapnel damage to the wall and floor. The owner of the house (man in his forties) told the SMM that the damage had occurred at around 02:00 on 10 July when his wife and his son had been in a room 1m away from the abovementioned damage to the floor.”

1178. The relevant parts of the SMM update for 8 August 2018 read:

“The SMM’s monitoring and freedom of movement are restricted by security hazards and threats, including risks posed by mines, unexploded ordnance (UXO) and other impediments – which vary from day to day.

...

[T]he armed formations in parts of Donetsk and Luhansk regions frequently deny the SMM access to areas adjacent to Ukraine’s border outside control of the Government (for example, see SMM Daily Report of 7 August 2018). The SMM’s operations in Donetsk and Luhansk regions remain restricted following the fatal incident of 23 April 2017 near Pryshyb; these restrictions continued to limit the Mission’s observations.

Denials of access:

At a checkpoint 2.5km west of Bezimenne (non-government-controlled, 30km east of Mariupol), two armed members of the armed formations again denied the SMM passage to road E58.

At a checkpoint 800m north of Zaichenko (non-government-controlled, 26km north-east of Mariupol), armed members of the armed formations again stopped the SMM and denied it passage westward to Pikuzy (formerly Kominternove,

non-government-controlled, 23km north-east of Mariupol) and southward to Sakhanka (non-government-controlled, 24km north-east of Mariupol).

The SMM was able to pass through a checkpoint near Novoazovsk (non-government-controlled, 102km south-east of Donetsk) towards Novoazovsk, where its passage has been denied on numerous occasions (see SMM Daily Report of 4 August 2018) but, upon its return to the checkpoint, was told by five armed men that it could not travel east (toward a nearby crossing point on the border with the Russian Federation) nor turn around back towards Novoazovsk. The SMM was able to travel north through the checkpoint. (The SMM spoke with a member of the armed formations in Bezimenne regarding the frequent restrictions to its freedom of movement near Novoazovsk and was told that the armed formations were undertaking these actions in order to ‘safeguard’ persons taking summer holidays in the area. He added that once the holiday season ends, the impediments of the SMM’s patrols to Novoazovsk will likely cease.)

At a checkpoint on the eastern edge of Novolaspa (non-government-controlled, 50km south of Donetsk), five men in military-style clothing (two armed) prevented the SMM from entering the village.

Regular restrictions related to disengagement areas and mines/UXO:

The SMM was prevented from accessing parts of the Stanytsia Luhanska disengagement area, with the exception of the main road, due to the possible presence of mines and UXO. A Ukrainian Armed Forces officer of the JCCC told the SMM by telephone that no demining had taken place during the previous 24 hours. The SMM did not consider it safe to proceed and informed the JCCC.

The SMM was prevented from accessing secondary roads in the Zolote disengagement area due to the possible presence of mines and UXO. A Ukrainian Armed Forces officer of the JCCC told the SMM by telephone that no demining had taken place during the previous 24 hours. The SMM did not consider it safe to proceed and informed the JCCC.

The SMM was prevented from accessing secondary roads south of the Zolote disengagement area due to the possible presence of mines and UXO. A member of the armed formations positioned on the southern side of the Zolote disengagement area told the SMM that no demining had taken place during the previous 24 hours. The SMM did not consider it safe to proceed.

Other impediments:

At a hospital in Boikivske (formerly Telmanove, non-government-controlled, 67km south-east of Donetsk), where the SMM was attempting to follow up on reports of a civilian casualty, a doctor aggressively stated that the SMM was not allowed to enter the hospital without first receiving permission from local armed formations members and refused to provide the SMM with any information regarding the reported casualty.”

1179. The relevant part of the SMM update for 14 August 2018 read:

“On 10 August, at the Children’s Regional Hospital in Lysychansk (government-controlled, 75km west of Luhansk), the SMM spoke with a girl (16-17 years old) with burns, cuts and scratches on the left side of her face, as well as bandages on her left arm and left leg. She told the SMM that on 8 August she had been in a car near Katerynivka (government-controlled, 64km north-west of Luhansk) when it had been hit by a projectile. Doctors told the SMM that she had blast and shrapnel-related injuries and that she had been admitted on the evening of 8 August.”

1180. The relevant part of the SMM update for 26 August 2018 read:

“On 25 August, medical staff at a morgue in Lysychansk (government-controlled, 75km north-west of Luhansk) told the SMM that the body of a man (aged 35), a resident of Vrubivka (government-controlled, 72km west of Luhansk), had been brought to the morgue on the morning of 24 August. Medical staff added that the man had died on the morning of 24 August due to wounds to his lower abdomen and severe damage to internal organs following a blast. Medical staff also told the SMM that relatives of the deceased had recounted that the man had sustained his wounds during shelling while he had been at his house at 2/1 Shkilna Street in Vrubivka and had died in an ambulance while on the way to a hospital. In Vrubivka, a representative of the local administration told the SMM that the man had died during shelling, which had occurred in the area on the morning of 24 August. (See impact site section below.)

The SMM followed up on reports of fresh damage caused by shelling to civilian properties in residential areas of Vrubivka and Staromykhailivka (non-government-controlled, 15km west of Donetsk). On 24 August, at 2/1 Shkilna Street in Vrubivka (see above), the SMM saw fresh damage to the roof of a one-storey house, which had collapsed, and that four south-western-facing windows had been shattered. The SMM could not assess the calibre of the weapon used or the direction of fire. A resident of 14/1 Shkilna Street told the SMM that shelling had occurred in the area at around 05:00 on 24 August.

In a field about 10m north-east of the house at 2/1 Shkilna Street, the SMM saw a fresh crater, assessed as caused by a 122mm artillery round fired from a south-easterly direction. At 5 Shkilna Street, about 15m west-south-west of the aforementioned crater, the SMM saw two shattered north-facing windows and fresh shrapnel damage to the west-facing outer wall of a two-storey residential house. The SMM could not assess the calibre of the weapon used or the direction of fire.

At 7 Shkilna Street, the SMM saw a fresh crater in the tarmac about 15m north-east of a two-storey residential house, assessed as caused by a 122mm artillery round fired from a south-easterly direction. The SMM also saw fresh shrapnel damage to the south-western-facing outer wall of the aforementioned house and 12 shattered south-facing windows.

The SMM saw a military compound about 1km south of the aforementioned impact sites in Vrubivka.

On 24 August an SMM mini-unmanned aerial vehicle (UAV) spotted fresh damage to a residential house with a destroyed roof and chimney, assessed as caused by the impact of an artillery (probable 152mm) round, in Vrubivka, the same area where the SMM saw fresh impact sites (see above).”

1181. The relevant part of the SMM update for 28 August 2018 read:

“The SMM observed fresh damage to a civilian property in Kriakivka (government-controlled, 38km north-west of Luhansk). At 25 Haharina Street, the SMM saw a fresh large hole on the western side of a roof of a single-storey house and a number of asbestos roof-tile pieces on the ground. The SMM saw large holes on the south-facing wall of a nearby chicken coop and the southern side of the roof of a nearby wooden barn. About 250m north of the house, the SMM observed trees with branches that had been freshly severed, assessed as by shrapnel. The SMM assessed that all of the damage was caused by undetermined weapon(s) fired from a southerly direction. A resident of the house (male, 52 years old) told the SMM that he had been working outside his house around 18:45 on 26 August when he had heard shelling with rounds flying over his head and impacting north of his house. He said that he had run to the cellar and then had heard a projectile hit his house.”

1182. The relevant part of the SMM update for 4 October 2018 read:

“On 3 October, at 37 Lenina Street in Chermalyk (government-controlled, 31km north-east of Mariupol), the Mission saw debris consisting of wood and roof tiles piled up in a yard. It also saw that the roof of a barn had been recently repaired. A woman (in her seventies), who said she lived in a house at the same address, told the SMM that the roof of the barn had been hit during shelling in the afternoon on 28 September and had since been repaired. The Mission assessed the debris pattern to be consistent with damage caused by an explosion of a rocket propelled grenade; however, it could not determine the direction of fire.”

1183. The relevant part of the SMM update for 7 October 2018 read:

“The SMM observed damage caused by shelling to a pig farm in Novoluhanske (government-controlled, 53km north-east of Donetsk). On 6 October, the SMM, accompanied by a representative of the Ukrainian Armed Forces to the Joint Centre for Control and Coordination (JCCC) and the farm’s chief engineer, saw shrapnel damage and holes in the southern part of the roof of a pig enclosure. It also saw shrapnel damage to the southern and northern outer walls of the pig enclosure; most southern- and northern-facing windows of the same building had been shattered. The SMM assessed that the damage was caused by a possible mortar round, but it could not assess the direction of fire. The pig farm’s chief engineer told the SMM that the building had sustained damage during shelling on 29 September 2018. While present at the site, the SMM saw four armed Ukrainian Armed Forces soldier[s] walking south from the area of the farm.”

1184. The relevant part of the SMM update for 15 October 2018 read:

“In Zolote-4/Rodina (government-controlled, 59km west of Luhansk), at 64 Vilna Street, the SMM saw that two of the house’s west-facing windows were covered by pieces of wood. The SMM also observed five holes, assessed as shrapnel damage, in the exterior western walls of the main house. The SMM also saw two holes, assessed as shrapnel damage, on the water boiler in the bathroom inside the house. About 20m east of the east-facing front door, the SMM saw a crater on an asphalt road, assessed as caused by a 120mm mortar round. The SMM was not able to assess the direction of fire. About 2m west of the house, the SMM observed an outhouse with a hole in the centre of its roof, and debris from the roof on the floor of the outhouse. The SMM assessed the damage to have been caused by a projectile (type undetermined). A man (about 60 years old) told the SMM that his house had been damaged by shelling around 18:00 on 13 October.”

1185. The relevant part of the SMM update for 21 October 2018 read:

“The SMM observed fresh damage to the Bakhmut Agrarian Union Pig Farm in Novoluhanske (government-controlled, 53km north-east of Donetsk) (for previous observations in the area, see SMM Daily Report 8 October 2018). On 20 October, accompanied by Ukrainian Armed Forces officers of the Joint Centre for Control and Co-ordination (JCCC) and de-miners, the SMM saw at least 20 scattered fragmentation holes in the east- and north-facing parts of a metal container, assessed as caused by an undetermined weapon fired from a northerly direction. A Ukrainian officer of the JCCC told the SMM that shelling took place at 21:00 on the evening of 15 October. The SMM saw a well-maintained trench about 10m south of the metal container. On 15 October, at the same location, the SMM had seen burn marks and a hole in the middle part of the south-facing section of the roof of one of the farm’s buildings. The SMM noted that repairs were ongoing and was unable to assess what weapon caused the damage.

Approximately 25m north of the building, the Mission saw an impact on the road, assessed as caused by an undetermined weapon fired from a south-south-westerly direction. A Ukrainian officer of the JCCC told the SMM that shelling had occurred in the area on 28 September and 13 October.”

1186. The relevant part of the SMM update for 9 November 2018 read:

“The SMM followed up on reports of shelling near Novoluhanske (government-controlled, 53km north-east of Donetsk). In a parking lot of the Bakhmut Agrarian Union’s pig farm near Novoluhanske, about 10m south of its northwest entrance, the SMM observed five fresh impact sites consisting of small craters and charred asphalt over an area of 100 square metres. Approximately 5-10m south of these impacts, the SMM observed about 30 to 50 fresh shrapnel marks on the north-facing wall of the farm building, 2-3m above the ground. About 150m west of these craters, the SMM saw a large oak tree missing some bark and smaller branches which had about 20 fresh scratches assessed as shrapnel scars approximately 5m above the ground on the south-facing side of its trunk. A member of the Ukrainian Armed Forces told the SMM that they had cleaned up the site after the shelling. The SMM assessed all the damage as having been caused by the explosion of 82mm mortar rounds fired from a southerly direction. A man (in his sixties) told the SMM he worked at the farm and had been present during the shelling which, he said, had occurred from 16:30 to 17:45 on 6 November.”

1187. The relevant part of the SMM update for 11 November 2018 read:

“The SMM continued to follow up on reports of recent shelling near Novoluhanske (government-controlled, 53km north-east of Donetsk). (See SMM Daily Report 10 November 2018.) On 9 November, in a concrete parking area on the northern edge of the Bakhmut Agrarian Union’s pig farm, an SMM mini-UAV spotted a probable fresh mortar impact on the top of a concrete wall surrounding the parking complex and fragments of concrete spread out on the ground below, as well as a fresh hole in the roof of a large single-storey garage on the southern edge of the parking compound assessed as caused by a mortar round. The SMM assessed that the fresh impacts were caused by 82mm mortar rounds fired from a south-south-easterly direction.”

1188. The relevant part of the SMM update for 4 December 2018 read:

“On 3 December, the SMM observed fresh damage to a residential house in Chermalyk (government-controlled, 31km north-east of Mariupol), assessed as caused by the explosion of a recoilless-gun round (SPG-type) fired from an easterly direction. At 26 Nikitina Street, the SMM saw six shattered south-west-facing windows and four broken west-facing windows of a house. About 10-12m west of the house, the SMM observed a broken section of a power line and two freshly damaged trees, assessed as caused by metal fragments. A resident (a woman in her forties) of the house told the SMM that on the late afternoon of 1 December, while near the house, she had heard a whistling sound and seen a “red ball” flying from an easterly direction, followed by the sound of an explosion.”

1189. The relevant part of the SMM update for 10 December 2018 read:

“On 9 December, an SMM long-range unmanned aerial vehicle (UAV) spotted at least eight destroyed houses (no roofs, only outer walls remaining) located on a 150m stretch of a street in the Chyhari area of Pivdenne (formerly Leninske, government-controlled, 40km north-east of Donetsk). The UAV also spotted 12 houses on the southern end of the above-mentioned street and two houses about 250m east destroyed in a similar

fashion. The SMM assessed the damage as caused by artillery rounds, however it could not assess the direction of fire. All of the above-mentioned damage was not seen in imagery from 28 April 2018. (For previous observations, see SMM Daily Report 16 August 2018.)”

1190. The relevant part of the SMM update for 23 December 2018 read:

“On 15 December, on the south-eastern edge of Zolote-4 (government-controlled, 59km west of Luhansk), about 40m north of the disengagement area near Zolote (government-controlled, 60km west of Luhansk), an SMM mini-unmanned aerial vehicle (UAV) spotted recent damage to the roof of a four-storey building, assessed as caused by small-arms fire and possible 82mm mortar rounds. The UAV also spotted recent damage to the east-facing side of the building, assessed as caused by undetermined weapons, as well as nearby trenches and Ukrainian Armed Forces personnel. The SMM was not able to determine the direction of fire.”

(vi) 2019

1191. The relevant part of the SMM update for 17 February 2019 read as follows:

“On 15 February, in a residential area of south-eastern Novoluhanske (government-controlled, 53km north-east of Donetsk), an SMM mini-unmanned aerial vehicle (UAV) spotted a residential building in rubble, with the walls assessed as blown outwards in all directions. A broken triangular-shaped overhang was observed on the north-west corner of the roof of an adjacent non-residential building (damage to both buildings was not visible in imagery from 3 November 2018). The SMM could not assess the cause of the above-mentioned damage.”

1192. The relevant part of the SMM update for 13 March 2019 read:

“On 12 March, an SMM mid-range unmanned aerial vehicle (UAV) spotted damage to the roof of a building, assessed as caused by artillery or mortar impacts, in the north-western part of the Bakhmut Agrarian Union’s pig farm near Novoluhanske (government-controlled, 53km north-east of Luhansk). The same UAV also spotted a crater next to a power pylon 200m north of the aforementioned building, assessed as caused by a 120mm mortar round (all observations not seen in imagery from 16 February 2019).”

1193. The relevant part of the SMM update for 26 March 2019 read:

“At 1 Moskalevskoho Street in Marinka (government-controlled, 23km south-west of Donetsk), the SMM saw a hole in the north-facing part of the roof on a one-storey house (the SMM noted that a sheet of plywood had been placed over the hole to repair the roof). The SMM assessed the hole as caused by a round of an undetermined weapon fired from a north-easterly direction.”

1194. The relevant part of the SMM update for 28 March 2019 read:

“In Chermalyk, the SMM followed up on reports of shelling in the evening of 27 March. At an inhabited one-storey residential house at 68 Chervonoarmiiska Street, the SMM observed two freshly shattered windows (one east-facing and one north-facing), fresh damage to a west-facing wooden fence, as well as a fresh crater with a tail fin assessed as from a rocket-propelled grenade (RPG-7) inside it about 6m east from the house. The SMM assessed the damage as caused by an RPG round fired from an easterly direction.”

1195. The relevant part of the SMM update for 1 April 2019 read:

“On 30 March, on the north-eastern edge of Zolote-2/Karbonit (government-controlled, 62km north-west of Luhansk), the SMM observed six fresh craters: two in a field on the western side of a bridge that connects Zolote-2/Karbonit with Hirske (government-controlled, 63km west of Luhansk), three in a field on the eastern side of the bridge and one on the tarmac road on its south-eastern edge, all at a distance of 1-30m from the road. The SMM assessed the craters as caused by 120mm mortar rounds fired from an undetermined direction.

Also on the north-eastern edge of Zolote-2/Karbonit, at 43 Molodizhna Street, the SMM saw three shattered east-facing windows, two on the ground floor and one on the fifth floor of a five-storey apartment building. At 44 Molodizhna Street, the SMM saw a shattered east-facing window pane and five fresh holes in five east-facing windows on the ground floor of a five-storey residential building. At both locations, the SMM assessed the damage as caused by shrapnel. Two residents (men, aged 30-60) of the damaged flats on the ground and fifth floors told the SMM that they had been at home with their families in the afternoon of 29 March at around 17:00 when shelling had occurred. At Lunacharskoho Street, the Mission saw five fresh holes, assessed as caused by shrapnel, in five north-facing windows of a two-storey building of an operational school.”

1196. The relevant part of the SMM update for 9 April 2019 read:

“On 8 April, on the western edge of Trokhizbenka (government-controlled, 32km north-west of Luhansk), at 152 Donetska Street, the SMM saw four shattered windows and fresh scratches in their wooden frames, as well as fresh marks assessed as shrapnel damage in the south-facing wall of a barn located about 33m north of a single-storey house and about 600m from a checkpoint of the Ukrainian Armed Forces. About 1m further north, the SMM saw a hole in the roof of a second barn. At 154 Donetska Street, about 55m north-east of another single-storey house, the SMM saw a fresh crater and scorch marks within a 15m radius of the crater, as well as scorched tree branches on the nearby ground. About 32m north of the same house, the SMM saw a hole (assessed as fresh damage) in the west side of the roof of a barn. At 156 Donetska Street, the SMM saw 10-15 holes in the east- and north-facing walls of a single-storey house (all assessed as fresh shrapnel damage).

At 166 Donetska Street (about 100m west of the previous house), in a field about 40m north of an abandoned single-storey house, the SMM saw a fresh crater with scorch marks around it. At 168 Donetska Street, the SMM saw five freshly shattered windows in the west-, north- and south-facing walls) of a single-storey house as well as a fresh crater about 5m west of the same house. At 237 Donetska Street (about 5m north of the previous house), the SMM saw a hole in the west-facing side of the roof of a single-storey house, assessed as fresh shrapnel damage, as well as a fresh crater about 75m west-south-west of the same house (and 12m south of a local road).

The SMM assessed all the craters and damage to residential houses as caused by mortar rounds fired from a south-south-easterly direction. Four residents of the above-mentioned street (three women and a man, aged 50-60) separately told the SMM that they had been in their houses with their families when shelling had occurred in the evening of 6 April.”

1197. The relevant part of the SMM update for 12 April 2019 read:

“On 12 April at 2 Nyzhno Dachna Street in Zolote-3/Stakhanovets (government-controlled, 61km west of Luhansk), the Mission saw that all window

panes on the north- east-, and west-facing walls of an inhabited house were shattered and that shards of glass were scattered on the ground. It observed shrapnel damage to the wooden frames of the windows as well as to the north- and west-facing wall. The SMM saw that five south- and west-facing windows of a summer kitchen located about 2m north of the house were broken and observed shrapnel damage to its south- and west-facing walls, as well as to the top part of a root cellar that is attached to the kitchen's east side. West of the house, it observed a shed whose windows and roof were destroyed. The Mission saw at least 15 holes in the ground (5-20cm in diameter), most of them in the area between the house and the summer kitchen. It also observed that branches on the south-eastern side of a tree growing west of the shed were broken and that parts of the bark had been torn off. The SMM assessed all damage as fresh and caused by a mortar round fired from a south-south-easterly direction which impacted in the upper branches of the tree. A man and a woman (in their seventies) who introduced themselves as the residents of the property told the SMM that the damage had been caused during shelling on the morning of 11 April when they were at the property."

1198. The relevant part of the SMM update for 17 April 2019 read:

"On the south-western edge of Trokhizbenka (government-controlled, 32km north-west of Luhansk) at 245 Donetska Street, the SMM saw a broken north-facing window of a house and shrapnel damage to a north-facing iron fence. The SMM saw a crater approximately 35m north of the house, assessed as recent and caused by a 120mm mortar round fired from a southerly direction. A resident of the house (male, 80 years old) told the SMM that he had been inside of the house with his wife when shelling took place in the evening of 6 April.

At 241 Donetska Street, the SMM saw a broken west-facing window and shrapnel damage on the west-facing wall of a house and a wooden door of a shed about 25m south. In a garden 30m south of the house, the SMM saw a crater assessed as caused by an 82mm mortar round fired from a south-south-easterly direction. Approximately 200m east of the previously mentioned house, at a residential house at 225 Donetska Street, the SMM saw a crater assessed as caused by an 82mm mortar round fired from a south-south-easterly direction in a garden approximately 25m south of the house, along with three damaged beehives, shrapnel damage to a chimney and wooden fence on the eastern side of the house, and metal fragments assessed as belonging to an exploded 82mm mortar shell. At 223 Donetska Street, the SMM saw a broken south-facing window and a broken powerline near the southern gate of the house, all assessed as caused by shrapnel. Residents of all three houses told the SMM that shelling had taken place in the evening of 16 April and that Donetska Street was without power due to the damages (for previous reports of shelling on Donetska Street, see SMM Daily Report 10 April 2019)."

1199. The relevant part of the SMM update for 7 May 2019 read:

"On the eastern edge of Marinka (government-controlled, 23km south-west of Donetsk), at 128 Zhovtneva Street, the SMM saw fresh shrapnel damage to a north-eastern facing metal fence about 2m of an inhabited single-storey house and a fresh crater in an asphalted road about 4m north-east of the same house (and about 600m west-south-west of an old industrial compound displaying a red and gold flag on the western edge of Petrovskiyi district in Donetsk city (non-government-controlled). The SMM assessed the crater as caused by the impact of a fragmentation grenade (VOG-25 or VOG 25-P, 40mm) fired from a south-westerly direction. The SMM saw several members of the State Emergency Services conducting repairs to the roof of the same house (which was covered by a nylon sheet) and replacing asbestos sheets on the roof

of another house at 137 Zhovtneva Street. One of them said that they were performing scheduled repairs in the area.

At 128a Zhovtneva Street, the SMM saw cracked glass in a north-west facing window and shrapnel damage to the north-west facing side of a single-storey house. It also saw cracked glass in a south-west facing window and in a south-west facing door of a summer kitchen (about 2m south-west of the same house), as well as fresh shrapnel damage to the south-west facing side of a small construction and to a tree in the garden (about 3m and 2m north-west of the same house, respectively). About 2m north-east of the house, the SMM observed freshly moved soil which, according to the owner of the house (woman, aged 60-70), was used to cover a crater in the yard. The SMM could not assess the type of weapon used or direction of fire.

At 144 Zhovtneva Street (about 40m of the previous house), the SMM saw over 80 holes in a south-west facing metal fence about 2m south-west of an inhabited single-storey house and in two nearby parked cars. The SMM could not assess the type of weapon used or direction of fire. Three residents of the abovementioned street (two men and a woman, aged 50-90) told the SMM that they had been in their houses (some of them with their families) when shelling had occurred in the morning hours of 3 May.

About 1.5km east-south-east of the abovementioned location, at 285 Heroiv Chornobylia Street, the SMM saw two collapsed south-eastern facing walls. It also saw about five members of the State Emergency Service replacing wooden sections of the roof of the same house. The SMM could not assess the type of weapon used or direction of fire.

About 70m west of the abovementioned house, at 291 Heroiv Chornobylia Street, the SMM saw at least seven holes in the south-eastern and south-western-facing sides of a single-storey house (assessed as fresh and caused by shrapnel) and three shattered south-west-facing windows (covered by wooden panels), as well as fresh shrapnel damage to the plastic frame of one of the windows.

In the same area, the SMM saw a position of the Ukrainian Armed forces and that two houses were being used by them. Three residents of the above-mentioned street (three women, aged 30-80) told the SMM that they had been in their houses when shelling had occurred in the early morning hours of 3 May.”

1200. The relevant part of the SMM update for 9 May 2019 read:

“On 8 May, on the northern edge of Troitske (government-controlled, 69km west of Luhansk) at a functioning school on Kvitkova Street, the SMM saw a fresh hole in a second-floor south-facing window of a school building, assessed as caused by small-arms fire. The SMM also saw a fresh crater in a field, approximately 120m south-east of the school, along with nearby footprints and signs of digging, but was unable to assess the type of weapon or direction of fire. A local resident (male, 30 years old) told the SMM that he had been present in the area when he had heard shelling on the morning of 6 May.

On the same day, at 52 1-a Vilna Street on the northern edge of Zolote-4/Rodina (government-controlled, 59km west of Luhansk), the SMM saw a crater assessed as caused by an 82mm mortar round (unable to determine the direction of fire) on the side of a road about 5-7m west of the front gate of an uninhabited house. The SMM also saw the tailfin of an 82mm mortar round embedded in the ground about 4-6m east of the crater. About 5m west of the previously mentioned house, at 53 1-a Vilna Street, the SMM saw fresh holes in and scratches on the roof of a one-storey summer kitchen located 1m east of the main house. The SMM also saw over 50 holes in the east-facing gate of the house, in two north-facing doors and in two north-facing window frames, all

assessed as fresh and caused by shrapnel. A resident (male, 40 years old) told the SMM that he had been at home when he had heard an explosion in the yard on the evening of 7 May.”

1201. The relevant part of the SMM update for 10 May 2019 read:

“On 9 May, the SMM saw a crater on the south-eastern side of Lermontova Street in Troitske, about 160m south-east of a recently damaged school building on Kvitkova Street (see SMM Daily Report 10 May 2019). The Mission assessed the crater as recent and probably caused by an 82mm round fired from a south-easterly direction. The director of the school and a resident of Troitske (a woman in her fifties) separately told the SMM that there had been shelling in the area on the morning of 6 May. The director added that there had been classes at the school at the time when shelling had occurred.”

1202. The relevant part of the SMM update for 16 June 2019 read:

“On 15 June, at a one-storey house at 292 Shevchenka Street in a residential area on the south-eastern edge of Marinka (government-controlled, 23km south-west of Donetsk) less than 1km from the contact line, the SMM saw a man (61 years old) with injuries to his right arm and chest. He told the SMM that he had heard several explosions while inside his house in the early morning hours of 14 June, and had attempted to move his family to a nearby shelter when he saw a bright light and lost consciousness. Outside the house, the SMM saw a 2.5m hole in the south-facing wall, three shattered west-facing windows, as well as debris on the ground. Inside, the SMM saw a living room with destroyed furniture, a partially destroyed interior wall, and debris on the ground. The SMM assessed that all damage was fresh and had been caused by artillery rounds, but was unable to assess the type of weapon or direction of fire. At a summer kitchen about 5m south of the house on the same property, the SMM saw a west-facing wall completely destroyed, as well a shattered east-facing window, dislodged ceiling materials and debris inside on the ground. The SMM assessed that the damage was caused by a shockwave created from the shelling.

At a hospital in Kurakhove (government-controlled, 40km west of Donetsk), on 16 June, the SMM saw the wife (56 years old) of the abovementioned man with cuts and bruises to her right hand and leg. She said that in the early morning hours of 14 June, while inside her house, she had heard an explosion, saw a bright light and smoke, then lost consciousness. Shortly after, the woman told the SMM she had regained consciousness and had seen all four of her family members being pulled from the rubble of her house with injuries. On 16 June, medical staff at the hospital told the SMM that the woman had sustained bruises from debris and shrapnel injuries to both of her legs and hands, and that the man had sustained bruises from debris and shrapnel wounds to both his hands and legs. Medical staff also said that the woman’s granddaughter (nine years old), daughter (30 years old) and father-in-law (86 years old) had sustained injuries, including bruises and shrapnel wounds as a result of the incident.”

1203. The relevant part of the SMM update for 21 June 2019 read:

“At 41 Pervomaiska Street in the centre of Chermalyk (government-controlled, 31km north-east of Mariupol), about 500m from the contact line, the SMM observed a fresh crater (10cm in diameter) in the concrete tiles 2m south of the south-facing metal gate of a residential single-storey house, as well as at least 50 fresh small holes in the aforementioned metal gate and the adjacent south-facing entrance door. The Mission also observed at least 15 fresh holes on the east-facing wall of a summer house located about 5m west of the house, as well as a hole in its east-facing window. The SMM assessed that the crater was caused by a projectile of an anti-aircraft gun (ZU-23-2, 23mm) fired from a southerly direction and that the holes were caused by shrapnel. The

owner of the house (a woman in her eighties) told the SMM that she had been at home on the evening of 20 June, when she had heard shelling.”

1204. The relevant part of the SMM update for 23 June 2019 read:

“On 21 June at a hospital in Mariupol (government-controlled, 102km south of Donetsk), a woman (in her fifties) with a bandage on her left collarbone told the SMM that on the evening of 20 June she had been standing near the north-east-facing entrance door of her house at 25 Kalmiuska Street in the south-western part of Chermalyk when she heard a loud noise and immediately felt pain and saw blood streaming down from her left collarbone. At the same hospital, medical staff told the SMM that the woman had been admitted in the early hours of 21 June with a wound to her collarbone.

On 22 June at 25 Kalmiuska Street, while accompanied by two Ukrainian Armed Forces personnel, the SMM saw seven holes in four shattered south-east-facing windows of a one-storey house, five holes in the north-east-facing side of a shed 5m south-west of the first house and three holes in an east-facing metal fence 5m from the shed. The SMM assessed the damage as fresh and caused by shrapnel from anti-aircraft gun (ZU-23, 23mm) rounds fired from an easterly direction. A resident of the house (man in his fifties) told the SMM that gunfire had occurred on the evening of 20 June while he was at home with his wife, who had been wounded as a result. For recent observations in this settlement, see SMM Daily Report 22 June 2019.”

1205. The relevant parts of the SMM update for 4 July 2019 read:

“On 4 July, the SMM followed up on reports that a building was damaged by shelling on 30 June in Marinka (government-controlled, 23km south-west of Donetsk). At 147 Prokofieva Street, the Mission saw a fresh crater in the garden of a house, assessed as caused by an undetermined weapon fired from a north-easterly direction. About 3m west-north-west of the crater, the SMM observed two recently broken window panes placed on the ground against a wall. About 3m south-south-east of the crater, it also saw two holes on the north-north-east-facing wall of a shed. The Mission assessed the damage as caused by shrapnel. About 10m south-east of the same house, the SMM saw pieces of concrete chipped off on all sides of an electricity pylon and recently cut electrical cables along the street. The Mission could not assess the type of weapon used and direction of fire. A resident of the house (woman, 49 years old) told the Mission that, while at home, she had heard two explosions in the early morning hours of 30 June.

...

The same aerial imagery [of 2 July] also revealed ongoing fires and numerous recently burnt buildings in residential areas (some destroyed, and others damaged) in the western part of Pikuzy, and in the southern part of Vodiane (government-controlled, 94km south of Donetsk), as well as numerous fresh craters in areas north and west of Pikuzy and north-east of Vodiane (all not seen in imagery from 16 June). The SMM was unable to assess the type of weapons used and direction of fire.

On 3 July, an SMM mini-unmanned aerial vehicle (UAV) spotted a damaged concrete panel fence in the backyard of a building in a residential area in the centre of Novoluhanske (government-controlled, 53km north-east of Donetsk). The Mission was unable to assess the type of weapon used and direction of fire. About 600m further west, on the edge of a field, the same UAV spotted a crater (assessed as caused by a 82mm mortar round fired from an undetermined direction) and a probable crater 80m apart.”

1206. The relevant part of the SMM update for 8 July 2019 read:

“At a hospital in Toretsk (formerly Dzerzhynsk, government-controlled, 43km north of Donetsk), the SMM saw a man (78 years old) with bandages on his head and lower part of his back. The man told the SMM that on 6 July, while standing outside his house at 241 Stakhanovska Street in Novhorodske (government-controlled, 35km north of Donetsk), he had heard a loud explosion and subsequently noticed shrapnel injuries to his head, neck and spine. He added that his vegetable garden is located next to positions of the Ukrainian Armed Forces. Medical staff told the SMM that the man was admitted on the evening of 6 July with shrapnel injuries to his head and spine. The police also confirmed to the SMM that the man had been injured by shrapnel and that it had opened a criminal investigation.”

1207. The relevant parts of the SMM update for 16 July 2019 read:

“On 12 July, a resident of Chermalyk (government-controlled, 31km north-east of Mariupol) told the SMM that on the evening of 11 July, he had gone to see one of his neighbours at 63 Kalmiuska Street after hearing shelling in the area. The man added that, when he had arrived at his neighbour’s house, he saw medical staff carrying his neighbour into an ambulance. On 15 July, medical staff at a morgue in Mariupol told the SMM that the body of a resident (man, aged 49) of 63 Kalmiuska Street in Chermalyk had been brought in with fatal shrapnel injuries to his head, legs and torso.

At 63 Kalmiuska Street, the SMM saw a shed with a piece of wall missing as well as bricks and debris on the ground. About 5m from the shed, in a single-storey house, the SMM saw six shattered windows and shrapnel marks on the window frames and a wall, as well as wooden planks lying on the ground below the windows. The SMM also saw a blood stain on the ground in the entry way to the house (next to the aforementioned wall). The SMM could not assess the type of weapon used or the direction of fire.

...

On 15 July, at 48 Shevchenka Street in the central part of Marinka (government-controlled, 23km south-west of Donetsk), the SMM saw a hole in a metal fence about 5m from a residential house and a scratch in an asphalt driveway about 1.5m north-east from the hole, all assessed as fresh and caused by a projectile (weapon type unknown) fired from a north-easterly direction. A resident of the house (a woman in her sixties) told the SMM that she had been at home on the evening of 11 July when she heard an explosion.

On 16 July, about 450m south-west of 48 Shevchenka Street, at a two-storey building at 12 Zavodska Street, the SMM saw damage to three apartments. At a ground-floor apartment, the SMM saw two shrapnel holes in an outer north-facing wall, assessed as fresh and caused by shrapnel. A resident of the apartment (a man in his sixties) told the SMM that he had been at home on the evening of 11 July when he heard an explosion. At another ground floor apartment, the SMM saw a shattered north-facing window and a hole (15cm in diameter) on the north-facing wall of a second-floor apartment above it. It assessed the damage as fresh and caused by an airburst (for previous observations in the area, see SMM Daily Report 16 July 2019).”

1208. The relevant part of the SMM update for 19 July 2019 read:

“On the same day, in Marinka (government-controlled, 23km south-west of Donetsk), at 45 Prokofieva Street (approximately 1.5km west of the contact line), the SMM saw a hole (30cm in diameter) and five destroyed bricks in the left upper corner on the north-east facing wall of an inhabited house. The SMM saw another hole (8cm in diameter) on the left lower side of the same wall and shattered glass at the upper corner of the window located on the same wall. The Mission assessed the damage as fresh and

caused by 30mm projectile. A woman (in her forties) residing in the house, told the SMM that gunfire had occurred in the evening of 11 July when at around 22:30, while inside the house, she heard an explosion hit her house. At 54 Prokofieva Street, the SMM saw four fresh holes (3cm in diameter each) on the north-east facing side of a one-storey inhabited house. A man (in his seventies), presenting himself as a resident, told the SMM that on 11 July at around 22:20 he was inside the house with his wife when he heard gunfire.”

1209. The relevant part of the SMM update for 21 July 2019 read:

“On 20 July, in Chermalyk, accompanied by a Ukrainian Armed Forces representative to the JCCC, the SMM followed up on reports of shooting.[2] At 16 Nikitina Street, the SMM saw six holes in the north-westerly and north-easterly facing walls of a one-storey residential house, three holes in the electricity metre below the roof on the house’s north-facing wall, as well as multiple holes on the metal fence surrounding the yard on the north-eastern side of the house. Also, the Mission observed a fresh crater about 10m north-west of the house on the northern side of a road, with a tailfin and shrapnel pieces inside the crater, assessed as being parts of a grenade from a recoilless-gun (SPG-9, 73mm). The owner of the house (a woman in her forties) told the SMM that she had been at home in the evening hours of 19 July, and that electricity had been cut off as a result of shelling.

In a field about 20m north-west of the aforementioned house, the SMM saw a fresh crater with a tailfin and shrapnel pieces inside the crater.

About 100m north-west of the aforementioned house, at 3a Nikitina Street, the SMM observed eight holes in the north-western and eastern walls of a one-storey residential house, as well as four holes in the steel roofing plates above the aforementioned walls. On the ground in front of the walls, the SMM saw multiple shrapnel pieces. The owner of the house (a woman in her forties), told the Mission that she had been at home when the shooting had occurred in the evening hours of 19 July.

At 7 Nikitina Street, about 150m north-east of the house at 3a Nikitina Street, the SMM saw four holes in the south-west facing wall of a one-storey residential house, a hole in a window of the same wall, and five pieces of shrapnel lying on the asbestos-plated roof of a barn 5m north-east of the aforementioned house. Also, the Mission observed a fresh crater in a field about 15m north-west of the aforementioned house, with a tailfin and parts of a tube inside the crater. The owner of the house (a woman in her sixties) told the SMM that she had been at home when she had heard shooting in the evening hours of the 19 July.

The Mission assessed the above mentioned crater and damage to be fresh and caused by a grenade from a recoilless-gun (SPG-9, 73mm) fired from an east-north-easterly direction.”

1210. The relevant part of the SMM update for 11 August 2019 read:

“The SMM followed up on reports of two women (in their sixties) who sustained injuries due to shelling on 28 February in the eastern part of Troitske (government-controlled, 69km west of Luhansk). On 4 March, the head of the Troitske administration (a man, in his thirties) told the Mission that on 1 March on Soniachna Street he had seen two women, both residents of the street – one with injuries to her leg, the other with injuries to her arm, both due to shelling. The SMM was unable to access the street due to security considerations.

In late July at a one-storey house at 20 Soniachna Street in Troitske, a woman (in her sixties) told the Mission that she lived there and that on the evening of 28 February she

had been at home when she heard an explosion and saw one window pane breaking and pieces of broken glass hitting her leg. She also said that the roof of her house had been damaged. When the SMM was speaking with the woman it saw that three east-facing windows and the roof of the house had been repaired.

Also in late July, at 21 Soniachna Street, at a one-storey house across the street from the above-mentioned house, another woman (in her sixties) told the Mission that she lived there and that on the evening of 28 February she had been in the yard in front of her house when she saw and heard three impacts near the house at 20 Soniachna Street. She said that she had sustained injuries to her arm and face from the ensuing pieces of shrapnel. She added that three west-facing windows of her house had been damaged. When the SMM was speaking with the woman it saw that three west-facing windows had been repaired.

Medical staff at the clinic in Troitske told the Mission that a woman (in her sixties) from 20 Soniachna Street with a cut to her leg caused by glass debris and another woman (in her sixties) from 21 Soniachna Street with injuries caused by shrapnel had been treated at the clinic on the morning of 1 March.”

1211. The SMM daily report 252/2019 issued on 24 October 2019 read, in so far as relevant:

“The SMM’s monitoring and freedom of movement are restricted by security hazards and threats, including risks posed by mines, UXO and other impediments – which vary from day to day.

...

Nonetheless, the armed formations in parts of Donetsk and Luhansk regions frequently deny the SMM access to areas adjacent to Ukraine’s border outside control of the Government (for example, see SMM Daily Report 23 October). The SMM’s operations in Donetsk and Luhansk regions remain restricted following the fatal incident of 23 April 2017 near Pryshyb; these restrictions continued to limit the Mission’s observations.

Regular restrictions related to disengagement areas and mines/UXO:

The sides continued to deny the SMM full access, as well as the ability to travel certain roads previously identified as important for effective monitoring by the Mission and for civilians’ movement, through failure to conduct comprehensive clearance of mines, UXO and other obstacles.

Other impediments:

At Hospital No. 2 in Horlivka (non-government-controlled, 39km north-east of Donetsk), medical staff refused to provide the Mission with information about civilian casualties without written permission from members of the armed formations.

An SMM mini-UAV lost its GPS signal on three occasions due to signal interference, assessed as caused by probable jamming, while flying near Petrivske (non-government-controlled, 41km south of Donetsk).”

1212. The SMM daily report 269/2019 issued on 13 November 2019 read, in so far as relevant:

“While monitoring adherence to the ceasefire to facilitate repairs to pipes at a Phenol Sludge Reservoir near Zalizne (formerly Artemove, government-controlled, 42km north-east of Donetsk), positioned about 2km west of Zalizne, the SMM heard and saw

an explosion, assessed as an impact, about 300m south-east. Shortly thereafter, a Ukrainian Armed Forces officer of the JCCC told the SMM that the repair works were cancelled for the day due to the ceasefire violation.”

(vii)2020

1213. The SMM daily report 4/2020 issued on 7 January 2020 read, in so far as relevant:

“Compared with the previous 24 hours, the SMM recorded fewer ceasefire violations in Donetsk region and more in Luhansk region.

...

In Donetsk region, the SMM recorded fewer ceasefire violations, including a similar number of explosions (31), compared with the previous 24 hours (about 30 explosions). The majority of ceasefire violations were recorded in southerly directions of the Donetsk Filtration Station (DFS) (15km north of Donetsk), including two explosions assessed as airbursts at a range of 200-500m south-south-west, and in areas east-south-east of Hnutove (government-controlled, 84km south of Donetsk).

In Luhansk region, the SMM recorded more ceasefire violations, including 95 explosions, compared with the previous 24 hours (no explosions). The majority of ceasefire violations were recorded in northerly directions of Holubivske (non-government-controlled, 51km west of Luhansk) and in areas north-east of Zolote-5/Mykhailivka (non-government-controlled, 58km north-west of Luhansk).”

1214. The SMM daily report 38/2020 issued on 15 February 2020 read, in so far as relevant:

“Members of the armed formations restricted the SMM’s freedom of movement at checkpoints in Verkhnohshyrokiivske and Samiilove, in southern Donetsk.

...

Denial of access:

At a checkpoint near Verkhnohshyrokiivske (formerly Oktiabr, non-government-controlled, 85km south of Donetsk), an armed member of the armed formations again denied the SMM passage, citing ‘ongoing demining and engineering activities in the areas of Pikuzy (formerly Kominternove, non-government-controlled, 92km south of Donetsk) and Sakhanka (non-government-controlled, 97km south of Donetsk)’. While at the checkpoint, the SMM saw civilian traffic proceeding in both directions.

At a checkpoint in Samiilove (non-government-controlled, 89km south of Donetsk), an armed member of the armed formations denied the SMM passage, citing ‘ongoing technical activities in the area’. Subsequently, members of the armed formations escorted the SMM towards the southern exit of the village thus preventing it from reaching its planned mini-UAV launching spot from which to conduct a flight over the area.

Regular restrictions related to disengagement areas and mines/UXO:

The sides continued to deny the SMM full access, as well as the ability to travel certain roads previously identified as important for effective monitoring by the Mission and for civilians’ movement, through failure to conduct comprehensive clearance of mines, UXO and other obstacles.

Other impediments:

An SMM mid-range UAV experienced signal interference, assessed as caused by probable jamming, while flying near Pavlopil (government-controlled, 84km south of Donetsk). Two SMM mini-UAVs experienced GPS signal interference, assessed as caused by probable jamming, while flying near the disengagement area near Zolote (government-controlled, 60km west of Luhansk) (see above) and Krynychanske (formerly Chervonohvardiiske, non-government-controlled, 42km west of Luhansk)."

1215. The spot report 6/2020 of 30 March 2020 "Members of the armed formations continued to deny SMM patrols passage at three checkpoints in Donetsk region and two in Luhansk region" read as follows:

"On 28, 29 and 30 March, members of the armed formations again denied attempts of the SMM to travel towards non-government-controlled areas – seven times in Donetsk region, and three times in Luhansk region, along official crossing routes.

On 28 March, at a checkpoint east of Kreminets (non-government-controlled, 16km south-west of Donetsk) on road H-15, four members of the armed formations denied an SMM patrol – comprising three vehicles and three members travelling from government-controlled areas – passage towards non-government-controlled areas, citing 'the closure of the checkpoint due to COVID-19'.

On 28, 29 and 30 March at a checkpoint 200m south of the Stanytsia Luhanska bridge (15km north-east of Luhansk), members of the armed formations denied the SMM passage towards non-government-controlled areas, citing 'orders from superiors'.

On 28, 29 March and 30 March, at a checkpoint west of Verkhnohshyrovsk (formerly Oktiabr, non-government-controlled, 85km south of Donetsk), members of the armed formations (some of them visibly armed) denied the SMM passage towards non-government-controlled areas, citing 'the closure of the checkpoint due to COVID-19' on 28 March, 'demining activities in the area' on 29 March and 'orders from superiors related to COVID-19' on 30 March.

On 28, 29 and 30 March, at a checkpoint near Olenivka (non-government-controlled, 23km south-west of Donetsk), members of the armed formations (some of them visibly armed) again denied the SMM passage towards non-government-controlled areas, citing 'the closure of the checkpoint' on 28 March, and providing no reason on the following two days.

In addition, on 30 March, at the boundary line between Donetsk and Luhansk regions near Debaltseve (non-government-controlled, 58km north-east of Donetsk), four members of the armed formations denied an SMM patrol – comprising two vehicles and four members travelling from non-government-controlled areas of Luhansk region – passage towards non-government-controlled areas of Donetsk region, citing 'new rules concerning virus protocols' and 'the requirement to provide health certificates' in order to pass.

The Mission began facing repeated denials when attempting to cross into non-government-controlled areas at checkpoints of the armed formations in Donetsk region on 21 March and Luhansk region on 23 March (see SMM Spot Reports 2/2020, 3/2020, 4/2020 and 5/2020). They restrict the SMM's freedom of movement across the contact line, thus impeding the implementation of its Mandate throughout the country."

1216. The SMM daily report 81/2020 issued on 6 April 2020 read, in so far as relevant:

“On 5 April, medical personnel at a hospital in Toretsk (formerly Dzerzhynsk, government-controlled, 43km north of Donetsk) told the SMM by phone that on the evening of 4 April, a woman (aged 68) with shrapnel wounds in one of her legs had been brought in from Verkhnotoretske (government-controlled, 23km north-east of Donetsk). On 5 April, the woman told the SMM by phone that on the afternoon of 4 April, she had been in the yard of her house in Verkhnotoretske when she heard shooting and explosions nearby. She added that shortly thereafter, she had felt pain in her lower left leg.”

1217. The SMM daily report 101/2020 issued on 29 April 2020 read, in so far as relevant:

“On 26 April, on the southern edge of Novooleksandrivka (government-controlled, 65km west of Luhansk), an SMM mini-unmanned aerial vehicle (UAV) spotted damage, assessed as fresh and caused by shelling, to uninhabited residential houses. Imagery from the UAV showed that three buildings out of a cluster of five were completely destroyed and two were missing their roofs. It also showed shrapnel damage to roofs of an additional two buildings about 500m south-west of said cluster. The same UAV also spotted at least 25 craters nearby, assessed as fresh impacts of mortar rounds (all of the above damage was not seen in imagery from 12 April 2020).”

1218. The SMM daily report 109/2020 issued on 8 May 2020 read, in so far as relevant:

“At school no.7, located on the north-eastern edge of Zolote-4/Rodina (government-controlled, 59km west of Luhansk), the SMM saw shattered glass in west-facing and south-south-west facing windows. The Mission assessed the damage as fresh and caused by shrapnel. Additionally, the SMM observed shrapnel damage to a birch tree about 15m south-west of the school building. The school director (woman in her thirties) told the SMM that shelling had occurred during the night on 30 April. The school is currently closed due to the COVID-19 outbreak.”

1219. The SMM daily report 113/2020 issued on 13 May 2020 read, in so far as relevant:

“On 12 May, at 119 Nekrasova Street in the southern part of Avdiivka (government-controlled, 17km north of Donetsk), the Mission observed a hole in the south-east-facing side of the roof of a one-storey house. The SMM assessed the damage as recent and caused by gunfire but could not determine the direction of fire. The mother (in her eighties) of the owner told the SMM that in the evening of 10 May, she, her daughter and her grandson had been in the house when they heard shelling.”

1220. The SMM daily report 118/2020 issued on 19 May 2020 read, in so far as relevant:

“The SMM followed up on reports of damage from shelling to the building of a functioning church in Avdiivka (government-controlled, 17km north of Donetsk). At 195 Krasna Street, the Mission saw recent shrapnel damage to the south-east-facing outer brick wall of the building and one hole in the same side of its roof. Two residents (men in their thirties and fifties) told the SMM that the area had been shelled on 10 May.”

1221. The SMM daily report 123/2020 issued on 25 May 2020 read, in so far as relevant:

“The SMM followed up on reports of a woman injured in Marinka (government-controlled, 23km south-west of Donetsk) on 7 April. On 9 April, medical staff at a hospital in Kurakhove (government-controlled, 40km west of Donetsk) told the Mission that a woman had been brought in from Marinka on 7 April. On 23 May, the woman (in her sixties) told the Mission that she had been on the porch of her home at 52A Telmanova Street in Marinka on the afternoon of 7 April when she heard an explosion and felt a sudden pain in her right leg. The woman added that shortly thereafter an ambulance had brought her to a hospital in Kurakhove. According to a medical certificate presented by the woman, she had sustained a shrapnel injury to her right knee on 7 April.

At the abovementioned address, the Mission saw recent shrapnel damage to an east-south-east-facing metal fence located about 5m east-south-east of a one-storey house. The woman told the Mission that the fence had been damaged on 7 April.”

1222. The SMM daily report 130/2020 issued on 2 June 2020 read, in so far as relevant:

“On 27 May, in an uninhabited summer cottage area about south-eastern edge of Kamianka (government-controlled, 20km north of Donetsk), an SMM UAV spotted recent damage, assessed as caused by probable mortar rounds to a two-storey house, assessed as being used by the Ukrainian Armed Forces. Within about a 100m radius of the building, the UAV spotted at least ten impact craters – all assessed as recent and caused by probable mortar rounds fired from north-easterly and easterly directions (not seen in imagery from 31 October 2019).”

1223. The SMM daily report 132/2020 issued on 4 June 2020 read, in so far as relevant:

“In Donetsk region, at a checkpoint north of Horlivka (non-government-controlled, 39km north-east of Donetsk), a member of the armed formations again denied the SMM passage towards non-government-controlled areas, referring to restrictions due to COVID-19 ...

In Luhansk region, at a checkpoint south of the Stanytsia Luhanska bridge (15km northeast of Luhansk), two members of the armed formations again denied the SMM passage towards non-government-controlled areas, referring to the closure of the checkpoint due to COVID-19.”

1224. The SMM daily report 135/2020 issued on 8 June 2020 read, in so far as relevant:

“In Donetsk region, on 6 June, at a checkpoint near Olenivka, members of the armed formations (one of them visibly armed) again denied the SMM passage towards non-government-controlled areas on one occasion, referring to quarantine restrictions due to COVID-19, and again denied passage towards government-controlled areas on another occasion, stating that ‘the SMM did not have permission to pass’.

...

In Luhansk region, at a checkpoint south of the Stanytsia Luhanska bridge (15km north-east of Luhansk), a member of the armed formations again denied the SMM passage towards government-controlled areas on 6 June and towards non-government-controlled areas on 7 June, on both occasions referring to the closure of the checkpoint due to COVID-19.”

1225. The spot report 31/2020 of 12 June 2020 “Members of the armed formations continued to deny SMM patrols passage at checkpoints in Donetsk and Luhansk regions” read as follows:

“From 6 to 12 June, members of the armed formations again denied SMM attempts to cross into non-government-controlled areas along official crossing routes: six times in Donetsk region and three times in Luhansk region, while further attempts to cross into government-controlled areas were also denied, twice in Donetsk region and four times in Luhansk region.

On 6, 7, 8, 9, 10, 11 and 12 June, at a checkpoint south of the Stanytsia Luhanska bridge (15km north-east of Luhansk), members of the armed formations continued to deny the SMM passage towards non-government-controlled areas on three occasions, and passage towards government-controlled areas on four other occasions, each time referring to the closure of the checkpoint due to COVID-19.

On 6 and 10 June, at a checkpoint near Olenivka (non-government-controlled, 23km south-west of Donetsk), members of the armed formations continued to deny the SMM passage towards government-controlled areas on two occasions, once stating that ‘the SMM did not have permission to pass’ and on the second occasion referring to quarantine restrictions due to COVID-19. On the same days, members of the armed formations denied the Mission passage towards non-government-controlled areas, both times referring to quarantine restrictions due to COVID-19.

On 8 and 12 June, at a checkpoint 600m west of Verkhnohshyrovsk (formerly Oktiabr, non-government-controlled, 85km south of Donetsk), members of the armed formations continued to deny the SMM passage towards non-government-controlled areas, referring to quarantine restrictions due to COVID-19.

On 9 June, at a checkpoint near Oleksandrivka (non-government-controlled, 20km south-west of Donetsk), members of the armed formations denied the SMM passage towards non-government-controlled areas, referring to quarantine restrictions due to COVID-19. On 10 June, members of the armed formations denied the Mission access to the area of their checkpoint east of Kreminets (located on the same crossing route as the above-mentioned checkpoint near Oleksandrivka) from where the Mission wanted to monitor civilians queuing to travel to government-control areas, referring to the ongoing closure of the checkpoint.

In addition, on 7 June, the Mission was again unable to proceed towards non-government-controlled at a checkpoint near Horlivka (non-government-controlled, 39km north-east of Donetsk) due to the presence of spikes laid across the road and of a mine hazard sign at the same checkpoint.

The Mission began facing repeated denials when attempting to cross into non-government-controlled areas at checkpoints of the armed formations in Donetsk region on 21 March and Luhansk region on 23 March (see previous SMM Spot Reports). They restrict the SMM’s freedom of movement across the contact line, thus impeding the implementation of its mandate throughout the country.”

1226. The SMM daily report 145/2020 issued on 19 June 2020 read, in so far as relevant:

“Additionally, the SMM followed up on reports of a woman who was injured due to shelling in Avdiivka (government-controlled, 17km north of Donetsk) on 15 June. On 16 June, medical staff at the Avdiivka city hospital told the SMM that a woman had arrived on the evening of 15 June with shrapnel wounds to her chest and that she was

currently in intensive care. On 16 and 17 June, the victim's husband told the SMM that he and his wife (60 years old) had been working outside of their home on the evening of 15 June when they heard shelling nearby. He had gone inside, but his wife had preferred to remain working in the garden. Shortly thereafter, he heard an explosion and his wife screaming, and saw that she was on the ground, bleeding. He said he had called an ambulance, which had taken his wife to the hospital in Avdiivka, where she had undergone surgery. On 17 June, police in Avdiivka told the SMM that a woman (60 years old) had been injured by shrapnel due to shelling on the evening of 15 June and that she had been taken to the hospital."

1227. The SMM daily report 150/2020 issued on 25 June 2020 read, in so far as relevant:

"In the south-eastern part of Avdiivka (government-controlled, 17km north of Donetsk), the SMM saw a fresh crater in a yard about 5m south of a one-storey residential house at 126 Turhenieva Street. The SMM saw fresh shrapnel damage to the south-facing side of the house and to the east-facing side of a chicken coop located about 1m west of the crater. About 1m east of the crater, the Mission saw a freshly demolished west-facing brick wall of a storage building and fresh shrapnel damage to its west-facing steel door, which had been torn from its hinges. The Mission assessed the damage as caused by the explosion of a mortar round (probable 120mm) fired from a north-north-westerly direction. The owner of the house (man in his fifties) told the Mission that he and his wife had heard an explosion on the evening of 18 June near their house.

About 350m north-west of the aforementioned house, the SMM saw two fresh craters (10m apart) about 120m south-south-east of an inhabited house at 106 Nekrasova Street. The Mission saw a shredded tree nearby and also saw shrapnel damage to a fence about 25m north of the craters. The Mission assessed the damage as caused by an explosion of a mortar or artillery round (probable 120mm or 122mm) fired from a north-easterly direction."

1228. The SMM daily report 162/2020 issued on 9 July 2020 read, in so far as relevant:

"The SMM followed up on reports of a woman (in her eighties) who died on 3 July as a result of shrapnel wounds in Zhovanka, a government-controlled area of Zaitseve (50km north-east of Donetsk).

On 4 July, a staff member at the central hospital in Bakhmut (formerly Artemivsk, government-controlled, 67km north of Donetsk) told the SMM that the body of a woman (in her eighties) had been brought to the morgue on the morning of 3 July.

On 8 July, the woman's daughter-in-law told the SMM that on the morning of 3 July, a neighbour had called to tell her that her mother-in-law had been injured in an explosion while near her home at 67 Manuilskoh Street in Zhovanka. The daughter-in-law said that by the time she had arrived at the house about an hour later, she had found that her mother-in-law had already died and that her body had been severely injured on the left side. She said she had seen blood in the yard and on the main road. She added that her mother-in-law had been taken to the morgue in Bakhmut and that following an autopsy, the coroner told her that she had died of blood loss as the result of shrapnel injuries.

On 6 July, to follow up on reports of shelling and the above civilian casualty, the SMM conducted a mini-unmanned aerial vehicle (UAV) flight over 67 Manuilskoh Street on the south-western edge of Zaitseve, which revealed a recent impact in the

backyard of a residential property (about 70m north of a house), assessed as caused by a mortar round (probable 82mm) fired from a southeasterly direction (for more information see SMM Daily Report 8 July 2020)."

1229. The SMM daily report 182/2020 issued on 1 August 2020 read, in so far as relevant:

"The SMM followed up on reports of a man injured in Marinka (government-controlled, 23km south-west of Donetsk) on 27 July.

On 28 July, a man (in his thirties) told the SMM by phone that on 27 July around midday, when he had been working in his garden in Marinka with his mother, he had heard a shot and the sound of a bullet flying past him. A few seconds later, as he tried to take cover, he heard an explosion. According to him, medical personnel of the Ukrainian Armed Forces, stationed nearby, brought him to a medical facility in Marinka, from where he was taken by ambulance to the hospital in Kurakhove (government-controlled, 40km west of Donetsk). On the same day, the man's mother told the SMM by phone that she had been in the same garden with her son on 27 July when she had heard a shot and then an explosion. She said that after running for cover, she had seen blood on her son's arm. The house and garden are located about 100m from the contact line. On 30 July, medical staff at a medical facility in Marinka told the Mission that on 27 July, they had provided first aid to a man with shrapnel injuries to his left arm, who had then been transported to the hospital in Kurakhove for further treatment."

1230. The SMM daily report 228/2020 issued on 24 September 2020 read, in so far as relevant:

"Also on the same day, outside the disengagement area, about 1.1km north of the Stanytsia Luhanska bridge and about 20m west of the EECP, the SMM saw a recent impact crater in soft ground, with burnt grass around it and shrapnel inside. The Mission was unable to determine the weapon that caused the crater or the direction of fire."

(viii)2021

1231. The SMM daily report 78/2021 issued on 6 April 2021 read, in so far as relevant:

"On 3 April, medical staff at the Krasnohorivka hospital told the Mission over the phone that a man (in his fifties) had been admitted on the afternoon on 2 April with shrapnel wounds to his left leg, and that he had been transferred to a hospital in Kurakhove (government-controlled, 40km west of Donetsk) for further treatment after he had received first medical aid. On the same day, a man (in his fifties) told the Mission over the phone that on 2 April he had been in his garden house at 25 Pershoho Travnia Street, in the eastern outskirts of Krasnohorivka, about 500m west of the contact line, when he had felt a sharp pain and seen bleeding from his left leg. He added that he then had driven to the nearby hospital for first aid, after which he had driven to the Kurakhove hospital for further treatment. Also on 3 April, medical staff at the Kurakhove hospital told the Mission that the man had arrived there on 2 April with shrapnel wounds in his left leg. On the same day, the SMM spoke on the phone with a woman, who introduced herself as the man's wife, who said that on 2 April at around 15:20, she had heard an explosion while she had been with her husband in their garden, and afterwards had seen him bleeding from his left leg."

1232. The SMM daily report 103/2021 issued on 6 May 2021 read, in so far as relevant:

“On 5 May, on the eastern edge of Krasnohorivka (government-controlled, 21km west of Donetsk), at a hospital which provides 24-hour medical care, the SMM saw wooden boards covering five north-facing windows on the first and second floors of a two-storey building as well as 30 members of the State Emergency Service of Ukraine near the building, some of whom were carrying wooden boards. The SMM saw shrapnel marks assessed as fresh on the north-facing wall of the two-storey building. The SMM was not able to assess the type of weapon used or direction of fire.

On the same day, medical staff told the SMM over the phone that there had been shelling in the area on the evening of 4 May while they were on duty at the hospital.”

1233. The SMM daily report 119/2021 issued on 25 May 2021 read, in so far as relevant:

“On 22 and 23 May, the Mission followed up on reports of damage due to shelling to four houses, three of which are inhabited, in the eastern part of Marinka (government-controlled, 23km south-west of Donetsk).

At 19 Donetska Street, the SMM observed an impact crater (about 50x25cm) in a garden about 25m south-east of the south-east-facing wall of an inhabited house. About 3m east of the crater, the Mission also saw three broken tree branches and, about 25m north-west of the crater, one and two holes, respectively, on two south-east facing windows of the same house.

At 21 Donetska Street, about 30m east-south-east of the previous address, the Mission saw an impact crater (about 30x15cm) in a garden about 25m south of the south-east-facing wall of an inhabited house. About 1m north-west of the crater, it saw a wooden fence with a broken asbestos panel. It also observed 11 fresh scratches on the trunk of a tree located about 4m north-west of the crater and a hole in an asbestos panel on the roof of an inhabited single-storey house located at 23 Donetska Street, about 30m north-north-east of the crater.

In the garden of an inhabited single-storey house located at 22 Moskalevskoho Street, about 60m south-south-west of the previous address, the Mission observed an impact crater (about 50x20cm) in a garden, about 12m north of the house’s north-west-facing wall and about 5m west of a wooden fence. About 15m north of the crater, the SMM observed two holes in the wooden fence and four dents on a south-south-east-facing brick wall of another single-storey house.

The Mission assessed all the above mentioned damage as fresh, the craters as caused by probable 82mm mortar rounds fired from an easterly direction and the damage to the fences, trees and windows as caused by shrapnel.

Two women (in their sixties) and a man (age unknown) who introduced themselves as the owners of the houses at 19 and 23 Donetska Street and 22 Moskalevskoho Street told the SMM that shelling had occurred on the afternoon of 20 May.”

1234. The SMM daily report 120/2021 issued on 26 May 2021 read, in so far as relevant:

“On 25 May, at 10 Ismailova Street in Hranitne (government-controlled, 60km south of Donetsk), the SMM saw an impact crater (about 1m in diameter) with metal fragments inside it in a yard about 30m south-east of the south-east facing partially-

collapsed wall of an inhabited single-storey house, and a hole in the glass pane on a window in the same wall (assessed as caused by shrapnel).

The SMM assessed all damage as fresh and caused by probable projectiles fired from an undetermined direction for the crater and from a south-easterly direction for the wall of the house.

A woman in her late seventies who introduced herself as the owner of the house told the Mission that, on 14 May, she had been at home when she heard a very loud explosion nearby, had gone outside, and heard another explosion.

On 24 May, at 7 Olimpiiska Street in Pisky (government-controlled, 11km north-west of Donetsk), an SMM mini-unmanned aerial vehicle (UAV) spotted a hole (about 2m in diameter) as well as a broken rafter and broken and missing asbestos panels on the east-facing part on the roof of single-storey house. It also saw shrapnel marks on the north-facing concrete driveway and broken tree branches lying on the same driveway. The SMM assessed the damage as recent and caused by probable mortar rounds fired from an undetermined direction.”

1235. The SMM daily report 122/2021 issued on 28 May 2021 read, in so far as relevant:

“The SMM followed up on reports of damage to civilian properties in Pivnichne (formerly Kirove, government-controlled, 44km north-east of Donetsk).

On the eastern edge of Yunosti Street, about 10m east of the junction with Kvitkova Street, the Mission observed a crater (about 60cm in diameter). It assessed it as fresh and caused by a probable anti-tank guided missile fired from an easterly direction.

About 10m north of the crater, at 16 Kvitkova Street, the SMM saw that asbestos panels of a fence, located 10m south of a one-storey inhabited house, were broken. It assessed the damage as fresh and caused by an explosion. A woman (in her sixties), who introduced herself as the owner of the house, told the Mission that her property, as well as the ones at 14 and 18 Kvitkova Street, had been damaged. About 10m south of the crater, at 14 Kvitkova Street, the SMM observed that asbestos panels of a fence, located about 4m north of a one-storey inhabited house, had been recently replaced.

About 350m north-north-west of the aforementioned crater, in a garage area near Pavlova Street, the SMM observed another fresh impact crater in the ground covered with gravel, as well as, just north of the crater, multiple holes and dents assessed as caused by shrapnel in the south-facing wall of a garage and dents in the garage’s metal gate. The SMM saw that the metal gate had been freshly painted over after the damage occurred. The Mission could not determine the type of weapon or the direction of fire.”

1236. The SMM daily report 158/2021 issued on 9 July 2021 read, in so far as relevant:

“On 7 July, on the south-eastern edge of Avdiivka (government-controlled, 17km north of Donetsk), about 1.7km north-west of the contact line, the SMM followed up on reports of recent damage to inhabited houses and craters nearby.

At 253 Soborna Street, an SMM mini-unmanned aerial vehicle (UAV) spotted a crater (1m in diameter) in a garden about 10m south-south-west of a single-storey house. The SMM also saw a tree with a branch and pieces of broken rind lying next to the crater. About 1m east-south-east of the same crater, the same UAV spotted a partially damaged wooden fence. The SMM saw a shrapnel hole in the north-facing wall of the same house, as well as three holes (2-5cm in diameter) in a windowpane in the same wall.

A woman (in her fifties), who introduced herself as the owner of the house, told the SMM that on the morning of 2 July, while she had been in her garden, she had heard two explosions and had immediately taken shelter in her house. She said that the first explosion had occurred far from the house, while the second had occurred nearby.

At 255 Soborna Street, the same UAV spotted another crater (1m in diameter) in a garden about 30m south-south-west of an inhabited single-storey house.

About 2km north-east of the previous house, at 20 Shkilna Street, the same UAV spotted a crater (1m in diameter) about 2m west of a single-storey house.

The same UAV spotted six craters between two single-storey houses at 74 and 75 Shkilna Street.

The Mission assessed all the damage and craters as recent and caused by probable mortar rounds and shrapnel, but could not determine the direction of fire.”

1237. The SMM daily report 165/2021 issued on 17 July 2021 read, in so far as relevant:

“On 14 July, the SMM followed up on reports of recent damage to civilian property and a power transformer in Taramchuk (government-controlled, 29km south-west of Donetsk).

On Shyroka Street, the Mission observed that one side of the gate of an uninhabited residential house was lying on the ground about 3m from its housing and that the other side of the gate and the gate pillars were damaged with numerous holes as well as shrapnel damage to the pillar. The Mission also saw that planks of a south-west facing wooden fence near the gate were lying nearby on the ground.

About 35m south-west of the gate, the Mission observed two holes in a power transformer and one hole in a concrete pillar. It also saw that the transformer’s two power lines had been cut and were lying on the ground. A further 15m south-east of the pillar, the SMM observed two craters on soft ground along the western side of the street.

The SMM assessed the damage and craters as recent and caused by artillery rounds fired from a north-easterly direction.

In the same settlement, a man (in his forties), who introduced himself as a local resident, told the Mission that he had heard shelling on the morning of 13 July.”

1238. The SMM daily report 166/2021 issued on 19 July 2021 read, in so far as relevant:

“On 18 July, the SMM followed up on reports of damage to five inhabited houses in New York (formerly Novhorodske, government-controlled, 35km north of Donetsk).

At 108 Kvitkova Street, the Mission observed a hole (about three meters in diameter) and a shattered window in the east-facing wall of a single-storey inhabited house, as well as a damaged metal fence lying on the ground adjacent to the house. The SMM also observed a shattered window in the house’s north-facing wall and shrapnel holes in its north-facing front gate. On the same day, an SMM mini-unmanned aerial vehicle (UAV) spotted a hole (also about three meters in diameter) on the house’s east-facing side of the roof, as well as several large pieces of damaged roof slates and bricks lying on the ground nearby. The Mission assessed the damage as recent and as caused by the impact of a probable mortar round fired from an easterly direction. A man (in his fifties), who introduced himself as the owner of the house, told the SMM that on the evening of

15 July he had heard a large explosion while he had been at his sister's house across the street.

At 99 Kvitkova Street, about 30m north of the abovementioned house, the SMM observed several shrapnel marks and a broken window in the south-facing wall of a single-storey inhabited building, as well as several holes in the house's south-facing metal gate. A woman (in her fifties), who introduced herself as the owner of the house, and as the sister of the owner of the house at 108 Kvitkova Street, told the Mission that she had seen the damage when returning home on the evening of 15 July. She added that her brother currently lived with her, as his house had become uninhabitable.

About 30m further north, at 110 Kvitkova Street, in the west-facing wall of a single-storey house, the Mission observed two shattered windows and damage to the main door, as well as a blown-off kitchen door and slates from the southern part of the kitchen roof lying on the ground. The SMM saw a further two shattered windows in the west-facing wall of house's garage, as well as a hole in its roof. It also saw that the slate fence between the aforementioned house and the house at 108 Kvitkova Street had broken-off slates lying on the ground. A woman (in her forties), who introduced herself as the owner of house, told the Mission that on the evening of 15 July, while she had been at home, she had heard an explosion followed by the sound of shattering glass.

At 112 Kvitkova Street, about 15m west of the abovementioned house, in the west-facing wall of an inhabited single-storey house, the SMM observed a shattered window and saw that slates on the roof's western side were displaced and cracked. A woman (in her sixties), who introduced herself as the owner of the house, told the Mission that on 15 July she had heard an explosion when she had been outside her house with three relatives.

At 114 Kvitkova Street, about 15m west of the abovementioned house, in the west-facing wall of a single-storey inhabited house the SMM observed two shattered west-facing windows. A woman (in her sixties), who introduced herself as the owner of the house, told the Mission that on the evening of 15 July she and her husband had been in their garden when they heard an explosion and saw grey smoke over a neighbour's house.

The Mission assessed the damage at 99, 110, 112 and 114 Kvitkova Street as recent and caused by the blast of an explosion due to an impact to the house on 108 Kvitkova Street."

1239. The SMM daily report 172/2021 issued on 26 July 2021 read, in so far as relevant:

"The Mission followed up on reports of a man (in his fifties) injured on 23 July in Marinka (government-controlled, 23km south-west of Donetsk).

On 24 July, a man (in his fifties) told the SMM over the phone that in the morning of 23 July, he had been in his garden in the eastern part of Marinka, when he had heard an explosion and started running to his house to take cover. He said he felt that he had sustained several injuries and had called an ambulance, which took him to a hospital in Kurakhove (government-controlled, 40km west of Donetsk).

On the same day, medical staff (male, age unknown) at the hospital in Kurakhove told the SMM over the phone that on 23 July he had treated a man (in his fifties) from Marinka, by removing shrapnel fragments from several wounds.

Also on the same day, a representative (male, in his forties) of the Pokrovsk district police in Kurakhove, told the SMM over the phone that in the morning of 23 July, a

nurse of the Marinka ambulance service had informed his police station that on the same day, a man had sustained shrapnel injuries in Marinka.

...

The SMM followed up on reports of damage to a civilian property in the centre of Opytne (government-controlled, 12km north-west of Donetsk).

On 25 July, at 12 Peremohy Street, the Mission saw the remains of a small brick outbuilding, which it assessed as uninhabited, about 20m south of an uninhabited residential house, with bricks and wood scattered around the remaining walls of the outbuilding. The SMM also saw that a brick fence located about directly west of the building had been severely damaged, with bricks lying on the ground. The Mission assessed the damage as recent and caused by a single explosion, but was not able to determine the type of weapon used nor determine the direction of fire.”

1240. The SMM daily report 185/2021 issued on 10 August 2021 read, in so far as relevant:

“The Mission followed up on reports of a man injured in Krasnohorivka (government-controlled, 21km west of Donetsk) on 5 August.

On 8 August, a woman (in her fifties), who introduced herself as the wife of a man (in his fifties) told the SMM that, on the morning of 5 August, while at home with her husband, she had heard two explosions and subsequently seen her injured husband covered in blood running from the living room to the hallway. She said that her husband had undergone surgery at a hospital in Kurakhove (government-controlled, 40km west of Donetsk) due to multiple injuries.

On 5 August, medical staff at a hospital in Kurakhove told the Mission over the phone that, on the morning of that day, a man (in his fifties) had been admitted to the hospital and had undergone surgery due to multiple shrapnel injuries and severe bleeding.

On the same day, a representative (a man in his forties) of the district police in Kurakhove told the SMM over the phone that, on the morning of 5 August while in his apartment in Krasnohorivka, a man (in his fifties) had sustained multiple shrapnel injuries due to shelling.”

1241. The SMM daily report 187/2021 issued on 12 August 2021 read, in so far as relevant:

“The SMM followed up on reports of damage to an inhabited five-storey apartment building in Krasnohorivka (government-controlled, 21km west of Donetsk).

On 11 August, at 2 Skhidna Street, on the south-eastern edge of Krasnohorivka, the Mission observed a hole (about 2m in diameter) in the east-facing wall of a third-floor apartment, and saw that a balcony floor, also on the third floor and located immediately next to the hole, was missing several pieces of concrete. On the same wall, the SMM also saw two shattered windows (about two and three meters from the hole, respectively, on the building’s second and third floors). Immediately below the hole, the SMM saw that the railing of a balcony on the second floor was twisted and missing several bars. Inside the third-floor apartment, the Mission observed multiple holes and shrapnel marks on the living-room’s ceiling and on all of its walls as well as broken tiles on its floor.

The Mission assessed the damage as recent and caused by shelling, but could not determine the type of weapon used or direction of fire.

On the same day, a woman (in her fifties), who introduced herself as the wife of the apartment's owner, told the SMM that on the morning of 5 August she had heard shelling nearby. (For information about injuries to the apartment's owner, see SMM Daily Report of 10 August 2021)."

1242. The SMM daily report 190/2021 issued on 16 August 2021 read, in so far as relevant:

"The SMM followed up on reports of damage to an inhabited single-storey house in Novoselivka Druha (government-controlled, 23km north of Donetsk).

On 12 August, at 4 Stepna Street, in the south-western part of Novoselivka Druha, an SMM mini-unmanned aerial vehicle (UAV) spotted broken and missing asbestos panels on the north-east-facing roof of an inhabited single-storey house, as well as a completely destroyed stone wall about 1m north-east of the house.

About 35m further north-east, in the garden of the same house, the same UAV spotted marks on the ground, assessed as caused by a probable airburst explosion.

The SMM assessed all damage as recent and caused by 122mm artillery rounds fired from south-easterly directions.

On the same day, in Novoselivka Druha, an officer of the Ukrainian Armed Forces of the Joint Centre for Control and Coordination (JCCC) told the Mission that there had been shelling on 11 August in the area."

1243. The SMM daily report 193/2021 issued on 19 August 2021 read, in so far as relevant:

"The Mission followed up on reports of a 86-year-old man killed due to shelling in Novoselivka Druha (government-controlled, 23km north of Donetsk) on 11 August.

On 12 August, staff at a morgue in Kostiantynivka (government-controlled, 60km north of Donetsk), told the SMM over the phone that on 11 August, the body of a 86-year old man had been brought to the morgue with multiple fractures and injuries to internal organs consistent with a blast injury.

On 16 August, a woman (in her sixties), who introduced herself as a neighbour of the 86-year-old deceased man, told the Mission over the phone that on 11 August she had been outside her house in Novoselivka Druha, when she had heard three explosions and subsequently saw her neighbour lying on the ground in his garden. The woman said that she had run towards the man and found him dead.

On 11 August, a representative (woman, age unknown) of the police in Avdiivka (government-controlled, 17km north of Donetsk), told the SMM over the phone that shelling had occurred on 11 August in Novoselivka Druha and that a 86-year-old man had died. (For damage to the house of the deceased man, see SMM Daily Report of 16 August 2021.)"

1244. The SMM daily report 195/2021 issued on 21 August 2021 read, in so far as relevant:

"On 19 August, a 48-year-old woman told the SMM that on the evening of 17 August, she had been walking on Vilna Street in Zolote-4/Rodina to return to her house, when she had heard an explosion and saw that she had been injured by metal fragments to her neck, back and legs. She said that her neighbors provided first aid and called an ambulance which transferred her to a hospital in Lysychansk (government-controlled, 75km north-west of Luhansk).

On 18 August, a neighbor (a woman, age unknown) of the 48-year-old woman told the Mission that on 17 August, she heard an explosion which occurred in the middle of Vilna Street and saw shrapnel from the explosion injuring the 48-year-old woman and damaging two houses on the same street.

On the same day, medical staff at a hospital in Lysychansk told the Mission over the phone that on 17 August, a 48-year-old woman from Zolote-4/Rodina was admitted to the hospital with multiple shrapnel injuries to her body.

On the evening of 17 August, the SMM camera in Zolote recorded 26 ceasefire violations in the area, including eight undetermined explosions. (See SMM Daily Report of 19 August 2021.)”

1245. The SMM daily report 208/2021 issued on 6 September 2021 read, in so far as relevant:

“The SMM followed up on reports of damage to a civilian property in Avdiivka (government-controlled, 17km north of Donetsk) on 28 August 2021.

On 2 September, at a one-storey civilian property at 101 Industrialnyi Avenue in the eastern part of Avdiivka, an SMM mini-unmanned aerial vehicle (UAV) spotted damage to the building’s north-western wall and its flat roof, with some of the asbestos panels removed. The Mission assessed the damage as recent, but was unable to assess the weapon used or the direction of fire.

On the same day, the SMM spoke to a man (age unknown), who introduced himself as the manager of a vehicle repair shop at the aforementioned address. He said that on the morning of 28 August he had been inside the shop when he had heard explosions nearby and had left the building. When he had returned to his shop, he saw, he said, that the roof and four north-facing windows had been damaged due to explosions.”

1246. The SMM daily report 214/2021 issued on 13 September 2021 read, in so far as relevant:

“The SMM followed up on reports of damage at a former police compound in Marinka (government-controlled, 23km south-west of Donetsk).

On 12 September, in Marinka, about 50m east-south-east of the closest residential houses, on the northern edge of a yard in a former police compound, the SMM saw a crater adjacent to a west-facing wall of a garage, and another crater about 10m east-south-east of the first crater. On the metal gate of the garage, the Mission also saw about 20 shrapnel marks. The SMM assessed the damage as recent but could not assess the type of weapon used or direction of fire. An officer of the Ukrainian Armed Forces of the Joint Centre for Control and Co-ordination (JCCC) claimed that three explosions had occurred in the area on the evening of 8 September.”

1247. The SMM daily report 215/2021 issued on 14 September 2021 read, in so far as relevant:

“On 10 and 11 September, on the north-eastern edge of Kriakivka, at 27 Bolnychna Street, the Mission saw three craters about 7m east, 1m west, and 12m north-north-west, respectively, of an inhabited five-storey residential building.

On the ground floor of the same building, the SMM saw that the two west-facing entrance metal doors were deformed and torn from their frame. In the east-facing wall of the building, the SMM saw shrapnel marks and 18 shattered windows on the second and third floor with glass shards on the ground below. Inside the building, the Mission

also noticed shrapnel marks in apartment doors and walls and also saw eight shattered windows in its west-facing wall (three on the first floor, three on the second floor and two on the third floor).

At 26 Bolnychna Street, the Mission saw another crater about 25m north-east of an inhabited two-storey residential building.

All craters and damage was assessed as recent. The SMM could not assess the type of weapon used or direction of fire.”

1248. The SMM daily report 217/2021 issued on 16 September 2021 read, in so far as relevant:

“The SMM followed up on reports of damage to two civilian properties on the north-eastern edge of Verkhnotoretske (government-controlled, 23km north-east of Donetsk). On 12 September, an SMM mini-unmanned aerial vehicle (UAV) spotted 15 craters near an uninhabited single-storey house: 12 in a field about 100m north of it, two about 30m west-north-west and north-west, respectively, and one about 3m north.

The UAV also spotted damage to: the south-facing lower part of the asbestos roof tiles, the north-facing side of the asbestos roof of a shed attached to the house, and an adjacent wooden fence. About 70m north-north-west of the house, the UAV spotted damage to the east-facing brick wall of another uninhabited single-storey house and three shattered east-facing windows.

The Mission assessed the craters and damage to the two civilian properties as recent and caused by probable 120mm mortar rounds.

On the same day, three women (in their fifties and sixties) told the Mission that on the morning of 9 September they had heard shelling nearby.”

1249. The SMM daily report 219/2021 issued on 18 September 2021 read, in so far as relevant:

“The SMM followed up on reports of damage in the area of a local power substation and a civilian property in Taramchuk (government-controlled, 29km south-west of Donetsk).

In a field about 15m south of a power substation, the Mission saw a crater (about 1.5m in diameter, 50cm in depth), not previously reported. About 400m east from the same substation, the Mission saw that a power line had been severed between two poles.

About 200m further west of the severed power line, in a yard about 25m south of a single-storey house at 8 Klenova Street, the Mission saw another crater (about 1.5m in diameter, 40cm in depth), not previously reported.

The SMM assessed the damage and craters as recent but could not assess the type of weapon used or the direction of fire.

A woman (in her forties), who introduced herself as the owner of the house, said that on the morning of 16 September, she had heard explosions nearby and that the local power supply had been disrupted.”

1250. The SMM daily report 221/2021 issued on 21 September 2021 read, in so far as relevant:

“The SMM followed up on reports of damage to a residential property in Taramchuk (government-controlled, 29km south-west of Donetsk).

On 18 September, about 3m south-west of an inhabited single-storey house at 23 Klenova Street in Taramchuk, on the south-east-facing wall of a summer kitchen, the Mission saw a shattered window. The SMM assessed the damage as recent. A woman (in her seventies), who introduced herself as the owner of the house, told the SMM that on the morning of 16 September shelling had occurred nearby.

About 250m south-south-east of the house, in the southern corner of an agricultural field and about 30m north of another house on Klenova Street, an SMM mini unmanned aerial vehicle (UAV) spotted three recent craters: two assessed as caused by probable 122mm artillery rounds fired from an easterly direction and one assessed as caused by a probable 120mm mortar round.

About 35m north-north-east of the aforementioned house, the SMM saw one crater next to a northern wall of a damaged uninhabited building, assessed as recent and caused by a probable 122mm artillery round fired from an easterly direction.”

1251. The SMM daily report 226/2021 issued on 27 September 2021 read, in so far as relevant:

“On 24 and 25 September, the Mission followed up on reports of damage to a residential building in Shchastia (government-controlled, 20km north of Luhansk).

On the north-eastern edge of Shchastia, the Mission saw a crater (about 1m in diameter), which it was unable to assess as recent due to multiple fresh vehicle tracks. The SMM assessed the crater as caused by an 82mm mortar round but could not assess the direction of fire.

About 7m south of the crater, at 2B Enerhetykiv Street, at a three-storey inhabited apartment building, in a north-facing brick wall, on the ground floor, the SMM saw four windows missing and covered with plastic sheeting, 14 shattered windows on the second and third floors with multiple holes, cracked windowpanes, and missing window sections, as well as multiple shrapnel marks, assessed as recent.

In a parking area north of the building, the Mission saw a car with a hole near the left driver’s door, two holes in the left rear passenger door, a hole in the rear plastic bumper, a shattered rear left passenger window, a rear left trunk window covered with plastic sheeting and a partially shattered rear window.

Three women (in their forties and sixties), who introduced themselves as residents of the building, told the SMM that on the morning of 16 September they had heard and seen explosions and smoke in the area. A woman (in her thirties), who introduced herself as a resident of the aforementioned building and the owner of the car, told the SMM that she had seen the abovementioned damage to her vehicle after shelling on the morning of 16 September.

The SMM assessed the damage to the building and the car as recent but could not assess the type of weapon used or direction of fire.”

1252. The SMM daily report 253/2021 issued on 28 October 2021 read, in so far as relevant:

“On 26 October, the Mission followed up on reports of damage to a civilian property in Hranitne (government-controlled, 60km south of Donetsk).

At 24 Beidy Street, in the eastern part of Hranitne, the SMM observed ten shrapnel marks on the south-facing wall of an abandoned single-storey house, as well as two broken south-facing windows. Just east of the house, it saw a crater (about 1.5m in diameter), as well as ten holes in a metal gate 7m south of the crater.

On the edge of the road, just west of the aforementioned house, the SMM saw a second crater (about 1.5m in diameter), multiple broken branches and shrapnel marks on a tree next to it, as well as five broken pieces of a concrete (assessed as formerly parts of a well) laying on the ground east of the crater. A neighbour (man in his forties) told the Mission that he had heard shelling on the night of 25 October and afterwards had seen that the well had been damaged.

The Mission assessed the damage and the two craters as recent and caused by the impact of mortar rounds.”

1253. The SMM daily report 254/2021 issued on 29 October 2021 read, in so far as relevant:

“On 28 October, the Mission followed up on reports of damage to a working kindergarten and four civilian properties in Hranitne (government-controlled, 60km south of Donetsk).

In the central part of Hranitne, at 24 Samokhina Street, the SMM saw a hole in a north-north-west-facing window of a one-storey kindergarten kitchen building. About 60m west-south-west of the aforementioned building, at 26 Samokhina Street, the SMM saw one crack each in two north-north-west-facing windows of a second one-storey kindergarten main building. The Mission assessed the hole and the cracks as recent but was unable to assess the weapon used or the direction of fire.

About 50m further south, at 50 Fomichova Street, the SMM saw a hole in a north-west-facing window of an inhabited one-storey residential building. The Mission assessed the hole as recent but was unable to assess the weapon used or the direction of fire.

About 1.2km further east-north-east, in the north-eastern part of Hranitne, in the soil of the yard of a one-storey residential building at 4 Horkoho Street, the SMM saw a fresh crater (about 2m in diameter) covered with debris, assessed as caused by a direct impact that had destroyed a summer kitchen. The Mission assessed the crater and the damage to the summer kitchen as caused by a probable 122mm artillery round but was unable to assess the direction of fire.

About 30m further north-west, at 5 Horkoho Street, the SMM saw that the north-eastern corner of the brick wall of a one-storey residential building was partially destroyed. The Mission assessed the damage as recent and caused by a probable mortar round fired from a north-eastern direction.

About 30m further west-north-west, at 7 Horkoho Street, in the yard of an inhabited one-storey residential building, the Mission saw a crater (about 2m in diameter). South-west of the crater, the SMM also saw a partially destroyed brick fence and a damaged tree. The Mission assessed the crater to have been fresh and caused by a probable mortar round but was unable to assess the direction of fire. Also, it assessed the damage to the brick wall and the tree to have been recent and caused by a blast wave and shrapnel from a nearby explosion.”

1254. The SMM daily report 256/2021 issued on 1 November 2021 read, in so far as relevant:

“On 29 October, the Mission followed up on reports of damage to five civilian properties in Hranitne (government-controlled, 60km south of Donetsk) alleged to have taken place on 26 October. (For previous observations of damage in the area, see SMM Daily Reports of 28 October 2021 and 29 October 2021.)

At 54 Hretska Street, in the northern part of Hranitne at an inhabited single-storey house, the SMM saw a hole in a north facing entrance door and a second hole in a north facing wall of the entrance hall. About 10m north-north-west of the house, on a north-east facing wall of the house's summer kitchen, the Mission observed a missing window and a partially missing upper beam above the window, broken planks over the gable of the building's roof and multiple holes in the ceiling. At a brick barn, just north-north-west of the same house, the SMM observed a collapsed east-facing back wall on the ground, and a large hole in the barn's west-facing front wall with rubble underneath. Near the barn, it also saw damage to a fence made from corrugated panels. About 12m north of the same house, the Mission saw a deformed metal garage with partly torn metal panels and at least 20 holes on its south-west facing wall. The north-east facing metal wall was bent out of shape and had at least 50 holes in it. Inside the garage, the SMM observed two metal panels with at least 20 holes and at least ten holes in the garage's north-facing back wall. It also saw about 20 holes in the panels of a metal fence about 30m south-east of the same house and a destroyed chicken hut about 10m north-north-west of the same house.

The SMM assessed all damage as recent and caused by probable 120mm mortar rounds and shrapnel, but was unable to assess the direction of fire.

At 5 Shevchenka Street in the north-eastern part of Hranitne, the SMM saw a crater (2m in diameter) in soft soil on the north-eastern edge of a paved road about 5-6m south-west of an abandoned single-storey house and metal fragments assessed as pieces of shrapnel inside the crater. About 5m north-east of the crater, the Mission observed damage to a layer of plaster on a south-west facing wall of the abandoned house. The SMM also saw shrapnel marks in the trunks of several trees near the crater.

At 6 Shevchenka Street, about 10m south-west of the crater, the Mission observed that all five windows on the north-east facing wall of an inhabited single-storey house were severely damaged and four out of five glass panels of the windows were shattered.

The SMM assessed the crater and the damage to both houses and the trees as recent and caused by a probable 120mm mortar round.

At 7 Shevchenka Street, about 60m north-north-east of the abovementioned crater, in a backyard about 40m east-north-east of an inhabited two-storey house, the Mission observed a crater (about 2.5m in diameter) and metal fragments assessed as pieces of shrapnel inside the crater. The SMM also saw at least 30 holes on the metal parts of a seeding machine located about 35m north-north-west of the crater, as well as broken branches and shrapnel marks on a tree about 40m north-north-west of the crater. The Mission assessed the crater and the damage as recent and caused by a probable 122mm round from a north-eastern direction.

At 17 Voropaieva Street, about 15m south-east of the aforementioned crater, the SMM observed another crater (about 2.5m in diameter) in the garden of an uninhabited single-storey house and metal fragments assessed as shrapnel inside the crater. About 40m south-east of the crater, the Mission saw shattered glass panes of the house's north-west facing windows and shrapnel marks on its north-west facing wall. The SMM assessed the crater and the damage as recent and caused by a probable 120mm mortar round.

On 30 October, the SMM followed up on reports of damage to two civilian properties in the north-eastern part of Hranitne.

In a field adjacent to Chervonykh Partyzan Street, the Mission observed a crater (about 1m in diameter). The SMM also saw shrapnel marks on an electrical pole about 20m north of the crater and ripped electrical cables about 20m north-west of the crater.

The Mission assessed the crater and the damage to the electrical pole and the cables as recent and caused by a probable 82mm mortar.

About 750m west-south-west of the crater, in a field about 2.5m north-west of Karla Marksa Street, the SMM observed a crater (about 1m in diameter). About 7.5m north of the crater, it also saw a damaged tree lying on the ground. The Mission assessed the crater and the damage to the tree as recent and caused by a probable 82mm mortar.”

1255. The SMM daily report 258/2021 issued on 3 November 2021 read, in so far as relevant:

“On 31 October, the Mission followed up on reports of damage to civilian properties on the eastern outskirts of Hranitne (government-controlled, 60km south of Donetsk).

In a yard about 30m north of an inhabited two-storey house at 4 Baidy Street, the SMM saw a crater about 1m in diameter. The Mission also observed three broken windows on the north-facing wall of the house, about 15 holes in the west-facing-side of the house’s asbestos roof, about 10 holes in its west-facing-wall, and about 20 holes in a metallic entrance door on the same wall, all about 30m north-west of the crater. It also saw damage to a metal fence north-east of the crater and about 15 holes in a tractor parked about 10m west of the crater.

The SMM assessed the crater and damage as recent, but was unable to assess the weapon used or the direction of fire.

A woman and a man (in their fifties), who introduced themselves as the owners of the house, told SMM that on the morning of 31 October, while they had been at home with their family, they had heard explosions nearby.

About 50m north-west of the abovementioned crater, at 1 Baidy Street, in a yard about 20m north of an inhabited one-storey house, the Mission saw a fresh crater about 80cm in diameter. About 30m south-east of the crater, it also saw two broken windows on the west-facing-wall of the house, and several holes in a water tank located about 10m north-west of the crater. The Mission assessed the damage as recent but was unable to assess the weapon used or the direction of fire.

A man (in his fifties), who introduced himself as the owner of the house, told the SMM that in the early morning of 31 October, he had been at home when he heard an explosion in his yard and had subsequently seen damage to the windows and the water tank.”

1256. The SMM daily report 258/2021 issued on 3 November 2021 read, in so far as relevant:

“On 1 November, the Mission followed up on reports of damage to two inhabited civilian properties on the eastern outskirts of Hranitne (government-controlled, 60km south of Donetsk).

In a vegetable garden about 20m east-north-east of an inhabited single-storey house at 16 Voropaieva Street, the SMM saw a crater (about 2m in diameter) containing metal fragments assessed as shrapnel. About 3m north of the crater, it also saw damage to a 3m-long section of a mesh fence and branches of a nearby tree.

The Mission also observed about 20 holes in a west-facing brick wall of a structure about 20m south-west of the aforementioned crater and about 10m south-east of the aforementioned house. The SMM assessed the crater and damage as recent and caused by a probable 120mm mortar round and shrapnel.

At the same address, in a garden south of the aforementioned house, the Mission saw a crater (about 3m in diameter). It also observed a collapsed chicken coop. It assessed the crater and damage as recent and caused by a probable 122mm artillery round fired from a north-eastern direction.

About 25m further south-west, at 18 Voropaieva Street, the Mission observed two workers (men, in their thirties) replacing damaged corrugated roof panels of an inhabited one-storey house. It also saw about ten holes (3 to 9cm in diameter) in the north-east-facing wall of a structure adjacent to the house, about 15m south-west of the aforementioned carter.

On 28 and 30 October, the Mission followed up on reports of damage to civilian properties in a residential area on the north-western edge of Trokhizbenka (government-controlled, 32km north-west of Luhansk) alleged to have taken place on 27 October.

On 30 October, on Sosnovyi Lane, an SMM mini-unmanned aerial vehicle (UAV) saw damage to the north-western concrete corner of a garage north of an inhabited single-storey residential house, damage to the garage's north-facing concrete wall and a partially collapsed roof beam. Inside a greenhouse about 70m east-south-east of the building, the same UAV spotted a crater in soft soil. About 10m further east-north-east, the same UAV also spotted a crater inside another greenhouse.

The Mission assessed the craters and damage as recent but was unable to assess the weapon used or the direction of fire.

On the same day, within a 200m radius of the aforementioned building, the same UAV spotted 13 impact craters, assessed as recent and caused by probable 122mm artillery rounds fired from an unknown direction."

1257. The SMM daily report 259/2021 issued on 4 November 2021 read, in so far as relevant:

"On 2 November, the SMM continued to follow up on reports of damage to a civilian property in the north-eastern part of Hranitne (government-controlled, 60km south of Donetsk).

At 19 Baidy Street, the Mission observed a crater in a field about 10m north-east of an inhabited single-storey house. It also saw damage to tiles on the north-east facing wall, as well as five holes in the south-west-facing side of a fence located about 4m north-east of the wall and a broken tree branch close to the fence. The SMM assessed the crater and damage as recent and caused by a probable 122mm mortar round and shrapnel from the explosion of the round.

A woman (in her fifties), who introduced herself as the owner of the house, told the SMM that she and her husband had been at home when they heard an explosion and observed how a blast wave damaged one of the house's windows (which had already been repaired)."

1258. The SMM daily report 267/2021 issued on 13 November 2021 read, in so far as relevant:

"In Luhansk region, the SMM followed up on reports of craters and damage to buildings and vehicles of the Popasna Regional water company about 3km east-south-east of Nyzhnie (government-controlled, 56km north-west of Luhansk), reported to have occurred on 7 November.

On 11 November, at 1a Pryhorodna Street on the eastern edge of Nyzhnie, about 300m east of the Siverskyi Donets river, the Mission observed five craters and damage to five buildings (a main and a smaller garage, a workshop, a chemical laboratory and a transformer building) and to five vehicles (two excavators, an utility vehicle, a cargo truck and a tractor), all belonging to the Popasna Regional water company, supplying water to 4,500 beneficiaries in Nyzhnie and Novotoshkivske (government-controlled, 53km west of Luhansk).

In soft ground about 5m east of the water company's main garage, the SMM observed a crater, as well as saw at least 11 broken windows covered with fabric and about 130 holes and dents on the garage's east- and west-facing walls. The SMM assessed the crater and damage as recent, but was unable to assess the weapon used and the direction of fire (it assessed the damage as caused by shrapnel). The Mission also observed a large hole on the west-facing side of the garage's roof, assessed as recent and caused by an unknown weapon fired from a south-western direction.

In a yard about 35m south-west of the main garage, the SMM observed two excavators whose glass windows were broken. Inside the garage, the Mission observed damage to three vehicles: a light utility vehicle with three holes in its windshield and at least two holes inside its drivers' compartment; a cargo truck with more than one hole in its shattered windshield, as well as at least four holes in the outside and inside of its drivers' compartment; and a tractor with a large hole in its shattered rear glass window. The SMM assessed the damage to these five vehicles as recent and caused by shrapnel, but was unable to assess the weapons used or the direction of the fire.

About 30m further north-west, the Mission observed multiple holes and dents on the south facing and east facing walls of a smaller garage. The SMM assessed the damage as recent and caused by shrapnel, was unable to assess the weapons used or the direction of fire.

About 70m south-east of the main garage, and between 15m and 30m north-east of another workshop, the Mission observed three craters, two in soft ground and one in asphalt, as well as damage to a nearby tree. The SMM assessed the craters as recent, but was unable to assess the weapons used. For the third crater only, it assessed the direction of fire as coming from a south-western direction. The Mission saw two large holes in the south-eastern and central parts of the workshop's roof, and observed 48 broken windows on all four walls of the workshop (45 on the first floor and three on the second floor). It assessed the two large holes as recent and caused by unknown weapons fired from a south-western direction, and also assessed the broken windows as recent.

Also, about 450m north-west of the aforementioned main garage, the SMM observed four broken windows and about 85 holes in the south-facing wall of a chemical laboratory belonging to the same company, as well as three broken windows and about 45 holes in its east-facing wall. It also saw damage to trees near the laboratory's south- and east-facing walls. The Mission assessed the damage as recent and caused by shrapnel, but was unable to assess the weapons used or the direction of the fire.

About 150m further north-north-west, and about 15m south-east of the company's transformer building, the SMM observed a crater in soft ground and at least 50 holes in the building's south-east-facing wall, as well as cracks in its ceiling. It assessed the crater as recent and caused by an unknown weapon fired from a south-south-eastern direction and the holes as recent but was unable to assess the weapons used or the direction of the fire."

1259. The SMM daily report 274/2021 issued on 22 November 2021 read, in so far as relevant:

“On 19 November, the SMM followed up on reports of damage to civilian properties in the eastern part of Marinka (government-controlled, 23km south-west of Donetsk).

About 8m west-north-west of a one-storey residential building at 236 Prokofieva Street, an SMM mini-unmanned vehicle (UAV) spotted a crater and damage to the east-facing side of the asbestos roof and the north-facing wall of the building. About 5m east-south-east of the damaged roof, the UAV spotted damage to asbestos tiles on the roof of an adjacent shed. About 10m south-south-west of aforementioned residential building, the UAV spotted a hole in the east-facing side of the roof of an outbuilding. In a metal fence about 2m north of the aforementioned residential building, the UAV spotted a number of dents assessed as shrapnel marks. The SMM assessed the crater and damage as recent and caused by a probable 82mm mortar round.”

1260. The SMM daily report 275/2021 issued on 23 November 2021 read, in so far as relevant:

“On 18 November, the Mission followed up on reports of damage to civilian properties in the central and northern parts of Nevelske (government-controlled, 18km north-west of Donetsk).

At 1A Molodizhna Street, an SMM mini-unmanned aerial vehicle (UAV) spotted damage to tiles on the roof of an outbuilding located west of an inhabited single-storey house. At 2 Molodizhna Street, the UAV spotted that about half of the roof of a single-storey house, assessed as probably inhabited, was destroyed and the other half was damaged. It also spotted broken roofing tiles from an adjacent outbuilding. At 3 Molodizhna Street, the UAV spotted damage to the roof of a single-storey house, assessed as probably inhabited, and saw tiles on the ground. The UAV also spotted that part of an east-facing brick wall of the same building had collapsed and debris was laying on the ground nearby. At 4 Molodizhna Street, the UAV spotted the collapsed south-facing side of a single-storey house, assessed as probably inhabited, and a destroyed east-facing side of a garage, located north-east of the aforementioned building. At 5 Molodizhna Street, the UAV spotted damage to tiles and rafters of the roof of a single-storey house, assessed as probably inhabited.

On Tsvitochna Street, the UAV spotted damage to the roofs of two outbuildings.

At 1 Tsentralna Street, the UAV spotted that part of an outbuilding located south of a single-storey house, assessed as probably inhabited, was destroyed. At 2 Tsentralna Street, the UAV spotted that the eastern part of a single-storey house, assessed as probably inhabited, had been destroyed and also spotted a damaged vehicle next to the house. At 3 Tsentralna Street, at a single-storey house, assessed as probably inhabited, the UAV spotted damage to the roof and to a north-facing brick wall, with debris laying on the ground nearby.

At Yuvileina Street, the UAV spotted damage to the tiles of roof of a single-storey house, assessed as probably uninhabited.

The Mission assessed all aforementioned damage as recent and caused by large-calibre rounds fired from a south-south-eastern direction.”

1261. The SMM daily report 283/2021 issued on 2 December 2021 read, in so far as relevant:

“In the north-western part of Stanytsia Luhanska, at a train depot at 1 Depovska Street, the SMM saw a crater in the asphalt of the road. Three meters north of the crater, the SMM saw several holes (about 1cm in diameter) in a metal electricity pole, assessed as caused by shrapnel. About 8m north-west of the crater, at a single-storey brick administrative building, the SMM saw five shattered windows: two on the building’s east-facing and three on its south-facing wall, as well as glass shards on the ground below the windows. About 5m north-east of the crater, on the south- and west-facing walls of another one-storey brick building reportedly used by security guards, the SMM saw two more shattered windows. About 250m west of the crater, at 14B Depovska Street, at a single-storey inhabited brick apartment building, the SMM saw a hole (about 1.5m in diameter) in the south-eastern part of the roof, as well as damaged tiles scattered on the roof. The SMM assessed the crater and damage to the three buildings as fresh and caused by a projectile fired from a southerly direction, but was unable to determine the type of weapon used.

A woman (in her fifties), who introduced herself as a resident of the building at 14B Depovska Street, told the SMM that on the afternoon of 29 November, while at work at the train depot, she had heard shelling nearby. She added that there had been no heating and electricity in the building since then.”

1262. The SMM daily report 284/2021 issued on 3 December 2021 read, in so far as relevant:

“On 1 December, at 18 Studentska Street, in Zolote-4/Rodina, in the yard of an inhabited one-storey house, the Mission observed a hole in the north-facing side of the roof of a garage. Inside the garage, the Mission saw a light utility vehicle with three holes in the right upper side of the vehicle’s trunk and a broken tail light. On the floor next to the vehicle’s back, it observed a metal fragment assessed as part of a mortar round. The SMM assessed all damage as fresh and caused by an 82mm mortar round.”

1263. The SMM daily report 293/2021 issued on 14 December 2021 read, in so far as relevant:

“On 12 December, in the northern part of Muratove (government-controlled, 51km north-west of Luhansk), at a storage building on Molodizhna Street, an SMM mini-unmanned aerial vehicle (UAV) spotted a hole in the south-eastern corner of the building’s roof, and debris scattered on the ground next to it. The UAV also spotted a probable impact crater in the building’s floor underneath the aforementioned damaged roof. The Mission assessed the damage as recent and caused by a probable mortar round.”

1264. The SMM daily report 298/2021 issued on 20 December 2021 read, in so far as relevant:

“On 17 December, the SMM followed up on reports of damage to a civilian property reported on 3 December in the south-western part of Stanytsia Luhanska (government-controlled, 16km north-east of Luhansk).

At 29 Krynychna Street, at an inhabited, single-storey house, the SMM saw that a north-facing, internal bedroom wall was cracked, had damaged plaster and observed a hole in the same wall. In the roof of a garage adjacent to the house’s south-facing side the SMM observed a hole as well as broken asbestos panels. The SMM assessed the damage as recent and caused by an undetermined weapon fired from a southerly direction.”

(ix) 2022

1265. The SMM daily report 29/2022 issued on 8 February 2022 read, in so far as relevant:

“On 6 February, the Mission followed up on reports of damage to an inhabited residential house in Pavlopil (government-controlled, 84km south of Donetsk).

In the north-eastern part of Pavlopil, at an inhabited one-storey residential house at 21 Molodizhna Street, the SMM saw black marks, assessed as a spray of carbon deposit stretching for about 3m from the ground of its north-north-west-facing corner, up to a height of about 1.5m, where the Mission observed that a north-west-facing window was partially covered with plastic foil. On the same north-west-facing wall, it also observed that the two outer glass panes of a triple-pane window were broken. The SMM assessed the damage to the house as recent, but was unable to determine the type of weapon used or the direction of fire.”

1266. The SMM daily report 38/2022 issued on 18 February 2022 noted a substantial increase in activity along the contact line. The update stated, in so far as relevant:

“In Donetsk region, the SMM recorded 222 ceasefire violations, including 135 explosions (one airburst and 134 undetermined). The majority of ceasefire violations were recorded in areas south-south-east and west-south-west of the Donetsk Filtration Station (DFS) (15km north of Donetsk) (see below) on the morning of 17 February, north and north-north-east of Shyrokyne (government-controlled, 100km south of Donetsk), and west and north-north-west of Donetsk city. In the previous reporting period, the Mission recorded 189 ceasefire violations in the region, some of which also occurred in areas near DFS.

In Luhansk region, the SMM recorded 648 ceasefire violations, including 519 explosions (seven outgoing, 25 impacts and 487 undetermined). The majority of ceasefire violations were recorded in areas close to the disengagement area near Zolote (government-controlled, 60km west of Luhansk) on the morning of 17 February (see below) and in areas close to the disengagement area near Stanytsia Luhanska (government-controlled, 16km north-east of Luhansk), on the night of 16 February and during the morning and day of 17 February. In the previous reporting period, the SMM recorded 402 ceasefire violations in the region, the majority of which also occurred near the disengagement area near Zolote.”

1267. The update continued, in so far as relevant:

“On 17 February, the Mission followed up on reports of damage to a working kindergarten in the north-western part of Stanytsia Luhanska (government-controlled, 16km north-east of Luhansk), located about 4.5km north-west of the north-western edge of the disengagement area near Stanytsia Luhanska.

At 22 Depovska Street, about 20m south-west of a two-storey kindergarten building, the SMM observed a crater in the kindergarten playground, as well as marks assessed as caused by shrapnel on the inner side of a concrete wall surrounding the building. Also, it observed a hole (about 1m in diameter), and one shattered window on the north-eastern facade of the same building, and two shattered windows on the building’s north-west facing wall (on its ground and first floor).

The SMM assessed the damage as recent but was unable to determine the weapon used or the direction of fire.

Staff from the Youth Affairs Department of the Stanytsia Luhanska Civil-Military Administration told the Mission that 20 children had been in the kindergarten at the time of the incident, but reported no injuries.

The SMM was only able to conduct its assessment from a distance of about 50m from the north-eastern facade and of about 30m from the south-western facade of the damaged building, as a law enforcement officer did not allow the Mission to access the site saying that an investigation was ongoing.”

1268. The SMM daily report 39/2022 issued on 19 February 2022 read, in so far as relevant:

“The Mission followed up on reports of a civilian injured in government-controlled Marinka (23km south-west of Donetsk).

On 17 February, a woman (65 years old) told the SMM over the phone that she had been waiting at a bus stop in the centre of Marinka that same morning, near School No.2 at 4, Druzhby Avenue, about 1.5km west of the contact line. She said that she suddenly noticed nearby trees being hit by shrapnel and ran for shelter. Before she could make it to a nearby shop, she felt that her left hand had been hit by a piece of metal. She added that an ambulance brought her to a hospital in Kurakhove (government-controlled, 40km west of Donetsk).

On the same day, a police officer in Kurakhove told the Mission over the phone that, on the morning of 17 February, a woman (in her sixties) had been waiting at a bus stop near School No.2 in Marinka, and had sustained injuries to her left hand from shrapnel.

On the same day, medical staff at a hospital in Kurakhove told the SMM over the phone that, during the same morning, a woman (in her sixties) had been admitted with injuries to her left hand consistent with those caused by shrapnel.

...

On 17 February, the Mission followed up on reports of damage to a working school in the centre of Vrubivka (government-controlled, 72km west of Luhansk), located approximately 11km north-west of the disengagement area near Zolote.

At 5 Shkilna Street, about 50m south-west of the south-west facing wall of a two-storey school building, the SMM observed an impact crater (1.5m in diameter) in the school’s yard, as well as three broken windows and a front door with a broken glass pane. The SMM noted that the broken windows and front door had been partially sealed with large sheets of paper.

The SMM assessed the crater and damage as recent and caused by the impact of an artillery round (of an unknown calibre) fired from a south-eastern direction.

Also, staff at the school told the Mission that she had heard shelling occurring on the morning of 17 February, while children had been in their classrooms, but reported no injuries.”

1269. The SMM daily report 41/2022 issued on 22 February 2022 read, in so far as relevant:

“On 20 February, the Mission followed up on reports of damage to four inhabited properties reported to have occurred on the night of 18-19 February in the eastern part of Novohnativka (government-controlled, 40km south of Donetsk).

At 13 Sadova Street, the SMM saw three craters (about 1.5m in diameter each) in a yard about 7m east, 8m south-east, and 3m south-west of an inhabited one-storey

residential house. About 3m south-west of the third crater, the Mission saw a heavily damaged detached kitchen. The SMM also observed broken glass panes in two south-west- and two south-east-facing windows, as well as about 20 marks, assessed as caused by shrapnel on the house's south-west-facing wall, as well as a damaged wooden fence about 7m east of the house.

About 50m further south-south-west, at 15 Sadova Street in a yard about 20m east-south-east of an inhabited one-storey house, the SMM saw another crater (about 1.5m in diameter). The SMM observed that the glass of two south-east-facing windows was broken and saw three holes in the south-eastern side of the house's roof as well as five marks assessed as caused by shrapnel on its north-east- and south-east-facing walls. About 5m south-east of the house, it also saw a partially destroyed detached toilet.

About 30m further north-west, at 12 Sadova Street, the SMM observed that the glass panes of two south-east-facing windows of an inhabited one-storey house were broken.

About 30m further north-east, at 3 Sadova Street, the SMM observed that the glass panes of two south-east-facing windows of an inhabited one-storey house were broken.

The SMM assessed the craters and damage to the four houses as recent and caused by the impact of probable 82mm mortar rounds and resulting shrapnel and blast waves."

1270. The daily report 43/2022 of 24 February 2022 stated that since the early hours of 24 February, at various locations across Ukraine, the SMM had observed a severely deteriorated security situation. The SMM had heard multiple explosions, including multiple launch rocket system fire.

1271. The relevant parts of the report read:

"At around 05:20, the Mission heard multiple explosions near Odessa city and at least one explosion at around 11:00.

...

On the morning of 24 February, the Mission heard an explosion near Ivano-Frankivsk city, possibly in the direction of a military airport.

...

Throughout the day, while in Kharkiv city, the Mission heard multiple explosions, including at assessed ranges of 3-5km around the city centre.

...

At about 04:35, the Mission heard 15 undetermined explosions from the area of Boryspil (32km east of Kyiv). At 05:15, it heard and saw an explosion in the area of the Zhuliany airport.

Between 13:00 and 14:00, the Mission continued hearing occasional explosions and saw jet aircraft and military helicopters overflying ... [Kyiv] city ...

...

At 14:15, while in central Kyiv city, the Mission heard about ten explosions heard from the area of Irpin (22km west of Kyiv), about 25km north-east of Kyiv city centre."

1272. The SMM daily report 44/2022 of 25 February 2022 read, in so far as relevant:

“Since the evening of 24 February and throughout the reporting period, the Mission heard multiple explosions, including multiple launch rocket system fire, near Shchastia as well as in the vicinity of the cities of Kherson, Donetsk, Kharkiv, and Kyiv.

...

During the evening and night of 24-25 February, the Mission recorded at least 60 undetermined explosions east and north-east of the Kherson city ...

Between 08:36 and 08:55, the SMM observed two airstrikes near the Antonivka Bridge near Kherson city. In the afternoon, the SMM heard multiple explosions, shots and burst of heavy-machine-gun fire and as well as fire from multiple launch rocket systems coming from the direction of the bridge.

...

During the night of 24-25 February, the Mission heard 13 undetermined explosions [in the Kharkiv region]. Throughout the day on 25 February and beyond the reporting period, the SMM heard numerous explosions (outgoing and impacts) and projectiles, including from multiple launch rocket systems in the area.

...

On the morning of 25 February, the Mission heard 12 explosions near Shchastia (government-controlled, 20km north of Luhansk).

...

On 24 February, between 17:10 and 22:13, the Mission heard eight explosions from the direction of Hostomel (24km north-west of Kyiv). During the night of 24-25 February, the Mission heard multiple explosions mostly from north-western direction.

...

At 04:20, the SMM heard and saw two undetermined explosions in the Pozniaki area of Kyiv.

At 04:50, the Mission heard undetermined explosions near the National Circus area in Shevchenkivskyi District [of Kyiv].”

1273. The SMM daily report 45/2022 of 26 February 2022 read, in so far as relevant:

“From the evening of 24 February, the Mission has continued to hear multiple explosions, including from multiple launch rocket systems and heavy artillery fire in and near the cities of Kherson, Donetsk, Kharkiv, and Kyiv.

...

During the evening of 25 February, the Mission heard multiple undetermined explosions south-east of Kherson city and in Mykolaiv. During the day on 26 February, the SMM heard explosions assessed as heavy artillery fire north, north-east and north-west of Kherson city, including near the Antonivka bridge.

...

[In Kharkiv,] [t]hroughout the day of 26 February the SMM heard explosions assessed as multiple launch rocket system and heavy artillery fire at various distances and directions from its location.

...

The Mission heard multiple undetermined explosions at various directions and distances in Kyiv city on the night of 25-26 February.”

1274. In its daily report 46/2022 of 27 February 2022 the OSCE stated that until the late hours of the night of 26-27 February 2022 and from the early morning hours on 27 February 2022, the SMM had continued to hear multiple explosions, including multiple launch rocket system and heavy artillery fire in and around the cities of Kharkiv, Kherson and Odesa. The SMM monitoring teams in Kharkiv and Kherson remained sheltered in place, owing to the ongoing fighting, and its monitoring teams in the Luhansk and Donetsk Patrol Hubs awaited withdrawal through the Russian Federation. The report read, in so far as relevant:

“During the evening of 26 February, the SMM heard explosions and shots of small-arms fire in the central part of Mykolaiv city as well as in north-western and north-eastern directions.

...

From early in the morning and into the afternoon [on 27 February in Kherson], the SMM heard explosions, some assessed as air strikes, as well as small-arms and heavy-machine- gun fire in areas north of the city.

...

[In the Kharkiv region,] [d]uring the evening of 26 February, the Mission heard explosions assessed as fire from multiple launch rocket systems and heavy artillery at various distances and directions from its location.

During the night of 26-27 February and from early morning hours on 27 February, the SMM heard heavy shelling in areas north and north-east of Kharkiv city. Later in the morning, the Mission heard multiple undetermined explosions in areas north and north-east of the city and small-arms and heavy machine-gun fire near the city centre. In the afternoon, it also heard an undetermined number of explosions at various distances, including also from the south-east of the city.”

1275. The SMM daily report 47/2022 of 28 February 2022 read, in so far as relevant:

“During the evening of 27-28 February and from early morning hours on 28 February, the SMM continued to hear multiple explosions, including multiple launch rocket system and heavy artillery fire in and around the cities of Kharkiv and Kherson.

...

During the evening of 27 February, the SMM heard explosions south-east of Mykolaiv city as well as in the north and north-east of Kherson city.

...

[In the Kharkiv region,] [d]uring the evening of 27 February, the Mission heard heavy artillery fire at various distances north, north-east, and south-east from its location.

During the night of 27-28 February, the SMM heard explosions and heavy shelling, including fire from multiple launch rocket systems, at a distance of 3-5km, in areas north and north-east of Kharkiv city. Later in the morning, the Mission noted ongoing kinetic activity and heard multiple shots of small-arms fire and heavy artillery rounds.”

1276. The SMM daily report 48/2022 of 1 March 2022 read, in so far as relevant:

“During the evening of 28 February and during the morning on 1 March, the SMM continued to hear multiple explosions and heavy machine-gun fire in and around the cities of Donetsk, Kharkiv, and Kherson.

...

On the morning and afternoon of 1 March, the Mission heard at least 40 undetermined explosions, two gun shots (including one over the SMM’s office building) and numerous bursts of heavy machine-gun fire in areas north and north-east of Kherson city.

...

On the morning of 1 March, the SMM heard heavy shelling near the Mission’s premises in Kharkiv city centre.”

1277. The SMM daily report 49/2022 of 2 March 2022 read, in so far as relevant:

“One national Mission member was reported killed by shelling in Kharkiv.

During the evening of 1 March and morning of 2 March, the SMM continued to hear multiple explosions and heavy machine-gun fire in and around Kherson city. It also observed the movement of Russian Federation Armed Forces equipment and troops in the city.

...

On 1 March, a relative of an SMM national Mission member from Kharkiv reported that she had been killed near her home as a result of shelling.

...

On the evening of 1 March, the Mission heard numerous explosions assessed as caused by multiple launch rocket systems, and several bursts of heavy-machine-gun fire in areas north-east of Kherson city and in the city centre. It also saw armoured vehicles with the insignia of the Russian Federation Armed Forces moving on the street next to its office, heading towards the centre of Kherson city.

On the morning of 2 March, the Mission heard eight undetermined explosions in areas north-east of Kherson city.”

1278. The SMM daily report 50/2022 of 3 March 2022 read, in so far as relevant:

“On the morning of 3 March, the SMM continued to hear explosions around Kherson city.

...

On the morning of 3 March, the Mission heard two undetermined explosions in areas north-north-west of Kherson city.”

1279. The SMM daily report 53/2022 of 6 March 2022 read, in so far as relevant:

“The Mission received reports that the SMM premises in Mariupol were damaged due to shelling.

...

On the morning of 6 March, at around 11:30, the Mission received reports that the premises of the SMM Mariupol Hub were damaged due to shelling. According to initial reports from SMM national mission members, the building has been damaged ...”

1280. The daily report 54/2022 of 7 March 2022 stated that the SMM had completed its temporary evacuation of international mission members from the SMM’s area of operations. With the completion of this temporary evacuation, the SMM suspended its reporting activities but retained its facilities and assets in anticipation of a return to operations in Ukraine.

(b) Reports concerning the exercise of the right to education in the Ukrainian language

1281. The relevant parts of the SMM update for 1 September 2015 read as follows:

“The SMM visited two schools in ‘DPR’-controlled Horlivka (39km north-east of Donetsk) on the opening day of the academic year. At School 16, ... [the principal said] that text books had been mainly supplied from the Russian Federation. He said the curriculum had been approved by ‘DPR’ ‘authorities’, with ‘My Motherland Donbas’ the theme for the first day of classes. The SMM noted two armed men dressed in camouflage in the school yard, said by staff to be school security.

...

At School 19 in Donetsk city, ... [a]lthough an adapted Russian Federation curriculum was used, the principal said Ukrainian was taught, as well as English and German. At School 21 in the city, the principal told the SMM that pupils from grades nine to 11 would henceforth be taught ‘Military Studies’.

The deputy head of the ‘city administration’ of ‘LPR’-controlled Zymohiria (28km west of Luhansk) told the SMM that ... text books and stationary had been provided as humanitarian aid from the Russian Federation.”

1282. The relevant parts of the SMM update for 3 September 2015 read:

“A female 40-year-old teacher at a school in government-controlled Troitske (69km west of Luhansk) said the roof and windows of the school were repaired after heavy shelling, but not the heating system and water pipes. All repairs were funded by parents of pupils, she said. In government-controlled Popasna (69km west of Luhansk), the SMM met the director and deputy director (male and female aged 60) of School 1. They stated that the windows and heating system were repaired after shelling but the roof still requires repairs ...

The head of the primary and secondary school in ‘Lugansk People’s Republic’ (‘LPR’)-controlled Zhovte (17km north-west of Luhansk) told the SMM that ... [t]he ‘LPR’ ‘ministry of education’ delivered textbooks for pupils of grades 1, 2, 10 and 11. The head said as per a decision of the school council in 2015, all subjects were now taught in Russian, and Ukrainian lessons were reduced from five to four hours per week. ... The head of the school in ‘LPR’-controlled Metalist (6km north of Luhansk) told the

SMM that the school council adopted a new curriculum this year and now all subjects are taught in Russian.”

1283. The relevant part of the SMM update for 9 September 2015 read:

“At the local secondary school No. 23 in the ‘LPR’-controlled Horodyshe (57km south-west of Luhansk), the school principal told the SMM that the pupils were provided with new books which attempt to reflect the school curriculum of the Russian Federation. At the local school in the ‘LPR’-controlled Buhaivka (38km south-west of Luhansk) however, pupils are – according to the village council representative – still using Ukrainian books.”

1284. The relevant part of the SMM update for 14 September 2015 read:

“The SMM visited a number of schools on both sides of the contact line. In ‘LPR’-controlled Artemivsk and Brianka (46km and 49km west of Luhansk respectively), the SMM was separately informed by the principals that their schools are applying mainly the Russian curriculum and that the books are provided by the Russian Federation ... At a school in government-controlled Luhanske (58km north-east of Donetsk), the SMM observed extensive damage to the roof, walls, windows, and to the heating system ...”

1285. The relevant part of the SMM update for 16 September 2015 read:

“In Oleksandrivka the SMM visited the school in Marinskyi district, located on the contact line and exposed to repeated shelling (last shelled on 27 August). ... The director said the curriculum in the school was being delivered in both Ukrainian and Russian languages.”

1286. The relevant part of the SMM update for 9 September 2016 read:

“At school no.84 in ‘DPR’-controlled Horlivka, the deputy director explained to the SMM changes to the curriculum from that of the previous school year: the number of Ukrainian language classes in a week had decreased from two to one and the history of ‘Motherland’ was taught instead of the history of Ukraine.”

1287. The thematic report of July 2020 “Impact of the conflict on educational facilities and children’s access to education in eastern Ukraine” by the SMM covered the period between January 2015 and March 2020 and read as follows, in so far as relevant:

“Since the beginning of 2015, the OSCE [SMM] has been monitoring and reporting on the impact of the conflict on educational facilities and children’s access to education in the conflict affected areas of Donetsk and Luhansk regions of Ukraine as part of its mandate to gather information and report on the security situation and monitor and support the respect for human rights. In this regard, the SMM’s monitoring since 2015 includes observations of damage to educational facilities due to shelling and small arms fire, the usage of such facilities by the Ukrainian Armed Forces and the armed formations and their presence within 1km of educational facilities, as well as the impact of the conflict on children and school staff.

...

The SMM is mandated, among other tasks, to report on the security situation and monitor and support respect for human rights and fundamental freedoms. This includes monitoring and reporting on the impact of the conflict on the ability of children to access their rights, such as their right to an education.

...

Since 2016, the Mission has progressively widened the scope of its monitoring to include other issues affecting educational facilities, such as the usage of the educational facilities by Ukrainian Armed Forces and by the armed formations and their presence within 1km of educational facilities, as well as the impact of the conflict on children and school staff. In this period, the SMM conducted 649 visits, including follow up visits to educational facilities. Three hundred of these visits were in government-controlled areas and 349 in non-government-controlled areas. Forty one percent of the visits were in Luhansk region and 59 per cent were in Donetsk region.

...

Damage to educational facilities

...

Between 2015 and 2018, the Mission recorded a downward trend in the number of educational facilities being damaged by shelling and small-arms fire, recording 34 educational facilities damaged in 2015 and six in 2018. However, in 2019, this number rose, with damage being recorded to 15 educational facilities. In the first three months of 2020 the SMM reported damage to two educational facilities.

...

Between 1 January 2016 and 31 March 2020, the SMM received information of alleged damage to eight educational facilities in addition to the ones mentioned above but was not able to follow up on reports due to security considerations.”

(c) Reports concerning the movement of children across borders

1288. The relevant part of the SMM update for 28 October 2014 read:

“... The SMM attended a regular bi-weekly co-ordination meeting with the Office of the United Nations High Commissioner for Human Rights (OHCHR) and the United Nations High Commissioner for Refugees (UNHCR) in Odesa. The OHCHR representative said the head of the Regional Administration Department of Education had informed him that orphan IDPs from the Luhansk region had been receiving phone calls from their former teachers in Luhansk, enticing them back with promises of Russian citizenship. The OHCHR representative added that the head of the Regional Administration Department of Education had also said that he had received letters demanding that the children be returned.”

1289. The relevant part of the OSCE BM weekly update of 17 June 2015 read:

“On June 13 at 11:26, the [Observer Team (‘OT’)] observed a white minibus and a red Gazelle arriving at the [Border Crossing Points (‘BCPs’)] from the Russian Federation to the Ukrainian side. On the side of the minibus ‘Search and Rescue Service’ was written in Russian language. There were 10 to 12 children in both vehicles. The drivers were in dark blue uniform. After passing through usual border and customs controls, both vehicles left to Ukraine.”

1290. According to the OSCE BM weekly update of 30 June 2015, “during the reporting week the OTs [had] observed the movement of buses with children crossing the border in both directions”.

1291. The OSCE BM weekly update of 7 July 2015 stated that “[d]uring the reporting week the OTs [had] observed the movement of buses with children crossing the border [in] both directions”. It continued:

“On 1 July, the OT observed a Ukrainian car entering the BCP from Ukraine. This car was driven by a male dressed in military-style and wearing a Kubanka. He was accompanied by a female. This car had a sign displayed on its doors and hood saying ‘Командатура Всевеликое Войско Донское’ (Command of the Almighty Army of the Don). This car appeared to be escorting a bus with between 15-17 children on board. This bus displayed a Cossack flag and also a sign stating ‘children on board’. Both vehicles later crossed into the Russian Federation.”

1292. The relevant part of the OSCE BM weekly update of 22 July 2015 read:

“On 15 July at 11:25hrs the OT noted the arrival to the BCP of 12 busses from the Russian Federation where they parked. These busses were carrying a large group of children aged from six to ten years old and they were accompanied by a police escort. A short time later a convoy of 16 empty buses entered the BCP from Ukraine and exited to the Russian Federation. The children then boarded the Ukrainian busses and crossed to Ukraine.”

1293. The relevant part of the OSCE BM weekly update of 4 August 2015 read:

“On 29 July at 13:30hrs the OT noted arrival of 21 Ukrainian registered busses from Ukraine at the BCP carrying approximately 900 children. The children went to the Ministry of Emergency Situations camp that had been set up on the Russian Federation side. There the children boarded other busses and left into the Russian Federation. The busses on which they had arrived returned to Ukraine. On July 31 at 10:00hrs the OT observed a number of empty busses entering the BCP from Ukraine; a little while later 7 busses carrying children arrived from the Russian Federation side. At 12:18hrs 14 busses crossed into Ukraine.”

1294. The relevant part of the OSCE BM weekly update of 26 August 2015 read:

“During the reporting week, on 20, 22 and 24 August the OT observed busses transporting children from Ukraine to the camp which is erected near BCP gate on the Russian Federation side. Once at the camp the children boarded other busses which left the BCP to the Russian Federation.

The wooden benches with a net-like cover over them that were installed several weeks ago at the entrance to the BCP are still present. The benches and the cover provide a place for people crossing the border to rest and stay in the shade during the long waits.”

1295. The relevant part of the OSCE BM weekly update of 24 February 2016 read:

“In addition to regular bus connections, the OTs continued to observe bus connections on irregular routes: often the buses do not state their route; instead they just have a sign on the windshield saying ‘Irregular’. The OTs also observed two buses with sign ‘children’ transporting children aged around 10 years and some adults.”

1296. The relevant part of the OSCE BM weekly update of 16 June 2016 read:

“During the reporting week, on some occasions the OTs at the Donetsk BCP observed buses with children on board crossing the border in both directions. On the 11 June 2016 the OT in Donetsk observed a bus with Ukrainian Ministry of Emergency Situation registration plates carrying children from the Russian Federation to Ukraine. The bus bore the inscription ‘Search and Rescue Service’ in Russian (*‘Поисково-спасательная служба’*).”

1297. The OSCE BM weekly updates of 31 May, 7, 22, 29 June and 5, 12, 20 July 2016 contained identical statements that “[d]uring the reporting period, on some occasions the OTs at the Donetsk BCP [had] observed buses with children on board crossing the border in both directions.”

1298. The relevant parts of the OSCE BM weekly update of 27 July 2016 read:

“During the reporting period, on some occasions the OTs at the Donetsk BCP observed buses with children on board crossing the border in both directions.

...

On 21 July at 21:21hrs at the Donetsk BCP the OT observed the arrival of ten small buses which parked at the BCP’s customs control area. Approximately twenty minutes later six buses full of children arrived at the BCP from the Russian Federation side. After transferring the children from one bus to another, they returned in the direction where they arrived from.

On 23 July at 19:35hrs the OT at the Donetsk BCP observed the Russian Federation Ministry Emergency Situation personnel setting up tents at the entrance gate of the BCP on the Russian Federation side. On the next day, the OT observed eight buses with children coming from Ukraine and parking near the camp. The children boarded other buses and travelled to the Russian Federation. Later during the day, the tents were disassembled.”

1299. The OSCE BM weekly updates for 17, 24 and 31 August 2016 contained identical statements that read as follows:

“On several occasions the OTs observed in Donetsk BCP numerous buses with children that [were] likely travel[ling] to/from summer camps. In these cases representatives of the Russian Ministry of Emergency Situations installed tents in the vicinity of the BCP for carrying out medical checks of children leaving and entering the Russian Federation.”

1300. A pertinent part of the OSCE BM weekly update for 7 September 2016 stated that “[o]n several occasions, the OTs [had] observed in Donetsk BCP group of buses with children that [were] likely travel[ling] back to Ukraine from summer camps in Russia. In one occasion, on 1 September, the OT [had] noted that buses held registration plates newly issued by the ‘LPR’.”

1301. The relevant part of the OSCE BM weekly update of 14 September 2016 read:

“On two occasions, the OTs observed in the Donetsk BCP groups of buses with children that likely travel from Ukraine to summer camps in Russia. In these cases representatives of the Russian Ministry of Emergency Situations installed tents in the vicinity of the BCP for carrying out medical checks of children entering the Russian Federation.”

1302. The OSCE BM weekly updates of 21 and 28 September 2016 reported one and two occasions, respectively, of the OTs observing at the Donetsk BCP groups of buses with children travelling from Russia to Ukraine.

1303. The relevant part of the OSCE BM weekly update of 5 October 2016 read:

“On 27 September, the OT at the Donetsk BCP observed a group of children travelling from Russia to Ukraine. The group arrived at the BCP by buses with the inscription of two hotels of Anapa (Russian Federation) and crossed the border with Ukraine on several mini-buses holding registration plates issued by the ‘LPR’.”

1304. According to the OSCE BM weekly update of 12 October 2016, during the week, the OT at the Donetsk BCP had observed two buses with children on board crossing the border from Ukraine to the Russian Federation. The weekly update of 19 October 2016 reported two buses with children on board crossing the border from the Russian Federation to Ukraine.

1305. According to the OSCE BM weekly update of 14 June 2017, “[d]uring the week, a few buses with children on board [had been] observed crossing the border in both directions at the Gukovo BCP”.

1306. The OSCE BM weekly updates of 2 and 9 August 2017 contained identical statements that “[t]he OT [had] observed several buses with children on board crossing the border at the Donetsk BCP”.

1307. The relevant part of the OSCE BM weekly update of 16 August 2017 read:

“Throughout the whole week the OT observed buses (carrying sign ‘School Bus’ in Ukrainian) with children on board, crossing the border at the Donetsk BCP. The children were being brought to the recently erected field tents’ camp within the BCP area and from there after going through formalities were boarded on other passenger buses and proceeded towards the Russian Federation.”

1308. The relevant part of the OSCE BM weekly update of 30 August 2017 read:

“On 28 August, an organised bus convoy with approximately 450 children was observed at Donetsk BCP. The children were traveling to Ukraine from a Russian summer camp. Another bus convoy with approximately 250 children travelled the next day from Ukraine to the Russian Federation.”

1309. The relevant part of the OSCE BM weekly update of 6 September 2017 read:

“On 30 August and 1 September, organized bus convoys (35 buses in total) were observed at Donetsk BCP transporting children to Ukraine from Russian summer camps. Another bus convoy (19 buses) was observed on 4 September transporting children from Ukraine to the Russian Federation. In all cases the border crossing was supported with food and medical assistance by Russian Ministry of Emergency Situations teams in specially installed tents inside the technical area of the BCP.”

1310. The relevant part of the OSCE BM weekly update of 27 September 2017 read:

“On 24 September at 11:00, a convoy of 26 buses arrived from Ukraine at Donetsk BCP. All buses were empty and with ‘LPR’ plates or Ukrainian licence plates issued in the Luhansk Region. All buses bore the inscription ‘school children’ (in Russian).

At 11:35, and later at 12:20, two convoys of eight buses each (16 in total) with children on board arrived from the Russian Federation at the Donetsk BCP. After delivering the children at the BCP, the buses returned empty to the Russian Federation. All children underwent individual checks, after which they were taken to the 26 empty buses. By 14:00, all buses had left for Ukraine.”

1311. The relevant part of the SMM update for 26 August 2018 read:

“... On 26 August, while at a border crossing point near Izvaryne (52 km south-east of Luhansk) for about five minutes, the SMM saw 55 cars (13 with Ukrainian, 37 with Russian Federation, one with Georgian and one with Lithuanian license plates, as well as three with ‘LPR’ plates), 16 covered cargo trucks (13 with Ukrainian license plates and three with ‘LPR’ plates), and 22 pedestrians (11 men and 11 women, aged 40-50) in a queue to exit Ukraine. The SMM saw a bus with ‘LPR’ plates and a group of children on board entering Ukraine. A member of the armed formations told the SMM to leave the area.”

1312. According to the OSCE BM weekly update of 8 October 2019, “[o]n 1 October at 13:05, the OT at the Donetsk BCP observed ten empty minibuses without licence plates crossing in a group from the Russian Federation into Ukraine. The minibuses bore the inscription ‘children’ (in Russian) on the windscreen.”

1313. The relevant part of the OSCE BM weekly update of 5 November 2019 read:

“On 1 November at 13:55, the OT at Donetsk BCP observed a group of ten small buses entering the BCP from the Russian Federation. The buses were yellow in colour and had the printed inscription ‘Children’ in Russian on the windshields and on the sides of the vehicles. The buses did not have any licence plates and were empty except for the driver and one passenger in each. At 15:30, all buses crossed the BCP into Ukraine.”

2. *OSCE Moscow Mechanism*

1314. The OSCE Moscow Mechanism is an instrument to monitor the implementation of OSCE commitments that participating States have undertaken in the field of human rights and democracy (the human dimension). The Moscow Mechanism provides for the possibility for participating States to establish *ad hoc* missions of independent experts to assist in the resolution of a specific human dimension problem, either on their own territory or in other OSCE participating States.

1315. In respect of the armed conflict in Ukraine, the Moscow Mechanism has been invoked on five occasions, which resulted in four mission reports summarised below.

(a) Report of 13 April 2022 on violations of international humanitarian and human rights law, war crimes and crimes against humanity committed in Ukraine since 24 February 2022 (ODIHR.GAL/26/22/Rev. 1)

1316. On 3 March 2022 Ukraine, supported by forty-five participating States, invoked the Moscow Mechanism. A mission of three experts (“the Mission”) was appointed on 14 March 2022 with the following mandate:

“- Establish the facts and circumstances surrounding possible contraventions of OSCE commitments, and violations and abuses of international human rights law and international humanitarian law;

- Establish the facts and circumstances of possible cases of war crimes and crimes against humanity, including due to deliberate and indiscriminate attacks against civilians and civilian infrastructure; and to collect, consolidate, and analyze this information with a view to presenting it to relevant accountability mechanisms, as well as national, regional, or international courts or tribunals that have, or may in future have, jurisdiction.”

1317. The Mission report was published on 13 April 2022.

1318. The events investigated by the Mission covered the period from 24 February until 1 April 2022. The Mission used information available on the websites of the Ukrainian governmental institutions and in the relevant media reports, as well as information provided by international governmental organisations, international and Ukrainian non-governmental organisations (“NGOs”), military experts from third States and journalists. It also relied on a number of interviews with persons with particular knowledge of the matters under review. The Mission asked the Russian Permanent Representation to the OSCE to assist it by providing information. The request was dismissed since Russia considered the Moscow Mechanism to be outdated. The Mission used information from the available Russian public sources.

1319. The Mission found credible evidence suggesting that violations of the most fundamental human rights (right to life, prohibition of torture and other inhuman and degrading treatment and punishment) had been committed, mostly in the areas under the effective control of Russia or entities under the overall control of Russia.

1320. The Mission declared it to be an undisputed fact that the Russian invasion of Ukraine since 24 February 2022 had led to thousands of civilians being killed or injured. The Mission noted that OHCHR had verified 1,119 civilian casualties and 1,790 injuries as of 26 March 2022.

1321. The Mission had received reports of numerous instances of killings of civilians by Russian forces that revealed features of extrajudicial killings. In particular, the Mission noted allegations, received after the formal end of its investigations, of summary executions of a large number of civilians during the Russian occupation of villages in the proximity of Kyiv, in particular Bucha, and at the time of the withdrawal of Russian forces. There were photographs and videos of civilians killed in the streets, some with their hands tied, and reports of one or more mass graves. On 7 March 2022 Yuriy

Prylypko, the head of the local self-government in the village of Hostomel in the Kyiv Region, and two volunteers, Ruslan Karpenko and Ivan Zorya, were shot dead by Russian soldiers while delivering food and medicine to local residents. On 13 March 2022 Oleksandr Kononov, a disabled pro-Ukrainian activist from the Luhansk Region, was shot dead at home, in his wheelchair, by Russian soldiers. Moreover, on 1 April 2022 the first reports that a very large number of civilians had been murdered in the village of Bucha in the Kyiv Region started to appear in the media.

1322. The Mission noted that the Office of the Prosecutor General of Ukraine had started investigating allegations of a deliberate attack on civilians standing in a queue to get bread in the town of Chernihiv, resulting in the death of ten people.

1323. Mariupol, under siege since 2 March 2022, had suffered extensive destruction, with satellite images showing damaged factories, burning residential buildings and civilian facilities, while Ukrainian sources reported that 80-90% of residential buildings had either been damaged or destroyed by Russian shelling. Evacuation attempts had failed, and each party accused the opposing one of being responsible. Those who remained in the city were subjected to constant shelling, had no heating and reportedly very little water and food, and were living in unbearable conditions.

1324. The Mission reported that on 9 March 2022 the Mariupol Maternity House and Children's Hospital, with 390 beds, had been destroyed by a Russian attack. The Mission concluded that the attack had constituted a clear violation of international humanitarian law (IHL), and those responsible for it had committed a war crime.

1325. The Mission stated that the destruction of the drama theatre in the centre of Mariupol on 16 March 2022, allegedly by a Russian air strike, had most likely constituted an egregious violation of IHL, and those who had ordered or executed it had committed a war crime. According to the Mission, up to 1,300 persons had allegedly been seeking shelter in the theatre, both underground and on the floors, and 300 had been killed in the attack. The theatre was clearly marked as housing children by signs on both sides.

1326. The Mission had received one particular in-depth report produced by the Yale School of Public Health. According to that report, the Russian forces had "indeed engaged into a widespread and systematic pattern of damage to Ukrainian healthcare facilities by indiscriminate bombardment and in some cases intentional targeting".

1327. The Mission had also received numerous credible and consistent reports, supported by pictures and video images, about schools and university buildings being destroyed, including psycho-neurological boarding schools and rehabilitation centres. On 26 March 2022 the Prosecutor General of Ukraine reported that 570 educational institutions and forty institutions for children had been damaged by attacks. Even admitting the possibility that some schools had been damaged incidentally during lawful attacks targeting

military objectives, the Mission concluded that the number of schools damaged or destroyed constituted an expression of the indiscriminate way in which the Russian armed forces conducted hostilities.

1328. According to the Mission, reports indicated instances of conflict-related gender-based violence, such as rape, sexual violence or sexual harassment. Women were also exposed to an increased risk of human trafficking and faced difficulties when seeking to access gender-specific healthcare. The Ukrainian Minister of Foreign Affairs Dmytro Kuleba and the Ukrainian MP Lesia Vasylenko levelled accusations of rape and other forms of sexual violence at the Russian forces. One of the incidents had occurred in the village of Brovary, close to Kyiv, where a drunken Russian soldier had allegedly broken into a private house, killed the owner and then raped his wife several times, in the presence of her small child. There were allegations of rapes, including gang rapes, committed by Russian soldiers in many other regions in Ukraine.

1329. The Mission stated that a number of city mayors, as well as local pro-Ukrainian activists, journalists and volunteers, had been abducted by the Russian forces without any of the IHL procedures being complied with. The Mission had received alarming reports concerning the numbers of Ukrainian civilians who had allegedly been detained, abducted or kidnapped by the Russian or Russian-controlled forces. The OHCHR had documented fifteen cases of detention of journalists, human rights defenders and other activists, and twenty-four cases of detention of public officials and civil servants of local authorities.

1330. The Mission noted reports of local authorities being replaced in the newly occupied territories. In Melitopol, after the abduction of the elected mayor, Ivan Fedorov, a new pro-Russian mayor had been installed in the city. Mr Fedorov had been removed from his office and detained by a group of ten persons on 11 March 2022. He had been held by the Russian forces for five days, taken to the Luhansk Region, and then released in exchange for nine captured Russian conscripts. Mr Fedorov had experienced psychological pressure and threats while in detention.

1331. Several other mayors and public officials – Evhen Matveev of Dniprorudne, Viktor Tereshchenko of Velykoburlutsk, Oleksandr Yakovlyev of Skadovsk, Viktor Maruniak of Stara Zburivka, and Yuriy Fomichev of Slavutych – were also reported missing. According to the Mission, these incidents revealed features of arbitrary deprivation of liberty, and some were likely to amount to enforced disappearances.

1332. The Mission stated that the conduct of the Russian forces, in forcing the inhabitants of buildings to stay in their own basements while Russian troops took control of the buildings and installed sniping positions, constituted an evident lack of passive precautions prescribed by IHL and an unlawful restriction of their freedom.

1333. The Mission had received numerous consistent reports from Ukrainian official sources, NGOs and private individuals on social media concerning forced deportations from the occupied territories to Russia. According to the Human Rights Ombudsperson of the Ukrainian Parliament, 500,000 civilians had been deported from Ukraine to Russia. The Ombudsperson stated that all of them had been forcibly displaced, first taken to various “filtration camps” in Russia near the Ukrainian border, and then taken as far as Sakhalin Island in Russia.

1334. The Mission stated that the Russian invasion of Ukraine since 24 February 2022 had led to thousands of civilians being killed or injured. All those deaths, injuries and damage had understandably led to more than 10 million civilians to flee the hostilities, within Ukraine or to other countries.

1335. The Mission was concerned by numerous reports of lootings conducted by Russian soldiers. Several videos shared on social media displayed Russian troops looting grocery stores, supermarkets, petrol stations or even banks. In one case, on 20 March 2022, Russian soldiers were shown pulling up in a tank outside a Kherson petrol station and ransacking the store for basic goods.

1336. The Mission took note of an impressive and depressing list of cultural heritage damaged during the armed conflict. According to media reports, UNESCO had confirmed damage to least fifty-three culturally important sites. The Office of the Prosecutor General of Ukraine claimed that on 12 March 2022 Russian forces had used an aircraft (or artillery, according to other sources) to strike the Holy Dormition Svyatohirsk Lavra, a major Christian Orthodox monastery near the town of Svyatohirsk in the Donetsk Region. It was reported that almost all the windows had been shattered and the church buildings had been destroyed to varying degrees.

1337. The Mission had received information indicating that the standards for the protection of journalists had been repeatedly violated in the conflict. Since 24 February 2022, five journalists had been killed and many more injured by the Russian forces. Reports suggested that at least some of them had involved intentional targeting of journalists.

1338. On 26 February 2022 a Danish journalist, Stefan Weichert, and a photographer, Emil Filtenborg Mikkelsen, from the newspaper *Ekstra Bladet* were injured while on duty near Okhtyrka, a town in the Sumy Region.

1339. The report noted that OHCHR had documented the arbitrary detention and enforced disappearance of twenty-one journalists and civil society activists who had vocally opposed the invasion in the Kyiv, Kherson, Luhansk and Zaporizhzhia Regions. Five of the journalists and three of the activists had allegedly been released. The whereabouts of the other individuals remained unknown. The mission noted that the OHCHR findings were consistent with twenty-nine cases documented by various NGOs and reported to the Mission.

1340. The Mission had received several credible reports according to which civilians, including journalists, had been arrested by Russian forces without any procedure being followed, and had been ill-treated by methods that amounted to torture. One such well-documented and verified case concerned a Ukrainian interpreter and fixer working for Radio France who had been abducted by Russian troops in central Ukraine on 5 March 2022 and held in captivity for nine days. He was left in an icy cellar, repeatedly beaten with an iron bar and rifle butts, tortured with electricity, deprived of food for forty-eight hours and subjected to a mock execution.

1341. The Mission noted that on 8 March 2022 Viktoria Roshchyna, a Ukrainian journalist working for the independent television channel Hromadske, had disappeared in Berdyansk. She was freed ten days later after having allegedly been forced to record a video saying that the Russian soldiers “had saved her life” and that she had been “treated well”.

1342. The Mission noted that on 13 March 2022 Brent Renaud, a documentary filmmaker from the United States, had been fatally shot in Irpin, and Juan Arredondo, a US-Columbian journalist who had been accompanying him, had been severely injured.

1343. The Mission noted that on 23 March 2022 Oksana Baulina, a Russian journalist working for the independent investigative website The Insider, had been killed in Kyiv by Russian shelling.

1344. At least ten television towers in eight regions in Ukraine (Melitopol, Kyiv-Vynarivka, Kharkiv, Rivne, Vinnytsya, Korosten, Lysychansk and Bilopillya) had been destroyed or damaged. As a result, Ukrainian broadcasting had completely or partially disappeared from these regions. According to the Mission, whether each of these television towers constituted a lawful military objective had to be properly established.

1345. In the areas under the effective control of Russia, including Crimea and Kherson, local media were prevented from operating or had to broadcast pro-Russian propaganda. Certain media outlets had received anonymous letters calling on them to abandon their “anti-Russian activities”. Access to certain foreign channels, such as BBC News, Radio Free Europe/Radio Liberty or Voice of America, had been blocked by a decision of the Russian media regulator Roskomnadzor. Social networks had also had significant restrictions imposed on them in the territories under the effective control of Russia.

1346. The Mission had received reports and videos casting doubt on whether the applicable standards concerning the right to freedom of assembly had been respected by Russia in the course of several demonstrations in certain newly occupied cities. On 6 March 2022 one man had allegedly been shot dead and seven others received injuries during a peaceful demonstration held in Nova Kakhovka.

1347. The Mission expressed doubts that the rules of international human rights law (IHRL) had been respected when residents of the occupied town

of Skadovsk had held a peaceful rally demanding the liberation of the city on 16 March 2022. The Russian military captured the leadership and opened fire at the participants of the rally, according to the Mission. On 21 March 2022, during a protest against the occupation in Kherson, Russian forces used tear gas, stun grenades and even live ammunition against the protesters, causing several injuries.

1348. The Mission also noted that on 26 March 2022 Russian soldiers had sought to disperse a protest held in Slavutych, shooting in the air and throwing stun grenades at the crowd, resulting in several injuries.

1349. According to the Mission, it was evident from the reports of numerous official and unofficial sources that tens of thousands of civilian objects had been damaged or destroyed in Ukraine, including houses, multi-storey residential buildings, administrative buildings, custodial institutions, police stations, medical and education facilities, water stations and electricity systems, with disastrous direct and indirect effects on civilians. The Ukrainian Prosecutor General's Office had informed the Mission that as of 30 March 2022, 1,869 civilian objects had been attacked and 3,881 civilian objects had been destroyed or damaged as a result of attacks against civilian objects, figures which in the Mission's view were very conservative in the light of the very widespread destruction reported by the media, in particular in towns such as Mariupol, Kharkiv, Izium and Irpin.

1350. The Mission stated that Russian sources had been unable to explain the large-scale destruction of civilian objects. In most cases the attack angles, munitions used and objects hit clearly demonstrated that such attacks had been attributable to Russia.

1351. The Mission had received several allegations of attacks against civilians walking or riding bicycles in public places, driving in cars or travelling on trains, that could not easily be explained other than as instances of deliberately targeting civilians.

1352. According to the Mission, it was highly unlikely that the very exceptional circumstances under which destruction of cultural property could be justified under IHL had been fulfilled in each of the 123 cases listed by a specialised website as of 25 March 2022.

1353. The Mission relied on a detailed report published by Amnesty International concerning the town of Izium, which had been nearly completely destroyed by constant Russian bombardments. The inhabitants had been under a constant siege-like situation since 28 February 2022; the remaining civilians hid in their basements, food and water supplies had been constantly diminishing, and most residents were cut off from electricity, gas, heating and mobile communications as a result of the attacks. Satellite imagery from 12 March 2022 reviewed by Amnesty International clearly showed craters and damage close to locations identified by mapping applications as children's schools and hospitals.

1354. The Mission noted that in Crimea, local schools had been discouraged from teaching in the Ukrainian or in Crimean Tatar languages. The Mission was also concerned by reports indicating that since the beginning of the conflict, schools in the areas under the effective control of Russia had been turned into places of propaganda. Such schools had received manuals for teachers from the Russian Ministry of Education with instructions on how to justify the Russian attack on Ukraine.

(b) Report of 14 July 2022 on violations of international humanitarian and human rights law, war crimes and crimes against humanity committed in Ukraine from 1 April to 25 June 2022 (ODIHR.GAL/36/22/Corr.1)

1355. On 2 June 2022 Ukraine, supported by forty-five participating States, invoked the Moscow Mechanism. A mission of three experts (“the Mission”) was officially established on 7 June 2022, with the following mandate:

“- [to address] the human rights and humanitarian impacts of the Russian Federation’s invasion and acts of war, supported by Belarus, on the people of Ukraine, within Ukraine’s internationally recognized borders and territorial waters;

- [to establish] the facts and circumstances surrounding possible contraventions of OSCE commitments, and violations and abuses of international human rights law and international humanitarian law;

- [to establish] the facts and circumstances of possible cases of war crimes and crimes against humanity, including due to deliberate and indiscriminate attacks against civilians and civilian infrastructure; and collects, consolidates, and analyzes this information with a view to presenting it to relevant accountability mechanisms, as well as national, regional, or international courts or tribunals that have, or may in future have, jurisdiction;

- [to report] on all atrocities committed by the Russian armed forces in Ukraine, including, but not limited to, abuses, violations and crimes in the city of Kyiv and Kyiv region (Bucha, Irpin, Hostomel, Borodyanka and other settlements in the region), the city of Mariupol, Kherson region, Donetsk region, Luhansk region, Sumy region, Kharkiv region, Zaporizhzhia region, Odesa region, Chernihiv region, Mykolaiv region;

- [to take] into account the comments provided by the Ukrainian side to the Report of 12 April 2022;

- [to release] a report on violations of international humanitarian and human rights law, war crimes and crimes against humanity committed amidst Russia’s war of aggression against Ukraine, which would replicate the structure (main seven chapters) of the report of 12 April 2022.”

1356. The mission report was published on 14 July 2022.

1357. The events investigated by the Mission covered the period from 1 April until 25 June 2022. The report also covered a number of violations which had been committed prior to 1 April 2022 but had not been included in the first report since information about them had only become available after its publication. When preparing the report, the Mission relied on various

sources of information, namely the data contained in the first Moscow Mechanism report produced in April 2022, other reports, comments and statements produced by international governmental organisations, NGOs and media, various online and in-person interviews conducted by the Mission, and information obtained during the Mission's visit to Ukraine from 20-23 June 2022.

1358. The Mission reported that it had documented “a rather large number of instances of targeted, extrajudicial killings of civilian persons and persons deprived of liberty, both prisoners of war and civilian detainees”. The Mission also stated that the evidence gathered indicated that Russia's intentional attacks on schools and other civilian facilities could be proved on a large scale. One of the examples included an attack against School no. 21 in Chernihiv which had occurred on 13 April 2022. The school had been kept open as a shelter for families, and the word “children” had been sprayed on the windows in large bold letters. The bombs fell nevertheless, and at least nine people died.

1359. The Mission stated that a Russian missile strike had hit two residential buildings in Odesa on 23 April 2022. The Mission referred to a Ukrainian statement, according to which the strike had killed eight civilians and injured eighteen to twenty others.

1360. The Mission detailed a large number of reported incidents of serious forms of ill-treatment to which civilians and Ukrainian POWs had been subjected by Russian forces. In its report it noted “a pattern of serious mistreatment” of local civilian inhabitants of areas under the temporary control of the Russian armed forces. The evidence in its possession suggested that such areas had usually been turned into lawless zones, where civilians had been left at the complete mercy of the Russian soldiers occupying the area. Instances of torture and inhuman or degrading treatment were reported from all territories which were or had been temporarily occupied by Russian armed forces. The towns of Bucha, Irpin and Hostomel had become witness to some of the most extensive and serious incidents of this type during the Russian occupation in the first weeks of the conflict. Five bodies found in the basement of a children's sanatorium in Bucha showed signs of mistreatment and, in fact, there were suggestions that the basement might have served as a torture chamber during the Russian occupation. According to the testimonies provided by the local inhabitants, Chechen forces (Kadyrovtsi) had been heavily involved in many of the atrocities. Reports from and about women having been raped or otherwise sexually abused by members of the Russian armed forces, especially in the newly occupied territories, had become abundant. According to the Mission, reports of sexual violence against children, including rape, were particularly common, though the extent of such violence was difficult to assess owing to the sensitive nature of the abuse, the well-known and understandable reluctance of victims to report it and misinformation about this issue spread in the public space. The report also

quoted the Ukrainian Parliament Commissioner for Human Rights, Lyudmila Denisova, in relation to the case of a one-year-old boy who had been raped by Russian soldiers and had later died in a village near Kharkiv. Other reported victims included two ten-year-old boys, triplets aged nine, a two-year-old girl raped by two Russian soldiers, and a nine-month-old baby raped in front of his mother. It was alleged by a Ukrainian official that on 8 April 2022 a video had been posted on Twitter by a Russian soldier in which he had initially declared that he was making a “ferocious video” before sexually abusing a one-year-old baby. The soldier had subsequently been arrested in Russia after the video clip had gone viral. The same report stated that Ukrainian POWs detained by the Russian forces had also been allegedly subjected to mistreatment, as described by a recently released Ukrainian paramedic.

1361. The Mission relied on the figures shared by the UN Human Rights Monitoring Mission in Ukraine. According to those figures, by 28 May 2022 there had been 222 verified cases of conflict-related detention and enforced disappearance reportedly perpetrated by Russian armed forces and Russia-affiliated armed groups of the “DPR” and “LPR”. The Mission noted that a relatively consistent pattern of behaviour on the part of the Russian Federation had been identified whereby military occupation of a certain area had been followed by abductions, interrogations, mistreatment and sometimes killings of important public figures, such as mayors or local journalists. Moreover, the same practice had been employed with respect to persons seeking to evacuate from besieged places, such as the city of Mariupol.

1362. The Mission stated that according to Ukraine’s government and humanitarian organisations, the armed forces of the Russian Federation and of the two so-called “People’s Republics” had been transporting tens of thousands of civilians to “filtration centres” in the “DPR” before deporting them to Russia. CNN reported that victims had only been given two options: go to Russia or die. In many interviews, including to Mariupol residents, people had described Russian and “DPR” soldiers storming bomb shelters and forcing everyone inside to leave right away. People who had been in the shelter for about twenty days were let out, put in cars, and driven somewhere, only to realise they had been taken somewhere outside Ukraine. They were then loaded onto trains and transported to the Russian Federation’s hinterland.

1363. People evacuated from besieged cities, such as Mariupol, or people relocating from the temporarily occupied territories had to go through “filtration centres”, where their personal data were recorded, their fingerprints were taken and their IDs copied. There were reports indicating that people had been subjected to harsh interrogations and humiliating body searches in such centres. The interrogations and searches seemed to have been aimed at establishing whether the persons had fought on the Ukrainian side,

had any connections to the Azov battalion or had close links to the Ukrainian government. If this was found to be so, those persons were separated from others and often simply disappeared. Some were allegedly transferred to the territories of the so-called “L/DPR”, where they were detained or even murdered. The mission quoted Yevhenii Tsymbaliuk, Ambassador and Permanent Representative of Ukraine to the OSCE, as saying that there were around twenty such facilities on the territories occupied by the Russian Federation. Among them, the “filtration centre” located in the place symptomatically called Bezimenne (*Безіменне*, which means “without any name”), in the Donetsk Region, had become particularly well known. It had been used for several weeks to screen and filter individuals leaving the city of Mariupol. The forces of the Territorial Defence of the so-called “DPR” indicated that by 17 May 2022, more than 33,000 people had passed through that centre. When interviewed by the press or NGOs, they commonly confirmed that “filtration” entailed personal identification, interrogation (with a likely presence of the FSB personnel) and personal searches.

1364. Civilians who passed through the “filtration procedure” were issued with some kind of “travel voucher”. On the basis of that document, they were relocated to the so-called Temporary Accommodation Points (*Пункты временного размещения*) in Russia, which included dozens of sanatoriums, former children’s wilderness camps and similar facilities located all across the Russian Federation, including the Russian Far North (Murmansk), Siberia (Irkutsk) and Far East (Kamchatka).

1365. The Mission further noted that by 1 April 2022, between 300,000 and 500,000 Ukrainian citizens had been deported to Russia, according to various sources from both countries. The Mission stated that the reports of forcible deportations of Ukrainian civilians to the territories under the effective control of the Russian Federation or even to Russian territory gave rise to doubts as to whether the standard on the prohibition of arbitrary displacement had been complied with. Moreover, the Mission found evidence of failure to respect humanitarian corridors and of shelling of civilians and vehicles using those corridors.

1366. There were reports confirming that many children had gone missing during shelling and military actions, especially in the bigger cities, and also many children had lost their parents and relatives and had become orphaned. Some of those children had been transferred to areas in the “DPR” and “LPR”, but there had been no attempt by the local administrations to find their parents or living relatives. Also, there were reports about approximately 2,000 children from various orphanages and children’s institutions who had purportedly been transferred to Russia, even though they had living relatives and had only been in the institutions for medical care.

1367. The Mission stated that the number of journalists who had been killed or abducted continued to rise. One of the incidents involved the killing of the French cameraman Frédéric Leclerc-Imhoff, who had worked for the

French privately owned broadcaster BFMTV. He had reportedly died when Russian armed forces started to shell the humanitarian convoy on the road to the town of Lysychansk, in the Luhansk Region, on 30 May 2022. The report provided further examples of journalists who had been abducted, ill-treated or injured.

1368. The Mission also noted that in territories under Russian effective control, Ukrainian media had been replaced by Russian media and the local inhabitants had only had access to the latter.

1369. On the topic of destruction of education institutions, the Mission referred to a specially dedicated website established by the Ukrainian Ministry of Education and Science. According to the website, 2,061 such institutions had suffered bombing and shelling, and 212 of them had been destroyed by 25 June 2022.

1370. The Mission further noted that on 7 May 2022 a school in the village of Bilohorivka in the Luhansk Region, which had also been used as a shelter, had been bombed by the Russian forces, reportedly resulting in sixty casualties.

1371. The Mission expressed its regret that the attempts to turn schools situated in the territories under the effective control of the Russian Federation into places of propaganda had become even stronger over the period covered by the report. The Mission referred to reports by the Ukrainian NGO Cedos stating that new subjects, such as Russian language and literature, social studies and history, were being introduced in schools in the occupied territories, and were taught using Russian textbooks and in Russian. When the first school in Mariupol resumed work, it had begun classes with the Russian national anthem. In the Russia-controlled Kherson Region, teachers had been under pressure to abandon the original curriculum and become a tool of Russian propaganda, risking measures of retaliation from the occupying forces if they did not yield to that pressure.

1372. Children living in the territories under the effective control of the Russian Federation were exposed to massive propaganda and militarisation of education. It was, for instance, reported that the Russian armed forces had cancelled school vacations in the occupied city of Mariupol in order to prepare students for the transition to the Russian curriculum. According to the Mission, the goal was to remove the Ukrainian curriculum and prepare students to return to school with a Russian curriculum.

1373. On the issue of the right to property, the Mission stated that survivors of the Bucha massacre had claimed that Russian soldiers had ransacked the city, taking jewellery, electronics, kitchen appliances, clothes and vehicles from the displaced, deceased and those still in the city. The media reported that in Trostyanets, after a month of Russian occupation, evidence of “systematic looting” had been discovered. Similarly, in the village of Berestyanka, near Kyiv, Russian soldiers had looted clothing, appliances and electronics from homes before the village was returned to

Ukrainian control. Belaruski Gayun, a Telegram channel monitoring military activity in Belarus since February 2022, reported in early April 2022 that Russian soldiers had been sending large packages to Russia via a courier service. The packages were believed to contain items stolen by Russian soldiers. There were reports of Russian forces setting up bazaars in Belarus to trade looted goods. Washing machines, dishwashers, refrigerators, jewellery, automobiles, bicycles, motorcycles, dishes, carpets, works of art, children's toys and cosmetics were examples of such items. According to the Mission, it seemed that acts of pillage and looting had been carried out by individual members of the Russian armed forces making use of the lawless situation in the newly occupied territories, to personally enrich themselves, with the knowledge that such behaviour would most likely be tolerated, if not encouraged, by their superiors.

1374. The Ukrainian Defence Ministry accused Russia of stealing “hundreds of thousands of tonnes of grain” from grain elevators and other storage facilities in occupied Ukraine and transporting it to Russia. On 30 May 2022 Russia claimed that it had begun exporting grain from Kherson to Russia and was working on exporting sunflower seeds.

(c) Report of 4 May 2023 on violations and abuses of international humanitarian and human rights law, war crimes and crimes against humanity, related to the forcible transfer and/or deportation of Ukrainian children to the Russian Federation (ODIHR.GAL/37/23/Rev.1/Corr.1*)

1375. On 30 March 2023 the delegations of forty-five participating States of the OSCE, after consultations with Ukraine, invoked the Moscow Mechanism. Following that request, on 4 April 2023 a mission of three experts (“the Mission”) was established with the following mandate:

“- to build upon previous findings and establish the facts and circumstances surrounding possible contraventions of relevant OSCE commitments, violations and abuses of human rights, and violations of international humanitarian law and international human rights law, as well as possible cases of war crimes and crimes against humanity, associated with or resulting from the forcible transfer of children within parts of Ukraine's territory temporarily controlled or occupied by Russia and/or their deportation to the Russian Federation; and

- to collect, consolidate, and analyze this information with a view to offer recommendations, as well as provide the information to relevant accountability mechanisms, as well as national, regional, or international courts or tribunals that have, or may in future have, jurisdiction.”

1376. The mission report was published on 4 May 2023.

1377. The Mission built on the findings of the two earlier Moscow Mechanism reports. When drafting this report, the Mission used several methods of fact-finding and relied on various information sources, mainly written materials, including submissions via a special email channel established for that purpose, online and in-person interviews with the representatives of international organisations and NGOs, human rights

defenders, academics, members of legal profession and journalists, interviews with victims and witnesses, and information provided by Ukrainian State institutions and civil society during the Mission's visit to Kyiv from 14-20 April 2023.

1378. Sections III.C.2 and V of the report contained a summary of the provisions of IHL applicable to the alleged forcible transfer and/or deportation of Ukrainian children to the Russian Federation. The Mission reported accounts that Russia had begun to transfer children from the occupied territories of Crimea and the Donetsk and Luhansk Regions in 2014. In particular, the Mission quoted a statement by the Ukrainian Ombudsperson to the effect that only two dozen out of 4,323 orphans and children deprived of parental care residing in social care institutions on the Crimean Peninsula at the time of its occupation and annexation had reportedly been able to return to mainland Ukraine. While the OSCE experts were not in a position to confirm that statement, they shared the concern that “a practice and pattern of unlawful transfer and assimilation of various categories of unaccompanied Ukrainian children into Russia dating back to 2014 ha[d] multiplied and gained substantial traction” in 2022. According to the report, the Russian Federation had manifestly and repeatedly violated the best interests of the children concerned and denied their rights to identity, family, education, access to information, thought, conscience and religion, health, liberty and security, rest, leisure, play, recreation, and participation in cultural life and the arts.

1379. On the topic of national information bureaux and the duty to keep track, the Mission pointed out that under GC IV, the belligerent parties were under a duty to establish a National Information Bureau to protect civilians and children in particular. The Mission, however, was not able to ascertain whether such a body had been established by the Russian authorities. It was the understanding of the Mission that the Russian Ombudsman for Human Rights and the Russian Ombudsman for Children's Rights were the bodies performing some of the tasks with regard to Ukrainian children in Russia, including those who had been transferred by the occupation authorities. In the case of Ukrainian children whose parents had died, or whose parents or guardians were unknown or unreachable, the Russian authorities reported having conducted some family tracing; media reports described Ms Lvova-Belova and authorities from the Moscow Region reviewing State databases and the database of the ICRC in search of relatives. Ms Lvova-Belova denied having had any communication with Ukrainian authorities but suggested that her office had met with representatives of the ICRC, UNICEF and Refugees International, and had provided “all available information about the situation of children”. Only the ICRC confirmed having had communication with her. It was also suggested that the Russian Commissioner for Human Rights, Ms Tatyana Moskalkova, had been looking for relatives of Ukrainian children whose parents had died and that six children had been handed over

to legal representatives. The Mission stressed that those activities did not correspond to that of the National Information Bureau under GC IV.

1380. According to the Mission, while the Russian authorities might have actually had relevant information, the absence of an institution with the specific task of tracing, coordinating and updating such information and communicating it to the other party to the conflict was a clear violation of Russia's obligations under humanitarian law which, in turn, aggravated the effects of other breaches, notably the breach linked to the forcible transfer and/or deportation of children.

1381. When parents were released from "filtration", no information was provided to them as to the whereabouts of their children, nor was there any way to ensure the reunification of the family. The Mission further pointed out that, unlike other forms of child placements, adoption was carried out based on a judicial decision and it could entail a change of the child's name, surname and date and place of birth. It was, moreover, protected by the principle of secrecy.

1382. Since February 2022, Ukrainian children from territories under Russian control had been sent to so-called recreation or rehabilitation camps in Crimea, Russia and Belarus, often with the initial consent of their parents. There were credible reports that parents had been approached by schoolteachers and social workers considered to be trusted. Testimony had also been received to the effect that parents who had been reluctant to allow their children to go to such camps had faced implicit and, at times, explicit threats that the failure to allow their children to go would lead to the reconsideration of their parental rights, as the refusal would be seen as akin to neglect of the child. It was also significant for some families, who had been living on the brink of poverty for years following the occupation, that all expenses related to the camps would be borne by the Russian authorities, including transport, accommodation, food and all activities.

1383. In some cases, children were retained in the camps longer than expected, with reports of them being moved between camps without the consent of (or information being sent to) their parents or legal guardians. For example, in a summer camp in the Krasnodar Region, in the Russian Federation, about 200 children had remained after the summer and had been enrolled in a local school. It was suggested to the Mission that the Russian authorities had used the vulnerable position of the parents, their desire to protect the children from shelling and the difficulties of life in the occupied territory, misleading them about the nature and duration of the so-called "vacation". When the agreed period of the stay was due to come to an end, it was usually extended without the children being returned to their parents, for security reasons based on arguments such as the danger of shelling or pro-Ukrainian views. It was only when the parents started to enquire as to the whereabouts of their children and their return that the Russian authorities

would request that the parents or legal guardians travel to collect the children in person.

1384. The Mission noted that whatever the form of placement, Ukrainian children had found themselves in an entirely Russian environment, including language, customs and religion, and had been exposed to pro-Russian information campaigns often amounting to targeted re-education, as well as being involved in military education.

1385. Already in October 2014, the Russian occupation administration in Crimea had joined the initiative called “Trains of Hope” (*Поезд надежды*). According to information published by the “ministry of education, science and youth of the Republic of Crimea”, in the framework of this initiative, “families who came from other regions of the Russian Federation ... get acquainted with orphans and children left without parental care, with the aim of further placing them in their families. It is also planned to work on the creation of video profiles for children of this category for posting videos in the media and on a specialized website to draw attention to Crimean children for the possibility of being placed in families of citizens of the Russian Federation”. During a meeting with the Representative of the President of Ukraine in the Autonomous Republic of Crimea, the Mission had received information suggesting that more than 1,000 children might have been displaced in this way from Crimea to various parts of the Russian Federation within the “Trains of Hope” initiative.

1386. After 24 February 2022 the Russian Federation had started implementing other means to facilitate the adoption of children from the “DPR” and “LPR” and the provision of foster care for them. Since the unlawful annexation of the Donetsk, Luhansk, Kherson and Zaporizhzhya Regions in October 2022, orphaned children from those regions were in the same position as orphaned children from Crimea. Perceived to be Russian citizens, they became available for adoption by Russian families from any parts of Russia. The webportal Усыновите.ру, which contained a database of children from various regions of the Russian Federation available for adoption (*усыновление*) or foster care (*опека – попечительство*), also included data on children from the unlawfully annexed regions of Ukraine.

(d) Report of 25 April 2024 on violations and abuses of international humanitarian and human rights law, war crimes and crimes against humanity, related to the arbitrary deprivation of liberty of Ukrainian civilians by the Russian Federation (ODIHR.GAL/19/24/Corr.2*)

1387. On 29 February 2024 the delegations of forty-five OSCE participating States, after consultations with Ukraine, invoked the Moscow Mechanism and on 14 March 2024 a mission of three experts (“the Mission”) was established with the following mandate:

“- to build upon previous findings and establish the facts and circumstances surrounding possible contraventions of relevant OSCE commitments, violations and

abuses of human rights, and violations of international humanitarian law and international human rights law, as well as possible cases of war crimes and crimes against humanity, associated with or resulting from the arbitrary deprivation of liberty of Ukrainian civilians by the Russian Federation; and

- to collect, consolidate, and analyze this information with a view to offer recommendations, as well as provide the information to relevant accountability mechanisms, as well as national, regional, or international courts or tribunals that have, or may in future have, jurisdiction”.

1388. The mission report was published on 25 April 2024.

1389. The Mission built on and followed the methodology of the reports produced by the three earlier missions of experts established under the Moscow Mechanism in March and May 2022 and March 2023. When drafting the report, the Mission used several methods of fact-finding, including desk research, open-source research techniques, online and in-person interviews and on-site visits. The Mission also relied on various sources, namely (i) written materials (international legal instruments, legal acts enacted by Ukraine and the Russian Federation, case-law of international and national judicial and quasi-judicial bodies, reports by international organisations and NGOs, media reports, scholarly texts); (ii) over forty online and in-person interviews (with representatives of international organisations and NGOs, human rights defenders, lawyers, journalists, scholars, victims and witnesses); (iii) nearly eighty submissions via a special email channel established for that purpose by ODIHR; and (iv) in-person interviews with representatives of State institutions, civil society, victims and witnesses during the Mission’s visit to Ukraine from 18-24 March 2024. During that period, the Mission also visited places where Ukrainian civilians had been detained during the Russian occupation of the Kyiv Region in spring 2022 (mainly Bucha and Irpin).

1390. The Mission established that since spring 2014, a large number of Ukrainian civilians had been arbitrarily deprived of their liberty by the Russian Federation acting directly through its authorities or, in 2014-2022, through its proxies. While identifying the exact number of such civilians was impossible, the Mission concluded that the number could be measured in the thousands. Although the methods of detention differed somewhat from one region to another, the overall scheme of arbitrarily detaining large numbers of Ukrainian civilians in both the initial and subsequent stages of the occupation remained constant and appeared to be a defining feature of the Russian Federation’s policy in the occupied territories.

1391. The Mission had reasonable grounds to believe that the vast majority of instances of detention of Ukrainian civilians by the Russian Federation either had not met the lawful grounds for detention envisaged by IHL and IHRL or had not met the procedural guarantees imposed by the two bodies of law, or both. As such, they amounted to arbitrary deprivation of liberty under both IHL and IHRL.

1392. In particular, although no grounds for detention had in most cases been formally communicated to the detained civilians, the most commonly indicated reasons seemed to be associated with (i) alleged support for the Ukrainian armed forces and/or affiliation with them; (ii) alleged support for Ukraine and/or rejection of Russia's "special military operation"; (iii) alleged involvement in or support for international terrorism and/or extremism; (iv) Russia's intention to force them to cooperate; and (v) Russia's intention to spread fear in the occupied territories. In many cases detention seemed to be based on ulterior purposes, such as harassment or reprisals.

1393. Moreover, the detained civilians had been consistently denied procedural guarantees related to detention, such as information about the reasons for detention, the opportunity to challenge the lawfulness of detention, periodic review of detention, fair-trial guarantees, prohibition of collective and incommunicado detention and enforced disappearances, and special guarantees for civilians belonging to vulnerable groups or enjoying privileges and immunities under international law.

1394. The Mission noted that arbitrary deprivation of liberty had been conducive to other IHL and IHRL violations by the Russian Federation. The Mission had recorded cases of extrajudicial killings of detained Ukrainian civilians. They had been subjected to torture, other cruel, inhuman or degrading treatment or punishment, sexual violence and harsh conditions of detention. They had also been denied contact with the outside world. Lastly, they had been refused fundamental fair-trial guarantees (they had been tried under legislation that was not applicable to them and had had their rights to a defence and legal assistance ignored).

1395. The Mission pointed out that on numerous occasions Ukrainian civilians had been detained merely because the Russian authorities had found them to be in possession of Ukrainian symbols such as the flag of Ukraine, patriotic literature, brochures about volunteers assisting civilians, traditional shirts with Ukrainian embroidery and other symbols associated with the Ukrainian State and cultural traditions and deemed to be "patriotic". In particular, men would be asked to strip, and their bodies would be inspected for any tattoos perceived to bear Ukrainian symbolism. Any symbols associated with Ukraine would usually be called "Nazi symbols" by the detaining authority, and the people detained would be called "Nazis" and accused of failing to support, or even of countering the Russian Federation's "special military operation" in Ukraine. The detaining authorities would often interpret the presence of Ukrainian "patriotic" symbols, rejection of Russia's "special military operation" and/or actual or perceived support for the Ukrainian armed forces as evidence of "international terrorism", or "extremism", claiming this to be the reason for the detention. Ukrainian civilians suspected of involvement in or support for international terrorism and/or extremism were often subjected to criminal prosecution. The Mission had gathered information and received numerous testimonies indicating that

civilians had been detained in order to force them to collaborate with the Russian forces. Frequent targets were community leaders or persons in strategic positions, such as mayors and other local officials, journalists, employees of strategic infrastructure facilities, such as hydraulic stations and nuclear power plants, or educational personnel. The Mission had received numerous testimonies of instances of civilians being detained with the intention to spread fear among the population of the temporarily occupied territory. Detaining prominent local figures to spread fear among the population could also qualify as a form of hostage taking.

1396. The Mission concluded that the practice of arbitrary deprivation of liberty of Ukrainian civilians had occurred on a massive scale and had revealed signs of a systematic, consistent, deliberate pattern of conduct specifically targeting Ukrainian civilians. Therefore, there were reasonable grounds to believe that both the war crime of “unlawful confinement” and the crime against humanity consisting of “imprisonment or other severe deprivation of physical liberty in violation of fundamental rules of international law” had been committed.

1397. The Mission was only able to establish a very limited number of instances where Ukrainian civilians arbitrarily deprived of their liberty had been released, usually without any explanation, by the Russian authorities. The Mission was unable to establish any evidence of Russia’s providing any remedy to those who had been arbitrarily deprived of their liberty.

1398. The Mission came to the conclusion that all information they had collected strongly suggested that POWs and civilian internees had been kept in mixed quarters, or at the same locations. Some facilities reportedly hosted civilians, POWs and sentenced persons in three different units of the same detention facility. In other instances, civilians were reportedly co-located with POWs in the same facility, but in separate buildings. While the Russian system for the detention of Ukrainian civilians seemed to have developed since 2022, the Mission was unable to identify internment structures in line with the requirements of GC IV. The information received by the Mission suggested that in the Kherson, Zaporizhzhya, Donetsk and Luhansk Regions, the majority of arbitrarily detained Ukrainian civilians had been kept under the authority of counter-intelligence units, and no criminal proceedings were ongoing.

1399. The Mission noted that the Russian forces and administration had in 2022 established an extended system of “filtration”, with the objective of registering, mapping and collecting personal data, biometric samples/DNA of the inhabitants in an area, and setting up a database with an overview of the population. “Filtration” facilities had been established throughout the territory. Detailed mapping of the “filtration” system in Donetsk showed that it could be seen as a four-tier system consisting of *ad hoc* registration points, facilities for holding those awaiting registration (for example, schools), interrogation centres (for extraction of information concerning the person and

others) and prisons (typically, correctional colonies). The testimonies received by the Mission indicated that while the Russian armed forces had initially targeted individuals perceived as posing a security threat, over time a wider net had been cast to include any person perceived as opposing the temporary occupation. The “filtration” measures were aimed at identifying those who did not welcome the occupation, worked for the authorities or military forces of Ukraine, or their relatives. The main goal was for the Russian forces to separate those who remained loyal to Ukraine from those who would accept Russian authority. For example, in Mariupol, “filtration centres” were established outside the city, and those who did not pass the filtration process were consequently not given permission to re-enter the city. Filtration could take place in many different types of facilities: registration points, camps or other places of internment, interrogation centres, torture chambers or prisons. Both the FSB (including military counter-intelligence) and the Russian prison authorities had assigned their own officers to oversee filtration in particular regions.

3. *OSCE Office for Democratic Institutions and Human Rights*

(a) Interim report of 20 July 2022 on reported violations of international humanitarian law and international human rights law in Ukraine

1400. Following Russia’s full-scale invasion of Ukraine, ODIHR launched the Ukraine Monitoring Initiative to monitor and document the most serious violations of IHL and IHRL affecting the lives of civilians and POWs.

1401. ODIHR collected information for this report through desk research, including using open-source investigation techniques to verify digital evidence, and conducted in-person interviews in Ukraine with witnesses and survivors of alleged violations. ODIHR also benefited from reports and information provided by intergovernmental organisations (“IGOs”) and NGOs.

1402. The report covered the period from 24 February until 30 June 2022. It focused on a number of key areas of concern that the Ukraine Monitoring Initiative had identified within its mandate, among which were the functioning of humanitarian corridors, or the lack thereof, and the possibility for civilians to evacuate to safety and in a direction of their choosing.

1403. The relevant parts of the report may be summarised as follows.

1404. ODIHR noted that during the reporting period, there had been credible reports of extrajudicial executions of civilians and local officials in territories outside the effective control of the Ukrainian authorities. At the beginning of April 2022, after Russian armed forces had withdrawn from the Kyiv Region, media and various human rights organisations, such as HRW and Amnesty International, found extensive evidence of extrajudicial killings of civilians in the Kyiv Region, including in Bucha. According to various sources, more than a thousand bodies had been discovered in mass graves in

the region. As reported by HRW, hundreds of civilian bodies were collected from the streets of Bucha in April 2022. In addition, satellite images provided by a UK-based NGO captured images of more than 800 new grave plots in the cemetery in Kherson between 28 February and 15 April 2022, as well as a “series of mass graves” in the Yalivshchyna forest near Chernihiv.

1405. The same report covered credible allegations about Ukrainian citizens having been abused and tortured while detained by Russian authorities in areas under Russian occupation. ODIHR had also been provided with alarming reports of extremely poor detention conditions and conflict-related sexual violence committed by the Russian armed forces. The reported cases of rape were often accompanied by beatings, humiliation and hate speech. The report contained statements by persons who had witnessed seven or eight Russian soldiers taking a group of Ukrainian women into the basement of a multistorey building in Irpin, and had heard “cries, shrieks, and different noises coming from the basement where the women had been taken”. The witnesses assumed that the women had been raped while being there for about two hours. Four of the women were then shot in the forehead by the Russian soldiers. When the bodies had been brought out of the building, the witnesses saw that the victims were all naked and had bruises on their bodies. The Russian soldiers had then ordered the witnesses to load the bodies of the victims onto a truck and had set fire to them. The remaining women had stayed in the basement, and one witness could still hear their screams and some of them asking the Russian soldiers, “[K]ill me, just shoot me”. According to the report, at the end of June 2022, Ukrainian law enforcement had launched twenty investigations into allegations of sexual violence committed by Russian forces.

1406. The number of agreed humanitarian corridors for civilians was limited and information about their time and place was often communicated at the very last moment, which affected the ability to use them. Even when passing through the agreed humanitarian corridors, civilians had to go through numerous checkpoints, where Russian or “DPR”/“LPR” armed forces would decide whether the evacuation could continue and who would be allowed to pass through.

1407. Given the scarcity and the ineffectiveness of the agreed humanitarian corridors, many civilians decided to evacuate by their own means with the assistance of local volunteers outside those corridors. Harassment and other abuses by Russian and/or “DPR”/“LPR” armed forces were reported to be standard practice at the checkpoints, especially bribery demands and threats of shooting.

1408. Russian and “DPR”/“LPR” armed forces only offered and guaranteed safety to civilians who wished to evacuate along the evacuation routes leading to the territories of Russia or the “DPR”/“LPR”. This was also confirmed by ODIHR’s interviews with evacuated civilians from Mariupol, Rubizhne and Troitske. Similarly, the evacuations “offered” more or less

forcefully by Russia were only directed to the territories of Russia or the “DPR”/“LPR”. Russia denied accusations of forced deportation of Ukrainians and stated that people had chosen to leave voluntarily.

1409. It was impossible to accurately assess the scale of civilian deportation from occupied territories to the territories of Russia or “DPR”/“LPR” owing to the lack of access to those territories and conflicting figures from the Russian and Ukrainian authorities. Also, it was difficult to assess the type of coercion, if any, exercised over those people. According to ODIHR, the fact that Russia claimed the deportations to be “voluntary” might not be relevant in assessing their lawfulness: deportations could be “forcible” even in the absence of physical force through the creation of a coercive environment, such as one caused by conflict-related violence, leaving civilians with no other choice but to leave.

1410. People evacuated or deported to Russia or the “DPR”/“LPR” had to undergo the “filtration” process. “Filtration camps” were located in the “DPR” and “LPR”. The process included body searches, detailed checks of personal belongings and IDs, interrogations, taking of photographs and fingerprinting. People were divided into two groups: women and children in one and men in the other, the latter being subject to more extensive checks. The process could last from several days to several weeks, during which time accommodation and living conditions were very poor, and food was provided once a day. One interviewee believed that during the “filtration” Russian armed personnel had been beating people on the second floor of the building they were in (likely the school building in Volodarsk) as the interviewee had seen a young man being taken upstairs and had heard screams coming from there. Another person had witnessed a person who identified as a lesbian being humiliated and verbally ill-treated during “filtration”.

1411. Those who passed the “filtration” process received a paper marked “fingerprints recorded” and were allowed to proceed further to Russia or the “DPR”/“LPR”. Some people were able to go back to Ukraine. People who did not have the financial means for travelling, documents or connections were “forced” to stay in Russia or the “DPR”/“LPR” indefinitely against their will. Those who wished to remain in the territories controlled by the Russian forces, in the cities and regions of Donetsk, Luhansk, Kherson, Zaporizhzhya and Kharkiv, had to go back to their places of residence and obtain a permit to move around the territories through local “filtration” procedures in locally opened “militia” stations.

1412. Very limited information was available on the situation of people who did not pass the “filtration” process. They were reportedly interrogated further by representatives of Russia’s FSB, subjected to isolation, humiliation, ill-treatment and torture, and then sent to bigger “filtration” camps and prisons. There were reports of some of them being forced to sign statements to the effect that they had been interrogated and tortured by Ukrainian forces.

(b) Second interim report of 14 December 2022 on reported violations of international humanitarian law and international human rights law in Ukraine

1413. ODIHR collected information for the second report through desk research, including using open-source investigation techniques to verify digital evidence, and conducted 120 in-person interviews in Ukraine and in Estonia with witnesses and survivors of alleged violations. ODIHR also used reports provided by IGOs and NGOs.

1414. The second report covered the period from 1 July until 1 November 2022 and, with respect to certain matters, from 24 February until 1 November 2022. It provided an updated assessment of the most pressing issues, including evacuations, forcible transfers, deportations of civilians, including children, from the occupied territories and the “filtration” process.

1415. The relevant parts of the second report may be summarised as follows.

1416. According to ODIHR, there was a large and increasing body of evidence of civilians having been “unlawfully killed, including wilfully killed and summarily executed” in the territories that had been or remained under the control of the Russian Federation’s armed forces. In the Kyiv Region alone, over 1,346 civilian bodies had reportedly been recovered by the local authorities as of 18 July 2022. Documented evidence showed that, while some civilians had died as a direct result of the hostilities, stress or the lack of access to adequate medical care, a significant number of civilians had been arbitrarily or wilfully killed or subjected to summary execution by small arms and light weapons, stabbing or torture. Throughout the reporting period, new allegations of unlawful killings of civilians continued to emerge from territories that had been or remained under Russian occupation. For instance, in the city of Izium in the Kharkiv Region, which had been occupied by Russian armed forces until September 2022, 436 bodies were exhumed from a mass burial site. Some of them, according to local authorities, had ropes around their necks, tied hands, broken limbs and gunshot wounds, and all but twenty-one of the victims had been civilians.

1417. In the same report, ODIHR provided statements of victims and witnesses of ill-treatment in the form of beatings, electric shocks, suffocation, being forced into painful stress positions, mock executions and threats of mutilation. The apparent aim had been to coerce people into cooperation with the occupying forces or to extract information or confessions, but some victims had also been ill-treated for speaking Ukrainian in public or for taking photographs of Russian soldiers. ODIHR noted that recent reports of alleged sexual violence by members of Russian forces had surfaced from Kharkiv and the Kherson Region as the Ukrainian Armed Forces had begun regaining control of those territories.

1418. The process of leaving the occupied territories was increasingly difficult throughout the first months following the full-scale invasion: only

about half of the agreed humanitarian corridors were viable. In autumn 2022 evacuations became irregular because of intensified fighting and restrictions on the freedom of movement imposed by Russia.

1419. Some civilians were able to evacuate by private carriers contacted via messaging applications such as Telegram, with prices reportedly being beyond affordable and starting at approximately USD 300 per person.

1420. Some witnesses told ODIHR that, as the living situation in occupied territories was becoming unbearable as a result of active hostilities or other forms of hardship caused by the occupation, they had voluntarily decided to evacuate through the Russian Federation since it was the only available route to reach Europe. Two witnesses stated that they had to omit their intention to reach Europe when questioned by Russian authorities because they feared threats or mistreatment. Whatever route people chose to leave the occupied territories, they had to go through numerous checkpoints described as very dangerous because of the risk of abuses by Russian or “DPR”/“LPR” forces controlling them. Witnesses described such checkpoints as very dangerous, with perils posed by ongoing fighting, inhumane conditions, and the risk of abuses perpetrated by Russian forces controlling the checkpoints. Many witnesses who spoke to ODIHR reported having to pay bribes in order to pass through unscathed (consisting of money or cigarettes for example), or having their personal belongings, such as electronics, stolen during searches.

1421. People had to undergo the “filtration” process, which often included extensive body searches, detailed checks of all personal belongings, including mobile devices, interrogations about an individual’s background, family connections, political beliefs and opinions about the war, and gathering of personal identity data, including biometrics. Furthermore, as one interviewee described, people had to arrive and wait for “filtration” at their own expense, sometimes staying in line for weeks. One witness from Kupyansk, Kharkiv Region, described this process, saying that “filtration around the city was really strict. Russians could stop the person and check the ‘phones, even children were checked. And if there were photos of [damage], they took the person to the ‘basement’”. “Filtration” also involved threats, invasive and intimidating interrogations, ill-treatment and violations of the freedom of movement and the right to privacy. Allegations of conflict-related sexual violence against women were reported.

1422. According to ODIHR, reports suggested forcible transfers and deportations of Ukrainian nationals within the occupied territories or to Russia: people had been taken from one occupied territory to another or evacuated to Russia as the only possible destination. ODIHR noted that it was difficult to assess the type of coercion, if any, exercised over those people in order to force them to leave, but many indicators suggested circumstances that would constitute international law violations. IHL strictly prohibited individual or mass forcible transfers, as well as deportations of the civilian population within or outside occupied territory regardless of the motive.

Forcible transfer and deportation of civilians within or outside occupied territories were grave breaches of IHL and amounted to war crimes. ODIHR noted that transfers and deportations could be “forcible”, even in the absence of physical force, through the creation by the occupying power of a coercive environment, such as one caused by conflict-related violence, leaving residents with no other choice but to leave. Several witnesses who spoke with ODIHR, while stating that they had “voluntarily” decided to leave their homes, stressed that they had done so because of fear for their and their families’ lives owing to constant shelling and fighting, pervasive violence and abuses by the occupation forces, and the extremely dire humanitarian conditions they were forced to endure. Additionally, forced evacuations exceptionally allowed under IHL had to be temporary in that the persons evacuated “shall be transferred back to their homes as soon as hostilities in the area in question have ceased”. Reports given to ODIHR by civilians forcibly evacuated to the territory of the Russian Federation and pressured into surrendering their Ukrainian nationality suggested an intention by the Russian authorities to render the relocation permanent, in contravention of international law

1423. Once in Russia, Ukrainians had their Ukrainian passports taken from them by Russian authorities and were offered, in some instances under strong pressure, the opportunity to apply for Russian citizenship. People who could not prove that they were joining family members in Russia or covertly arrange a transfer to Europe could be relocated to remote areas of Russia. In the experience of one witness, who reported being one of many Ukrainians on a train, they travelled for three days without knowledge of what their final destination would be.

1424. Russia had adopted a policy of forcible transfers and deportations of unaccompanied children. Ukrainian children were reported to have been transferred to occupied Crimea or Russia for a “vacation” and for purported safety reasons without, however, being allowed to return as per the initially agreed plan. Ukrainian parents were reported to have been unable to communicate with their children or bring them back home.

1425. In May 2022 President Putin established a simplified procedure for granting Russian citizenship to Ukrainian children without parental care, which allowed them to be legally adopted by Russian families. The procedure also allowed orphanages in the occupied territories to apply for Russian citizenship for children in their care, with consent required from children aged between 14 and 18 only.

1426. It remained impossible to make an accurate assessment of the scale of forcible transfers of civilians and their deportation. As of 3 October 2022, UNHCR estimated that 2,852,95 Ukrainian nationals had crossed Russia’s border since 24 February 2022. In July 2022 the Russian news agency Tass reported that over 2.8 million Ukrainians had entered Russia from Ukraine, including 448,000 children. On 6 October 2022 the Ukrainian President

claimed that 1.6 million Ukrainians had been forcibly transferred to Russia. On 20 October 2022 the Ukrainian President's Representative for Children's Rights stated that over 8,700 children had been transferred or deported to the occupied territories or Russia.

(c) Third interim report of 17 July 2023 on reported violations of international humanitarian law and international human rights law in Ukraine

1427. The third report included a short overview of violations that had taken place from 1 November 2022 to 31 May 2023, while its main body focused on specific issues reported to ODIHR by 119 witnesses during four ODIHR monitoring deployments from February to May 2023. The third report was also informed by the Ukraine Monitoring Initiative's remote monitoring using open-source investigation techniques and information supplied by Russian and Ukrainian institutions and NGOs.

1428. The relevant parts of the third report may be summarised as follows.

1429. UNHCR estimated that 2,869,100 Ukrainian nationals had crossed the border to Russia as of 31 December 2022, and 16,705 Ukrainians had crossed the border to Belarus as of 1 May 2023. Russian media reported that over 5.3 million people had arrived in the territory of Russia between February 2022 and February 2023. These numbers did not account for civilian displacement that had occurred within the occupied territories.

1430. Since no official evacuations were available, many people had resorted to self-organised evacuation attempts or volunteer-organised convoys. Some of those who chose either option were reported to have been deliberately targeted by the occupying forces with shelling and/or heavy machine gun fire. One witness recalled having come under fire in the only car on the road, which had, moreover, been clearly identified as a civilian vehicle. Another witness recalled that two people on an evacuation convoy bus had been killed; the occupiers had reportedly aimed at the upper parts of the buses, not the tyres.

1431. Many witnesses reported poor treatment at the checkpoints controlled by Russian or "DPR" or "LPR" forces, namely harsh and invasive interrogations, strip searches, threats, intimidation, stealing of personal belongings, bribery and separation from family members, with relatives being detained and transferred to detention facilities. People reported interrogations about their final destination, their allegiance to Ukraine and Russia, their opinion on the war, whether they considered the occupied territory to be Russian and whether they had had any connections with the Ukrainian military.

1432. In one instance a witness described having been forcibly deported to the government-controlled territories of Ukraine. A Russian investigator accompanied by armed Russian soldiers had handed over an indictment with an ultimatum to go to jail or be deported. The witness never appeared before a court. As she chose deportation, she was handed a deportation order signed

by a Russian official and deported, leaving her family behind and being forced to walk several kilometres into the “grey zone” that separated the occupied territories from the government-controlled territories of Ukraine. She had her passport and travel documents taken and her data recorded.

1433. ODIHR interviewed witnesses who had left their homes owing to circumstances they felt necessitated their flight. For many, the means of evacuation often referred to self-organised evacuation attempts or volunteer-organised convoys as there were no official evacuations available. ODIHR noted that, while the individuals had organised their own departures, such displacements could still be “forcible” and thus unlawful under IHL. In that connection, witnesses who had undergone such evacuations listed a number of reasons for their departure, including the imposition of rules and regulations by the occupying authorities (notably a Russian-organised referendum and increasing pressure to obtain Russian passports), oppression and the environment of fear created by the conduct of the occupying forces, the encroaching hostilities and increased military activity and shelling by both armed forces in proximity to witnesses’ homes. Others mentioned lack of access to critical infrastructure as a result of the occupation, including to medical care and functioning medical institutions, as well as to necessary amenities, such as electricity and heating during the winter period.

1434. ODIHR had received a number of allegations of forcible transfers of Ukrainian children. Some witnesses reported that children had been taken by the occupation authorities, with the permission of their parents, to camps in Crimea or Russia for safety reasons or recreational activities but had never been returned to their parents as promised. Witnesses also described the displaced children as particularly vulnerable, in particular those coming from childcare institutions, including orphanages, those recently orphaned on account of their parents’ death from the hostilities or those coming from families who had been misled or pressured by Russian authorities. One witness reported having left their home out of fear of their child being taken to such a camp and never returned.

1435. The Russian authorities did not contest the large-scale displacement of Ukrainian children from the occupied territories, often justifying it as voluntary displacement for vacation purposes or lawful evacuation for safety reasons. According to ODIHR, the lawfulness of each displacement had to be assessed on a case-by-case basis. While some cases might potentially first have qualified as lawful evacuations under IHL, they might later have become unlawful on account of their prolonged and involuntary nature.

1436. According to the Ukrainian authorities, as of 31 May 2023, 371 Ukrainian children had been returned to Ukraine, while more than 19,000 children had been reportedly deported to Russia, Belarus, Russian-occupied territories or other unknown locations.

D. Other

1. United Nations bodies, United Nations specialised agencies and related organisations

(a) UN Secretary-General's report "Children and armed conflict" of 5 June 2023 (A/77/895-S/2023/363)

1437. The relevant parts of this report read as follows:

"I. Introduction

1. The present report, prepared following consultations and covering the period from January to December 2022, is submitted pursuant to Security Council resolution 2427 (2018). The report includes trends regarding the impact of armed conflict on children and information on violations committed, as requested by the Council in its resolution 1612 (2005) and subsequent resolutions. Where possible, violations are attributed to parties to conflict and the annexes to the present report include a list of parties engaging in violations against children, namely the recruitment and use of children, the killing and maiming of children, rape and other forms of sexual violence perpetrated against children, attacks on schools, hospitals and protected persons in relation to schools and/or hospitals, and the abduction of children.

2. The information contained in the present report was vetted for accuracy by the United Nations. Where information is not verified, it is qualified as such. Where incidents were committed earlier but verified only in 2022, that information is qualified as relating to an incident that was verified at a later date. The information does not represent the full scale of violations against children, but provides United Nations-verified trends in grave violations against children, given that access for monitors remains a challenge. ...

3. ... [T]he report documents situations in which apparent violations of international norms and standards are of such gravity as to warrant international concern, given their impact on children. ..."

Ukraine

...

312. A total of 92 children were used by Russian armed forces (91) and Ukrainian armed forces (1) as human shields (90), as a hostage and for domestic chores (1) and for intelligence-gathering (1).

313. The United Nations verified the detention of six boys. Four boys were detained by Russian armed forces and subjected to ill-treatment and/or torture. Two boys were deprived of liberty by Ukrainian authorities on national security grounds, with one boy subjected to ill-treatment. As at 31 December [2022], one boy, who turned 18 while in detention, remained in detention, one had escaped three had been released. The status of one boy is unknown.

...

318. The United Nations verified the abduction of 92 children, including 91 children abducted by Russian armed forces, as reported in paragraph 312 above. One child was abducted and taken to Belarus and another child was used as a hostage in exchange for civilians and prisoners of war. All 92 children were released. In addition, the United

Nations verified the transfer of 46 children to the Russian Federation from areas of Ukraine that, in part, are or have been under the temporary military control of the Russian Federation, including children forcibly separated from parents, children removed from schools and institutions without the consent of guardians, and a child who was given Russian citizenship.

...

326. I am troubled by reports, some of which were verified by the United Nations, of children transferred to the Russian Federation from areas of Ukraine that, in part, are or have been under the temporary military control of the Russian Federation. I urge the Russian Federation to ensure that no changes are made to the personal status of Ukrainian children, including their nationality. I further urge all parties to ensure that the best interests of all children are upheld, including by facilitating family tracing and reunification of unaccompanied and/or separated children who find themselves across borders or lines of control without their families or guardians. I urge parties to the conflict to give child protection actors access to these children to facilitate family reunification and I request my Special Representative to assess with United Nations entities and partners ways to facilitate such processes.”

(b) Report of the Special Rapporteur on extrajudicial, summary for arbitrary executions on his mission to Ukraine, 4 May 2016 (A/HRC/32/39/Add.1)

1438. At the invitation of the Government of Ukraine, the Special Rapporteur conducted an official visit to Ukraine from 8 to 18 September 2015. During the visit, the Special Rapporteur met with a number of representatives of the Ukrainian government, the OSCE Special Monitoring Mission to Ukraine, the General Consulate of the Russian Federation in Odesa and other international and national monitors, non-governmental organisations and civil society, as well as with the families of victims. After crossing the so-called “contact line” and travelling to Donetsk, the Special Rapporteur met with representatives of various monitoring missions, the “office of the commissioner for human rights” (“ombudsperson”) of the self-proclaimed “Donetsk people’s republic” and the “bar association”. The Special Rapporteur was also able to visit the outskirts of the city of Donetsk, including the area surrounding the airport, and to see with his own eyes the extensive damage caused, particularly to civilian infrastructure and domiciles, by heavy shelling.

1439. In so far as relevant, the report read as follows:

“55. ... On 3 March 2016, the United Nations Human Rights Monitoring Mission in Ukraine released its latest report on the human rights situation in Ukraine, estimating that at least 9,167 people had been killed and more than 21,044 injured in the course of hostilities. ...

56. The majority of these deaths have been caused by shelling, which it would appear has taken place indiscriminately on both sides or without the taking of adequate precautionary steps to protect civilians.

57. The Special Rapporteur is also concerned by allegations that the conflict is being waged in part with inherently indiscriminate weapons, such as cluster munitions and landmines, including anti-personnel mines. Researchers have documented widespread

use of cluster munitions by both government forces and armed groups in dozens of urban and rural locations, with some locations hit multiple times. The weapons used were ground-fired 300 mm Smerch (Tornado) and 220 mm Uragan (Hurricane) cluster munition rockets, which deliver 9N210 or 9N235 antipersonnel fragmentation submunitions. For example, there is evidence of cluster munitions having been used by government troops in attacks against Donetsk City (October 2014), Makiivka (August 2014), Stakhanov (January 2015), Komsomolske (December 2014 and February 2015) and Luhansk (January and February 2015). Conversely, there is evidence of their use by armed groups in attacks against Artemivsk, Hrodivka and Kramatorsk (all in February 2015) [see Human Rights Watch, ‘Technical briefing note: cluster munition use in Ukraine’ (June 2015)].

...

2. Summary executions of detainees

78. There are allegations of the killing of detainees held by fighters of the self-proclaimed ‘Luhansk people’s republic’ in Sievierodonetsk, as the fighters were retreating from the city in July 2014. While local police remained in control of their headquarters on Partyzanska Street, the fighters had taken over the police temporary detention facility next door. On the day of the retreat, police reported hearing shots fired from within the facility. Several hours later, after the Ukrainian forces had arrived, the police re-entered the facility, and discovered and documented two corpses in separate cells, each shot either in the neck or in the head.

3. Allegations of quasi-judicial executions

79. The Special Rapporteur was alarmed by allegations of executions in quasi-judicial circumstances, both in the context of ‘military justice’ and in more civilian, ‘criminal justice’ contexts. For example, it is alleged that in May 2014 the ‘minister of defence’ of the self-proclaimed ‘Donetsk people’s republic’, Igor Strelkov (Girkin), sentenced two local commanders to death by firing squad for looting, armed robbery, kidnapping and desertion.

80. Summary executions may have been carried out under the pretext of ‘criminal legal authority’. In July 2014, when the Government of Ukraine regained control of Sloviansk, documents were found in the Security Service of Ukraine Building, which had been used as a detention facility by armed groups of the self-proclaimed ‘Donetsk people’s republic’, that seemed to indicate that armed groups had given death sentences and carried out executions of at least three persons, reportedly based on legislation dating back to 1941.”

(c) Statement of preliminary findings and recommendations following the official visit of the United Nations Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment (“UN Special Rapporteur on torture”) to Ukraine, 10 September 2023

1440. The UN Special Rapporteur on Torture visited Ukraine between 4 and 10 September 2023 and met with “victims and survivors who bravely shared their traumatic experiences”. She reported as follows:

“The volume of credible allegations of torture and other inhumane acts that are being perpetrated against civilians and prisoners of war by Russian authorities appears to be unabating.

These grievous acts appear neither random nor incidental, but rather orchestrated as part of a State policy to intimidate, to instil fear, to punish, or to extract information and confessions.

I gathered harrowing testimonies involving electricity charges being applied to ears and genitals, beatings of all kinds, mock executions at gunpoint, simulated drowning, being required to hold stress positions, threats of rape or death, and various ceremonies of ridicule and humiliation. Ukrainian returned civilians and soldiers recounted being crowded in basements and cells, in congested conditions, and being poorly fed. Several recounted dangerous levels of lost weight.

I stress that such acts would constitute torture or other cruel, inhuman or degrading treatment or punishment, prohibited at all times and in all circumstances under international human rights and humanitarian law”.

1441. The statement also listed the major difficulties the Ukrainian authorities had been experiencing in their efforts to investigate and prosecute the crimes of torture and other ill-treatment.

(d) Reports of the Office for the Coordination of Humanitarian Affairs (OCHA)

(i) Ukraine: Humanitarian impact situation report as of 3:00 p.m. Eastern European Time on 18 March 2022

1442. This report covered the period from 17 March to 18 March 2022. Referring to Mariupol’s deputy mayor, the report stated that 80-90% of the city had been bombed since 24 February 2022, leaving almost all buildings either damaged or destroyed. According to the Mariupol City Council, around 80% of the city’s housing stock had been affected by the hostilities, with nearly 30% estimated to have been damaged beyond the point of repair.

(ii) Ukraine: Humanitarian impact situation report as of 12:00 p.m. Eastern European Time on 6 April 2022

1443. On 6 April 2022 the OCHA, in collaboration with humanitarian partners, issued a report covering the period from noon on 4 April to noon on 6 April 2022. Referring to regional authorities, the report stated that on 4 April 2022 more than fifty incidents of shelling had been recorded in Kharkiv and nearby settlements. On 5 April 2022 shelling in Kharkiv had reportedly left at least four dead and three others injured. The same day, at least two civilians were killed and five more injured in the Chuhuiv district.

(iii) Ukraine: Situation report of 12 May 2022

1444. This report covered the situation in Ukraine as of noon on 11 May 2022. The report mentioned that on 5 May 2022 airstrikes in Kramatorsk, Donetsk Region, had reportedly resulted in twenty-five civilian casualties and damage to more than thirty apartment buildings, three educational facilities, and one health facility. The report further stated that on 8 May 2022 a school in Bilohorivka, Luhansk Region, where an estimated ninety people had been

taking shelter, had come under attack, reportedly leaving dozens of people dead.

(iv) Report “At least three killed and 19 injured in the 9th recorded Russian air strike on a school in Ukraine”, 13 May 2022

1445. This report, issued on the OCHA platform Reliefweb, stated that at least three people had been killed and nineteen more injured in a Russian air strike on schools in Novhorod-Siverskyi, Chernihiv, on 12 May 2022. The report referred to Ukrainian and UK news, which, in turn, had referred to information provided by Ukraine’s State Emergency Service. Russian troops had reportedly fired several missiles at a school and boarding school, also damaging an administrative building and some residential houses in the ensuing fire.

(v) Ukraine: Situation report of 26 May 2022

1446. This report provided an overview of the situation in Ukraine as of noon on 25 May 2022. It noted that there had been reports of repeated missile attacks between 20 and 23 May 2022, evidently targeting railway infrastructure in the Zhytomyr Region, killing at least one employee of Ukrainian Railways. In addition, on 23-24 May 2022, there had been reports of missile attacks on railway infrastructure in the Dnipropetrovsk Region, also destroying several houses.

(vi) Ukraine: Situation report of 9 September 2022

1447. This situation report analysed the general security and humanitarian situation, civilian casualties and damage to civilian infrastructure, displacement trends, the impact on education and the humanitarian response in Ukraine. The report noted that on 3 September 2022 ten civilians had reportedly been injured and a dozen buildings had been damaged by shelling in the city of Zelenodolsk, in the central Dnipropetrovsk Region. On 5 September 2022 an older woman had reportedly been killed and three other residents injured by rocket strikes in Apostolove.

2. Council of Europe

(a) Secretary General’s report “Human rights situation in the Autonomous Republic of Crimea and the City of Sevastopol, Ukraine”, 31 August 2023 (SG/Inf(2023)29)

1448. This report covered the one-year period from 24 February 2022. It drew on meetings with the Ukrainian authorities, international organisations, human rights defenders and civil society activists, at the Council of Europe headquarters and in Ukraine, information obtained by relevant Council of Europe bodies, and reports available in the public domain. The Secretary

General had visited Ukraine on 9 May 2022 and 3-4 April 2023. According to the report, on account of Russia's ongoing full-scale aggression against Ukraine and the cessation of its Council of Europe membership, meaningful discussions with the Russian government on access to the peninsula could not be pursued.

1449. In so far as relevant, the report read as follows:

“Forced transfers of children

63. During the reporting period, the practice of forced and unlawful transfer of children to the Russian-occupied territories as well as deportations to the Russian Federation solicited widespread international attention and strong concerns over potential violations of the state obligations set forth by the Fourth Geneva Convention (relative to the Protection of Civilian Persons in Time of War) and the Convention on the Rights of the Child. The Ukrainian authorities reported that 16 226 children were affected as of end February 2023. While 10 513 had been located, it had been possible to return only 308.

64. In the broader context of this serious and complex issue, most of the reported transfers to Crimea have been primarily related to children's expedited placement in recreation camps which engaged in intensive pro-Russian re-education and provided military training. While precise data is lacking, the occupying authorities in Crimea claimed having received 10 000 children from other occupied territories in 2022. At least seven institutions, with a capacity of hosting 2 000-2 500 children, were identified by a recent independent research study. Although initial parental or legal guardianship consent appeared to have been obtained, the relentless pressure of the war context may have contributed to a situation of duress. Moreover, many of those children seem to have been unable to return, after the camp administrations allegedly decided to delay or suspend altogether the children's return to their parents in Ukraine or due to the camp authorities refusing to hand them over unless their parents collected them in person. According to a local human rights initiative, by December 2022, at least 100 children in Crimea were waiting for the re-unification procedure provided for under the Geneva Conventions.

65. There have been significantly fewer reports of transfers of children in institutional care. In one case, 46 children aged from four months to four years from the Kherson Regional Children's Home, were reportedly transferred by Russian forces to Simferopol on 21 October 2022. In a separate case reported by the Ukrainian media, 16 children with disabilities from Oleshky in the Kherson region were taken to a psychiatric hospital in Crimea on 23 October 2022, although their prospective transfer onwards to the Russian Federation was not ruled out at the time.

66. In February 2023, the Council of Europe Commissioner for Human Rights noted that failure to return Ukrainian children to their parents or legal guardians is a clear violation of those children's human rights and the best interest of the child. The Commissioner called for the urgent identification of concrete mechanisms and solutions and to use them to reunite these children with their families.

67. The scarcity of information, but also the limited or lacking communication between children and/or occupying authorities on one side and parents on the other, have contributed to a growing uncertainty regarding the children's situation and status. Concerns also persisted over the practice of changing the nationality of Ukrainian children through the accelerated granting of Russian citizenship and subsequent renunciation of Ukrainian citizenship, in apparent violation of the Fourth Geneva

Convention (relative to the Protection of Civilian Persons in Time of War). Despite multiple calls, the Russian Federation continued to refuse access to international organisations and human rights defenders to the institutions where children are placed. Similarly, calls to establish a register or a database to trace children, as well as a legal mechanism to facilitate the restoration of their identity by Russia, remain unheeded.

68. The Secretariat's attention was also drawn to the relocation of orphans from Crimea in the period pre-dating 24 February 2022, purportedly for adoption following the integration of the peninsula in well-established adoption programmes such as the "Train of Hope", which is already operating in the Russian Federation."

(b) Memorandum on the human rights consequences of the war in Ukraine by the Commissioner for Human Rights, 8 July 2022 (CommDH(2022)18)

1450. This memorandum was based on the fact-finding and human rights monitoring efforts by the Council of Europe's Commissioner for Human Rights, Dunja Mijatović, following Russia's armed attack on Ukraine. During her visit to Ukraine from 2 to 7 May 2022, she had engaged in discussions with government officials, human rights defenders, civil society representatives, and victims of human rights abuses. In addition, she had conducted interviews with victims. She had also visited areas in the Kyiv Region previously under Russian control or heavily affected by fighting.

1451. During her visit she was confronted with "compelling evidence of patterns of violations of the right to life, including arbitrary killings". She referred to the discovery of a very large numbers of bodies of civilians after the liberation of the areas in the Kyiv Region. According to the information provided to the Commissioner, some of those victims had been found with their hands tied and had reportedly been tortured or ill-treated prior to being executed. The Commissioner's conclusions about the devastating impact of war on people's lives were confirmed by the stories of the victims of human rights violations whom she had met during the visit. For instance, she had met an elderly man from Hostomel, north-west of Kyiv, whose son had reportedly been the victim of torture and summary execution.

1452. In addition to the above, the Commissioner had received numerous reports of war-related sexual violence allegedly committed by Russian troops and was confronted with compelling evidence of patterns of violations of gender-based violence and war-related sexual violence. The reports of war-related sexual violence included rape, gang rape, threats of sexual violence and coercion to watch an act of sexual violence being committed against a partner or a child, allegedly committed by Russian troop members at various locations in Ukraine under their control. According to the Commissioner, the visit provided her with the "opportunity to observe first-hand the traces of some such egregious violations of human rights and international humanitarian law".

1453. The Commissioner expressed concerns about the high number of persons who had gone missing in areas controlled by Russian troops prior to their withdrawal from certain areas in Ukraine. The Commissioner mentioned

the documentation efforts of the UN Human Rights Monitoring Mission in Ukraine which had allowed it to record, at the time of the report's publication, at least 270 cases of enforced disappearances or arbitrary detention, the overwhelming majority of which had been attributable to Russian and Russian-controlled troops.

1454. Moreover, the Commissioner had been informed that many human rights defenders, local officials, journalists, volunteers, civil society activists, veterans and other persons active in the community, as well as their relatives or close ones, had reportedly either disappeared or been abducted and detained incommunicado by the Russian or Russian-controlled troops in areas of Ukraine under their control, especially in the Kyiv and Kherson Regions.

1455. The Commissioner referred to various reports of enforced disappearances or abduction of Ukrainian journalists or their relatives by Russian troops. She noted that at least four journalists and media workers had allegedly gone missing in Ukraine since 24 February 2022. Multiple attacks on journalists and media workers covering the war in Ukraine had been reported, with evidence suggesting that some of those killed or injured might have been deliberately targeted by Russian forces. In areas under the control of Russian troops, in particular in the Kherson and Kyiv Regions, mobile communication towers had reportedly been damaged or deactivated, cutting communications and creating information blackout zones.

1456. The Commissioner had been informed that more than 2,000 private apartments and homes had been destroyed or rendered uninhabitable in Bucha, Irpin and Hostomel between February and March 2022. Prior to their departure, Russian troops had also reportedly destroyed or looted some municipal equipment and vandalised schools and hospital premises.

1457. The Commissioner also pointed out that many children fleeing areas of Ukraine affected by the hostilities or under Russian control, including children from orphanages and care institutions, had reportedly ended up in the territory of the Russian Federation. According to some reports, legislative amendments had been initiated in the Russian Federation to make it easier for such children to acquire Russian citizenship or to be adopted by Russian families, and Ukraine's Prosecutor General had opened an investigation into allegations of forcible transfer of population, including children. Furthermore, the war had also made it difficult or impossible for parents in some of the war-affected areas to obtain birth certificates for newborns. The Commissioner noted with concern the reports that children born in Mariupol had been issued with Russian birth certificates, and the announcement by the regional administration imposed by the Russian Federation in areas under the effective control of Russian troops in the Kherson Region, according to which children born there after 24 February 2022, as well as orphans, would be granted citizenship of the Russian Federation. In that regard, the Commissioner emphasised that international humanitarian law prohibited the changing of children's personal status. The Commissioner further stressed the

particular role of the ICRC in overseeing and facilitating the reunion of children displaced by conflict with their parents and established caregivers.

(c) Report by the Commissioner for Human Rights “Crimean Tatars’ Struggle for Human Rights”, 18 April 2023

1458. This report was based on several visits by the Commissioner and her predecessors to Ukraine, of which the most recent one had taken place in February-March 2023. It also drew on regular exchanges with representatives of Crimean Tatars, including meetings with Mejlis of the Crimean Tatar People in Kyiv in April 2021, May 2022 and March 2023. The Commissioner had also held online meetings with representatives of Ukrainian and Russian civil society organisations and human rights defenders, as well as Crimean Tatars, including those based in Crimea, in 2021 and 2023. The meetings with the latter gave the Commissioner an opportunity to hear testimonies of victims and direct witnesses of human rights violations.

1459. This report described the situation of Crimean Tatars in detention. According to the Commissioner, Russia’s full-scale invasion of Ukraine had only worsened the already deplorable conditions of Crimean Tatar detainees. The Commissioner had been provided with a list of twenty-three Crimean Tatars detained in Russia despite being affected by serious health problems and disabilities. That list included 62-year-old Servet Gaziev, who had suffered a stroke in pre-trial detention prior to receiving a criminal sentence of thirteen years’ imprisonment. Another detainee on the list, 60-year-old Inver Bekirov, had also suffered a stroke while in detention.

1460. The Commissioner had also learnt of the death of a Crimean Tatar activist and member of Crimean Solidarity, Dzhemil Gafarov, in a detention centre in Novochoerkassk, Russia, on 10 February 2023. Mr Gafarov died after having spent more than four years in detention without access to adequate medical care, despite being affected by chronic heart and kidney disease and a heart attack suffered in October 2022.

1461. The report stated that the Crimean Tatars had been disproportionately affected by enforced disappearances which had occurred in parts of Ukraine occupied by Russian troops in 2022. As an example, a Crimean Tatar language teacher, Appaz Kutarmet, from the Kherson Region had disappeared while crossing into Crimea and had remained missing until October 2022, when it transpired that he had been detained incommunicado in a pre-trial detention centre in Simferopol.

(d) The Council of Europe Safety of Journalists Platform

1462. The Platform was created pursuant to the Secretary General’s proposal of 10 October 2014, “Internet-based Platform to promote the protection of journalism and safety of journalists” (SG/Inf(2014)37). Its purpose is to facilitate the compilation, processing and dissemination of information on serious concerns about media freedom and the safety of

journalists in the Council of Europe as guaranteed by Article 10 of the European Convention on Human Rights.

1463. On 4 December 2014 the Council of Europe and the Platform's Partner Organisations signed a Memorandum of Understanding. As of 2025, fifteen international NGOs and associations of journalists are partners to the Platform. In conformity with the Memorandum, the Platform allows the contributing partners to post alerts, subject to their own verification processes and standards. Such alerts document serious threats to the safety of journalists and media freedom in Europe. Alerts are notified to the national authorities, who are invited to reply, detailing preventive, protective or remedial action taken to address the threat.

1464. The Platform contains alerts concerning the safety of journalists and media freedom in the occupied territories of Ukraine. Below is reproduced a selection of the most emblematic alerts.

1465. Maria Varfolomeyeva, a Ukrainian journalist and media fixer who worked for the *Svobodny Reporter* website and *VostokMedia* outlets, was arrested on 15 January 2015 by forces loyal to the "LPR" on allegations of spying for the Ukrainian Army and the Ukrainian nationalist movement "Right Sector". On 3 March 2016 she was released from captivity.

1466. A Ukrainian journalist, Stanyslav Aseev, went missing in the Donetsk Region on 3 June 2017. His apartment in Donetsk had been ransacked and his professional laptop had gone missing, his family and friends told the media. On 15 July 2017 it was reported to the independent news outlet Hromadske Radio that Mr Aseev had been detained by separatists. In August 2019 Mr Aseev was found guilty of "organising the extremist community", "espionage and incitement to espionage", "public calls for the exercise of extremist activity" and "public calls for actions aimed at violating territorial integrity" by the so-called "Supreme Court of the DPR" and sentenced to fifteen years in prison. On 29 December 2019 he was released as part of a prisoner exchange.

1467. On 28 February 2022 a British television crew for Sky News was attacked while covering the war in Ukraine. The Chief Correspondent, Stuart Ramsay, and his four colleagues were driving back to Kyiv when they were ambushed. A bullet hit Mr Ramsay in his lower back, while the camera operator Richie Mockler was shot twice in his flak jacket. According to media reports, the team fled the car while still under fire and took cover inside a factory building before being rescued by Ukrainian police. Mr Ramsay said the car had been hit by up to 1,000 bullets despite their shouting "Journalist!"

1468. On 2 March 2022 journalists from the Czech news outlet *Voxpot*, Majda Slamova and Vojtěch Boháč, came under fire from Russian forces in the city of Makariv near Kyiv. The journalists reported that as they had been escaping, Russian forces had kept deliberately targeting their car, even though it had been marked "Press". Shot marks from AK-74 could still be seen on the car's door.

1469. On 4 March 2022 Russian soldiers detained the journalist Dmytro Khilyuk and his father in the village of Kozarovychi, north of Kyiv. They were held at a nearby Russian base. Russian forces accused the journalist of communicating with the Ukrainian military and law-enforcement agencies. Russian forces released Mr Khilyuk's father on 10 March 2022, and then took the remaining detainees, including Mr Khilyuk, to the nearby town of Dymer, according to a relative and the Media Initiative Group for Human Rights. Other captives who were later released recognised Mr Khilyuk among the people held in a Dymer office building. The relative told the Committee to Protect Journalists on 5 April 2022 that she had no updates on Mr Khilyuk's status.

1470. Two journalists, Roman Nezhyborets and Zoreslav Zamoysky, were found killed in Bucha and Yahidne, following the withdrawal of Russian forces from the region. Mr Nezhyborets' body was found buried in Yahidne, and Mr Zamoysky's body was found in Bucha. Mr Nezhyborets worked as a video editor for Dytynets, a privately owned TV broadcaster. Russian forces occupied Yahidne on 5 March 2022. Mr Nezhyborets, who was sheltering with his family in Yahidne, attempted to hide evidence of his work with Dytynets. Russian forces caught Mr Nezhyborets and took him away from his family on 5 March 2022. On 6 April 2022, after Russian forces had withdrawn from Yahidne, Ukrainian volunteers found Mr Nezhyborets' body in a grave, with gunshot wounds to his knees and with his hands tied. In Zoreslav Zamoysky's case, local residents of Bucha found his body on a street in early April 2022, according to statements by the Ukrainian National Union of Journalists ("NUJU") and the Irpin city council. Zoreslav Zamoysky covered the activities of local authorities in the region around Bucha and the city of Irpin as a freelancer for his outlet and other local media groups.

1471. On 5 March 2022 a Hromadske reporter, Viktoriya Roshchyna, was targeted by gunfire when her vehicle came across a column of Russian tanks while she was covering the ongoing war in Ukraine near Zaporizhzhya. The journalist and her driver were not hit by the bullets. According to Reporters Without Borders (RSF), they managed to leave their vehicle, which was marked "Press", and found refuge behind abandoned houses nearby. Ms Roshchyna explained that, while they had been hiding, Russian soldiers had stolen her laptop, camera and other belongings from the car. The journalist spent several hours hiding, surrounded by tanks and without being able to communicate and pass on information. On 15 March 2022 Ms Roshchyna went missing. On 18 March 2022 the Hromadske editorial staff said in a statement that they had last spoken with Ms Roshchyna on 11 March 2022, as she had been leaving Enerhodar and travelling to Mariupol. On 12 March 2022 witnesses told Hromadske that Ms Roshchyna had been in Russian-occupied Berdyansk. On 16 March 2022 local sources told Hromadske that she had been detained by the Russian FSB. On 21 March 2022 Ms Roshchyna was released. According to Hromadske, she had been

forced by Russian security forces to record a video in which she had denied being held by Russian forces.

1472. On 6 March 2022 the Swiss freelance journalist Guillaume Briquet was driving towards the city of Mykolaiv, near the Black Sea, when he was hit by Russian fire, according to the outlet *Ukrayinska Pravda*. He had just passed a Ukrainian checkpoint when several bullets hit his vehicle, which was marked “Press”.

1473. On 12 March 2022 Oleh Baturyn, a journalist for the daily newspaper *Novy Den*, went missing in Kakhovka, a city in the Kherson Region. According to his wife, an acquaintance had called Mr Baturyn at about 4 p.m. and suggested meeting near the Kakhovka bus station, located near the journalist’s house. Mr Baturyn went to the meeting, leaving his phone and documents at home. He promised to return after twenty minutes but never did. According to local reports, at about 4.50 p.m., Russian soldiers were spotted near the Kakhovka bus station. At that time, the neighbouring town of Nova Kakhovka had already been occupied by Russian forces, and they were attempting to install a Russian-controlled military-civilian administration there.

1474. On 13 March 2022 the award-winning US reporter Brent Renaud was shot dead when his vehicle came under fire at a checkpoint in the city of Irpin, outside Kyiv. Another US journalist, Juan Arredondo, and a Ukrainian citizen, who were in the vehicle, were wounded in the attack and taken to a hospital in Kyiv.

1475. According to news reports and relatives, on 13 March 2022 Maks Levin, a freelance photojournalist and documentary filmmaker, went missing near the village of Huta-Mezhyhirska, in the Kyiv Region. On 2 April 2022 Mr Levin’s death was announced by the news website *LB.ua* and confirmed on Telegram by the adviser to the President of Ukraine, Andriy Yermak. *LB.ua* stated that police had found Mr Levin’s body on 1 April 2022 with firearm wounds. It was assumed that Mr Levin had been unarmed and that he had been killed by Russian soldiers with two firearm shots.

1476. On 18 March 2022 Russian military detained the journalist, writer and NUJU member Yevgeny Bal in his house near Mariupol. The reason for the detention was that “compromising” photographs of Mr Bal together with Ukrainian military had been found during the search on his house. Mr Bal was kept in a cellar for three days, tortured and beaten. After having been released on 21 March 2022, he died on 2 April 2022. NUJU asserted that his death had been the result of the torture.

1477. At about 6 a.m. on 21 March 2022 unidentified armed men briefly detained four journalists of the Ukrainian news agency MV in the south-eastern Russian-occupied city of Melitopol, according to a report by NUJU. The men detained the MV executive editor Yevgeniya Boryan, the journalists Yuliya Olkhovskaya and Lyubov Chayka, and the retired MV publisher Mykhaylo Kumok at their homes, and took them to an undisclosed location.

The captors gave the journalists “preventive talks” to discourage their reporting and then released them, according to another report by NUJU. The men also seized the journalists’ personal phones and computer servers. The Committee to Protect Journalists could not determine whether the journalists’ devices had been returned upon their release.

1478. On 26 March 2022 Russian forces detained the journalist Iryna Dubchenko in the city of Rozivka, Zaporizhzhya Region, and took her to Donetsk, according to media reports. On 29 March 2022 the Ukrainian military administration of the Zaporizhzhya Region confirmed Ms Dubchenko’s abduction. On 8 April 2022 Iryna Dubchenko was released from Russian custody, as announced by friends and family on 11 April 2022. The release was confirmed by Levan Shishinashvili, an adviser to the head of the Ukrainian military administration in the Zaporizhzhya Region.

1479. On 31 March 2022, in an attempt to locate the journalist Konstantin Ryzhenko, Russian forces searched the apartment of his family in Kherson. According to NUJU, they detained the journalist’s brother Zakhar and seized Zakhar’s phones after accusing him of using the encrypted messaging app Signal. The journalist’s father, Aleksandr, had been present during the raid and told NUJU that the soldiers had demanded that he get in touch with Konstantin. In an interview with *Meduza* before his disappearance, Mr Ryzhenko said that he had been “tracking Russian fakes and refuting them” since the beginning of the war, and that Russian forces had been “asking where they could find such a journalist”. On 4 April 2022 Mr Ryzhenko reached out through social media to let it be known that he was safe and hiding.

1480. According to RSF, on 3 May 2022 a Melitopol lawyer, Yevhenii Ilchenko, began running an anonymous Telegram channel on which he published news of events in the occupied city and day-to-day difficulties, such as long queues to obtain documents, the lack of goods in supermarkets and corruption within the local authorities. On 10 July 2022 Mr Ilchenko was reportedly arrested after a search of his home, then indicted for “terrorism” and jailed. Messages that Mr Ilchenko managed to send to one of his relatives, reportedly seen by RSF, described how he had first been detained for several weeks in Melitopol with some fifteen other Ukrainians. According to those messages, acts of torture were commonplace, and prisoners were regularly electrocuted. Sometimes, prisoners were driven into a forest at night, undressed and subjected to mock executions before being brought back to their jail. “I didn’t crack, but not everyone is as strong”, Mr Ilchenko reportedly wrote to his contact. Beginning in September 2022, Mr Ilchenko was subjected to forced labour. Photographs sent by him during his captivity, reportedly seen by RSF, showed him being forced to build trenches for the Russian forces and clean weapons for several months. At the time, Mr Ilchenko was held a few dozen kilometres from Melitopol, near the Ukrainian village of Verbove in the Zaporizhzhya Region. Mr Ilchenko

returned to prison after several months of digging defensive lines. According to an RSF source, he might thereafter have been held in Taganrog, a port city in the Russian Federation not far from the Ukrainian border, in harsh conditions. An ex-prisoner in Taganrog told RSF that in the prison, walks had only been allowed once every two months, and that the lights had always been kept on.

1481. According to the governor of the Luhansk Region and the French broadcaster BFMTV, Frédéric Leclerc-Imhoff, a reporter for BFMTV, was killed on 30 May 2022 in an armoured evacuation vehicle, which had come under “enemy fire” as Russian troops entered the outskirts of Sieverodonetsk. France’s Minister of Foreign Affairs, Catherine Colonna, stated that Mr Leclerc-Imhoff had been killed by a Russian attack “while carrying out his duty to inform”. A BFMTV statement said that Mr Leclerc-Imhoff had been covering an evacuation operation, that his colleague Maxime Brandstaetter had sustained minor injuries during the strike and that their fixer, Oksana Leuta, had not been hurt.

3. US Department of State international religious freedom reports

1482. The Department of State submits an annual report to Congress on International Religious Freedom. The reports describe the status of religious freedom, government policies violating religious belief and practices of groups, religious denominations and individuals, and US policies promoting religious freedom in nearly every country and territory throughout the world. The reports cover the period between 1 January and 31 December of the previous calendar year.

1483. The initial draft reports of country chapters are prepared by US embassies on the basis of information from government officials, religious groups, NGOs, journalists, human rights monitors, academics, media, and others. The Office of International Religious Freedom, based in Washington, collaborates in collecting and analysing additional information, drawing on its consultations with foreign government officials, domestic and foreign religious groups, domestic and foreign NGOs, multilateral and other international and regional organisations, journalists, academic experts, community leaders, and other relevant US government institutions. To the extent possible, the reports use multiple sources to increase comprehensiveness and reduce potential for bias.

(a) Ukraine 2015 international religious freedom report, 10 August 2016

1484. This report described various forms of persecution of religious groups and leaders by separatists in the Donetsk and Luhansk Regions in 2015.

1485. The report mentioned several attacks against religious leaders and followers. In particular, it stated that on 14 February 2015 Ihor Petrenko, a

priest of the Ukrainian Orthodox Church (“UOC”) of the Kyiv Patriarchate, and Vadym Perepada, a volunteer, had been detained by separatists on their way to the Ukrainian troops stationed in the Donetsk Region, beaten and later released. On 17 May 2015 four Jehovah’s Witnesses were kidnapped, beaten and subjected to mock executions by separatists in Markyne, Donetsk Region; they were released the next day. On 21 May 2015 two elderly Jehovah’s Witnesses were detained by separatists in Stakhanov, Luhansk Region; they were pressured to convert to Orthodoxy and released on 2 and 3 June 2015. On 22 September 2015 a Baptist church in Krasnyy Luch, Luhansk Region, was asked to produce a list of its parishioners and threatened with consequences if it did not comply. On 23 September 2015 Taras Sen, a pastor of a Pentecostal church, was detained for four days in Sverdlovsk, Luhansk Region, for speaking to the OSCE observation mission. On 1 October 2015 several hundred people gathered at a Baptist church in Shakhtarsk, Donetsk Region, calling for the prohibition of “sects”.

1486. The report also covered seizures of places of worship. It stated that on 4 March 2015 separatists had seized a Baptist church in Antratsyt, in the Luhansk Region. Referring to Jehovah’s Witnesses reports, it also stated that during June and November 2015 ten of their places of worship in the Donetsk and Luhansk Regions had been seized by the separatist-controlled municipalities. There was also a report of a Jewish school, Beyt Menachem, being seized in April 2015 by separatists in Luhansk with the aim of housing a “cadet corps” or a “social canteen” there. Lastly, a cupola of a church in Oktyabr, Donetsk Region, belonging to the UOC of the Kyiv Patriarchate was reported to have been destroyed in late March 2015.

1487. This report also focused on hostile statements by the separatists’ leaders. In particular, during their joint press conference on 2 February 2015 Aleksandr Zakharchenko and Igor Plotnitsky had referred to the Ukrainian Government as “pathetic representatives of the great Jewish people”. During his May 2015 press conference Aleksandr Zakharchenko had stated that only Orthodox Christians, Roman Catholics, Muslims and Jews were permitted to function in the “DPR”. He threatened to take “tough action against various sects and pseudoreligions”.

(b) Ukraine 2016 international religious freedom report, 15 August 2017

1488. This report described various forms of persecution of religious groups and leaders by separatists in the Donetsk and Luhansk Regions in 2016.

1489. Referring to Jehovah’s Witnesses, the report stated that on 17 January 2016 three masked gunmen had dispersed a gathering of thirty faithful, seized religious literature as “extremist”, and arrested their leaders, Pavlo Dimitriev, Oleksandr Stadnyk and Serhiy Rakita. The three were then kept in pre-trial detention facilities and released only on 16 February 2016. Another report, from the Kharkiv Human Rights Protection Group, stated that

Ihor Kozlovskiy, the president of the Centre for Religious Studies and International Spiritual Relations, had been arrested at his home in January 2016 and accused of supporting religious minorities and “espionage”. He remained in detention at the year’s end. The Ukrainian Greek-Catholic Church (“UGCC”) reported that a priest from Kostyantynivka, Donetsk Region, Vitalii Kester, had been verbally and physically attacked at his home on 7 July 2016. The OHCHR reported that on 29 January 2016 a demonstration near a UGCC church had been staged by the “Young Republic”, an organisation associated with the “DPR authorities”. Its participants had spoken against the UGCC on account of its pro-Ukrainian position and called it a “sect”.

1490. The report also covered seizures of places of worship. According to the Jehovah’s Witnesses, nine of their places of worship had been seized during 2016, including in Donetsk, Horlivka, Telmanove, Yenakiieve, Bryanka and Perevalsk. The Seventh-day Adventist Church reported that its place of worship in Horlivka had been seized on 16 November 2016 for failure to share ownership documents with the local “authorities”.

1491. Lastly, this report also focused on the “DPR law” of 24 June 2016 banning the creation of “sects” and requiring registration of religious groups with the “DPR authorities”. Its adoption had been followed by arrests of a number of Jehovah’s Witnesses, as reported by that organisation. According to the report, on 22 July 2016 five gunmen had dispersed a gathering of sixty Jehovah’s Witnesses in Horlivka and arrested their leader, Oleksandr Ignatov. He had been released the next day, while their place of worship had been seized and vandalised. On 25 July 2016 Volodymyr Popkov, another Jehovah’s Witnesses minister from Horlivka, was also arrested. During intense interrogation, he was threatened with death unless he stopped his religious activity.

(c) Ukraine 2018 international religious freedom report, May 2019

1492. This report described various forms of persecution of religious groups and leaders by separatists in the Donetsk and Luhansk Regions in 2018.

1493. The report mentioned several attacks against religious leaders and believers. Referring to Jehovah’s Witnesses, it stated that on 30 November 2018 a member of that organisation, Mykhailo Papeta, had been arrested by the “LPR” at a checkpoint while travelling to Luhansk. He was detained at a police station and beaten while his home was searched, with his religious books being seized. According to the Muslim community and Ukrainian media reports, in late June 2018 the “DPR” had raided a mosque in Donetsk, interrogating its imam, seizing the religious books, and closing the mosque on “extremism” charges. The All-Ukrainian Baptist Union stated that on 3 June 2018 a private apartment in Luhansk had been raided during a religious service taking place there. “LPR authorities” had seized religious

literature, sealed the apartment, and issued the head of a local Baptist congregation with a fine of around 100 euros.

1494. The report also focused on the “DPR” and “LPR” “laws” banning the creation of “sects” and requiring registration of religious groups with their authorities. It stated that the “LPR” had passed its “law” on 2 February 2018 setting the registration deadline for 15 October 2018. It further stated that the Baptist and Pentecostal churches and the Seventh-day Adventists had been refused registration. On 13 April 2018 the “DPR” amended its previously adopted “law”, extending the registration deadline until 1 March 2019. It was reported that the “DPR supreme court” had been using that “law” to ban religious materials and organisations. On 22 August 2018 it banned the Jehovah’s Witnesses website as “extremist”, while on 26 September 2018 it banned the Jehovah’s Witnesses as an “extremist organisation”.

1495. Lastly, this report also covered seizures of places of worship. According to the Jehovah’s Witnesses, sixteen of their buildings had been seized by 29 August 2018 in the “DPR” and the “LPR”. One of their buildings had been destroyed by fire on 30 May 2018, although no information about possible arson was available.

(d) Ukraine 2021 international religious freedom report, 1 June 2022

1496. This report covered religious freedoms in Ukraine in 2021. The section entitled “Actions of foreign forces and nonstate actors” of this report, covering parts of the Donetsk and Luhansk Regions, stated as follows:

“According to press reports, religious groups not approved by Russia continued to face restrictions, especially religious groups that were legal in Ukraine but illegal in Russia, such as Jehovah’s Witnesses and the independent Muslim congregation Hizb ut-Tahir, whose members continued to face arrest, detention, and harassment. In its oral update on Ukraine in October, the OHCHR highlighted that the self-proclaimed ‘republics’ continued to restrict freedom of religion, in particular of evangelical Christian denominations.

...

According to Jehovah’s Witnesses, the ‘DPR’ continued to label the group as an extremist organization, while the ‘LPR’ ‘Supreme Court’ refused to acknowledge the Witnesses as an organization. According to Protestant and Jehovah’s Witnesses groups, many of their members continued to flee these areas to escape oppressive conditions The Jehovah’s Witness annual report stated ... that, ‘[t]here is a real threat of kidnapping, torture, and imprisonment at all times for every Jehovah’s Witness [in Donetsk].’ In Luhansk, the Jehovah’s Witnesses reported ‘authorities’ did not allow the group to officially register, and any religious activity without official registration was strictly prohibited.

... Many religious groups continued to refuse to reregister because they did not recognize the Russia-installed ‘authorities’ in the ‘DPR’ and ‘LPR’.

Jehovah’s Witnesses representatives said ... that since 2014, ‘LPR’ and ‘DPR’ ‘authorities’ had seized 14 Kingdom Halls in Russia-controlled parts of Luhansk and Donetsk Oblasts. According to Jehovah’s Witnesses, official and de facto bans on their

activities in the ‘DPR’ and ‘LPR’ deprived their congregations of houses of worship. Russian-led military units destroyed some of those buildings, and occupied others. According to Jehovah’s Witnesses, none of the buildings could be used due to threats of kidnapping, torture, and imprisonment.

‘LPR’

Russia-established ‘LPR’ ‘authorities’ continued to deny the reregistration applications of Baptist, Pentecostal, and Seventh-day Adventist groups, in accordance with a 2018 law by ‘LPR’ ‘authorities’ that required religious communities, with the exception of the UOC-MP [Ukrainian Orthodox Church – Moscow Patriarchate], which was recognized ‘within the framework of the canonical territory of the Moscow Patriarchate’, to reregister with ‘LPR’ ‘authorities’. In denying the applications, ‘authorities’ also cited a 2015 decree that banned mass events while the area was under martial law. According to Forum 18, an international religious freedom NGO, the latest figures from December 2019 reported 195 religious organizations registered by ‘LPR’ ‘authorities’. Of these 195 organizations, 188 belonged to the UOC-MP, four were Muslim, and there was one each of Old Believers, Jews, and Roman Catholics.

Religious leaders continued to say ‘LPR’s’ reregistration denials represented a complete ban on their religious activities, since without reregistration, religious groups were not able to hold services, even in believers’ homes. According to ‘LPR’ ‘authorities’, to be eligible for registration, a local religious organization must have at least 30 adult members, while a centralized religious organization must be composed of at least five such local organizations. These requirements effectively disqualified some smaller religious associations. The law also required Christian Orthodox congregations to register as part of a ‘diocese recognized by the Orthodox Churches around the world within the canonical territory of the Moscow Patriarchate’, thereby forcing several remaining OCU parishes to conduct any activities underground.

‘LPR’ ‘authorities’ continued to ban many religious leaders from outside their territory from reaching their congregations, according to Forum 18.

On July 20, the office of the ‘LPR’ ‘Prosecutor General’ announced that the Dovzhansk (formerly Sverdlovsk) ‘City and District Court’ of the ‘LPR’ had banned some missionary publications distributed by the Luhansk Oblast branch of the International Union of Churches of Evangelical Baptist Christians (Union of Churches Baptists). The office deemed the materials to be extremist. The court declared that the Baptist organization was functioning without proper registration. The declaration indicated that the publications could incite religious discord, contained ‘propaganda of exceptionalism, superiority, and inadequacy of the individual on the basis of religious adherence or attitude to religion’, and violated ‘the rights, freedoms and legal interests of a person and a citizen depending on his religious adherence or attitude to religion’. According to Forum18, the declaration noted that the Union of Churches Baptists had conducted its activities in the region without Justice Ministry registration. According to Forum18, the ‘State List of Extremist Materials’ contained 26 items: 18 published by Protestants and six by Jehovah’s Witnesses.

...

‘DPR’

... According to Jehovah’s Witnesses, in May, ‘L’ and her adult daughter, who was not a Jehovah’s Witness, returned from government-controlled Ukraine to the ‘DPR’. Upon crossing the border, ‘DPR’ ‘MGB’ officers detained L’s daughter on charges of

espionage for Ukraine and then searched L's house in connection with her daughter's case. During the search, the 'MGB' confiscated Watchtower and Awake magazines and the New World Translation Bible. The 'MGB' summoned L and questioned her about other fellow believers, Witnesses elders, and religious services.

According to media, on May 8, Olha Solodovnik, the 'head of the Khartsyzsk Department of Education', instructed kindergartens in the town of Zugres to immediately provide 'lists of students and their parents who may belong to prohibited organizations'.

According to Jehovah's Witnesses, on July 31, when Jehovah's Witness 'D' entered the 'DPR' from Russia's Rostov Region, an MGB representative examined his phone and tablet and found Jehovah's Witnesses' publications on it. The 'MGB' arrested D and took him to Chystyakove (formerly Torez) for questioning. During the interrogation, an 'investigator' mentioned to him the names of other believers. 'MGB' representatives beat the detainee, hitting his head in a manner that did not leave bruises. They seized his Ukrainian passports, mobile phone, and tablet. During a second interrogation on August 3, the 'MGB' sought to recruit D as an informant and asked questions about other believers and religious services. The 'MGB' said 'DPR' 'authorities' would soon open criminal cases against Jehovah's Witnesses and carry out searches, without specifying the kinds of searches. The 'MGB' did not return the confiscated items to D.

According to Jehovah's Witnesses, throughout the year, 'DPR' 'authorities' often required male believers to undergo military training and threatened those who refused with large fines. For several hours, 'MGB' representatives intimidated a Jehovah's Witness from the city of Makiyivka after he refused to participate in training and fined him.

The 'DPR's' law on worship and religious associations continued to 'ban all religious organizations that did not meet a March 2019 registration deadline and to require previously registered religious groups to reregister'. The law accords the 'Ministry of Culture' authority to 'monitor the registration of religious associations in the region and to abolish such groups on various grounds. Any newly created religious association not seeking legal entity status must submit written notification to "DPR" "authorities" detailing its function, location, administration, and the names and home addresses of its members'. According to the law, 'authorities' have 10 days either to put the group on the register of religious groups or to cancel its legal status. 'Authorities' have a month to examine the application documents of a religious association seeking legal status. In either case, a state religious expert may conduct an evaluation of the documents, which could take up to six months, or deny a registration request on several grounds, including on the grounds that application materials lacked required information or that the group was previously banned. All religious organizations and religious groups must notify 'authorities' annually of their continued viability. The law allows the UOC-MP to undergo a simplified legalization procedure without reregistration and state religious expert evaluation.

On March 30, the 'DPR' amended the law defining what constitutes a religious association, upholding the stipulation that religious associations exist only if they are registered.

...

According to Forum 18, 'DPR' 'authorities' denied registration to almost all religious communities, apart from the UOC-MP. As of September 2019, 'DPR' 'authorities' had registered only 36 non-Moscow Patriarchate religious communities.

...

According to religious organizations and civil society activists, ‘DPR’ authorities continued to harass Protestant congregations attempting to host public religious events, even if such groups possessed a DPR registration. [Such congregations were publicly labelled ‘American agents’ by the ‘DPR’ authorities.]

Forum 18 reported that a wide range of religious groups, in particular Protestant groups, preferred not to discuss their situation in the ‘DPR’. Religious communities also told Forum 18 they feared that meeting in private homes for worship could lead to raids and possible punishment.

According to Forum 18, in June, the ‘DPR’ ‘Justice Ministry’ released an updated ‘List of Extremist Materials’ containing 97 items, some of them religious. Most publications banned by the ‘Supreme Court’ – including Jehovah’s Witness and Muslim publications – also appeared on the list. ...

Forum 18 reported that Article 329 of the ‘DPR’ criminal code punished ‘organizing an extremist organization’ with fines, compulsory labor, or imprisonment of up to eight years. ‘Participating in an extremist organization’ carried a maximum punishment of four years’ imprisonment. Recruiting others to join such an organization carried a maximum punishment of six years’ imprisonment. Forum 18 also reported that Article 330 of the criminal code punished ‘organizing the activity of an extremist organization’, including religious organizations that a court had banned. Organizing such activity carried a maximum eight-year prison term, participation in such activity a maximum four-year prison term, and recruiting others a maximum six-year prison term.

Forum 18 reported that Jehovah’s Witnesses remained on the ‘DPR’ list of 53 ‘liquidated or banned social and religious associations and other organizations’. According to Forum 18, on June 17, ‘DPR’ authorities banned two Protestant churches, Good News Baptist Church and the Church of Our Lord Jesus Christ, due to violations of the registration requirement of the Religion Law. On June 25, ‘authorities’ also tried to ban the activity of the Church of the Awakening, a Baptist church in the town of Yenakieve, as well as any branches or sub-divisions. According to Forum 18, the Church of the Awakening was still able to meet for worship while it tried to reregister.

...

‘DPR’ ‘authorities’ continued to use seized places of worship for their own purposes. According to Forum 18, the ‘authorities’ used a former Donetsk Church of Jesus Christ building as a registry office and the former Makeyevka New Life Baptist Church as a Red Guard district registry office.

On November 30, Ukrainian media reported pro-Russia Donetsk militants had [seized and] converted a [Mormon] Church of Jesus Christ building into a ‘Russian house’ in order to ‘strengthen ties with Russia’.

According to media reports, all but one mosque remained closed in the ‘DPR.’”

1497. The report also contained a separate section describing the situation regarding religious freedoms in Crimea.

(e) Ukraine 2022 international religious freedom report, 24 February 2023

1498. This report contained separate sections pertaining to religious freedoms in the territories controlled by Ukraine and the territories controlled by the Russian and pro-Russian forces in 2022.

1499. The section about the Ukraine-controlled territory may be summarised as follows. From 24 February to 31 December 2022, numerous attacks on religious institutions were committed. In June 2022, a mosque in Sieverodonetsk was destroyed by Russian shelling, resulting in civilian casualties. The Ukrainian Orthodox Church's Svyatohirsk Lavra monastery compound in the Donetsk Region was bombed by Russian forces in May and June 2022, resulting in casualties and structural damage. On 18 May 2022 the Mariupol City Council elected before the Russian takeover of the city reported that Russian military strikes had destroyed the city's synagogue and a Jewish community centre. On 1 March 2022 a Russian missile struck near the Babyn Yar Holocaust Memorial in Kyiv, killing civilians and damaging the area. The report continued as follows:

“According to a study by the Workshop for the Academic Study of Religion (WASR), a Ukraine-based NGO, Russia's forces were responsible for the widespread destruction of religious buildings, as well as the killing, wounding, and abduction of religious leaders. The study, *Religion on Fire: Documenting Russia's War Crimes against Religious Communities in Ukraine*, stated that as of November 1, nearly 350 sacred sites in the country had been destroyed since the full-scale invasion, noting that the actual number could be much higher. Most of the sites were in Donetsk and Luhansk Oblasts with others in Kyiv, Kharkiv, Sumy, Mykolayiv, Kherson, and Chernihiv Oblasts. The report stated there were at least 16 cases of targeted destruction of churches, among them a historic 19th-century wooden church in Lukyanivka, Kyiv Oblast, that was deliberately targeted by tanks.”

1500. According to the report, on 26 February 2022 a priest of the Orthodox Church of Ukraine, Vasyl Vyrozub, had been detained, transferred to Russia and subjected to inhumane treatment by Russian authorities, before being released on 6 May 2022. Russia's forces had also vandalised and looted religious institutions, including a theological seminary in the Kyiv Region, between February and April 2022.

1501. The section entitled “Russia-occupied territories of Ukraine” concerned Crimea and parts of the Donetsk, Kherson, Luhansk, Mykolaiv and Zaporizhzhya Regions of Ukraine. The report underscored the continuity of the “widespread, ongoing, and egregious violations of the right to freedom of religion and conscience as well as physical and psychological abuse of religious minorities” that had begun since the Russian “invasion of Crimea and a portion of Donbas in 2014” and had intensified following the February 2022 full-scale invasion. The report stated:

“Both [the ‘Lugansk People's Republic’ and the ‘Donetsk People's Republic’] placed restrictions on religious groups not approved by Russia, including Jehovah's Witnesses and Hizb ut-Tahir, both of which are banned in Russia. The Russian Supreme Court has banned the activities of several religious organizations on the grounds of ‘extremism’ and ‘terrorism’, including a regional branch of Falun Gong, Jehovah's Witnesses, the Mejlis of the Crimean Tatars, Hizb ut-Tahrir, Nurdzhular (a Russification of the Turkish for ‘followers of Said Nursi’), Tablighi Jamaat, and the Fayzrakhmani Islamic community. These organizations are on the Federal List of Extremist Organizations or

the Federal List of Terrorist Organizations. These restrictions apply to Crimea and the four purportedly annexed oblasts of Ukraine.”

1502. The report described in detail the abduction and severe ill-treatment of a number of religious leaders by Russian forces, and coercion of them to collaborate or to renounce their clerical duties. According to the report, in March 2022 in the Kherson Region, Russian forces had detained the UOC priest and military chaplain Serhiy Chudynovych, the imam of the Crimean Tatar congregation Rustem Asanov, and the UOC protodeacon Andriy Koval. In March and April 2022 in Berdyansk, the Russian forces detained a UOC priest, Oleh Nikolayev, and the chairman of the German Evangelical Lutheran community, Artur Kozhevnikov. According to the report, there had been no information on Mr Kozhevnikov since his detention.

1503. Quoting Mr Asanov, the report stated that the “occupation authorities” had searched mosques in the Henichesk district of the Kherson Region, seizing books and giving imams lists of recommended and banned religious publications. Mr Asanov said that local Muslims had suspended holding religious services because of Russian intimidation. The report also contained examples of persecution of religious leaders that had taken place after 16 September 2022.

1504. The report contained a vast amount of information about religious persecutions in Crimea, stating that in 2022 the Russian government had unlawfully incarcerated or imprisoned at least 149 individuals as a result of politically or religiously motivated persecution in Crimea.

1505. According to Forum 18, of the twelve individuals known to have been prosecuted in Crimea between January and August 2022 for conducting missionary activities, nine, including five Crimean Tatar Muslims, had been fined for leading prayers in their own communities.

1506. Referring to Jehovah’s Witnesses, the report stated that the “occupation authorities” had seized twenty-six Kingdom Halls in the newly occupied areas of the Donetsk, Luhansk, Zaporizhzhya and Kherson Regions in 2022. The report read as follows:

“The Jehovah’s Witness annual report stated, ‘In the occupied territory of Donetsk there is a real threat of kidnapping, torture, and imprisonment at all times for every Jehovah’s Witness’. According to the Jehovah’s Witnesses, the ‘law’ applied by Russia’s occupation authorities on worship and religious associations in Donetsk continued to ‘ban all religious organizations that did not meet a March 2019 registration deadline and to require previously registered religious groups to reregister’. In 2021, Russia’s occupation authorities in Donetsk Oblast amended the ‘law’ defining what constitutes a religious association, upholding the stipulation that religious associations exist only if they are registered.

...

According to Forum 18, Russia’s occupation authorities in Donetsk Oblast denied registration to almost all religious communities, apart from the UOC. As of September 2019, there were only 36 registered non-UOC religious communities. [The report also added that ‘state religious expert evaluations’ had been required in order to reregister.

Quoting OHCHR, the report stated that most religious groups recognised under Ukrainian law had continued to be unable to reregister because of stringent legal requirements that had prevented or discouraged reregistration.]

...

Religious leaders continued to say Russia-led Luhansk authorities reregistration denials represented a complete ban on their religious activities, since without reregistration, religious groups were not able to hold services, even in believers' homes. To be eligible for registration, a local religious organization must have at least 30 adult members, while a centralized religious organization must be composed of at least five such local organizations. These requirements effectively disqualified some smaller religious associations. The 'law' also required Christian Orthodox congregations to register as part of a 'diocese recognized by the Orthodox churches around the world within the canonical territory of the Moscow Patriarchate', thereby forcing several remaining OCU parishes to conduct any activities underground.

In a February report on areas of Luhansk Oblast controlled by the so-called 'Luhansk People's Republic', published prior to Russia's full-scale invasion, Forum 18 stated that 'all human rights including the freedom of religion and belief are severely restricted' in Luhansk. The NGO cataloged abuses committed by Russia-led forces, including imposing a restrictive 2018 'religion law' requiring reregistration of religious communities already registered under Ukrainian law, as well as banning any religious community that did not obtain the permission of Russia's proxy authorities to exist in Luhansk. According to the report, this resulted in the denial of permission for any Protestant and non-UOC communities to exist; punishment for meeting for worship without permission from Russia's proxy authorities; the banning by the 'State Security Ministry' of all Ukrainian Baptist Union communities, despite this being illegal under Luhansk 'law', as no court order was apparently made; repeated raids on places of worship; denial of access by unregistered religious communities to their properties; the shutdown of charitable activities by unregistered religious communities; surveillance of local religious communities and the encouragement by Russia's proxy 'authorities' in Luhansk Oblast of a 'climate of fear about discussing human rights violations' and the 'cutting off of gas, water, and electricity supplies to all places of worship owned by unregistered communities; and the prevention of contacts with fellow believers elsewhere in Ukraine'."

1507. The report added that this had led to "the repeated inability of Catholics to receive communion at Mass, a central part of the Catholic faith; and an increasing list of banned allegedly 'extremist' books, including an edition of the Gospel of John originally published in 1820".

1508. According to the report, religious and human rights groups continued to highlight the efforts of the Russian media to create suspicion and fear among certain religious groups, especially targeting Crimean Tatar Muslims, whom the media repeatedly accused of having links to Islamic groups designated by Russia as terrorist groups, such as Hizb ut-Tahrir. The Russian media portrayed Jehovah's Witnesses as "extremists".

1509. According to religious organisations and civil society activists, Russia's "occupation authorities" in Donetsk continued to harass Protestant congregations attempting to host public religious events, even if the events had obtained registration. They claimed, for example, that the US government might be funding such events, and they publicly labelled congregations

“American agents”. Protestant leaders and religious experts said that those actions had been aimed at undermining the strong pre-war presence of Protestants in the region.

1510. According to Forum 18, in 2021 the Russia-led “justice ministry” of the so-called “DPR” had released an updated “list of extremist materials” containing ninety-seven items, some of them religious. Most publications banned by the “Supreme Court” – including Jehovah’s Witness and Islamic publications – also appeared on the list. The “DPR culture minister” had instructed all institutions under the “ministry’s” control to publicly display the lists of prohibited organisations and banned publications in their institutions.

1511. According to a 2021 Forum 18 report, the “State List of Extremist Materials” issued by Russia’s proxy “authorities” in Luhansk contained twenty-six items: eighteen published by Protestants and six by Jehovah’s Witnesses. According to numerous credible reports, Russia’s forces in many areas had burned Ukrainian-language Bibles and other religious literature.

1512. According to Forum 18, on 23 June 2022 Russia’s military had brought to Mariupol a delegation of Moscow Patriarchate priests, referred to by Forum 18 as “Moscow Federal Security Service agents in cassocks”, who had reportedly seized and “burned in the yard” the library of the UOC Church of Petro Mohyla.

(f) Ukraine 2023 international religious freedom report, May 2024

1513. This report covered religious freedoms in Ukraine in 2023. The section “Abuses limiting religious belief and expression” stated that according to the Jehovah’s Witnesses community, since 2022 the Russian occupation authorities had seized thirty-two Kingdom Halls in occupied areas of the Donetsk, Luhansk, Zaporizhzhya and Kherson Regions.

V. PUBLIC STATEMENTS BY GOVERNMENT FIGURES IN THE RUSSIAN FEDERATION

1514. This section include summaries and excerpts of public statements made by government officials of the Russian Federation. Where an English translation is available of those statements on the official websites, this section uses that translation.

A. Statements by the President of the Russian Federation, Vladimir Putin

1. Article “On the historical unity of Russians and Ukrainians”, 12 July 2021

1515. On 12 July 2021, the official website of the President of the Russian Federation published an article by Vladimir Putin. The article explained:

“During the recent Direct Line, when I was asked about Russian-Ukrainian relations, I said that Russians and Ukrainians were one people – a single whole. These words were not driven by some short-term considerations or prompted by the current political context. It is what I have said on numerous occasions and what I firmly believe ...”

1516. The article traced the history of the Russian, Ukrainian and Belarusian people. It argued that after the Russian State had incorporated Kyiv and the lands on the left bank of the Dnieper river from the Polish-Lithuanian Commonwealth in the late seventeenth century, Ukrainian territory had been referred to as “Malorossia” (Little Russia) and that the name “Ukraine” had been more often used in the meaning of the Old Russian word “*okraina*” (periphery), which had been found in written sources from the twelfth century referring to various border territories. The word “Ukrainian”, the article argued, “originally referred to frontier guards who protected the external borders”. In the second half of the eighteenth century, Russia had incorporated Crimea and the lands of the Black Sea region, which became known as “Novorossiia”. They were populated by people from all of the Russian provinces. The article underlined the common language and faith and the shared heritage of the people across all of these lands.

1517. According to the article, the idea of the Ukrainian people as a nation separate from the Russians had started to “form and gain ground among the Polish elite and a part of the Malorussian intelligentsia” in the late nineteenth century. The article then described the events following the February 1917 revolution, including the creation of the USSR, with the Ukrainian Soviet Socialist Republic as one of its founders. It was during the subsequent years of communist rule, the article alleged, that Ukrainian culture, language and identity had been developed and consolidated. Moreover, its territory had expanded significantly:

“In 1939, the USSR regained the lands earlier seized by Poland. A major portion of these became part of the Soviet Ukraine. In 1940, the Ukrainian SSR incorporated part of Bessarabia, which had been occupied by Romania since 1918, as well as Northern Bukovina. In 1948, Zmeyiniy Island (Snake Island) in the Black Sea became part of Ukraine. In 1954, the Crimean Region of the RSFSR [Russian Soviet Federative Socialist Republic] was given to the Ukrainian SSR, in gross violation of legal norms that were in force at the time.

I would like to dwell on the destiny of Carpathian Ruthenia, which became part of Czechoslovakia following the breakup of Austria-Hungary. Rusins made up a considerable share of local population. While this is hardly mentioned any longer, after the liberation of Transcarpathia by Soviet troops the congress of the Orthodox population of the region voted for the inclusion of Carpathian Ruthenia in the RSFSR or, as a separate Carpathian republic, in the USSR proper. Yet the choice of people was ignored. In summer 1945, the historical act of the reunification of Carpathian Ukraine ‘with its ancient motherland, Ukraine’ – as the *Pravda* newspaper put it – was announced.”

1518. The article argued that modern Ukraine was “entirely the product of the Soviet era”. It had been “shaped – for a significant part – on the lands of historical Russia”:

“... To make sure of that, it is enough to look at the boundaries of the lands reunited with the Russian state in the 17th century and the territory of the Ukrainian SSR when it left the Soviet Union.

... We can disagree about minor details, background and logics behind certain decisions. One fact is crystal clear: Russia was robbed, indeed.”

1519. The article continued:

“You want to establish a state of your own: you are welcome! But what are the terms? I will recall the assessment given by one of the most prominent political figures of new Russia, first mayor of Saint Petersburg Anatoly Sobchak. As a legal expert who believed that every decision must be legitimate, in 1992, he shared the following opinion: the republics that were founders of the Union, having denounced the 1922 Union Treaty, must return to the boundaries they had had before joining the Soviet Union. All other territorial acquisitions are subject to discussion, negotiations, given that the ground has been revoked.

In other words, when you leave, take what you brought with you. This logic is hard to refute. ...

Until 2014, hundreds of agreements and joint projects were aimed at developing our economies, business and cultural ties, strengthening security, and solving common social and environmental problems. ... Even after the events in Kiev of 2014, I charged the Russian government to elaborate options for preserving and maintaining our economic ties within relevant ministries and agencies.

When the USSR collapsed, many people in Russia and Ukraine sincerely believed and assumed that our close cultural, spiritual and economic ties would certainly last, as would the commonality of our people, who had always had a sense of unity at their core. However, events – at first gradually, and then more rapidly – started to move in a different direction.

In essence, Ukraine’s ruling circles decided to justify their country’s independence through the denial of its past, however, except for border issues.... Radicals and neo-Nazis were open and more and more insolent about their ambitions. ... Step by step, Ukraine was dragged into a dangerous geopolitical game aimed at turning Ukraine into a barrier between Europe and Russia, a springboard against Russia. Inevitably, there came a time when the concept of ‘Ukraine is not Russia’ was no longer an option. There was a need for the ‘anti-Russia’ concept which we will never accept. ...

All the things that united us and bring us together so far came under attack. First and foremost, the Russian language. Let me remind you that the new ‘Maidan’ authorities first tried to repeal the law on state language policy. Then there was the law on the ‘purification of power’, the law on education that virtually cut the Russian language out of the educational process....

Our spiritual unity has also been attacked. As in the days of the Grand Duchy of Lithuania, a new ecclesiastical has been initiated. The secular authorities, making no secret of their political aims, have blatantly interfered in church life and brought things to a split, to the seizure of churches, the beating of priests and monks. Even extensive autonomy of the Ukrainian Orthodox Church while maintaining spiritual unity with the Moscow Patriarchate strongly displeases them. They have to destroy this prominent and centuries-old symbol of our kinship at all costs. ...

The anti-Russia project has been rejected by millions of Ukrainians. The people of Crimea and residents of Sevastopol made their historic choice.... The *coup d’état* and the subsequent actions of the Kiev authorities inevitably provoked confrontation and

civil war. The UN High Commissioner for Human Rights estimates that the total number of victims in the conflict in Donbas has exceeded 13,000.”

1520. The article concluded:

“[W]e are facing the creation of a climate of fear in Ukrainian society, aggressive rhetoric, indulging neo-Nazis and militarising the country. ... This is also a disguise for the takeover of the rest of the Ukrainian economy and the exploitation of its natural resources. ...

Again, for many people in Ukraine, the anti-Russia project is simply unacceptable. And there are millions of such people. But they are not allowed to raise their heads. They have had their legal opportunity to defend their point of view in fact taken away from them. They are intimidated, driven underground. Not only are they persecuted for their convictions, for the spoken word, for the open expression of their position, but they are also killed. Murderers, as a rule, go unpunished.

Today, the ‘right’ patriot of Ukraine is only the one who hates Russia. Moreover, the entire Ukrainian statehood, as we understand it, is proposed to be further built exclusively on this idea....

All the subterfuges associated with the anti-Russia project are clear to us. And we will never allow our historical territories and people close to us living there to be used against Russia. ...

We respect the Ukrainian language and traditions. We respect Ukrainians' desire to see their country free, safe and prosperous.

I am confident that true sovereignty of Ukraine is possible only in partnership with Russia. ... Today, these words may be perceived by some people with hostility. They can be interpreted in many possible ways. Yet, many people will hear me. And I will say one thing – Russia has never been and will never be ‘anti-Ukraine’. And what Ukraine will be – it is up to its citizens to decide.”

2. Address to the Russian people of 21 February 2022

1521. In his address to the nation of 21 February 2022, the President of the Russian Federation stated that the situation in Donbass had reached a “critical, acute stage”. The aim of his address was to explain what was happening and to inform the Russian people of the decisions being made as well as potential further steps. He said:

“I would like to emphasise again that Ukraine is not just a neighbouring country for us. It is an inalienable part of our own history, culture and spiritual space. These are our comrades, those dearest to us – not only colleagues, friends and people who once served together, but also relatives, people bound by blood, by family ties.

Since time immemorial, the people living in the south-west of what has historically been Russian land have called themselves Russians and Orthodox Christians. This was the case before the 17th century, when a portion of this territory rejoined the Russian state, and after....

... [I]t is necessary to say at least a few words about the history of this issue in order to understand what is happening today, to explain the motives behind Russia’s actions and what we aim to achieve.

[M]odern Ukraine was entirely created by Russia or, to be more precise, by Bolshevik, Communist Russia. This process started practically right after the 1917 revolution, and Lenin and his associates did it in a way that was extremely harsh on Russia – by separating, severing what is historically Russian land. Nobody asked the millions of people living there what they thought.

Then, both before and after the Great Patriotic War, Stalin incorporated in the USSR and transferred to Ukraine some lands that previously belonged to Poland, Romania and Hungary. In the process, he gave Poland part of what was traditionally German land as compensation, and in 1954, Khrushchev took Crimea away from Russia for some reason and also gave it to Ukraine. In effect, this is how the territory of modern Ukraine was formed.”

1522. He referred to the “rise of far-right nationalism” in Ukraine after it had gained its independence, which, he said, “rapidly developed into aggressive Russophobia and neo-Nazism”. This, he claimed, had resulted in the participation of Ukrainian nationalists and neo-Nazis in the terrorist groups in the North Caucasus and “the increasingly loud territorial claims to Russia”. He further argued that Ukraine had never had stable traditions of real statehood and that corruption had “permeated and corroded Ukrainian statehood, the entire system, and all branches of power”. This had resulted in a “*coup d’état*” by “radical nationalists” in 2014, with the direct assistance of foreign States. He continued:

“The nationalists who have seized power have unleashed a persecution, a real terror campaign against those who opposed their anti-constitutional actions. ... Maidan did not bring Ukraine any closer to democracy and progress.... Eight years later, the country is split. Ukraine is struggling with an acute socioeconomic crisis. ... The state was privatised. As a result, the government, which designates itself as the ‘power of patriots’ no longer acts in a national capacity and consistently pushes Ukraine towards losing its sovereignty.

The policy to root out the Russian language and culture and promote assimilation carries on.... There are more and more acts enabling the Ukrainian military and law enforcement agencies to crack down on the freedom of speech, dissent, and going after the opposition.... Kiev continues to prepare the destruction of the Ukrainian Orthodox Church of the Moscow Patriarchate....

In March 2021, a new Military Strategy was adopted in Ukraine. This document is almost entirely dedicated to confrontation with Russia and sets the goal of involving foreign states in a conflict with our country. The strategy stipulates the organisation of what can be described as a terrorist underground movement in Russia’s Crimea and in Donbass. It also sets out the contours of a potential war... In fact, this is nothing other than preparation for hostilities against our country, Russia.

As we know, it has already been stated today that Ukraine intends to create its own nuclear weapons, and this is not just bragging. Ukraine has the nuclear technologies created back in the Soviet times... But they can do more; it is only a matter of time....

If Ukraine acquires weapons of mass destruction, the situation in the world and in Europe will drastically change, especially for us, for Russia. We cannot but react to this real danger, all the more so since, let me repeat, Ukraine’s Western patrons may help it acquire these weapons to create yet another threat to our country. We are seeing how persistently the Kiev regime is being pumped with arms.”

1523. Moreover, over the past few years, military contingents of NATO countries had been almost constantly present on Ukrainian territory under the pretext of exercises. The United States and NATO had “started an impudent development of Ukrainian territory as a theatre of potential military operations”, with “obviously anti-Russian” regular joint exercises. President Putin said:

“Kiev has long proclaimed a strategic course on joining NATO. Indeed, each country is entitled to pick its own security system and enter into military alliances. There would be no problem with that, if it were not for one ‘but’. International documents expressly stipulate the principle of equal and indivisible security, which includes obligations not to strengthen one’s own security at the expense of the security of other states. This is stated in the 1999 OSCE Charter for European Security adopted in Istanbul and the 2010 OSCE Astana Declaration.

In other words, the choice of pathways towards ensuring security should not pose a threat to other states, whereas Ukraine joining NATO is a direct threat to Russia’s security.”

1524. Mr Putin stated that in 1990, when German unification had been discussed, the United States had promised the Soviet leadership that NATO jurisdiction or military presence would not “expand one inch to the east” and that the unification of Germany would not lead to the spread of NATO’s military organisation to the east. Verbal assurances had turned out to be empty phrases. Later, they had begun to assure Russia that the accession to NATO by central and eastern European countries would only improve relations with Moscow. However, the exact opposite had happened. He continued:

“Today, one glance at the map is enough to see to what extent Western countries have kept their promise to refrain from NATO’s eastward expansion. They just cheated. We have seen five waves of NATO expansion, one after another – Poland, the Czech Republic and Hungary were admitted in 1999; Bulgaria, Estonia, Latvia, Lithuania, Romania, Slovakia and Slovenia in 2004; Albania and Croatia in 2009; Montenegro in 2017; and North Macedonia in 2020.

As a result, the Alliance, its military infrastructure has reached Russia’s borders. This is one of the key causes of the European security crisis; it has had the most negative impact on the entire system of international relations and led to the loss of mutual trust.”

1525. Ukraine’s accession to NATO and the subsequent deployment of NATO facilities was only a matter of time. Given that scenario, the level of military threats to Russia would increase dramatically, several times over and the risk of a sudden strike at Russia would multiply. In December 2021, Russia had “handed over to our Western partners a draft treaty between the Russian Federation and the United States of America on security guarantees, as well as a draft agreement on measures to ensure the security of the Russian Federation and NATO member states”. However, Russia had three core proposals which had ultimately been ignored:

“First, to prevent further NATO expansion. Second, to have the Alliance refrain from deploying assault weapon systems on Russian borders. And finally, rolling back the

bloc's military capability and infrastructure in Europe to where they were in 1997, when the NATO-Russia Founding Act was signed."

Mr Putin stated:

"I would like to be clear and straightforward: in the current circumstances, when our proposals for an equal dialogue on fundamental issues have actually remained unanswered by the United States and NATO, when the level of threats to our country has increased significantly, Russia has every right to respond in order to ensure its security. That is exactly what we will do."

1526. As regards Donbas, President Putin said that Russia had "done everything to preserve Ukraine's territorial integrity", but "in vain". He continued:

"It is entirely a product of the 2014 coup, and those who then embarked on the path of violence, bloodshed and lawlessness did not recognise then and do not recognise now any solution to the Donbass issue other than a military one."

1527. He concluded:

"In this regard, I consider it necessary to take a long overdue decision and to immediately recognise the independence and sovereignty of the Donetsk People's Republic and the Lugansk People's Republic. ...

We want those who seized and continue to hold power in Kiev to immediately stop hostilities. Otherwise, the responsibility for the possible continuation of the bloodshed will lie entirely on the conscience of Ukraine's ruling regime."

3. Address to the Russian people of 24 February 2022

1528. In his address to the nation on 24 February 2022 the President of the Russian Federation spoke about the "tragic events in Donbass and the key aspects of ensuring the security of Russia". He reiterated the concerns expressed on 21 February 2022 about the eastward expansion of NATO, which was "moving its military infrastructure ever closer to the Russian border", contrary to "promises not to expand NATO eastwards even by an inch". He said:

"... [A]s of today, modern Russia is one of the most powerful nuclear powers in the world and, moreover, has certain advantages in a number of the newest types of weaponry. In this regard, no one should have any doubts that a direct attack on our country will lead to defeat and dire consequences for any potential aggressor.

We cannot stay idle and passively observe these developments. This would be an absolutely irresponsible thing to do for us.

Any further expansion of the North Atlantic alliance's infrastructure or the ongoing efforts to gain a military foothold of the Ukrainian territory are unacceptable for us. Of course, the question is not about NATO itself. It merely serves as a tool of US foreign policy. The problem is that in territories adjacent to Russia, which I have to note is our historical land, a hostile 'anti-Russia' is taking shape. Fully controlled from the outside, it is doing everything to attract NATO armed forces and obtain cutting-edge weapons.

...[This policy] is a matter of life and death, a matter of our historical future as a nation.... It is not only a very real threat to our interests but to the very existence of our

state and to its sovereignty. It is the red line which we have spoken about on numerous occasions. They have crossed it.

...

As I said in my previous address, you cannot look without compassion at what is happening [in Donbas]... We had to stop that atrocity, that genocide of the millions of people who live there and who pinned their hopes on Russia, on all of us....

[T]he leading NATO countries are supporting the far-right nationalists and neo-Nazis in Ukraine,...[who] will undoubtedly try to bring war to Crimea just as they have done in Donbass.... They have also openly laid claim to several other Russian regions....

...Russia cannot feel safe, develop, and exist while facing a permanent threat from the territory of today's Ukraine.... The people's republics of Donbass have asked Russia for help."

1529. He continued:

"In this context, in accordance with Article 51 (Chapter VII) of the UN Charter, with permission of Russia's Federation Council, and in execution of the treaties of friendship and mutual assistance with the Donetsk People's Republic and the Lugansk People's Republic, ratified by the Federal Assembly on February 22, I made a decision to carry out a special military operation.

The purpose of this operation is to protect people who, for eight years now, have been facing humiliation and genocide perpetrated by the Kiev regime. To this end, we will seek to demilitarise and denazify Ukraine, as well as bring to trial those who perpetrated numerous bloody crimes against civilians, including against citizens of the Russian Federation.

It is not our plan to occupy the Ukrainian territory. We do not intend to impose anything on anyone by force ..."

1530. He referred to the right to self-determination in Article 1 of the UN Charter and stated:

"Let me remind you that the people living in territories which are part of today's Ukraine were not asked how they want to build their lives when the USSR was created or after World War II. Freedom guides our policy, the freedom to choose independently our future and the future of our children. We believe that all the peoples living in today's Ukraine, anyone who want to do this, must be able to enjoy this right to make a free choice.

In this context I would like to address the citizens of Ukraine. In 2014, Russia was obliged to protect the people of Crimea and Sevastopol from those who you yourself call 'nats.' The people of Crimea and Sevastopol made their choice in favour of being with their historical homeland, Russia, and we supported their choice. As I said, we could not act otherwise.

The current events have nothing to do with a desire to infringe on the interests of Ukraine and the Ukrainian people. They are connected with the defending Russia from those who have taken Ukraine hostage and are trying to use it against our country and our people."

1531. Addressing the military personnel of the Ukrainian Armed Forces, he said:

“You swore the oath of allegiance to the Ukrainian people and not to the junta, the people’s adversary which is plundering Ukraine and humiliating the Ukrainian people.

I urge you to refuse to carry out their criminal orders. I urge you to immediately lay down arms and go home. I will explain what this means: the military personnel of the Ukrainian army who do this will be able to freely leave the zone of hostilities and return to their families.

I want to emphasise again that all responsibility for the possible bloodshed will lie fully and wholly with the ruling Ukrainian regime.”

1532. He continued:

“I would now like to say something very important for those who may be tempted to interfere in these developments from the outside. No matter who tries to stand in our way or all the more so create threats for our country and our people, they must know that Russia will respond immediately, and the consequences will be such as you have never seen in your entire history. No matter how the events unfold, we are ready. All the necessary decisions in this regard have been taken. I hope that my words will be heard.”

4. *Open lesson “A conversation about important things”, 1 September 2022*

1533. This piece of evidence was a verbatim record of a public event held on 1 September 2022 in the form of a dialogue between President Putin and high-achieving Russian schoolchildren. During this event, Vladimir Putin made the following statement:

“... Ukraine had never had its own statehood before the formation of the Soviet Union. There was no such state. After the revolution of 1917, all sorts of quasi-state entities were created, and then, with the formation of the Soviet Union, Ukraine arose. The Communist Party, which was then in power, formed the union republics, including Ukraine, transferring a significant part of the historical Russian territories, including Donbass, to Ukraine, although the residents of Donbass did not want this. There is direct evidence and documents: at first it was agreed that Donbass, Lugansk and Donetsk, then the Krivoy Rog Republic, should have become part of Russia, and then Vladimir Ilyich Lenin said: we need to change the decision. And they gave it to the emerging Ukraine.

Nobody knows this [in Ukraine]. Everyone believes that some kind of aggression on the part of Russia is happening today. No one understands or knows that after the *coup d’état* in Ukraine in 2014, the residents of Donetsk, Lugansk, at least in large part, as well as the residents of Crimea did not want to recognize the results of this coup. This is not a topic for children, but it is quite understandable. In fact, a war had been started against them, and the war had been waged for eight years. And our task, our mission, the mission of our soldiers that you mentioned, the Donbass militias, is to stop this war, to protect people and, of course, to protect Russia itself, because on the territory of today’s Ukraine they began to create an anti-Russian enclave that threatens our country, so our guys who are fighting there protect both the residents of Donbass and protect Russia itself.”

5. Plenary session of the Eastern Economic Forum of 7 September 2022

1534. This piece of evidence was a verbatim record of the plenary session of the Eastern Economic Forum of 7 September 2022 attended by the leaders of Russia, Myanmar, Armenia, Mongolia, the People's Republic of China, India, Malaysia and Vietnam.

1535. Responding to a question about the gains and losses of the Russian Federation since 24 February 2022, President Putin stated:

“We have not started anything in terms of military operations, but are only trying to finish it. Military operations began in 2014, after the coup in Ukraine, by those who did not want normal peaceful development and sought to suppress their own people, carrying out one military operation after another and subjecting the people living in the Donbass to genocide for eight years.

After repeated attempts to resolve this issue peacefully, Russia decided to respond in the same way, mirroring how our enemy acted, by armed means. We did this deliberately. All our actions are aimed at helping people who live in Donbass. This is our duty - and we will fulfil it to the end.”

1536. Aiming to justify Russia's armed actions in Ukraine since 2014 under international law, President Putin stated:

“The Charter of the United Nations speaks of the right of nations to self-determination. During the Kosovo crisis, the International Court of Justice decided that if some part of the territory, part of the country, wants to declare its independence, this part is not obliged to ask the central government of its country for permission. This was the case with Kosovo.

As for the Donetsk Republic and Lugansk, why are they not the same? All the same. If they have the right to this, and they have it in accordance with the UN Charter and the right to self-determination, they, by exercising this right, declared their independence. Do they have the right from the point of view of international law and the UN Charter? They do, and this right is confirmed by the relevant decision of the UN Court for Kosovo. Precedent.

If they have the right, they did it, do we and every other country have the right to recognize them? We do. We recognized them. If we recognize them, can we enter in an international treaty of friendship, cooperation and mutual assistance with them? Of course, we can. We did so. This treaty was ratified by the Parliament of the Russian Federation and their parliaments, and there, certain responsibilities lie on the Russian side - to provide them with assistance, including in the event of aggression.

In this case, this is the aggression on the part of the Kyiv regime, which, in fact, is illegitimate, because it is based on a coup as the primary source of power in Ukraine today.

This is what we do. Is this consistent with the UN Charter? It is. There is Article 51 of the UN Charter, which talks about protection, about self-defence. We, as a party to this treaty, are obliged, in accordance with this paragraph, with this article of the UN Charter, to provide assistance to our allies. This is what we are doing.”

1537. Commenting on the IAEA's report on the Zaporizhzhya Nuclear Power Plant, President Putin said:

“[The IAEA is,] of course, under pressure from the countries where they work, including the United States and European countries, and cannot directly say that the shelling is coming from Ukrainian territory, but this is an obvious thing. We control the station, our military personnel are stationed there. Well, are we shooting at ourselves, or what? It’s just nonsense, it’s impossible to say anything else. When I say to my Western partners: ‘Well, are we shooting at ourselves?’ – ‘Well, yes, this doesn’t seem to fit with common sense.’ This is the first one.

Second. There are also fragments of HIMARS and other Western weapons lying around. Does this create a threat or not? Of course, it does.

I saw that the report says that the IAEA considers it necessary to remove military equipment from the territory of the station. But there is no military equipment on the territory of the station. In principle, the IAEA staff should have seen this and can see it now, because two of them are remaining there.

...

‘Tigers’ are standing there; it is the National Guard of Russia (‘*Rosgvardiya*’) that is guarding the station and ensuring security. If you want, you can bring anyone there even tomorrow, including a large group of journalists, including European or American journalists, and let them take a look. And you can see where the shells at Energodar are coming from - from the opposite side of the reservoir. We know from where. But our equipment, including the military equipment that provides counter-battery combat, is not located at the station; it is moved quite far beyond the station perimeter.”

1538. In support of the argument that State power in Ukraine was “in [the] hands of extreme nationalists and neo-Nazis who terrorise the people”, President Putin stated:

“[In Ukraine] they are shot in the street, killed without trial or investigation - those who have a different opinion, different from those in power. There, they are simply physically destroyed.

...

Therefore, I assure you, there is a huge number of people in Ukraine who hate this regime, and, of course, we must rely on these people who understand what is happening and are ready to fight it, but they simply cannot. They are under the yoke of the neo-Nazi regime there. So what can you do? But I assure you, there are many such people, and we must maintain relations with them, and we will do so. And I am sure that the future of Russian-Ukrainian relations lies precisely with this part of the Ukrainian society.

...

[Our actions] are aimed at protecting the interests of the Russian people and the multinational people of the Russian Federation as a whole. We act solely based on these considerations. And we see that the overwhelming majority of citizens are on our side.”

6. *National address on a partial military mobilisation of 21 September 2022*

1539. In his address, President Putin provided an update on “the situation in Donbass and the course of the special military operation to liberate it from the neo-Nazi regime, which seized power in Ukraine in 2014 as the result of an armed state coup”. He explained:

“... the decision to start a pre-emptive military operation was necessary and the only option. The main goal of this operation, which is to liberate the whole of Donbass, remains unaltered.”

1540. The “LPR”, he said, had been “liberated from the neo-Nazis almost completely”. Fighting in the “DPR” continued. However, Russian and separatist forces were “moving step by step to liberate Donbass, purge cities and towns of the neo-Nazis, and help the people whom the Kiev regime turned into hostages and human shields”. He continued:

“While acting to attain the main goals of defending Donbass in accordance with the plans and decisions of the Defence Ministry and the General Staff, our troops have liberated considerable areas in the Kherson and Zaporozhye regions and a number of other areas

... We know that the majority of people living in the territories liberated from the neo-Nazis, and these are primarily the historical lands of Novorossiia, do not want to live under the yoke of the neo-Nazi regime. People in the Zaporozhye and Kherson regions, in Lugansk and Donetsk saw and are seeing now the atrocities perpetrated by the neo-Nazis in the [Ukrainian-] occupied areas of the Kharkov region ...”

1541. He stated that the “DPR” and “LPR” administrations and the administrations of the Kherson and Zaporizhzhya Regions had decided to hold referendums on the future of their territories and had appealed to Russia to support this. He explained that Russia would “support the choice of future made by the majority of people in the Donetsk and Lugansk people’s republics and the Zaporozhye and Kherson regions”.

1542. He went on to allege that “the West” was making “endless threats to our country and people”, openly encouraging Kyiv to move the hostilities to Russian territory. He claimed that the West had “even resorted to nuclear blackmail”, through the “Western-encouraged shelling of the Zaporozhye Nuclear Power Plant, which poses a threat of a nuclear disaster” and through “statements made by some high-ranking representatives of the leading NATO countries on the possibility and admissibility of using weapons of mass destruction – nuclear weapons – against Russia”. He said:

“I would like to remind those who make such statements regarding Russia that our country has different types of weapons as well, and some of them are more modern than the weapons NATO countries have. In the event of a threat to the territorial integrity of our country and to defend Russia and our people, we will certainly make use of all weapon systems available to us. This is not a bluff.

The citizens of Russia can rest assured that the territorial integrity of our Motherland, our independence and freedom will be defended – I repeat – by all the systems available to us. Those who are using nuclear blackmail against us should know that the wind rose can turn around.”

7. *Presidential address at the ceremony for signing the treaties on the accession of the DPR, LPR and the Zaporozhye and Kherson Regions to Russia, 30 September 2022*

1543. In his address, President Putin referred to the principle of self-determination in Article 1 of the UN Charter, and stated:

“... [I]t is an inherent right of the people. It is based on our historical affinity, and it is that right that led generations of our predecessors, those who built and defended Russia for centuries since the period of Ancient Rus, to victory.”

1544. He recalled the “heroes of the Russian Spring ... who refused to accept the neo-Nazi *coup d’état* in Ukraine in 2014”, mentioning by name Alexander Zakharchenko, Arsen Pavlov and Alexei Mozgovoy. He repeated previous claims about the creation of modern Ukraine and the “genocide” in Donbas, and stated:

“I want the Kiev authorities and their true handlers in the West to hear me now, and I want everyone to remember this: the people living in Lugansk and Donetsk, in Kherson and Zaporozhye have become our citizens, forever.”

1545. He expressed a will to return to the negotiating table, adding however that “the choice of the people in Donetsk, Lugansk, Zaporozhye and Kherson will not be discussed”. The authorities in Kyiv “should respect this free expression of the people’s will; there is no other way. This is the only way to peace”. He said:

“Today, we are fighting for a just and free path, first of all for ourselves, for Russia, in order to leave dictate and despotism in the past ...

The battlefield to which destiny and history have called us is a battlefield for our people, for the great historical Russia ..., for future generations, our children, grandchildren and great-grandchildren ...

Today, we are fighting so that it would never occur to anyone that Russia, our people, our language, or our culture can be erased from history ...”

1546. He also argued that the Western countries, which claimed to bring freedom and democracy to other nations, in fact had only brought them violence. He used the example of the use of nuclear weapons by the United States. In doing so, he referred to it as a precedent. He said:

“The United States is the only country in the world that has used nuclear weapons twice, destroying the Japanese cities of Hiroshima and Nagasaki. By the way, [the USA] created a precedent.”

8. *Speech by President Putin at the Valdai International Discussion Club meeting of 27 October 2022*

1547. Following Mr Putin’s speech, there was a question-and-answer session. The following exchange took place between Mr Putin and the host:

“Fyodor Lukyanov: Mr President, your decision to start a special military operation in February came as a big surprise for everyone, including the majority of Russian

citizens. We know that you have described the logic and reasons for that decision many times. However, decisions of this importance are hardly made without a special motive. What happened before you made the decision?

Vladimir Putin: I have said this many times, and you will hardly hear anything new today. What happened? I will not speak about NATO's expansion to Ukraine, which was absolutely unacceptable to us, and everyone knew that but simply disregarded our security interests. Yet another attempt we made late last year failed again ... [T]hey just ignored us. This is the first point.

Second, it is important that representatives of the Kiev regime, supported by their Western handlers, refused to implement the Minsk agreements ... What other reasons do you need?

...

What did it mean for us? It meant that we had to do something in Donbass. People have been living under shellfire for eight years, and the attacks continue to this day, by the way, but we had to take a decision for ourselves. What could it be? We could recognise their independence. But recognising their independence and leaving them in the lurch was unacceptable. So, we had to take the next step, which we did – to include them in the Russian state. They would not have survived alone, there is no doubt about that.

What if we recognise them and make them part of the Russian state at their request, for we know what people think, but the shelling and military operations planned by the Kiev regime continue and are inevitable? They have held two large-scale military operations; it is true that they did not succeed, but they were held. The shelling would certainly have continued. What could we do? Launch an operation. Why wait for them to be the first to do it? We knew that they were preparing to do it. Of course, this is the inevitable logic of events.

We weren't the ones who invented this logic. Why did they need the 2014 coup d'état in Ukraine in the first place? ...

So they committed a *coup d'état* – but people in Crimea or in Donbass refused to recognise it, and that eventually led to today's tragic events. Why couldn't the so-called West fulfil the agreements that were reached in Minsk?

...

All these actions led to today's tragic events, and that's all there is to it.

...

Fyodor Lukyanov: You have repeatedly said and written in your policy article that we are one people. Have you changed your mind after a year?

Vladimir Putin: No, of course not. And how can this be changed? This is a historical fact.

Russian statehood became established on our territories in the 9th century, first in Novgorod, then in Kiev, and then they grew together. It is one nation. People spoke the same language, Old Russian, and changes only started to emerge, I believe, in the 14th or 15th century under Poland's influence because the western areas of the Russian state became parts of other countries. This is where changes came from.

Of course, I have already said that every ethnicity goes through different processes in its development. If part of this ethnicity decides at a certain point that it has achieved a level when it becomes a different ethnicity, one can only respect it, of course.

But this process did not happen all on its own. First of all, as I said, it happened because some of Old Russian lands in the west became parts of other states, for a whole number of reasons.

Those states started promoting their interests ...

... An enormous Russian Empire was built. European countries tried and partially succeeded in creating a barrier between Europe and the Russian Empire using the principle known since the ancient times: divide and conquer. They started making attempts to divide the united Russian nation. It began in the 19th century and eventually grew to a bigger scale, supported mainly by the West. Of course, they tried to cultivate certain sentiments in people and some even liked it, when it comes to historical and language aspects.

Of course, those sentiments were exploited exactly for the purpose I mentioned, to divide and conquer. It is nothing out of the ordinary but they certainly achieved some of their goals. And subsequently, it actually grew into cooperation with Hitler during WWII, when Ukrainian collaborators were used in campaigns to exterminate Russians, Poles, Jews and Belarusians. It is a well-known historical fact: killing squads assigned Bandera followers with the dirtiest and bloodiest jobs. It is all part of our history. But it is also a historical fact that Russians and Ukrainians are essentially one ethnicity.

Fyodor Lukyanov: So what we are witnessing is a civil war with a portion of our own people.

Vladimir Putin: Partly, yes. Unfortunately, we ended up in different states for a number of reasons. Above all, because when they were creating the Soviet Union after the collapse of the [Russian] empire – I have covered this in my articles and mentioned it publicly more than once – the Bolshevik leadership at the time decided – in order to appease the nationalist-minded Bolsheviks originally from Ukraine – to give them some originally Russian historical lands without asking the people who lived there. They let them have all of Malorossiya (Little Russia), the entire Black Sea region, and all of Donbass ...

In this sense, Ukraine, of course, is an artificially created state. All the more so as after WWII – this is also a historical fact – Stalin suddenly made several Polish, Hungarian, and Romanian territories part of Ukraine, thus taking these lands away from these countries. He gave the Poles, who were not part of the Nazi coalition, some of the eastern German lands. These are well-known historical facts. This is how today's Ukraine was created.

...

Fyodor Lukyanov: This may be a rhetorical question given that hostilities and much more are underway, but you and the Russian officials have said on multiple occasions that the special operation is going according to plan. What is the plan? Truth be told, this is not very clear to members of society. What is the plan?

Vladimir Putin: You see, I said at the outset, on the day the operation started, that the most important thing for us is to help Donbass. I have already mentioned this, and if we had acted differently, we would not have been able to deploy our Armed Forces on both sides of Donbass. This is my first point.

Second, the Lugansk People's Republic has been fully liberated. Military activities related to the Donetsk Republic are underway. Sure enough, when our troops approached it both from the south and the north, it became clear that the people residing on these historical Novorossiya (New Russia) territories see their future as part of Russia. How could we not respond to that?"

1548. President Putin also responded to questions from the floor. In response to a question about the intensification of nuclear rhetoric by representatives of the United States and the United Kingdom. He concluded:

“As for Russia...We have the Military Doctrine, and they should read it. One of its articles explains the cases when, why, in relation to what and how Russia considers it possible to use weapons of mass destruction in the form of nuclear weapons to protect its sovereignty, territorial integrity and to ensure the safety of the Russian people.”

9. President Putin’s press conference of 9 December 2022 on the results of his visit to Kyrgyzstan

1549. During this press conference, Mr Putin touched upon, *inter alia*, a potential nuclear strike against Russia and its response. The following exchange took place between Mr Putin and a journalist, which referenced Mr Putin’s earlier discussion with human rights defenders:

“K. Panyushkin: ... During the meeting [with human rights defenders] you said as follows: ‘If Russia does not use the nuclear weapons first, then it will not use them second either’. This phrase caused a lot of noise. Please explain what you meant.

V. Putin: ... Once [our] missile attack warning system receives a signal about a missile attack, hundreds of our missiles will be in the air, and it is impossible to stop them. But this is a counterstrike. What does it mean? It means that the enemy missile warheads will inevitably reach the Russian territory. At the same time, nothing will remain of the enemy since it is impossible to intercept hundreds of [our] missiles. And this, of course, is a deterrent.”

10. Presidential address to the Federal Assembly, 21 February 2023

1550. In his address to the Federal Assembly, President Putin summarised the reasons behind the “special military operation” as follows:

“One year ago, to protect the people in our historical lands, to ensure the security of our country and to eliminate the threat coming from the neo-Nazi regime that had taken hold in Ukraine after the 2014 coup, it was decided to begin the special military operation.”

1551. He referred to NATO’s expansion and to the rejection of the Russian “fundamental points” on the draft agreements on security guarantees officially submitted to the United States and NATO in December 2021, stating:

“After that it finally became clear that the go-ahead for the implementation of aggressive plans had been given and they were not going to stop.

The threat was growing by the day. Judging by the information we received, there was no doubt that everything would be in place by February 2022 for launching yet another bloody punitive operation in Donbass. Let me remind you that back in 2014, the Kiev regime sent its artillery, tanks and warplanes to fight in Donbass.”

1552. He continued:

“Let me reiterate that they were the ones who started this war, while we used force and are using it to stop the war....

The recent Munich Conference turned into an endless stream of accusations against Russia. One gets the impression that this was done so that everyone would forget what the so-called West has been doing over the past decades. They were the ones who let the genie out of the bottle, plunging entire regions into chaos....

In our time, they started turning Ukraine into an ‘anti-Russia.’ Actually, this project is not new. People who are knowledgeable about history at least to some extent realise that this project dates back to the 19th century.”

1553. He also stated that in the sphere of nuclear weapons the United States, through NATO representatives, had in fact issued an ultimatum to Russia by requesting it to abide by the Strategic Arms Reduction Treaty while not doing so itself. He specified that the United States had seen no connection between the strategic arms reduction and the conflict in Ukraine and other hostile actions by the West against Russia. He announced, in that connection, that Russia would suspend its participation in the Strategic Arms Reduction Treaty. He said:

“Russia suspends its participation in the Strategic Arms Reduction Treaty. ... Given these circumstances, the Defence Ministry and Rosatom must make everything ready for Russia to conduct nuclear tests. We will not be the first to proceed with these tests, but if the United States goes ahead with them, we will as well.”

11. Speech by President Putin at the Valdai International Discussion Club meeting, 5 October 2023

1554. Following President Putin’s speech, there was a question-and-answer session. The following exchange took place between President Putin and the host:

“S. Karaganov: ... Has not our doctrine of the use of nuclear weapons become outdated? It seems to me that it has certainly become so, and it even looks frivolous; it was created in different times and, perhaps, in a different situation, and even follows the old theories. Deterrence no longer works. Is not it time for us to change the doctrine of the use of nuclear weapons in the direction of lowering the nuclear threshold ...?

...

V. Putin: ... there are two reasons for the potential use of nuclear weapons by Russia in its military doctrine. The first one is the use of nuclear weapons against us, which would entail a so-called retaliatory strike. What does it mean in practice? The missiles have been launched, our early warning system detected them and reported that they were targeting the Russian territory – this happens within seconds, just so that everyone understands – and once we know that Russia has been attacked, we respond to this aggression.

I want to assure everyone that as of today, the response is absolutely unacceptable for any potential aggressor because once we detect the launch of missiles, wherever they are coming from, from any place in the World Ocean or any land, the counter strike in response will involve hundreds, hundreds of our missiles in the air, in several directions at once, and no enemy will have a chance to survive.

The second reason for the potential use of these weapons is an existential threat to Russia, even if conventional weapons are used against Russia, but its very existence as a State is threatened.

...

Do we need to change this? Why? Everything can be changed, but I just do not see the need for that. There is no situation today in which something would threaten Russian statehood and the existence of Russia as a State. I do not think any person of sound mind and clear memory would consider using nuclear weapons against Russia.

...

We have successfully conducted the latest test launch of “Burevestnik”, a nuclear-powered global-range cruise missile. We have practically finished out work on “Sarmat”, a super heavy missile. We have to complete certain administrative and bureaucratic procedures and proceed to their mass production and placement on combat duty. We will do this soon.”

12. “Results of the year with Vladimir Putin”, broadcast of 14 December 2023

1555. President Putin summed up the year’s results and answered questions from journalists and the people of Russia in a live broadcast. The following question and answer were quoted in the transcript of that broadcast:

“Pavel Zarubin: For almost two years now, our country has been living under the conditions of the special military operation, and of course there has been a flurry of questions from the public. I will just read out some of them, literally. ‘How do you assess these two years?’ ‘What is the situation now? What are the dynamics?’ ‘The goals and objectives of the operation – are they the same as they were at the beginning or not?’ And of course, the most important thing: ‘When will there be peace?’

Vladimir Putin: There will be peace when we achieve our goals, which you have mentioned. Now let’s return to these goals – they have not changed. I would like to remind you how we formulated them: denazification, demilitarisation, and a neutral status for Ukraine.”

1556. President Putin said that despite the current tragic developments, “Russians and Ukrainians [were] essentially one people” and likened the conflict to “a civil war between brothers”. He continued:

“The southeastern part of Ukraine has always been pro-Russian because it is historically a Russian territory ... [T]he entire Black Sea region was incorporated into Russia as the result of Russo-Turkish wars. What does Ukraine have to do with that? Neither Crimea nor the Black Sea region has any connection to Ukraine. Odessa is a Russian city. We know this. Everyone knows this. But they [Ukrainians] have concocted some historical nonsense.

Well now, Vladimir Lenin incorporated these regions into Ukraine when the Soviet Union was established. We did not dispute that after the dissolution of the Soviet Union, and we were ready to live within that paradigm. However, this southeastern part is pro-Russian, which was important to us. They always voted for those who advocated a pro-Russian stance in Ukraine’s domestic and foreign policy. On the whole, this suited Russia.

But after the 2014 state coup, it became clear to us that they would use force to prevent us from developing normal relations with Ukraine...”

13. Meeting with heads of municipalities from Russian regions, 16 January 2024

1557. President Putin held a meeting with heads of municipalities from Russia regions taking part in the “Small Homeland – the Strength of Russia All-Russian Municipal Forum”. Commenting on remarks by the head of the Krasnogvardeisky District administration in the Belgorod Region, about the special military operation, President Putin said:

“Just recently, the former president of the Czech Republic was clear about a crucially important matter. He said publicly just a few days ago, ‘The war in Ukraine did not start in February 2022, but in the summer of 2008, when the decision was made ... to open the doors to NATO for Ukraine and Georgia’.

As a reminder, Ukraine gained its independence based on the Declaration of Independence which said that Ukraine was a non-aligned state. The 2008 decision upended the situation in Eastern Europe from the point of view of ensuring Russia’s security.

On top of that, a *coup d’état* followed in 2014, and the Russians were declared a non-titular population in Ukraine. Next, an array of other decisions was made that led to what is now happening in Latvia and other Baltic countries where Russians are pushed out of those countries. You see, these are very serious matters that directly affect our country’s security. In 2014, after the coup, fighting ensued in Donbass, and they unleashed a shooting war which led to the tragedy that we are experiencing today.

...

As for this negotiation process, it is an attempt to make us give up the gains that we have made over the past year and a half. That is impossible. Everyone understands that it is impossible ...”

14. Interview with Tucker Carlson of 9 February 2024

1558. Commenting on the origins of the conflict in 2014, President Putin said:

“So, in 2008 the doors of NATO were opened for Ukraine. In 2014, there was a coup, they started persecuting those who did not accept the coup, and it was indeed a coup, they created a threat to Crimea which we had to take under our protection. They launched a war in Donbass in 2014, using aircraft and artillery against civilians. This is when it started. There is a video of aircraft attacking Donetsk from above. They launched a large-scale military operation, then another one. When they failed, they started to prepare the next one. All this against the background of military development of this territory and opening of NATO’s doors.

How could we not express concern over what was happening? From our side, this would have been a culpable negligence – that’s what it would have been. It’s just that the US political leadership pushed us to the line we could not cross because doing so could have ruined Russia itself. Besides, we could not leave our brothers in faith and, in fact, a part of Russian people, in the face of this ‘war machine.’

...

We would have never considered to even lift a finger if it hadn't been for the bloody developments on Maidan."

1559. As to the trigger for recent events, he said:

"Firstly, the current Ukrainian leadership declared that it would not implement the Minsk agreements, which had been signed, as you know, after the events of 2014, in Minsk, where the plan of a peaceful settlement in Donbass was set forth. But no, the current Ukrainian leadership, foreign minister, all other officials and then President himself said that they don't like anything about the Minsk agreements. In other words, they were not going to implement them. A year or a year and a half ago, former leaders of Germany and France said openly to the whole world that they indeed signed the Minsk agreements but they never intended to implement them. They simply led us by the nose.

...

We addressed the United States' and European countries' leadership to ... implement the Minsk agreements. Frankly speaking, I didn't know how we were going to do this but I was ready to implement them. These agreements were complicated for Ukraine; they included lots of elements of those Donbass territories' independence. That's true. However, I was absolutely confident, and I am saying this to you now: I honestly believed that if we managed to convince the residents of Donbass – and we had to work hard to convince them to return to the Ukrainian statehood – then gradually the wounds would start to heal. When this part of territory reintegrated itself into common economic, social environment, when the pensions and social benefits were paid again, all the pieces would gradually fall into place.

No, nobody wanted that, everybody wanted to resolve the issue by military force only. But we could not let that happen.

And the situation got to the point, when the Ukrainian side announced: 'No, we will not implement anything'. They also started preparing for military action. It was they who started the war in 2014. Our goal is to stop this war. And we did not start this war in 2022. This is an attempt to stop it."

1560. Asked whether he had stopped the war and achieved his aims, President Putin said:

"No, we haven't achieved our aims yet, because one of them is denazification. This means the prohibition of all kinds of neo-Nazi movements ...

...

Denazification. After gaining independence, Ukraine began to search, as some Western analysts say, its identity. And it came up with nothing better than to build this identity upon some false heroes who collaborated with Hitler.

... Monuments to these people have been erected, they are displayed on flags, their names are shouted by crowds that walk with torches, as it was in Nazi Germany. These were the people who exterminated Poles, Jews and Russians. It is necessary to stop this practice and prevent the dissemination of this concept.

I say that Ukrainians are part of the one Russian people. They say, 'No, we are a separate people'. Okay, fine. If they consider themselves a separate people, they have the right to do so, but not on the basis of Nazism, the Nazi ideology."

1561. The following exchange then took place:

“Interviewer: Would you be satisfied with the territory that you have now?”

Vladimir Putin: I will finish answering the question. You just asked a question about neo-Nazism and denazification.”

1562. President Putin continued to speak about neo-Nazism and the following exchange then took place:

“Interviewer: My question ... was, of course, not a defence of Nazism. Otherwise, it was a practical question. You don’t control the entire country, you don’t seem like you want to. So, how do you eliminate that culture, or an ideology, or feelings, or a view of history, in a country that you don’t control? What do you do about that?”

Vladimir Putin: You know, as strange as it may seem to you, during the negotiations in Istanbul we did agree that – we have it all in writing – neo-Nazism would not be cultivated in Ukraine, including that it would be prohibited at the legislative level.

... This, it turns out, can be done during the negotiation process. And there is nothing humiliating for Ukraine as a modern civilized state. Is any state allowed to promote Nazism? It is not, is it? That is it.”

1563. The following exchange took place:

“Interviewer: Do you think NATO was worried about this becoming a global war or nuclear conflict?”

Vladimir Putin: At least that’s what they’re talking about. And they are trying to intimidate their own population with an imaginary Russian threat. This is an obvious fact. And thinking people, not philistines, but thinking people, analysts, those who are engaged in real politics, just smart people understand perfectly well that this is fake. They are trying to fuel the Russian threat.

Interviewer: The threat I think you were referring to is Russian invasion of Poland, Latvia – expansionist behaviour. Can you imagine a scenario where you send Russian troops to Poland?

Vladimir Putin: Only in one case: if Poland attacks Russia. Why? Because we have no interest in Poland, Latvia or anywhere else. Why would we do that? We simply don’t have any interest. It’s just threat mongering.

Interviewer: Well, the argument, I know you know this, is that, well, he invaded Ukraine – he has territorial aims across the continent. And you are saying unequivocally, you don’t?

Vladimir Putin: It is absolutely out of the question. You just don’t have to be any kind of analyst, it goes against common sense to get involved in some kind of global war. And a global war will bring all of humanity to the brink of destruction. It’s obvious.

There are, certainly, means of deterrence. They have been scaring everyone with us all along: tomorrow Russia will use tactical nuclear weapons, tomorrow Russia will use that, no, the day after tomorrow. So what? These are just horror stories for people in the street in order to extort additional money from US taxpayers and European taxpayers in the confrontation with Russia in the Ukrainian theatre of war. The goal is to weaken Russia as much as possible.”

15. Presidential address to the Federal Assembly, 29 February 2024

1564. In his address, President Putin stated:

“We were not the ones who started the war in Donbass, but, as I have already said many times, we will do everything to put an end to it, eradicate Nazism and fulfil all the objectives of the special military operation, as well as defend sovereignty and ensure that our people are safe.

The strategic nuclear forces are on full combat alert and the ability to use them is assured...”

1565. He referred to the need to “shore up the forces in the western strategic theatre in order to counteract the threats posed by NATO’s further eastward expansion”, with Sweden and Finland joining the alliance. He raised the possibility that NATO military contingents might be deployed to Ukraine and continued:

“But we remember what happened to those who sent their contingents to the territory of our country once before. Today, any potential aggressors will face far graver consequences. They must grasp that we also have weapons – yes, they know this, as I have just said – capable of striking targets on their territory.”

16. Interview with Dmitry Kiselev, 14 March 2024

1566. The following exchange took place during the interview:

“Journalist: But now they are saying in France that there are no longer any ‘red lines’ left with regard to Russia, nothing is impossible and everything is possible. In general, they want to talk to us somehow on the basis of the balance of power. We hear a lot of things from France, from the West, and from Lithuania. In general, the chorus is not slender, but hostile.

...

Vladimir Putin: As for the states saying that they have no ‘red lines’ with Russia, they should realise that Russia will have no ‘red lines’ with them either.

As for small European states, first, we treat everyone with respect, no matter what. Second, when these small states call for toughening the policy towards Russia and taking some extreme measures, including, say, the deployment of troops and so on, they are still those states, and they understand this, which will not feel the consequences of their provocative statements. And those who may feel it, keep a low profile. And rightly so.”

1567. Later in the interview, the following exchange took place:

“Journalist: Philosopher and geopolitical expert Alexander Dugin directly urges to practically prepare for a nuclear war. ‘The better we are ready for it, the less likely such a war is’, Mr Dugin states. How can you ever be prepared for it? Are we really ready for a nuclear war?

Vladimir Putin: From a military-technical point of view, we are certainly ready. They [the troops] are constantly on alert. This is the first thing.

Secondly. Our nuclear triad is more advanced than any other one, and this is also a universally recognised fact. We and the Americans are the only ones who have such a triad, actually.

Here, we have made a lot more progress. We have a more advanced nuclear component. On the whole, as for carriers and warheads, we have a rough parity, yet, the nuclear component we have is more sophisticated.

Everyone knows it, all experts do. However, it does not mean that we should compete by the number of carriers or warheads, but we should know about it. And I repeat that those who need it – experts, specialists, the military – are well aware of it.

Now they are setting the task to increase this modernity, novelty, they have relevant plans. We also know about them. They are developing all their components, so do we. But, in my view, this does not mean that they are ready to wage this nuclear war tomorrow. If they want to, what is there to do? We are ready.

Journalist: Perhaps, to make it more compelling, we should conduct nuclear tests at some stage? After all, we have no international restrictions for that.

Vladimir Putin:... We are aware that the possibility of conducting such tests is being considered in the United States. This is due to the fact that, when new warheads appear, as some specialists believe, it is not enough to test them on computer which means that they should be tested for real as well ...

And we are also watching. If they conduct such tests, we will not necessarily do it, we should think whether we need it or not, however, I do not rule out that we can do the same.

...

Journalist: Mr President, last year, when there were tough moments at the front in connection with Kharkov or Kherson, were you thinking of tactical nuclear weapons?

...

That is to say such idea did not even occur to you?

Vladimir Putin: No. What for? Weapons exist to be used. We have our own principles; what do they say? That we are ready to use weapons, including the ones you have just mentioned, when it is about the existence of the Russian state, about harming our sovereignty and independence. We have everything spelled out in our Strategy. We have not changed it.”

*17. Plenary session of the St Petersburg International Economic Forum,
7 June 2024*

1568. Vladimir Putin took part in the plenary session of the 27th St Petersburg International Economic Forum. Extracts from the discussion are reproduced below:

“Moderator: You always say you want to hold talks to settle the conflict with the West in Ukraine. Of course, this intention is commendable and positive.

But with whom could you hold talks? Our Western partners have deceived us numerous times and are violating all the agreements we make with them. The Kiev regime is morally, politically and even legally illegitimate, even from the perspective of the failed state that exists there.

How can we possibly hold any talks with them without first defeating them. achieving their complete surrender and holding a nuclear gun, so to speak, over our Western opponents, so that they do not resist any further? In fact, right now no agreements will be implemented until they are defeated. They are illegitimate and unreliable partners.

How can we deal with that?

Vladimir Putin: ... Of course, we need to reach agreements and conditions that align with our interests and are as dependable as possible. You are right in saying that it is very difficult to negotiate with people like this, who deceive us at every turn. They say one thing and then do another. It is unfortunate, but all military conflicts eventually conclude with peace treaties. However, as a former leader of a major European country told me, these agreements can be based on either military defeat or victory. Of course, we will strive for victory.

Of course, there are concerns about the legitimacy of those we have to negotiate with, because a preliminary or even superficial analysis of Ukrainian legislation reveals that the current executive authorities have lost their legitimacy.

... [I]f there is a wish to engage in talks, there is someone we can speak with.

We are ready for these talks, but only, I repeat, on the terms that we agreed upon when we started these negotiations in Minsk and later in Istanbul, not on some arbitrary terms. Even if we take the Istanbul agreements as a basis, we must still proceed from today's realities. These are the general terms.

Moderator: Mr President, it is commonly asserted that all wars end in negotiations, but this is a misleading maxim imposed upon us. In reality, most wars end with the defeat and surrender of the enemy. This is the only way to bring an end to this war.

Now I move on to the next question ... Without accelerated movement towards nuclear escalation, it will not be possible to end this war in the near future. That is the first point.

Secondly, ... is inevitable that numerous conflicts will arise objectively. Previously, there was a nuclear deterrent, the fear of nuclear weapons which has now significantly weakened. Do we understand the enormous responsibility upon us not only to achieve victory in this war – which requires us to escalate much more forcefully and be prepared to use [nuclear weapons] –but also to restore this nuclear deterrent to the international system to prevent a surge of conflicts? Who else will do this besides us? Who else besides you?

...

Vladimir Putin: Regarding nuclear escalation, we never initiated this rhetoric ...

We have never made such statements. This is how it all began. We simply responded that this should be taken more seriously, and immediately they began to claim that we are brandishing nuclear weapons. We are not brandishing them. That is the first point.

Secondly, we should clarify what constitutes the or non-use, as well as specific scenarios in which they can be used. We have a nuclear doctrine, and everything is laid out there. I discussed this yesterday with the heads of news agencies. It states clearly: nuclear weapons can be used only in exceptional cases – when there is a threat to the sovereignty and territorial integrity of the country, in exceptional circumstances.

I do not believe that this moment has come – there is no such need. However, this doctrine is a living instrument, and we are closely monitoring developments in the

world around us, and we do not rule out the possibility of making changes to this doctrine.

...

Combat operations continue. In my understanding, since the beginning of this year, approximately 47 communities totalling 880 square kilometres have been liberated. We are steadily pushing the enemy out of the Donbass and surrounding areas. The General Staff and the Ministry of Defence have devised plans for achieving our objectives, and we are proceeding according to these plans. I am confident that we will successfully execute all of them.

Moderator: However, we are fully aware that accelerating the nuclear escalation process can potentially save numerous lives by imparting a sense of caution to our adversaries, who have exploited our relatively permissive doctrine.

I am confident that it will be revised, and I hope it happens soon, granting you the formal right to respond with a nuclear strike to any attacks on our territory, which is a sovereign necessity. I anticipate that such a declaration will be incorporated into our doctrine sooner or later, which will likely deter our adversaries and ultimately safeguard our soldiers.

Certainly, it may be premature to escalate to nuclear options at this moment, but we should proceed in that direction to deter our adversaries ...

...

Again, I emphasise this question, I bring it to the forefront. If we do not proceed more decisively up the escalation ladder, will we not provoke divine wrath? ...

Vladimir Putin: ... If, heaven forbid, it comes to some sort of strike, everyone should understand that Russia has an early warning system, a missile attack warning system. The US has it. There is no such developed system anywhere else in the world. We have it. Europe lacks such a developed system; in this regard, they are more or less defenceless. That is the first point.

The second issue is the power of the strikes. Our tactical nuclear weapons are four times more powerful than the bombs the Americans used against Hiroshima and Nagasaki, by three to four times. We possess significantly more of them – both across the European continent and even if the Americans were to deploy theirs from the US – we still maintain a substantial advantage.

If, God forbid, it comes to that – which we sincerely hope it does not, ... in reality, casualties could potentially escalate indefinitely. That's the first point.

Second, the Europeans must also consider: if those with whom we engage in such conflicts cease to exist, will the Americans participate in this conflict at the level of strategic weapons or not? I have serious doubts about it, and Europeans should reflect on this as well.

Nevertheless, I firmly believe that such a scenario will never materialise, as we do not foresee such a necessity ...

Sergei Karaganov: You demonstrate such responsible behaviour and speak with such responsibility, but we are engaging with partners who exhibit absolute irresponsibility and have lost their sense of reason."

18. Statement at the International United Cultures Forum, 12 September 2024

1569. After his address at the plenary session of the International United Cultures Forum, President Putin provided the following answer to the question from a media representative regarding Kyiv's potential authorisation to strike targets deep inside Russia:

"If this decision is made, it will mean nothing short of direct participation of NATO countries, the United States, the European countries in the war in Ukraine. This will be their direct participation, and this will clearly change the very essence and the very nature of the conflict dramatically. This will mean that NATO countries, the United States, the European countries are at war with Russia. And if this is the case, then, bearing in mind the change in the very essence of this conflict, we will make appropriate decisions in response to the threats that will be posed to us."

19. Meeting of the Russian Security Council standing conference on nuclear deterrence, 25 September 2024

1570. On 25 September 2024, Vladimir Putin held a meeting of the Russian Federation Security Council standing conference on nuclear deterrence. He discussed the updating of the Basic Principles of State Policy on Nuclear Deterrence, a document that officially defines and details Russia's nuclear strategy. He explained:

"I would like to draw your attention specifically to the following. The updated version of the document is supposed to regard an aggression against Russia from any non-nuclear state but involving or supported by any nuclear state as their joint attack against the Russian Federation.

It also states clearly the conditions for Russia's transition to the use of nuclear weapons. We will consider such a possibility once we receive reliable information about a massive launch of air and space attack weapons and their crossing our state border. I mean strategic and tactical aircraft, cruise missiles, [unmanned aerial vehicles ('UAVs')], hypersonic and other aircraft.

We reserve the right to use nuclear weapons in the event of aggression against Russia and Belarus as a member of the Union State. All these issues have been agreed upon with the Belarusian side and the President of Belarus. Including the case when the enemy, using conventional weapons, creates a critical threat to our sovereignty."

20. Statement of 21 November 2024

1571. In his statement, President Putin informed the public that in response to the deployment by Ukraine of American and British long-range weapons against Russia, the latter had carried out a test of one of its latest medium-range missile systems carrying a non-nuclear hypersonic ballistic missile called "Oreshnik". He continued:

"The tests were successful, achieving the intended objective of the launch.

...We are conducting combat tests of the 'Oreshnik' missile system in response to NATO's aggressive actions against Russia. The issue of the further deployment of

medium-range and shorter-range missiles will be decided depending on the actions of the United States and its satellites.

We will determine the targets for further tests of our advanced missile systems based on the threats to the security of the Russian Federation. We consider ourselves entitled to use our weapons against military facilities of those countries that allow to use their weapons against our facilities, and in case of an escalation of aggressive actions, we will respond just as decisively and in a mirror-like manner. I recommend that the ruling elites of the countries that are hatching plans to use their military contingents against Russia consider this seriously.

... If anyone still doubts this, make no mistake: there will always be a response.”

21. Speech at a restricted attendance meeting of the Collective Security Treaty Organisation Collective Security Council, 28 November 2024

1572. Speaking about Russia’s first test of its latest hypersonic ballistic missile “Oreshnik” in its non-nuclear configuration, President Putin stated that this had been a response to the Ukrainian strikes on the Russian regions involving the American and British missiles. He continued:

“The Ministry of Defence and the General Staff of the Russian Army are currently identifying targets for [‘Oreshnik’] strikes within Ukraine. These may include military facilities, defence industry enterprises or decision-making centres in Kyiv.

...

The serial production of the ‘Oreshnik’ system has commenced. However, the choice of weaponry will ultimately depend on the nature of the selected targets and the threats posed to the Russian Federation.”

B. Statements by the Ministry of Foreign Affairs of the Russian Federation

1. Written comment of 12 May 2014

1573. This document contained a written public comment on the referendums in the Donetsk and Luhansk Regions of Ukraine. It stated that the referendums had demonstrated the free will of the residents of those regions to become independent from Ukraine.

2. Foreign Ministry Spokeswoman Maria Zakharova’s comment of 9 September 2022 on accusations of Russia taking “cruel filtration measures” against Ukrainian citizens

1574. This publication on the website of the Ministry of Foreign Affairs of the Russian Federation read as follows:

“On September 7 of this year, the UN Security Council held a regular session at the request of the United States and Albania. The Westerners tried to use it to accuse Russia of “filtration measures” to compel Ukrainian citizens to leave their homes for Russia, resorting to deception and force in the process. During the session, Russia’s

Ambassador to the United Nations Vasily Nebenzya described the real situation in detail. We would like to draw attention to this issue once again.

The Russian Federation has received the biggest number of Ukrainian refugees from Ukraine, the DPR and the LPR on its territory – almost 4 million people, including over 625,000 children. In the UNHCR's estimate, 2.4 million are Ukrainian citizens. They live freely and voluntarily on Russian territory. Nobody prohibits them from moving or leaving the country, which is confirmed by the OHCHR.

Individual work is conducted with all refugees. They receive prompt assistance in resolving various urgent problems linked with further accommodation, food, basic necessities and social payments.

Preschool children are provided with places in kindergartens and schoolchildren are admitted to secondary general education and vocational schools. Many of them receive targeted humanitarian and medical aid, including psychological rehabilitation. Its goal is to help children forget all the horrors they were exposed to in the previous eight years when Kiev was methodically and with impunity destroying the civilian population of Donbass.

...

Obviously, such a huge number of people fleeing to Russia did so of their own free will. There is evidence to prove this. Many of them describe their impressions and thoughts on social media, thank our country and freely admit that they fled from Ukraine out of fear for their lives. They wanted to escape from the criminal regime that did not let them evacuate and used them as a 'human shield'. This regime has continued to employ terrorist methods that show no concern for the supreme value – human life.

Here are some dry statistics to make the picture complete. There are over 9,500 temporary accommodation centres for more than 95,000 people in 85 Russian regions. Refugees are brought to these places by trains – 38 trains are involved in this. A telephone hotline processes over 250 calls per day. Refugees and displaced persons receive financial, legal, psychological and medical aid. UNHCR representatives daily visit them in these centres.

Naturally, displaced persons go through registration at the border with Russia, after which those who need are helped to get to stationary temporary accommodation facilities. We would like to emphasise something for those who are mixing up their definitions. Ukrainians and residents of the DPR and the LPR undergo registration, not filtration. This is normal global practice. These procedures are used in Poland and other EU countries as regards refugees from Ukraine, as well as the Middle East and North Africa.

Even the Western media can no longer ignore the fact that a huge number of Ukrainian citizens are striving to get to the Russian-liberated territory. There is a long queue at the Zaporozhye border checkpoint. Up to 700 people pass through it every day. Having heard from their friends and relatives how peaceful things are in their native cities and villages, they return home. IAEA experts had an opportunity to see this for themselves. On their way to the Zaporozhye Nuclear Power Plant, they passed by this queue and talked to people staying in it. This is a graphic example showing how many Ukrainians prefer to live in Russia now. They do not trust the corrupt and criminal Kiev regime.”

3. *“Government hour” with the participation of Foreign Minister Sergey Lavrov, 16 February 2024*

1575. Asked about the situation in Transnistria, Mr Lavrov said:

“The Moldovan leadership is not an independent actor, but just another geopolitical project promoted by the collective West as represented by the United States and the European Union. Maia Sandu and her cabinet, including the newly appointed Foreign Minister ... demonstrate complete obedience to their masters on a daily basis. In their doctrinal documents, the Western countries refer to the Transnistrian region as a hostile pro-Russian enclave. They are unwilling to resume equitable and settlement-oriented contacts with Tiraspol. Regarding Gagauzia, they have made it clear that regions opposing rapprochement with the EU are not eligible for subsidies from the state budget. What kind of democracy is that?

That’s about how it started in Ukraine in 2013 when President Yanukovich asked the European Union for more time to figure out how the EU Association Agreement (if signed) would affect free trade with the Russian Federation. The West turned his request down and forced Ukraine to choose between the EU and Russia. Now they are doing the same with Chisinau issuing ultimatums. Moldova meekly states that Gagauzia will not receive money from the state budget if it puts up with the politicians who are against Moldova joining the EU. So much for democracy.

...

This region is home to 200,000 of our citizens. We are concerned about their fate and we will spare no effort to make sure they do not fall victims to yet another reckless scheme of the West.”

4. *Interview with Foreign Minister Sergey Lavrov, 28 March 2024*

1576. This interview was published by *Izvestia Multimedia Information Centre*. Asked about the forthcoming referendum in Moldova on accession to the EU, Mr Lavrov said:

“President Sandu stated they would hold a referendum on accession to the European Union without Transnistria. Probably, the plan is to unite with Romania as soon as possible and thus gain additional capabilities. Maybe, they have a military solution to the Transnistrian issue in mind which would be a reckless step for the Moldovan leadership. I think they should realise this. Or, they need someone to break it down for them.”

5. *Briefing by the Foreign Ministry Spokeswoman Maria Zakharova, 28 August 2024*

1577. When asked to comment on Ukraine’s recent request for Belarus to withdraw its troops from the Belarus-Ukraine border, Ms Zakharova said:

“We believe it necessary to remind the hot (but not too bright) heads both in Kiev and certain western capitals that the Union State Military Doctrine updated in 2021 provides for the joint defence of the common borders of our integration association, as repeatedly stated by Russian President Vladimir Putin. The document sets out the participating states’ firm determination to ensure the military security of the Union State with all available forces and means.

As is well known, a joint regional grouping of troops (forces), as well as Russian advanced defence systems and tactical nuclear weapons, are currently deployed on the fraternal Belarusian land. The practical implementation of any threats against Minsk is fraught with harmful consequences not only for neo-Nazi Ukraine but also for its patrons. In this regard, we would recommend that NATO leadership and its leading member countries cool the ardour of their zealous underlings, which are capable of involving the alliance in a major armed conflict through their actions.”

6. Foreign Minister Sergey Lavrov’s statement and answers to media questions following the G20 Summit, 19 November 2024

1578. Asked about the possible authorisation by the United States for Ukraine to use long-range missiles to target Russia’s territory, Mr Lavrov said:

“The fact that ATACMS were repeatedly used to attack the Bryansk Region last night signals that they are looking for an escalation. There’s no way the Ukrainians can use these high-tech missiles without the Americans. President Putin conveyed that on numerous occasions and let everyone know that our stance would change if the long-range capability (up to 300 kilometres), which they are now discussing, gets approved.

Essentially, this isn’t an ‘approval’ for Ukraine to use long-range missiles, but their way to announce that they will from now on hit targets at a distance of up to 300 kilometres. I’m not in a position to confirm this, because everyone is talking about it as a done deal.

EU High Representative Josep Borrell said it is ‘now an official matter’. The Europeans discussed it and decided that each country would determine on its own whether to allow Ukraine to use their respective long-range weapons, or not.

I won’t even try to second-guess it. Basic Principles of State Policy of the Russian Federation on Nuclear Deterrence were published today which confirm and enshrine everything in the form of a legislative act. President Putin made this public on September 12. I hope they will read through this doctrine, but not the way they read the UN Charter, where they see only things that they want to see but read it in its entirety and interconnectedness.

...

Our security is our key focus. We stated officially everything that those who are contemplating this course of action need to know. President Putin has made everything clear, and everything was codified in an official document.”

7. Briefing by the Foreign Ministry Spokeswoman Maria Zakharova, 21 November 2024

1579. During the briefing, the following exchange took place between a journalist and the Spokeswoman:

“Question: Estonian Foreign Minister Margus Tsahkna said the other day that Europe should be ready to send troops to Ukraine to ensure the success of any peace deal brokered by Donald Trump. How would you comment on that statement?

Maria Zakharova: We see that NATO countries are reinforcing escalation with the death of Ukrainian citizens. They have become skilled in that. Estonia, just like the

other Baltic regimes that are part of the bloc's radical wing, often makes aggressive and provocative militant statement regarding Russia, and with an openly nationalist slant. This time, the foreign minister of Estonia, with an army of barely 4,000 people (which is hardly big enough to make anyone stronger), is urging the other bloc members to take part in a reckless scheme that is evidently doomed to failure.

They are probably unable to understand that the deployment of NATO troops in Ukraine would amount to the bloc joining the war against Russia. We have pointed this out many times. Didn't they hear or read this? This would have disastrous consequences not only for Europe but for the world as a whole."

1580. Later, when asked about the recent transfer of the US missile defence installation in Poland to NATO, the Spokeswoman said:

"This represents yet another overtly provocative manoeuvre within a sequence of profoundly destabilising actions undertaken by the United States and their NATO allies within the strategic domain.

It aligns with the enduringly destructive custom of advancing NATO's military infrastructure towards Russia's borders, which clearly jeopardises strategic stability. Coupled with other detrimental military-political and military-technical measures designed to project US capabilities thousands of miles from American soil to exert pressure on Russia and certain other nuclear states, this naturally escalates strategic risks and, consequently, elevates the overall level of nuclear threat.

...

The aforementioned US-NATO 'long-delayed construction', which has persisted for nearly a decade, with complete disregard for Russia's security apprehensions, has been subject to our meticulous scrutiny throughout these years – primarily in terms of formulating compensatory countermeasures in advance. Given the nature and scope of threats posed by such Western military installations, the missile defence base in Poland has long been designated as a priority target for potential engagement, which, if necessary, can be addressed with an extensive array of the latest armaments."

8. Briefing by the Foreign Ministry Spokeswoman Maria Zakharova, 27 November 2024

1581. Asked about the possible deployment of Russia's intermediate- and shorter-range missiles in Asia, the Spokeswoman said:

"The key issue is that Russia has sent a clear military and political signal to the United States and its satellites, which are taking practical steps to prepare for the deployment of their ground-based intermediate- and shorter-range missiles in various parts of the world. The essence of our warning is simple: there will be a most resolute response to these deployments, which create additional missile threats to Russia, regardless of their geography. The Russian countermeasures can be either tit-for-tat or asymmetrical.

We hope that the battleground testing of Oreshnik, the latest Russian hypersonic missile system, has left the West in no doubt regarding Russia's capabilities. Reuters should convey this message to the West: the signal has been sent, and you need to pay attention to it."

9. Foreign Minister Sergey Lavrov's answer to a question from the Moscow.Kremlin.Putin television show, 27 November 2024

1582. The following exchange took place during this broadcast:

“Question: The ATACMS strikes continue, as stated by the Defence Ministry of Russia...

Sergey Lavrov: We have many proverbs reflecting the Russian disposition and mindset: ‘Measure seven times and cut once’, ‘The Lord endured and so we are commanded to endure’. But patience, when tested time and again, inevitably comes to an end.

There is one more proverb that Western officials should keep in mind: ‘A Russian takes a long time to harness his horse...’ I’m sure the viewers know the ending.”

10. Briefing by the Foreign Ministry Spokeswoman Maria Zakharova, 4 December 2024

1583. During the briefing, the following exchange took place:

“Question: Russia placed trust in the West’s assurances that it would not expand to its borders. The West has not upheld these assurances. Russia endorsed the Minsk agreements, yet again the West has been deceptive and has armed Ukraine. Russia, Syria, and Iran accepted the pledges made in Astana, with the outcome being the present situation in Syria. How can we cease blindly trusting the West’s promises and recognise their deceit in advance?

Maria Zakharova: I believe that this realisation has already occurred. The testing of the Oreshnik ballistic missile serves as evidence of this change.”

11. Foreign Minister Sergey Lavrov's interview with Tucker Carlson, 6 December 2024

1584. This interview was published on the website of the Ministry of Foreign Affairs of the Russian Federation. Asked about whether, in his opinion, Russia and the United States were at war with each other, Mr Lavrov said:

“Well, we officially are not at war. But what is going on in Ukraine is that some people call it hybrid war. I would call it hybrid war as well, but it is obvious that the Ukrainians would not be able to do what they’re doing with long-range modern weapons without direct participation of the American servicemen. And this is dangerous, no doubt about this.

We don’t want to aggravate the situation, but since ATACMS and other long-range weapons are being used against mainland Russia as it were, we are sending signals. We hope that the last one, a couple of weeks ago, the signal with the new weapon system called Oreshnik was taken seriously.”

12. Foreign Minister Sergey Lavrov's answers to questions at the 22nd Doha Forum, 7 December 2024

1585. When asked about the level of danger posed by the current nuclear talks, Mr Lavrov replied:

“As regards the danger, it is dangerous. And I hope you can at some point interview somebody from the American – Biden administration, because everything they do indicates that they persuade Europeans not to believe in Russian red lines. They push them farther and farther, providing an example like ATACMS to make the French and the British with their Scalp and Storm Shadow missiles more aggressively involved. They also pressure the Germans with Taurus, as far as I understand.

Once Mr Kirby, who is a National Security Council Coordinator for Strategic Communications at the White House, was asked whether the U.S. is concerned about possible escalation. He said, yes, we are, because if nuclear weapons are used, Europe would suffer. Mentally he cannot even think about the fact that the U.S. can suffer. With this mentality, it's very reckless for the current administration to push and push and push Europeans to the brink.

So I hope reason would prevail. There are wise people in the United States, and we hope that they would be taking the final decision and not those who play with fire.”

1586. When asked to clarify what signals he meant exactly and what message Russia was sending by showing the new weapon system to the world, Mr Lavrov continued:

“Well, the message is that you, I mean the United States, and the allies of the United States who also provide these long-range weapons to the Kiev regime, they must understand that we would be ready to use any means not to allow them to succeed in what they call strategic defeat of Russia.

They fight for keeping the hegemony over the world on any country, any region, any continent. We fight for our legitimate security interests. They say, for example, 1991 borders. Lindsey Graham, who visited some time ago Vladimir Zelensky for another talk, he bluntly, in his presence said that Ukraine is very rich with rare earth metals, and they cannot leave this richness to the Russians. We must take it. We fight.

So they fight for the regime which is ready to sell or to give to the West all the natural and human resources. We fight for the people who have been living on these lands, whose ancestors were actually developing those lands, building cities, building factories for centuries and centuries. We care about people, not about natural resources which somebody in the United States would like to keep and to have Ukrainians just as servants sitting on these natural resources.

So the message which we wanted to send by testing in real action this hypersonic system is that we will be ready to do anything to defend our legitimate interests.

We hate even to think about war with the United States, which will take nuclear character. Our military doctrine says that the most important thing is to avoid a nuclear war. And it was us, by the way, who initiated in January 2022 the message, the joint statement by the leaders of the five permanent members of the Security Council saying that we will do anything to avoid confrontation between us, acknowledging and respecting each other's security interests and concerns. This was our initiative.

And the security interests of Russia were totally ignored when they rejected about the same time the proposal to conclude a treaty on security guarantees for Russia, for

Ukraine in the context of coexistence and in the context where Ukraine would not be ever member of NATO or any other military bloc. These security interests of Russia were presented to the West, to NATO and to the United States in December 2021. We discussed them several times, including during my meeting with Antony Blinken in Geneva in January 2022. And this was rejected.

So we would certainly like to avoid any misunderstanding. And since the people, some people in Washington and some people in London, in Brussels, seemed to be not very capable to understand, we will send additional messages if they don't draw necessary conclusions."

13. Foreign Minister Sergey Lavrov's interview with the 60 Minutes television programme, 25 December 2024

1587. In his interview, Mr Lavrov commented on his earlier remarks in the interview with Tucker Carlson to the effect that the world was closer to a nuclear conflict than ever before. He concluded as follows:

"In any event, we are not interested in escalating the issue of nuclear weapons usage risks. We firmly adhere to the principle I mentioned earlier: there can be no victors in a nuclear war. President Vladimir Putin has reiterated this on numerous occasions. Nonetheless, I would caution against testing our patience and resolve to defend our legitimate national interests by all available means. Vladimir Putin elaborated on this during the Direct Line and in previous addresses. We trust that those with ears will listen, and those with minds will comprehend."

C. Statements by the Deputy Chair of the Russian National Security Council Dmitry Medvedev

1. Statement on Telegram, 24 February 2023

1588. In a post published on Telegram one year after the start of the "special military operation", Mr Medvedev wrote:

"That is why it is so important to achieve all the objectives of the special military operation. To push the borders of threats to our country as far away as possible, even if it is the borders of Poland. Destroy neo-Nazism to the ground. In order not to waste time on catching the remnants of Bandera gangs in the forests of Malorossiia."

2. Statement on VKontakte, 8 April 2023

1589. On 8 April 2023, Mr Medvedev posted a statement on VKontakte headed "WHY WILL UKRAINE DISAPPEAR? BECAUSE NOBODY WANTS IT". The statement included the following passage:

"... The new Malorossiia of the 1991 model is artificially sliced territories, many of which are originally Russian, accidentally taken away in the XX century. Here live millions of our compatriots who have been bullied for years by the Nazi Kiev regime. It is them that we are defending in a special military operation, mercilessly destroying the enemy. But the pieces of Russia called Ukraine within the 1991 borders are just a misunderstanding generated by the collapse of the Soviet Union. And that's why we don't need an under-Ukraine. We need Big Great Russia."

3. Statement on Twitter (now X), 16 May 2023

1590. In a post on X, Mr Medvedev responded to comments by the French President that Russia had already “lost geopolitically”. He said:

“It was back in 2022 that NATO was lazily shooting us away when the matter concerned the security guarantees. Like, leave us alone, no time for you. And now, all of the NATO member states go to bed at night, and wake up in the morning thinking of Russia. Moreover, some of the especially cowardly and suffering from phantom pains, like temporarily occupied Poland and our Baltic provinces, have well soiled themselves ...”

4. Article “Russia and Poland: notes for November 4”, 2 November 2023

1591. In an article reflecting on National Unity Day, Mr Medvedev set out his view of the historical roots of the “long and difficult history of relations between Russia and Poland”. He described Poland as a “dangerous enemy” and stated:

“And we will treat it as a historical enemy, believing that it is in principle incorrigible. And if there is no hope for reconciliation with the enemy, Russia should have only one and very tough attitude towards its fate.”

1592. The article concluded:

“So, Poland’s current Russophobic revisionist policy does not give cause for optimism. This country is still waiting for the right moment to once again drench Eastern Europe in blood in order to achieve its own goals.

... It is worth warning our eternal Polish ‘friends’: nationalist megalomania, intoxication with former greatness and sweet dreams of a new regional leadership are extremely dangerous for them. Attempts to regain the status of a major Eastern European power, appealing to a heightened national consciousness, often cost Poland very dearly ...

History has repeatedly pronounced a merciless verdict on the presumptuous Poles: no matter how ambitious the revanchist plans are, their collapse could entail the death of the entire Polish statehood...”

5. Statement on Telegram, 28 December 2023

1593. In a post on Telegram, Mr Medvedev stated:

“1. The special operation will continue, its goal will remain the disarmament of Ukrainian troops and the refusal of the current Ukrainian state from the ideology of neo-Nazism.

2. The overthrow of the ruling Banderite regime is clearly not declared, but the most important and inevitable goal, which must be and will be achieved.

3. Odessa, Dnepropetrovsk, Kharkiv, Nikolaev, Kiev are Russian cities, as well as many other temporarily occupied cities...”

6. Statement on Telegram, 17 January 2024

1594. In a Telegram post headed “Why Ukraine is dangerous for its inhabitants”, Mr Medvedev stated:

“The presence of an independent state on historical Russian territories will now be a constant reason to resume hostilities.”

7. Statement on Telegram, 14 March 2024

1595. On 14 March 2024, Mr Medvedev posted a statement on Telegram “about the ‘peace formula’ of the Kiev Nazis, the Swiss ‘peace conferences’ and the real basis of negotiations”. In his statement, he proposed a peace formula which would include the “complete and unconditional surrender” by Ukraine and its demilitarisation; loss of Ukraine’s international legal personality and impossibility of any of its legal successors joining military alliances without the consent of Russia; the official recognition by the interim parliament of Ukraine that its entire territory was the territory of the Russian Federation; adoption of an act of reunification of the territory of Ukraine with Russia; and UN recognition of the act of reunification.

8. Statement on Telegram, 31 May 2024

1596. In his post, Mr Medvedev said:

“And no matter how much retired NATO fools talk about how Russia will never use non-strategic nuclear weapons against former Ukraine and even less against individual NATO countries. Ukraine and even more so against individual NATO countries, life is much scarier than their frivolous musings.

A few years ago they were saying that Russia would not go to an open military conflict with the Banderite regime in order not to quarrel with the West. They miscalculated. There is a war.

They may also miscalculate with the use of TNWs [tactical nuclear weapons]. Although it will be a fatal mistake. After all, as the President of Russia rightly pointed out, European countries have a very high population density. And for those enemy countries whose lands are beyond the TNW coverage zone, there is, finally, a strategic potential.

And this, alas, is neither intimidation nor nuclear bluff. The current military conflict with the West is developing according to the worst possible scenario. There is a constant escalation of the power of the applicable NATO weapons. Therefore, no one can rule out the conflict's transition to its final stage today.”

9. Statement on Telegram, 5 July 2024

1597. On 5 July 2024 Mr Medvedev commented on the then NATO Secretary General Jens Stoltenberg’s statement regarding Ukraine’s possible future NATO membership. He wrote:

“Stoltenberg hopes for Ukraine’s membership in NATO by 2034. This is a good man, indeed! This is the answer of an honest man.

By 2034, not even one of the current leaders of NATO countries will remain in their position. Some of them will retire or in the best of possible worlds/in hell (choose the necessary). And there will be no country 404 as such.”

10. Statement on Telegram, 11 July 2024

1598. On 10 July 2024 the NATO Heads of State and Government participated in the meeting of the North Atlantic Council in Washington. At the end of the meeting, they issued the Washington Summit Declaration, which reiterated NATO’s support for Ukraine’s Euro-Atlantic integration. In that respect, Mr Medvedev wrote:

“‘We will continue to support it on its irreversible path to full Euro-Atlantic integration, including NATO membership’ [the Russian translation]. This is what our enemies declared yesterday in the Alliance’s Washington Declaration.

The conclusion is obvious. We must do everything to ensure that ‘Ukraine’s irreversible path’ to NATO ends with the disappearance of either Ukraine or NATO. Or better yet both.”

11. Statement on Telegram, 8 August 2024

1599. In his post concerning Ukraine’s military operations in the Kursk Region of Russia, Mr Medvedev said:

“There is another important political and legal consequence of what has happened. From now on, the special military operation must acquire an openly extraterritorial character. This is no longer an operation to return our official territories and punish the Nazis. We can and must advance to the lands of the still existing Ukraine. To Odessa, Kharkov, Dnepropetrovsk, Nikolayev. To Kiev and further. There should be no restrictions in the sense of some borders of the Ukrainian Reich recognised by someone. And now we can and must talk about it openly, without embarrassment and diplomatic curtsies. The terrorist operation by the Banderites must remove any taboos from this topic. Let everyone, including the English bastards, realise this: we will only stop when we consider it acceptable and beneficial for ourselves.”

12. Statement on X (formerly Twitter), 9 August 2024

1600. In his post, Mr Medvedev said:

“The German newspaper *Bild* has published a revanchist article where it proudly announces German tanks’ comeback to the Russian land. In response, we’re going to do everything to bring the newest Russian tanks to Platz d. Republik.”

13. Statement on X (formerly Twitter), 21 August 2024

1601. Commenting on Ukraine’s military operations in the Kursk Region of Russia, Mr Medvedev stated:

“Terror in the Kursk region: West have made things much worse for Ukraine, which is still under their charge, and now there will be much more pointless spending and a radically higher number of caskets. NO NEGOTIATIONS UNTIL THE ENEMY IS COMPLETELY DESTROYED!”

14. Statement on X (formerly Twitter), 11 September 2024

1602. In his post, Mr Medvedev reacted to Britain's announced support for Ukraine in the following manner:

"Britain's Foreign Secretary David Lammy has promised Ukraine 100 years of support. 1) He is lying. 2) So-called Ukraine will not last a quarter of that time. 3) The island called Britain is likely to sink in the next few years. Our hypersonic missiles will help if necessary."

15. Statement on Telegram, 14 September 2024

1603. Commenting on the information about a possible authorisation for Ukraine to strike deep inside Russia with Western weapons, Mr Medvedev stated:

"What do Western leaders and their political establishment playing war games think about our country's reaction to probable missile strikes 'deep into the territory'? Here is what: Russians talk a lot about responding with weapons of mass destruction, but they do nothing. These are just 'verbal interventions.' Russians will not cross the line. They just scare us. They do not need a nuclear conflict, they can lose more, including the support of the 'global south.' Anyway, who does need an apocalypse? And so on in the same spirit.

What can we say? No one needs a nuclear conflict indeed. This is a very bad story with a very difficult outcome. This is why the decision to use nuclear weapons (non-strategic ones and even more so strategic ones) has not so far been made. Although, frankly speaking, there are formal prerequisites for this, which are understandable to the entire world community and correspond to our doctrine of nuclear deterrence. Kursk, for instance. But Russia is showing patience. It is obvious that a nuclear response is an extremely difficult decision with irreversible consequences.

However, the pompous Anglo-Saxon bastards do not want to admit one thing: any patience comes to an end. And those moderate Western analysts who have warned: 'Yes, Russians will most likely not respond in this way... although there is still a probability; besides, they could also respond with new means of delivery in a non-nuclear configuration' will ultimately be right.

And then that is it. A giant grey melted spot on the site of the mother of the Rus' cities [Kyiv's name]. Holy shit! It's impossible, but it happened..."

16. Statement on Telegram, 25 September 2024

1604. In his post dedicated to the amended Russian nuclear doctrine, Mr Medvedev wrote:

"1. Aggression against Russia by a State that does not possess nuclear weapons with the support or participation of a country in possession of nuclear weapons will be considered [their] joint attack. All understand what countries we are talking about.

2. The equivalent nuclear protection will be established for Belarus as our closest ally. This is to the 'delight' of Poland and numerous NATO pygmies.

3. A massive launch and crossing of our border by enemy air and space means of destruction, including aircraft, missiles and UAVs, may become grounds for using nuclear weapons under certain conditions. This is a reason to think not only for the

rotten neo-Nazi regime, but also for all Russia's enemies who are pushing the world towards a nuclear disaster.

It is clear that each situation that gives grounds to resort to nuclear protection must be assessed in combination with other factors, and the decision to use nuclear weapons will be made by the Supreme Commander-in-Chief. However, the very change in the regulatory conditions for the use of nuclear weapons by our country can cool down the ardour of those opponents who have not yet lost their sense of self-preservation. And for those who are thick-headed, only the Roman maxim will remain: *caelo tonantem credidimus Jovem Regnare...*"

17. Statement on Telegram, 13 October 2024

1605. In his post entitled "Sunday International Overview", Mr Medvedev commented on, *inter alia*, Ukraine's chances of winning the war and the statement of a former Polish Chief of General Staff suggesting an attack on St Petersburg. Mr Medvedev stated:

"[Regarding Ukraine's chances of winning the war:] You can't win this war at all, because there is no Ukraine. Your country 404 is a phantom!"

"[Regarding the statement of the former Polish Chief of General Staff:] He, a retired fool, should have remembered the numerous partitions of Poland and should not have woken the beast. After all, Warsaw was part of the Russian Empire. Did he miss it?"

18. Statement on Telegram, 12 November 2024

1606. In response to a public statement by Friedrich Merz, a candidate for the post of Chancellor of Germany, about advocating the delivery of German long-range missiles to Ukraine, Mr Medvedev said:

"Generally speaking, it is simply surprising to what extent the current generation of European politicians wants to drag the war onto their territory. And this is to the obvious joy of the Americans and against the wishes of their own people. The vaccine of the Second World War has completely stopped working. Experienced and smart European leaders have become history. Nonentities with inflated self-esteem have arrived. Therefore, the worst scenario remains the most likely."

19. Statement on X (formerly Twitter), 19 November 2024

1607. In his post, Mr Medvedev wrote:

"Russia's new nuclear doctrine means NATO missiles fired against our country could be deemed an attack by the bloc on Russia. Russia could retaliate with WMD [weapons of mass destruction] against Kiev and key NATO facilities, wherever they're located. That means World War III."

20. Statement on Telegram, 19 November 2024

1608. In his post concerning possible authorisation for Kyiv to strike deep inside Russia with Western weapons and the amended Russian nuclear doctrine, Mr Medvedev stated, *inter alia*:

“The use of NATO missiles in a similar way can now be qualified as an attack by the bloc’s countries against Russia. In this case the right arises to launch a retaliatory strike with weapons of mass destruction against Kiev and the main NATO facilities, wherever they are located. And this is already WWII [World War II]. Maybe the old man Biden really decided to leave life beautifully, taking with him a significant part of humanity...”

21. Statement on Telegram of 24 November 2024

1609. In his post, Mr Medvedev commented on Russia’s test of its latest Oreshnik hypersonic ballistic missile as follows:

“[As to] the use of the ‘Oreshnik’ medium-range hypersonic ballistic missile with multiple warheads in a non-nuclear configuration. Europe is wondering what damage the system can cause if the warheads are nuclear, whether it is possible to shoot down these missiles and how quickly the missiles will reach the capitals of the Old World. The answer is as follows: the damage is unacceptable; it is impossible to shoot down the missiles with any modern means; we are talking about minutes. Bomb shelters will not help, so the only hope is that kind Russia will warn about the launches in advance. Therefore, it is better to stop supporting the war.”

22. Article “National identity and political choice: the experience of Russia and China”, 13 December 2024

1610. In an article published in *International Affairs* (Vol. 71, No. 1 (2025), pp. 1-18) reflecting on his recent visit to Beijing in December 2024, Mr Medvedev set out his view of, *inter alia*, the common national identity of Russians and Ukrainians. He described the statements that Ukraine and Russia were not one country and that Ukrainians and Russians were not one people as “Euro-Atlantic propaganda clichés”. He stated that distinguishing between peoples living in Russia and Ukraine was a “gross error” and that “Russians and Ukrainians are not merely fraternal peoples but one people”.

1611. The article concluded:

“3. Ukraine today faces a fundamental choice: to be with Russia or to disappear entirely from the map of the world. Ukrainians are not required to sacrifice ‘body and soul’ for their freedom. Instead, Ukrainians should temper their pride in their ‘otherness,’ abandon their opposition to the pan-Russian project, and cast out the demons of political Ukrainianism.

Our task is to help the residents of Little Russia and Novorossiia build a Ukraine free from the delusions of ‘Ukrainianism.’ It is essential to firmly establish in public consciousness that Russia is indispensable to Ukraine – culturally, linguistically, and politically.

If, however, so-called Ukraine persists in following an aggressive Russophobic course, it will vanish from the map of the world ...

5. Russians and Ukrainians are one people. Any attempts to drive a wedge between them are historically baseless and criminal. Figures like Vyhovsky, Mazepa, Skoropadsky, and Bandera – all of whom sought to divide the Russian nation at various points in history – ultimately failed in their endeavors. They met their demise against the wall of pan-Russian unity. And so it will be today.”

D. Statements by the Russian Presidential Commissioner for Children's Rights Maria Lvova-Belova

1. *Publication "We have never abandoned our own – a conference call of children's ombudsmen was held on issues of assistance to children and families from the LPR and DPR", 22 February 2022*

1612. This publication, in so far as relevant, stated as follows:

"As a reminder, the intensive process of displacement of citizens began on 18 February 2022, and at present the number of people who had arrived in Russia from the LPR and DPR already exceeds 80,000 people. Most of them are women and children.

Maria Lvova-Belova noted that this experience was not new for the country, as in 2014 people had also moved to Russia from these territories *en masse*, and back then the children's rights commissioners had also played a most active part in greeting, placing and assisting children and families. And today, from the very first days, children's ombudsmen from different regions are immediately getting involved in the work.

...

[The] process is taking shape – operational headquarters have been established in the regions, temporary accommodation points have been set up, medical and social workers are providing support, psychological assistance and other types of help are being offered, social payments are being made, and humanitarian aid collection points have been opened.

...

Particular attention at the meeting was paid to issues of providing support to orphans and children left without parental care. Minors from several orphanages in Donbass have been transported to Russia. A touching story was shared by the Commissioner for Children's Rights from the Kursk Region, Natalia Listopadova, who spoke about a child who had been scared of the move and cried, but volunteers had quickly come to the rescue. They brought a kitten and the boy immediately cheered up. 'Children in this situation require our special attention and care because they are currently at the most difficult stage – they have urgently left their homes, come to another country, found themselves in new conditions. This would be extremely stressful even for adults, so it is important for us that this experience does not become traumatic', emphasised Maria Lvova-Belova."

2. *Media coverage of the meeting between Vladimir Putin and Maria Lvova-Belova of 9 March 2022*

1613. On 9 March 2022, during a meeting with the Russian President regarding "families evacuated from Donbass and children", Ms Lvova-Belova evoked the possibility of Russian families temporarily accommodating orphan children and inquired about the legislative delays linked to their acquiring Russian nationality. President Putin replied that relevant legislative amendments would be made.

3. *Publication “The first orphans from Donbass have been placed in Russian families under temporary guardianship”, 23 April 2022*

1614. This publication, in so far as relevant, read as follows:

“On 23 April [2022] Maria Lvova-Belova and the Governor of the Moscow Region Andrei Vorobyov transferred [twenty-seven] orphans from the DPR under temporary guardianship of ten families from ... the Moscow Region. Families for these children were selected taking into account all the characteristics, health conditions, their needs and circumstances, with the necessary experience – large families and foster families, some of them already have experience accepting children from Donbass since 2014.

...

The first orphans and children left without parental care placed under temporary guardianship with Russian families had previously resided in children’s institutions in the DPR. Most children have brothers or sisters (siblings), some are from large families (one group of four children and three families of three). The youngest boy is three years old, the oldest girl is 17 years old, most of the children are between 9 and 11 years old, there also are five-year-olds, seven-year-olds, eight-year-olds, 13- and 14-year-olds – two of each.

...

After the beginning of the special military operation in the territory of the Donetsk and Lugansk People’s Republics, most of these children, together with their legal representatives, were evacuated to the territory of Russia.

...

In addition, more than a thousand orphans and children left without parental care arrived in Russia from various boarding schools in Donbass. Many Russian citizens expressed their willingness to accept them into their families; the Office of the Commissioner for Children’s Rights has already received about 800 requests from different families who want to give the children a home and comfort, but inconsistencies in the legislation of the DPR, LPR and Russia significantly complicated this process. Vladimir Putin supported the proposal to place orphans and children left without parental care from the DPR and LPR in Russian families. ‘These are extraordinary circumstances and, it seems to me, we need to think not about bureaucracy, but about the interests of the children,’ the Russian President emphasised.”

4. *Publication “Let’s give them a chance – Maria Lvova-Belova on orphans in the LPR”, 5 August 2022*

1615. This publication, in so far as relevant, read as follows:

“Maria Lvova-Belova reported that 160 children from the DPR had been placed under guardianship with Russian families; of them 133 had already received Russian citizenship. She noted that these children had not only found new families, but also had the opportunity to reunite with their siblings, who had previously been in different institutions. According to her, these children are not ‘combat orphans’ whose parents have died and there is a high probability of finding their relatives, but children who have been in institutions with orphan status for a long time. According to the Commissioner for Children’s Rights in the LPR, there are 442 such children and another 90 teenagers in the 16+ category who are in colleges.

...

The First Deputy Chairman of the Government of the Lugansk People's Republic, Vladislav Kuznetsov, noted that it was necessary to take into account the time factor and speed up the work. In this regard, the Commissioner for Children's Rights proposed starting the process of acquiring Russian citizenship for such children, which will best meet their interests, simultaneously with the preparation of transfer documents. Following the meeting, it was decided that in the nearest future 104 children in social institutions of the LPR would be prepared for transfer to guardian Russian families, said Maria Lvova-Belova"

5. Media coverage of the meeting between Vladimir Putin and Maria Lvova-Belova of 16 February 2023

1616. This piece of evidence was a verbatim record of the working meeting held between Vladimir Putin and Maria Lvova-Belova on 16 February 2023. During the meeting, the parties exchanged the following remarks:

"In August [2022], we launched integration shifts for teenagers from the new regions. Children suggested this idea themselves. When I came to Mariupol, they said to me, 'We would like to see what we have received from Russia's arrival'.

Vladimir Putin: You adopted a child from Mariupol yourself, didn't you?

Maria Lvova-Belova: Yes, Mr President, thanks to you.

Vladimir Putin: Is he small?

Maria Lvova-Belova: No, he is 15 years old. Now I know what it means to be a mother of a child from Donbass – it is a difficult job, but we love each other, that is for sure.

Vladimir Putin: This is the main point.

...

Maria Lvova-Belova: The favourite part of my work... is placing these children in families. Mr President, it was the most joyful thing that happened in this entire period of time. Because when I met with you in March [2022], you said, 'Without delay'. We accommodate everyone who wants it, who are desperate, children who want it."

6. Bulletin "Activities of the Russian Federation Presidential Commissioner for Children's Rights Maria Lvova-Belova to protect children during a special military operation", issue no. 2 of 13 October 2023

1617. The bulletin read as follows:

"From the very beginning of the SMO [special military operation], our institution became promptly involved in rescuing and supporting the children of Donbass. During this time, there were nine of my working trips to the Donetsk and Luhansk People's Republics, Zaporozhye and Kherson regions...

In the very first months the priority was to provide emergency assistance to children in the 'here and now' mode, at present, together with the authorities, we are working to create a full-fledged child protection system in the new regions of the country, including the implementation of our strategic programmes.

**Protecting the Rights of Evacuated Residents of Social Institutions
in the DPR, LPR, and Kherson region**

In February 2022, the Heads of the DPR and LPR appealed to the Russian authorities to accept civilians on their territory. Among those arriving in the Russian Federation in February 2022 were the pupils of the republican boarding institutions for orphans and children without parental care (about 2 thousand people in total), whose legal representatives were the directors of the above institutions. Children from the DPR were subsequently placed in foster care with Russian citizens or transferred from the border TAFs to children's institutions in other regions of Russia.

...

Children from the LPR have returned to their institutions in their entirety. Then, at the request of the Republic's authorized guardianship and custody agencies, some of them were placed under the care of Russian foster families. A total of 380 orphans from the DPR and LPR were placed in Russian foster care families.

**The Presidential Commissioner for Children's Rights'
Assistance to Family Reunification**

...

A working channel for co-operation with the Ukrainian side has been organised, which makes it possible to deal with each request. The necessary documents and information are exchanged through this channel, and the process of family reunification is co-ordinated. Children can be in both Russia and Ukraine; there are situations when we are talking about children in third countries, such as the EU.

The algorithm of processing a request by the Commissioner's Office consists of six steps:

1. Obtaining the full name of the wanted child and data about the applicant, as well as the presumed place of stay.
2. Sending a request to the Ministry of Internal Affairs of Russia for clarification of the place of stay, additional requests to other departments of Russia and other countries.
3. If the child is in Russia, the Office of the Commissioner sends a request to the subject of the Russian Federation with a request to visit the minor and clarify the information.
4. Coordination of the position and the list of documents with the authorised bodies of the constituent entity of the Russian Federation.
5. Request from Ukraine the necessary documents confirming the legal grounds for reunification.
6. Coordination of transfer details with the Ukrainian side; if necessary, co-operation with the International Committee of the Red Cross (ICRC).

...

Within the framework of cooperation between the Commissioner's Office and the Ukrainian side, the Russian-Latvian and Russian-Estonian borders are most often used for family reunification to enter Russia, while exit can be via them or via Belarus directly to Ukraine. At the same time, both relatives and authorized persons can come to pick up children.

As at 13 October 2023, 35 children from 24 families had been reunited with their relatives living in Ukraine and other countries with the direct involvement of the Commissioner's Office. These figures do not include data on children who were sent by their parents from the Kherson, Zaporozhye and Kharkov regions and other territories to holiday resorts in the south of Russia in the autumn of 2022[.]

...

**Assistance from the Presidential Commissioner for Children's Rights
in reunification of children sent on recreation in the Republic of Crimea and
Krasnodar and their parents**

In the late summer and fall of 2022, due to the situation on the front lines, parents from Kherson, Zaporozhye, Kharkov regions and other territories voluntarily sent children on vacation including to protect them from military action. Children together with their attendants, by proxy of their parents, were admitted to sanatoriums and health camps in Crimea and Krasnodar region. The situation on the front line did not always allowed the children and their escorts to travel safely home at the end of their shifts. Therefore, it took time for the children to return.

A safe route around the front lines went through neighboring states. Reunification was also difficult because not all parents could come to pick up their children on their own. Conscript-age fathers were not allowed out by the Ukrainian authorities, the mothers had other children in their arms, and the state of their health prevented the parents from going. Not everyone was able to find a trusted person to pick up their children and the necessary funds for the trip.

Families living in both Russia, Ukraine and the EU were assisted by volunteers from both Russia and Ukraine. ... Two children from the group in Crimea were discussed with representatives of the ICRC about assistance in finding their parents who lived in EU countries. ... The latter were afraid to address the Russian authorities and the Commissioner's Office directly. Inter alia, owing to the Commissioner's efforts, to date all children of Ukrainian citizens who had been on vacations in the Krasnodar region and were delayed in returning have been reunited with their families.

In the Republic of Crimea, of the 2,360 children who had been sent by their parents for recreation, 38 children remained as of April 3, 2023, 6 as of April 19 and 3 as of May 29. The decision that it was better for the children to stay on the peninsula for the time being was made by their parents. As a result, 2 children were taken away by their parents in September, and only one child remains in Crimea as of October 1, 2023 – by the decision of his family. This is a 17-year-old teenager, and he is studying at a Russian university.

During the spring of 2022, the Russian military in Mariupol discovered neglected children and turned them over to the social services of the city. Subsequently, the children were taken to the children's social Center in Donetsk as neglected children.

In May, a group of 31 children with the consent of their legal representative - head of the Children's Social Center - was sent for recuperation to a sanatorium in the Moscow region. Upon completion of the recuperation course the authorized bodies in the sphere of guardianship and custody of the DPR petitioned the authorized bodies in the sphere of guardianship and custody of Moscow region about their further placement under provisional guardianship in the families of Russian citizens.

From the group of 31 children:

3 children at the request of their father, who arrived after the filtration measures, were handed over to him the next day after contacting the Commissioner through a volunteer organization;

6 children were placed in family centers at their request, almost all of them subsequently wished to be placed with foster families;

22 children were placed in provisional guardianship by residents of Moscow region. 1 girl was later placed in the custody of a neighbor who lived next door to her family in the DPR.

With each of the remaining 28 children, in addition to their readiness to be placed with foster families, the possibility of finding and returning them to families of relatives or close acquaintances was discussed. In addition, the children were informed of the Ukrainian side's interest in their return.

Many children expressed their reluctance to return to Donetsk, because the city was not safe. Some reported that they were ready to return after the end of hostilities. Those who wanted to return were assisted in their return. To date, seven of the 27 children have reached adulthood and continue to live in Russia by their own decision.

...

**Placement of children left without parental care, under foster care
in the families of Russian citizens**

In April-October 2022, 380 orphans and children left without parental care from the DPR and LPR were placed to Russian foster families from 19 regions of the country.

Most of the children have been in republican orphanages for a long time. Basically, these children are siblings, that is, they make up family groups of 3-9 people, some of the children are with special health conditions.

...

It is important to understand that the territories of the DPR and LPR have been shelled by the Ukrainian Armed Forces for many years[.]... Children do not perceive Russia as an enemy and expect protection and help from us, so being placed in safe territory with Russian foster families is not a traumatic circumstance for them.

...

In April 2022, the first group of 27 children was placed under foster care in families in Moscow region by the DPR's guardianship authorities.

...

All children who were placed under foster care acquired Russian citizenship, retaining the citizenship of the LPR, DPR, or Ukraine.

...

In April-October 2022 adoption was not used as a form of family placement with respect to children from the DPR and LPR.

...

[T]he Commissioner's office discusses with the International Committee of the Red Cross issues related to the search for and reunification of children with families in third countries. The ICRC received lists of children and contacts of their relatives in EU countries.

...

[T]he information contained on [the www.childrenofwar.gov.ua website] about 19 thousand children allegedly forcibly displaced to Russia is not true and cannot be trusted.

...

Frequent statements by foreign media that do not correspond to reality include: ‘Russia deports children’ (about children who have arrived in safe regions), ‘Russia prevents parents and children from reuniting’ (the Commissioner’s Office is not aware of such cases, on the contrary, various efforts are being made to remove any barriers).

Let us also note the problem of the misuse of terms. For example, foreign media often use the term ‘adoption’ to refer to the placement of orphans in foster care in Donbass, when the term ‘guardianship’ or, with a large degree of convention, ‘foster care’, ‘custody’, should have been used.

...

[O]n August 23, 2022 the publications Meduza and Mediazona, citing the website Krasnodar’s Department of Family and Childhood Affairs reported the following: ‘More than 1,000 babies from liberated Mariupol have already found new families in Tyumen, Irkutsk, Kemerovo, and Altai region. More than 300 more babies are in temporary custody at specialized institutions in Krasnodar Krai and are looking forward a to meet their new families’.

On August 24 the state agency published a rebuttal to this information, saying that the material had been posted unauthorizedly, using a vulnerability in the server software, and that subsequently the site had been subjected to a DDoS attack. Nevertheless, the article was the reason for the Ukrainian Foreign Ministry’s statement about the illegal adoption of Ukrainian children by Russian citizens.

...

Before the referendum, residents of the DPR and LPR (from 2019), Zaporozhye, and Kherson regions (from May 2022) and their minor children could acquire Russian citizenship through a simplified procedure in order to receive the rights and guarantees provided to Russian citizens, including social benefits. The simplified procedure for acquiring citizenship does not limit children’s rights, but expedites access to new opportunities, such as enrollment in educational institutions in the Russian Federation.

In the absence of citizenship, families with children and orphans can claim only a limited set of social guarantees. When children reach the age of majority (18 years of age), they will be able to independently decide for themselves whether they want to remain citizens of Russia. Right now, according to our data from families, if people want to return to Ukraine, they have to give up their Russian citizenship.”

1618. Lastly, the bulletin stated that there were no re-education camps in Russia, including camps for children from the military conflict zone. The camp programme involved educational and developmental activities. In November 2022 at the initiative of the Commissioner and the head of the Chechen Republic, a new format of camp for teenagers in conflict with the law had been held for the first time. The content of the programme had been sports and patriotic education. There had been thirty teenagers from the “DPR” and fifteen from the “LPR”, all of whom had come with the consent

of their parents, who had a pro-Russian stance and were interested in the patriotic upbringing of their children.

7. Media coverage of the meeting between Vladimir Putin and Maria Lvova-Belova of 31 May 2024

1619. This piece of evidence was a verbatim record of the working meeting held between Vladimir Putin and Maria Lvova-Belova on 31 May 2024. During the meeting, the following exchange was held:

“Maria Lvova-Belova [to Vladimir Putin]: ... You supported our initiative on payments to children who were mutilated by Ukraine’s attacks. We are now in contact with the Ministry of Labour and Social Protection and the Social Insurance Fund. Overall, 206 children have already received payments. Most of them – 111 – come from the Donetsk People’s Republic. The rest come from our new regions and border areas – children were moving across the country and received payments in their locations.

...

We continue working on children’s reunification with their relatives during the special military operation. As you instructed, we are helping children who have parents or other relatives with full rights to them. Of course, we do not deal with all cases – some families reunify without our involvement but all difficult cases are our responsibility. We have reunited 70 children with relatives in Ukraine.

I would like to note that children in Russia mostly stayed with their relatives. They rarely got into institutions. Thus, on one occasion a mother came but died and we had to send her child to her sister in Ukraine. Or when a granny wanted to take her grandson from the Kherson children’s home, she could not confirm their kinship and we arranged a DNA test for her.

Vladimir Putin: But they all understand that children found themselves in Russia because we were saving them from shelling in the zone of hostilities.

Maria Lvova-Belova: Mr President, the situation is like this. When they talk to me personally – since I always try to take part in these contacts – I hear one kind of rhetoric. Once they cross the border with Ukraine, they start singing a completely different tune. They complain how difficult everything was and how they were held back. We are also carrying this work with our Russian partners – the FSB Border Service, our regions, and international partners – international representatives of the Red Cross, the State of Qatar, Vatican, and the Border Service of the Republic of Belarus.

At this point, I would like to talk about a separate subject. It concerns the State of Qatar, our international mediator. They just fulfill the function of fixing that it happened and how it was done, and that indeed the situation did not involve any aggression. I must say that we returned six children to Russia from Ukraine.

... Maria Lvova-Belova: We are doing what needs to be done.

A few words about the State of Qatar. We held the first direct talks with Ukraine in its capital of Doha. We recorded a list of 29 children, Mr President – not thousands and not tens of thousands as they claim – but just 29 children and returned 6 of them already.”

VI. REPORTS AND OTHER MATERIAL BY INTERNATIONAL AND UKRAINIAN NON-GOVERNMENTAL ORGANISATIONS, RESEARCH COLLECTIVES, ACADEMIC INSTITUTIONS, ETC.

A. Human Rights Watch (HRW)

1. Publication “Dispatches: Marking Ukrainian independence day with a laws-of-war violation”, 24 August 2014

1620. This publication stated that on 24 August 2014 in Donetsk, which was “controlled by pro-Russian separatist forces”, several dozen captured members of Ukrainian forces had been “paraded” with their hands tied behind their backs through the streets among crowds shouting “fascists” and other insults. The “parade” was guarded by armed men with bayonet-equipped automatic rifles, with three trucks “cleaning” the streets where the detainees had just walked. The publication added that “[a] few days ago, pro-rebel media said that ‘Prime minister of DPR, A.V. Zakharchenko, just now ordered the presentation of damaged military vehicles of the Ukrop [Ukrainian] army on the Lenin square on August 24. And prisoners will be escorted through the city, like their German inspirers were in Moscow.’” The publication added that the footage of the “parade” had been “all over YouTube and other social media”.

2. Publication “Ukraine: Rising civilian death toll”, 3 February 2015

1621. According to HRW, on 13 January 2015 unguided Grad rockets, probably launched from rebel-controlled territory, had killed twelve civilians and wounded eighteen as they had been waiting in a bus at a Ukraine-controlled checkpoint near Volnovakha. The publication read as follows:

“Human Rights Watch visited the site on January 21 and examined nine craters, both north and south of the checkpoint, including one about 10 meters from where the bus had been waiting in line at the time of the attack. The craters and weapon remnants at the site indicated that the area had been struck by Grad rockets.

Both the target and the incoming direction of the attack indicate that the attack was launched from rebel-held territory. The attacked checkpoint is the northern-most government checkpoint before the front line with rebel forces. The tube-like shape of the craters clearly indicated that the rockets had come from the northeast.

...

Pro-rebel social media accounts claimed in the immediate aftermath of the attack that rebel forces had conducted a successful attack on the checkpoint. Later, however, the claims were deleted and modified, in some instances to blame Ukrainian government forces for the attack.

...

While Human Rights Watch has not had direct access to the bus to examine the damage, videos and photos indicate damage to the bus that appears consistent with an attack by a Grad rocket with a high-explosive/fragmentation warhead.”

1622. The publication stated that the attacked checkpoint had normally had a significant number of civilian cars passing through each day, with some usually waiting in line. There appeared to have been no particular military movement in the area at the time of the attack. “Targeting a checkpoint with salvos of Grad rockets in the middle of the day, when numerous civilian cars and civilians are there, is an indiscriminate attack that violates the laws of war”, the report concluded.

3. *Technical briefing note: Cluster munition use in Ukraine, June 2015*

1623. The briefing note covered the period between July 2014 and the February 2015 ceasefire. The relevant parts of the note read as follows:

“Both the government of Ukraine and Russian-backed separatists have used cluster munitions in eastern Ukraine since mid-2014, causing numerous casualties, damaging infrastructure, and leaving a deadly legacy of unexploded submunitions[...] ... This Technical Briefing Note looks at the types of cluster munitions used in eastern Ukraine, locations of attacks, and civilian casualties, as well as the international response.”

Methodology

“The first evidence of the use of cluster munitions in the conflict in eastern Ukraine appeared in July 2014 from photographs taken by the *Associated Press* and a report by the Armaments Research Service. Human Rights Watch has continued to monitor videos and photos taken in the region and shared on Twitter, Facebook, and directly with Human Rights Watch.

In October 2014 and January-February 2015, Human Rights Watch researchers undertook field investigations in eastern Ukraine which documented widespread use of cluster munitions by both government forces and Russian-backed separatists in dozens of urban and rural locations, with some hit multiple times. The weapons used were ground-fired 300mm Smerch (Tornado) and 220mm Uragan (Hurricane) cluster munition rockets, which deliver 9N210 or 9N235 antipersonnel fragmentation submunitions.

At each location suspected to have been attacked with cluster munition rockets, Human Rights Watch researchers conducted a detailed surface search of the impacted area. Researchers located remnants of the weapons, collected remnants of submunitions, and interviewed numerous residents including those present at the time of attack. Unless otherwise noted, all statements by local residents, officials, healthcare workers, and others are from interviews with Human Rights Watch. Researchers also took directional readings at the locations where they found intact remnants of cluster munitions to determine the apparent direction from which the attack originated. Researchers took photographs and made video recordings at each site, especially of the individual submunition impact points. They also took GPS coordinates at each strike location.

At each submunition impact point, there is a distinctive small crater and ‘splatter’ pattern in the ground where the submunition detonated—this pattern is quite distinctive on asphalt surfaces where many of the impact points were found. There is also a

discernible fragment impact pattern on surfaces like metal doors, trees, and walls that are perpendicular to the detonation of the submunition.

At nearly all of the locations examined where submunitions impacted and detonated, Human Rights Watch researchers collected submunition debris such as the rectangular black stabilization fins, the metal parts of ring that attach these fins to the submunition body, and the metal preformed fragments (including 0.5 gram, 2.0 gram, and 4.5 gram fragments), either in the ground at the point of detonation or on surfaces perpendicular to the impact location. Researchers also collected two pieces of the black plastic fragmentation liner, both with pre-formed 2.0 gram fragments still suspended in it, and an intact metal ring that is present where the impact fuze and submunition body meet. The only way to distinguish between the impact of an 9N210 and an 9N235 submunition is by the size of the pre-formed fragments, as all other components are common to both.

...”

Types of Cluster Munitions used in Ukraine

“Both the Uragan and Smerch rockets are ‘designed to engage manpower and soft-skinned materiel in concentration areas,’ according to its manufacturer, Splyav SPRA, based in Tula, Russia.

The Uragan rocket delivers 9N210 and 9N235 submunitions to a minimum range of 10 kilometers and a maximum range of 35 kilometers;⁵ the Smerch rocket delivers 9N235 submunitions to a minimum range of 20 kilometers and a maximum range of 70 kilometers, according to its manufacturer. In many of the cases Human Rights Watch investigated, the tail section and rocket motor appeared to fly further than the payload of submunitions.

...”

Artemivsk [Donetsk Region]

“On February 13, 2015, Smerch cluster munition rockets were used in an attack on the northeast part of the town of Artemivsk. According to a de facto regional authorities for the Donetsk regional administration, the attack killed a woman and an 8-year-old boy. Local residents also described finding remnants of the weapon, described by one as a ‘pipe with holes,’ a description consistent with the central part of the cluster munition rocket cargo section that can often be found as a remnant after a cluster munition attack.

...”

Hrodivka [Donetsk Region]

“On February 10 [, 2015], Smerch cluster munition rockets were used in an attack on Hrodivka, a small government-controlled town about 55 kilometers south-southwest of Kramatorsk. A civil servant with the local administration stated that the attack wounded eight people, five civilians, and three soldiers. A doctor at a local hospital said that the hospital had received eight injured people, including five civilians, after the attack. The doctor also said that one woman’s leg had to be amputated due to her injuries. Dozens of submunition impact craters, three cargo sections, and four tail sections from Smerch cluster munition rockets were found in Hrodivka.”

Kramatorsk [Donetsk Region]

“On February 10 [, 2015], Smerch cluster munition rockets were used in an attack on at least two residential areas in Kramatorsk. A Ukrainian government spokesperson for the Donetsk region administration stated that the attack killed 5 civilians and 12 military servicemen, and that 34 people had required hospital treatment. The same attack also struck the airport, which serves as the headquarters for the government’s military operations in eastern Ukraine, and which was likely the target for the main attack. The impacts on Lenin Street were located around a base used by border guard forces, which might have been the target of that attack.”

1624. The report also noted that cluster munition use had not been recorded after February 2015 ceasefire.

4. Publication “Ukraine: Russian cluster munition hits hospital”, 25 February 2022

1625. This publication by HRW reported that a Russian ballistic missile carrying a cluster munition had struck just outside a hospital in Vuhledar, Donetsk Region, on 24 February 2022. The publication specified that Vuhledar had been controlled by the Ukrainian authorities at the time of the attack.

1626. The publication contained a description of multiple pieces of evidence of the attack, verified and analysed by HRW. The photographic evidence included in the publication demonstrated the damage caused to the hospital that had been struck and the remnants of the weapons utilised, which HRW identified as the nose cone and radar altimeter antenna of a 9N123K cluster munition warhead delivered by a 9M79-series Tochka ballistic missile.

1627. The publication stated that the attack had killed four civilians and injured another ten, six of whom had been healthcare workers. The hospital, an ambulance and three civilian vehicles had also sustained damage.

5. Publication “Ukraine: cluster munitions launched into Kharkiv neighbourhoods”, 4 March 2022

1628. This publication described a number of Russian-made 9M55K Smerch cluster munition attacks on Kharkiv residential areas that had taken place on 28 February 2022. The publication was based on interviews with two witnesses and an analysis of forty videos and photographs verified by HRW. A map marking the attacked areas was attached to this publication, as well as photographs of the weapons used. The publication included the following passage:

“The two witnesses, interviewed separately, said that they were not aware of any Ukrainian military activity in the area prior to the attack. An open-source online map shows an area labelled as belonging to the military about 400 meters from where the cargo section of one of the rockets landed. Satellite imagery from February 20 shows a small compound at that location with about 20 military vehicles. Even if the site served

a military function, the use of cluster munitions in a residential area with civilians violates the prohibition on indiscriminate attacks.”

1629. The publication quoted Steve Goose, the arms director at HRW, stating that “Kharkiv is under relentless attack from Russian forces”. HRW concluded that at least three civilians had been killed in the course of the attacks.

6. *Publication “Ukraine: Russian assault kills fleeing civilians”, 6 March 2022*

1630. HRW reported that on 6 March 2022 Russian forces had shelled an evacuation route of civilians in Irpin, Kyiv Region, killing eight people, including two children.

1631. HRW interviewed seven witnesses, analysed video footage and photos, and documented that the bombardment of the intersection on the evacuation route had lasted from about 9.30 a.m. until 2 p.m. This intersection had been the place where hundreds of civilians gathered as they tried to reach Kyiv.

1632. Although some witnesses stated that about a dozen Ukrainian military personnel and at least two military vehicles had been present at the site of the shelling, HRW concluded that some Ukrainian security forces had been assisting civilians carrying luggage and children during the evacuation. In any case, HRW stated, the Ukrainian military had been vastly outnumbered by the large number of fleeing civilians.

1633. A *New York Times* journalist who had been present at the scene reported that Ukrainian forces had been firing mortar rounds in the direction of the Russian troops from a military position about 180 metres from the intersection. At the same time, HRW highlighted that Russian forces had been conducting indiscriminate or disproportionate attacks and failing to take all feasible precautions to minimise civilian casualties. According to HRW, the way Russian forces aimed and adjusted their projectiles during the bombardment suggested possible recklessness or even intent, especially as the persistent shelling harmed civilians rather than hitting larger military objectives some distance away.

7. *Publication “Trying to survive in a besieged Ukrainian city”, 9 March 2022*

1634. This publication indicated that by the evening of 25 February 2022 Russian military forces had encircled Sumy, isolating it from the rest of the country. Two Sumy residents told HRW on 7 March 2022 that electricity, water, and heating services had been cut off in some areas, “reportedly due to Russian bombing and shelling of the city’s infrastructure”. According to the publication, some Sumy residents had had to melt snow in order to have

drinking water, while others had moved in with friends in other neighbourhoods.

8. *Publication “Free the data for Ukraine’s children”, 10 March 2022*

1635. According to this article, on 25 February 2022 Ukraine’s Education Ministry had announced “extraordinary holidays” and closed all schools across the country, with no notice of reopening. HRW stated that the armed conflict had instantly suspended the education of 5.7 million children between the ages of 3 and 17, many of whom had already missed out on months of education as a result of the deadly attacks on schools in eastern Ukraine, or COVID-19 school closures. The article called upon telecommunication providers within Ukraine and in countries receiving refugee children to provide free access to learning and psychosocial support.

9. *Publication “Ukraine: Russian air-dropped bombs hit residential area”, 10 March 2022*

1636. HRW reported that on 3 March 2022 a Russian aircraft had simultaneously dropped multiple unguided bombs at an intersection in a residential neighbourhood of Chernihiv. HRW had verified and analysed videos and photographs taken during and after the attack and interviewed witnesses to the attack. According to the article, the attack had killed at least forty-seven people and wounded at least thirty-five others. It had also caused significant damage to a cardiology centre and a number of residential and commercial buildings, one of which contained a pharmacy.

1637. Although HRW was unable to conclusively exclude the possibility of a military target in the area at the time, it found no evidence of any such significant target in or near the intersection when it had been hit. HRW suggested that Russian forces had violated the principle of precautions in attack. The article also stated that the attack had potentially been deliberate or reckless, in so far as it had been indiscriminate and had not appeared to have been directed at a specific military target.

1638. HRW pointed to footage from the hospital in the aftermath of the attack showing two men wearing Ukrainian military uniforms – one of whom was seriously wounded – and another six members of the Territorial Defence Forces. It was unclear to HRW whether they had been in the area at the time of the attack. However, even if some members of these forces had been in the general vicinity of the attack, that was unlikely to justify the attack militarily as proportionate, given the extent of civilian loss of life and injury, as well as the damage to civilian objects, HRW concluded.

1639. The report stated that unguided and unobserved large-calibre projectiles and aviation bombs had been used in this attack. HRW pointed out that these weapons should be avoided in populated areas as they had a large

destructive radius, were inherently inaccurate, or delivered multiple munitions at the same time.

10. Publication “Ukraine: Mariupol theatre hit by Russian attack sheltered hundreds”, 16 March 2022

1640. According to HRW, on 16 March 2022 Russian forces bombed the Donetsk Regional Theatre of Drama, where hundreds of residents had been sheltering in the besieged city of Mariupol. According to this article, in satellite imagery of the fully intact theatre dated 14 March 2022 the Russian word for “children” clearly appeared written twice in large Cyrillic script in front and behind the theatre.

1641. On 16 March 2022, just hours before the attack, HRW interviewed over a dozen Mariupol residents who had escaped the city on 15 March 2022 and had arrived in Zaporizhzhya. Two of those interviewed recalled that there had been at least 500 to 700 civilian people sheltering in the theatre. One of those interviewees shared four photographs of the theatre that she said she had taken on the morning of 15 March 2022, on her way out of the city. The photographs pictured people in civilian clothing cooking on a fire in front of the theatre. No military vehicles or personnel were visible in the photographs. However, as of the date of this publication, HRW had been unable to conclude whether any military targets had been located in the vicinity of the attack.

1642. An undated update to this article specified that on 25 March 2022, local officials in Mariupol had reported that the death toll of the attack had reached 300 people. HRW was unable to verify the casualty figures. According to the update, two witnesses told HRW that hundreds of people had still been in the theatre when they had been leaving at 9 a.m. on 16 March 2022, just hours before the attack.

11. Publication “Ukraine: cluster munitions repeatedly used on Mykolaiv”, 17 March 2022

1643. This article by HRW discussed multiple cluster munition attacks by Russian forces in densely populated areas of Mykolaiv on 7, 11 and 13 March 2022. The attack of 13 March 2022 reportedly killed nine civilians who had apparently been queuing at a cash machine. The attacks also injured several other civilians and damaged homes, businesses, and civilian vehicles.

1644. HRW had interviewed six witnesses to the attacks by phone and analysed dozens of photographs and videos. The photographs showed the remnants of Urgan and Smerch cluster munition rockets, as well as remnants and unexploded 9N210 fragmentation submunitions.

1645. The publication provided detailed descriptions of each of the attacks and the types of weapons used. According to the publication, all but one of the munitions had landed in residential areas, with the closest military

object being 280 or more metres away. One munition landed in a neighbourhood where a military installation had been located.

1646. HRW emphasised that “notwithstanding the existence of a legitimate military target, an attack is indiscriminate and unlawful if it uses a method or means of combat the effects of which cannot be limited in ways that minimise incidental loss of civilian life, injury to civilians and damage to civilian objects”. The report stated that cluster munitions could not be limited in this way because of their widespread indiscriminate effect and long-lasting danger to civilians. “Cluster munitions typically explode in the air and send dozens, even hundreds, of small bomblets over an area the size of a football field. Their use in areas with civilians makes an attack indiscriminate in violation of international humanitarian law”, the report said.

1647. The publication also described two Russian attacks on Kherson in which fragmentation munitions had been used. The attacks took place on 7 and 13 March 2022, injuring at least one person and damaging residential buildings, cars and a preschool. The closest military object identified by HRW had been about 600 metres away. “While not a cluster munition rocket, rocket artillery with high-explosive/fragmentation warheads can have an indiscriminate impact, and the use of explosive weapons in populated areas heightens concerns of unlawful, indiscriminate, and disproportionate attacks”, HRW said.

12. Report “Devastation and loss in Bucha, Ukraine”, 30 March 2022

1648. HRW interviewed Olena Koval, whose husband, Viktor (Vitya) Koval, had been shot multiple times by Russian soldiers at their house at 32 Vesennya St. in Bucha on 5 March 2022. This report also contained a statement by their neighbour, Dmytro Mukhin, who had apparently also been interviewed by HRW. The report, however, did not clearly explain the methodology behind it.

1649. The report indicated that Olena Koval had stayed in Bucha between 24 February and 9 March 2022. Quoting Olena Koval, the report stated that Russian soldiers had come to Bucha on 27 February 2022. It continued as follows:

“By 4 March [2022], Russian forces were everywhere in Bucha. They drove tanks and armoured vehicles through people’s fences and parked them in residential backyards. ... ‘We saw them [military vehicles] driving down the street [Sklozavodska], shooting randomly at windows,’ Olena said. ‘They were just shooting.’ Russian soldiers went from house to house, breaking doors and windows, searching and questioning people. Olena saw them taking people’s clothes and shoes, changing, and dumping their own clothes on the street.”

1650. Quoting Dmytro Mukhin, the article stated that on 5 March 2022, as he, his family, and Viktor Koval had been hiding from shelling in the house at 32 Vesennya St. in Bucha, Russian soldiers had shot multiple bullets at Viktor. Dmytro Mukhin told HRW:

“It was quiet, so we got out of the shelter, [went to the house] and were on the ground floor, in a room. And then [shelling] hit the house, two direct hits, one after another. We all fell to the floor. Two or three minutes later we heard glass breaking outside, then loud steps. Someone was yelling: ‘Check the second floor!’ Vitya moved, he got up, there was automatic gunfire and he fell, screaming in pain”.

1651. Dmytro Mukhin told HRW that four or five Russian soldiers with St George ribbons on their helmets had then entered the house. They searched the house and refused to provide medical help to Viktor Koval, saying that they had no medical supplies. Viktor died about an hour after having been shot.

1652. The report stated that Viktor Koval had been an engineer. It was clear from this publication that he had been a civilian.

1653. According to Olena Koval, being unable to retrieve Viktor’s body, she had left Bucha on 9 March 2022. She stated that as she had been leaving Bucha, she had driven past “bodies on the side of the road, a volunteer bus riddled with bullet holes, a bicycle on the ground with a man’s body next to it”.

*13. Report “Ukraine: apparent war crimes in Russia-controlled areas”,
3 April 2022*

1654. HRW based this report on interviews with ten people, including witnesses, victims and local residents of Russia-occupied territories, in person or by telephone. The report described incidents of extrajudicial executions, mock execution, sexual violence and looting, as summarised below.

1655. With regard to the first incident of extrajudicial execution, HRW interviewed a woman who had been an eyewitness to the summary execution of one man on 4 March 2022 in Bucha by Russian forces. She reported that on 4 March 2022 three Russian soldiers – one commander and two subordinates – had ordered her to leave the cellar where she had been sheltering, threatening her with a grenade. They took the woman, along with around forty other people, to a small square next to a commercial storage building, which the woman believed to be the Russian soldiers’ headquarters. She told HRW that “[t]here were around 30 military there and the commander had [paratrooper] insignia [on his fatigues]. He spoke with an accent from western or central western Russia... I was born in Russia myself, so I pick up on such things.” The Russian soldiers forced the people to wait in the square for hours in the very cold weather. The interviewed woman said that she had been allowed to go to the toilet around the side of the building. She told HRW that she had seen a large pool of blood “along the wall on the other side” of the building. The woman described the subsequent events in the following way:

“At one point they brought in one young man, then four more. The soldiers ordered them [to] take off their boots and jackets. They made them kneel on the side of the road.

Russian soldiers pulled their T-shirts, from behind and over their heads. They shot one in the back of the head. He fell. Women screamed. The other four men were just kneeling there. The commander said to the rest of the people at the square: ‘Don’t worry. You are all normal – and this is dirt. We are here to cleanse you from the dirt.’”

1656. The woman told HRW that the people whom the Russian soldiers had gathered in the square had been let go several hours later, but the four men described above had remained kneeling. On 9 March 2022 the woman saw the body of the man whose execution she had witnessed. It remained in the same place where the man had been shot.

1657. As to the second extrajudicial execution, HRW interviewed a man, Dmytro, who had fled to Vorzel from the shelled city of Bucha on 7 March 2022. Once in Vorzel, he sheltered for two nights with a group of local residents in a basement of a two-storey building. HRW reported as follows:

“Dmytro said that there was a woman with them in the basement who had chest and leg wounds. Other people in the basement told him that she had been shot the day before, when Russian soldiers stormed that same basement and threw a smoke grenade inside. Several people panicked and ran outside, where Russian soldiers fired at them. The woman was wounded, and the people in the basement told him that a 14-year-old child was shot in the head and killed. Dmytro said that the woman died the next day, on March 8 [2022]. He and several local residents buried her outside the bomb shelter.”

1658. As to the third incident, the report stated that a column of Russian armoured vehicles had entered Staryi Bykiv in the Chernihiv region on 27 February 2022. Russian soldiers went from door to door, took six men from their homes and executed them. HRW interviewed a woman named Viktoria, whose son, Bohdan, and brother-in-law, Sasha, had been apprehended along with four other local men. According to HRW, Viktoria was nearby when her son and another man had been apprehended, and at around 6.20 p.m. she heard gunfire in the meadow where they had been taken. She reported that on 28 February 2022 she had seen the dead bodies of all six men with their hands tied behind their backs and gunshots in their heads.

1659. Viktoria reported that the Russian soldiers had not allowed the victims’ relatives to bury the bodies until 7 March 2022. Viktoria told HRW that the other four men buried that day had been Volodymyr, age 40, Olexander, age 40, and two brothers, Ihor, age 31, and Oleh, age 33.

1660. HRW separately interviewed Tetiana, a resident of Novyi Bykiv, who stated that she had spoken with the relatives of four of the men who had been killed in that incident. She told HRW:

“[The Russian soldiers] took six men from three different families. One mother had both of her sons taken [and shot]. Another young man was in his early 20s, his name was Bohdan, I know his mother well, she told me that the soldiers told her to wait near her house while they took her son ... to question him. They said the same thing to other families. Instead, they led these six men away, took them to the far end of the village, and shot them.”

1661. The report also contained evidence of looting. The same witness, Tetiana from Novyi Bykiv, stated that Russian forces had taken all of the

villagers' wood, leaving them nothing for cooking or heating their homes. Another interviewee, a 60-year-old man from Zabuchchya, a village outside Irpin, north-west of Kyiv, reported that Russian soldiers had been looting local houses: "Other soldiers also went to houses on our street. ... They broke the window in the judge's house to get in. We saw them taking bags and bags of stuff out of the judge's house. After that, they left." According to the report, many of the interviewed Ukrainian civilians described Russian forces taking food, firewood, clothing, and other items such as chainsaws, axes and gasoline.

1662. There was a description of one incident of mock execution in the report. The same witness from Zabuchchya reported that Russian soldiers had entered his house on 4 March 2022 to search it. In the backyard, they found a hunting rifle and a bottle of gasoline, and they "went ballistic". The interviewee stated as follows: "The commander who gave orders to others said: 'Take them [me and my son] to the tree outside and shoot them.' They took us outside. One of the soldiers objected. They took us back inside and ordered my son to strip naked because they said they wanted to look for nationalist tattoos." In a separate interview, the daughter of this interviewee corroborated his account.

1663. The report also contained a description of one incident of sexual violence. HRW interviewed a 31-year-old woman in Malaya Rohan, a village in the Kharkiv Region, who had been repeatedly raped and beaten by a Russian soldier on 13 March 2022. She reported that Russian soldiers had entered Malaya Rohan on 25 February 2022 and had kept controlling the village as of 13 March 2022. At the time, she had been sheltering in the basement of a local school with her five-year-old daughter and three other family members.

1664. At around midnight on 13 March 2022 a Russian soldier broke glass windows and forcibly entered the school, carrying an assault rifle and a pistol. Eventually, the soldier told the woman to follow him to a classroom on the second floor, where he pointed a gun at her and told her to undress. The woman reported, "He told me to give him [oral sex]. The whole time he held the gun near my temple or put it into my face. Twice he shot at the ceiling and said it was to give me more 'motivation.'"

1665. The soldier then raped her, and after that, he forced her to sit naked in a cold room. She said, "The soldier told me that he was Russian, that his name was [name withheld by HRW] and that he was 20. He said that I reminded him of a girl he went to school with."

1666. According to the report, the soldier got a knife and told the woman to go to the basement and get her belongings if she wanted to see her child again. He then raped her again, put a knife to her throat and cut the skin on her neck. He also cut her cheek with the knife and cut off some of her hair. He hit her on the face with a book and repeatedly slapped her. Two

photographs that she shared with HRW, dated 19 and 20 March 2022, showed cut marks and bruising on her neck and face.

1667. At about 7 a.m. on 14 March 2022 the soldier let the woman go. That day she and her family walked to Kharkiv, where she was able to receive medical treatment and other services.

1668. HRW reported having received three other allegations of sexual violence by Russian soldiers in other villages in the Chernihiv Region and in Mariupol but had not been able to independently verify them. HRW believed the incidents documented in this report to amount to war crimes.

*14. Publication “Ukraine: Russian forces’ trail of death in Bucha”,
21 April 2022*

1669. In this publication HRW documented cases of summary executions, unlawful killings, enforced disappearances and torture of civilians committed by the Russian military during their occupation of Bucha, in the Kyiv Region. Between 4 and 10 April 2022 HRW researchers had been working in Bucha. They conducted thirty-two interviews with victims and witnesses. They also documented and analysed physical evidence, videos, photographs and satellite imagery. In this publication, HRW outlined the details of sixteen apparently unlawful killings in Bucha, including nine summary executions, seven indiscriminate killings of civilians, and two cases of shooting and wounding of civilians. The publication included a map indicating the locations of the documented killings, along with the photographs taken at the crime scenes.

1670. According to residents of Bucha, Russian forces had first entered Bucha on 27 February 2022 but were pushed out of the central part of the town during heavy fighting. On 4 March 2022 Russian forces returned, and since 5 March 2022 they had largely taken control of the town, which had become their strategic base to advance towards Kyiv. Following the occupation of the city, Russian forces conducted door-to-door searches in residential buildings, targeting multiple locations, searching for weapons, interrogating residents and occasionally detaining men, citing non-compliance with orders or providing no specific reasons. Family members of those detained said that they had not been told where their male relatives had been taken. After the Russian forces had retreated, the bodies of some of the forcibly disappeared persons, including in two of the cases documented by HRW, were found in the streets, in yards or in basements, some with signs of torture.

1671. Residents of Bucha stated they had had limited access to water, food, electricity, heating and the mobile phone network during the Russian occupation. One man stated that his older neighbour, who had relied on an oxygen concentrator, had died when the power went off and the machine failed. Some witnesses stated that Russian forces had generally prohibited

residents in the neighbourhood from leaving their buildings, except to get water, and even that had at times been forbidden.

1672. In nine cases of summary execution documented by HRW, Russian forces initially detained men or subjected them to forced disappearances and torture before carrying out their executions. Two witnesses attested that on 5 March 2022 Russian soldiers had fired at their house located at the intersection of Yablunska St. and Vokzalna St., resulting in the building catching fire. Four Russian soldiers then ordered civilians to come out of the house, hands raised above their heads, and then took the witnesses' relative, Oleh Abramov, out of the yard. Within minutes the witnesses found Oleh's body with half of his head missing on the pavement outside the fence. Subsequently, Russian soldiers warned the relatives to leave, or they would be shot too. Oleh's body remained on the pavement until the Russian forces retreated on 31 March 2022.

1673. Around 17 March 2022 in an apartment complex on Sadova St., Russian forces detained a couple after searching their home and finding several weapons. The woman was subsequently released, but the man, Vasyl Nedashkivskyi, was taken out for questioning by Russian soldiers. His whereabouts remained unknown for nearly two weeks. Vasyl's body was found in an outdoor basement stairwell in the building where the couple had been detained, along with the body of another civilian, Igor Lytvynenko. There were severe lacerations on Vasyl's hands, bruises on his lower abdomen, and blunt force trauma to his head.

1674. Around 20 March 2022 Russian forces occupying an apartment building on the corner of Poltavaska St. and Shevchenka St. shot dead an unidentified man. Two witnesses stated that they had heard the man quarrelling with Russian troops and shouting "*Slava Ukraini!*" ("Glory to Ukraine!"), followed by up to three gunshots. Subsequently, the witnesses saw the man in a black tracksuit lying face down on the ground.

1675. On 4 April 2022 HRW saw the bodies of five men in civilian clothes in the basement of a dormitory building in a children's camp at 123 Vokzalna St., which Russian forces had used as their base. The men appeared to have been killed by gunshot. There were three distinct bloodstains on the wall of the room. The hands of four of the men were zip-tied behind their backs. The fifth man appeared to have been shot twice in the chest. According to one media report, the authorities identified the men as Serhii Mateshko, Dmytro Shulmeister, Volodymyr Boychenko, Valery Prudko and Viktor Prudko. HRW noticed extensive evidence of Russian forces' presence in that area, namely discarded and consumed Russian dry rations and uniforms as well as graffiti with the letters "RUS" and the letter "V" – the symbol of support for the Russian invasion of Ukraine. Satellite imagery of the area during the occupation period showed military vehicles at the camp entrance.

1676. HRW interviewed Denys Davydov, who had recorded video footage as he walked along the north-east end of Yablunska St. on 1 April

2022, just after the withdrawal of Russian troops. The video showed seven bodies in civilian clothes, at least one of them with the hands tied behind the back.

1677. HRW interviewed two workers of the municipal funeral home in Bucha who had witnessed casualties at multiple locations with fatal wounds, indicating that the victims had been executed. Both affirmed that most victims had been shot from close range, mostly in the head. On 1 April 2022 Serhii Kaplychnyi, the head of the Bucha municipal funeral home, found eight bodies of people who had been shot, six of them with tied hands, at 144 Yablunska St. One young man had a bullet wound in his heart. According to Mr Kaplychnyi, funeral home workers had collected about twenty other bodies, at least ten of which had their hands tied. Another funeral home worker, Serhii Matiuk, told HRW that he had personally collected about 200 bodies from the streets of Bucha, starting in late February 2022. He had witnessed in total approximately fifty bodies with tied hands. Some bodies had signs of torture, such as gunshot wounds to their hands and legs, or broken skulls.

1678. HRW also documented seven cases of apparent indiscriminate killings and two cases of wounding of civilians by Russian forces in Bucha. On 5 March 2022, at the north-east end of Yablunska St. one man was shot in the yard of a private house. He died the following morning. Another Bucha resident told HRW that Russian forces had fired at him and three members of his family on 7 March 2022 as they stood in an enclosed balcony area of their sixth-floor apartment. As a result, Vasyl Yushenko was shot in the neck; he received medical aid and survived. On 20 March 2022 Russian forces shot and killed a man named Artem in his garage, where he had apparently gone from his shelter to get food. On the evening of 12 March 2022 Russian soldiers shot and killed Ilia Navalnyi near an apartment complex on Yablunska St. on his way home. Around 8 March 2022 two witnesses saw the body of an older man slumped over on his side next to his walker at the corner of Nove Highway and Vokzalna St. He appeared to have been shot.

1679. Around 5 March 2022 Russian forces shot dead Volodymyr Rubailo and seriously injured a 9-year-old girl, as they were running away from Russian forces on Yablunska St. Later, the girl's arm was amputated. A resident of Bucha, Oleh, had been missing since 19 March 2022, and after the Russian withdrawal his body had been found under a pile of metal sheeting. HRW visited the site where Oleh's body had allegedly been found and saw a large amount of blood. It was about ten metres from the house where the commander of one of the Russian military units had reportedly been staying.

1680. One witness stated that she had seen the body of a woman lying next to a bicycle on Yablunska St. HRW assumed that the woman had most likely been the same person whose death had been captured on aerial footage published on Telegram. The video in question depicted the woman being fired at by two Russian armoured vehicles.

1681. HRW interviewed the head of the Ukrainian government's demining unit for the Bucha district, Lt Col. Roman Shutylo, and the commander of an anti-tank brigade, Ihor Ostrovsky, and both reported that victim-activated booby traps had been used in the town. In total, they had found twenty victim-activated booby traps and anti-personnel mines in Bucha. HRW concluded that this kind of weapon was forbidden by the 1997 International Mine Ban Treaty; however, Russia was not a party to that instrument.

1682. According to information collected by HRW, in multiple locations across Bucha Russian soldiers had used and damaged homes and taken provisions, household goods and other personal belongings, including valuables, such as appliances, television sets and jewellery. Residents of Bucha stated that they had seen household items stacked on Russian military vehicles as they had been withdrawing on 31 March 2022. One witness said that Russian forces had entered his home and damaged numerous personal belongings, by opening his personal safe with a grinder. HRW also mentioned alleged intercepts and reports of Russian soldiers discussing luxury goods they had stolen, but HRW was not able to verify those reports.

1683. HRW stated in this publication that Russian soldiers had endangered civilians in Bucha by positioning their personnel and equipment near residential buildings and had failed to take all feasible precautions to minimise harm to civilians and damage to civilian objects. For example, on 19 March 2022 at least two military vehicles had been parked on adjacent streets of an apartment complex on Yablunska St. Also, Russian forces had maintained an 82-millimetre mortar position about twenty metres from a civilian house along Sadova St. Russian forces had also used two schools in Bucha as a firing position for artillery.

15. Publication "Ukraine: executions, torture during Russian occupation", 18 May 2022

1684. This publication described twenty-two summary executions, nine unlawful killings, six enforced disappearances, seven cases of torture, and twenty-one cases of unlawful confinement of civilians in inhuman and degrading conditions in the Kyiv and Chernihiv Regions, all documented by HRW. From 10 April to 10 May 2022 HRW had interviewed sixty-five victims and witnesses and examined photographs, videos and physical evidence at the crime scenes. The witnesses stated that they had been held by Russian forces for days or weeks in dirty and suffocating conditions at sites such as a schoolhouse basement, a room in a window manufacturing plant or a pit in a boiler room, with little or no food, inadequate water, and no access to toilets. HRW documented seven cases of torture in which Russian soldiers had beaten detainees, used electric shocks or carried out mock executions to coerce them into providing information. All witnesses interviewed said that

they were civilians, except two torture victims who said that they were members of a local territorial defence unit.

(a) Summary executions

1685. Two cases of summary executions were documented in Andriivka, in the Kyiv Region. Russian forces took control of the area on 26 February 2022, and on the night of 30 March 2022 they withdrew. On 19 March 2022 Russian soldiers detained Ihor Savran at his home after finding his old military coat. The witness, Ihor's mother, stated that Russian soldiers had confiscated mobile phones and threatened to kill anyone who kept a working phone. On 31 March 2022 Ihor was found dead in a barn near his house. His best friend Volodymyr Pozharnikov was lying next to him; both had been shot. On 3 March 2022 Russian forces detained Anton Ischenko, who had served in the Ukrainian Armed Forces years earlier. The family found his body in a field in the suburbs of the village on 31 March 2022.

1686. On 4 April 2022 in Motyzhyn, in the Kyiv Region, an HRW researcher saw the bodies of five people allegedly executed by Russian forces. Among the victims were the mayor of Motyzhyn, Olha Sukhenko, her husband Ihor, and their son Oleksandr. The other two unidentified bodies were male – one with a hole in his head, eyes covered by tape, and zip-ties lying next to him, and the other body with bruises and other marks.

1687. Another witness, a resident of the village of Novyi Bykiv in the Chernihiv Region, stated that Russian soldiers had held him in a boiler room with about twenty other people. On 30 March 2022 Russian soldiers told the detainees that they had received an order to execute eight people; then they took eight men away. Next day, after the Russian forces had withdrawn, two bodies were found next to the boiler room with smashed heads, and a third body was found slightly further away. The fate of the other five men was unknown to HRW.

1688. On 27 February 2022 Russian forces detained and executed six men in the village of Staryi Bykiv, Chernihiv Region. A witness stated that Russian forces had taken her son, Bohdan Hladkyy, and brother-in-law, Oleksandr Mohyrchuk, from a yard at their house. The following day, she had seen their dead bodies together with four other bodies in a field. The four were Oleksandr Vasylenko, Volodymyr Putiata, Ihor Yavon and Oleh Yavon. An examination showed that Bohdan Hladkyy had broken ribs, a knife wound to his heart, and a shot to his head. Oleksandr Mohyrchuk had a knife wound near his heart, and his neck had been slit.

1689. On 3 March 2022 Viktor Shevchenko, a resident of Yahidne, Chernihiv Region, was shot in the head by Russian forces. On 6 or 7 March 2022 the bodies of two other men who had been visiting Yahidne were found in a cellar with the hands tied behind the backs. Each had two bullet wounds, in the back and in the head. On 31 March 2022 the body of Petro Tolochyn was discovered with gunshot wounds to the temple and left leg after Russian

forces had withdrawn. A witness saw that Petro had been detained and questioned by Russian forces.

1690. On 4 March 2022 Russian forces detained Oleh Prokhorenko in Mykhailo-Kotsyubynske, Chernihiv Region. He had allegedly been using his phone to film the Russian troops' movement and provide the information to Ukrainian forces. His body was found with a gunshot wound to the head on 8 April 2022 in a nearby forest.

(b) Unlawful killings of civilians

1691. HRW documented nine cases of Russian forces shooting and killing civilians without an obvious military justification. On the afternoon of 14 March 2022, as a Russian convoy passed through the village of Mokhnatyn in the Chernihiv Region, Russian soldiers had shot dead 17-year-old twin brothers Yevhen and Bohdan Samodiy and their 18-year-old friend Valentyn Yakymchuk. The witness, the twins' sister, stated that after the shots had been fired, she had seen about ten Russian military vehicles on the road. Witnesses said that half of Valentyn's head had been missing and Yevhen had been shot in the chest. Bohdan had been wounded in the abdomen and died on the way to hospital.

1692. On 4 March 2022 in the village of Nova Basan, in the Chernihiv Region, Russian soldiers shot dead 14-year-old Dmytro Solovei, who had been playing ball in a playground near his house. His brother, Serhii, was also shot and wounded in the leg. On 28 February 2022, also in Nova Basan, Russian soldiers apparently shot Mykola Kucherina in the head as he passed by their post. His body remained there for a month, as the Russian forces did not allow his parents to collect it. At approximately 6 p.m. on 28 February 2022, Russian forces entered the village of Levkovychi and shot dead four men – Oleksandr Oryshko, Oleksandr Derkach, Yaroslav Varava and Serhii Nimchenko. According to witnesses, the men had been unarmed, and each of them sustained multiple bullet wounds.

(c) Enforced disappearances

1693. On 4 March 2022 Russian soldiers detained Anatolii Shevchenko, a resident of Yahidne. His next-door neighbour saw him being apprehended and later sitting handcuffed on the concrete near the schoolhouse. Since then, his relatives had had no information about Mr Shevchenko's whereabouts. Around 3 p.m. on 4 March 2022 five Russian soldiers detained Mykyta Buzinov, a 24-year-old taxi driver, at his house in Mykhailo-Kotsyubynske, in the Chernihiv Region. According to a witness, Russian soldiers saw that Mykyta had provided information to the Ukrainian forces. Russian soldiers took Mr Buzinov, his girlfriend, and then his mother and uncle to a nearby veterinary clinic, where the Russian forces had been encamped. Later that

evening, the soldiers released everyone except Mr Buzinov. As of the time of this publication, his whereabouts remained unknown.

1694. On 7 March 2022 Mykola Sadovyi and his friend Kostya Sivko, residents of Krasne in the Chernihiv Region, decided to go to Chernihiv by bicycle to buy heart medication. Their route passed through a Russian checkpoint and the village of Yahidne, which had been under Russian control at the time. Since that day, there had been no information about their whereabouts.

1695. On 10 March 2022 Serhii Molosh and his friend, Vitalii Kulik, went missing from the village of Ryzhyky, in the Chernihiv Region. During daylight hours, they had gone by foot to purchase meat in the neighbouring village of Ryabtsi. At that time Russian forces had been in full control of Ryzhyky and Ryabtsi, and Russian armoured vehicles were patrolling the road between both villages.

(d) Unlawful confinement and inhuman, degrading detention conditions

1696. In Yahidne, Chernihiv Region, Russian forces held over 350 villagers, including at least seventy children, five of them infants, in a schoolhouse basement for twenty-eight days, severely limiting their ability to leave even briefly. According to witnesses, on 3 March 2022 Russian forces had gathered the villagers, directing them to the school basement under the pretext of ensuring their safety. Those who refused because of illness or caregiving responsibilities were permitted to stay at home. Some went voluntarily to the basement, fearing the ongoing shelling, while others were directly coerced. One witness stated that he had been sheltering in his home's basement with his family, when on 3 March 2022 five Russian soldiers ordered them to walk to the school basement. His 70-year-old mother-in-law, who had difficulty walking, initially stayed in the home's basement until threatened by a soldier holding a grenade. Witnesses reported that in the initial days, Russian soldiers had kept the basement door closed and later had started opening it only once a day, permitting people to leave at irregular intervals for outdoor necessities and cooking. Occasionally, they allowed some detainees to return home briefly to fetch food. Witnesses described the suffocating lack of air, the absence of space to move around or lie down, and having to use buckets for toilets. One witness said that people had lacked water and food, and the soldiers did not allow them to use the small outdoor toilet. Within a week, everyone developed bedsores from prolonged sitting and experienced severe coughing, and almost all the children experienced high fever, cough spasms, and vomiting. Around 20 March 2022 several children and adults came down with chickenpox and secondary infections from scratching the blisters. According to a witness, the soldiers refused to allow a 63-year-old man suffering from cancer, who was in pain when sitting down, to return home. Russian soldiers said that he could "hang himself" to alleviate the pain. According to witnesses, ten elderly people died – eight in

the basement and two at home a few days after the soldiers had let them leave on account of their rapidly deteriorating health.

1697. Mykola Diachenko, the 63-year-old head of the village administration in Nova Basan, Chernihiv Region, spent twenty-six days in custody in five locations, including a post office building, a warehouse, a summer kitchen and a cellar. He and his deputy were detained at home by Russian soldiers on 5 March 2022. Mykola described one of the detention places as follows. It was a stand-alone underground cellar, measuring no more than nine square metres and housing twenty detainees, all men aged 22 to 65. The door was sealed shut for two days, causing suffocation. There was no food and only two litres of water for twenty detainees. Mykola heard rifle shots and thought that someone was being executed. Russian soldiers also threatened to hang him by his feet, stab his fingers, impale him on a wooden pole, and throw in a grenade.

1698. HRW reported cases of unlawful confinement in the village of Novyi Bykiv, Chernihiv Region. On 24 March 2022 seven or eight Russian soldiers came to the home of Volodymyr Zhadan, started shooting in the air, and demanded that he hand over his phone. They beat him with rifle butts, pushed him to the ground and kicked him in the stomach, legs and back, demanding his phone. They then blindfolded and handcuffed Volodymyr from behind and took him, together with two other neighbours, to the basement of the village pre-school. The detainees spent the night there, freezing in complete darkness. In the morning, the Russian soldiers took Volodymyr Zhadan for questioning and later released him. When he was back home, he found that his house had been trashed and looted. On 24 March 2022 Russian soldiers detained a 66-year-old resident of Novyi Bykiv for possessing a mobile phone. They brought him to a small boiler room in the village centre with twenty other people inside. He, along with four others, spent five nights in a deep pit in the far-right corner of the room. During this time, he was allowed to use the toilet only three times, received no food, and shared just one bottle of lemonade daily among the five men. One of the detainees remained in handcuffs continuously, resulting in swollen hands, according to the witness.

1699. In Dymer, Kyiv Region, Russian forces held up to forty-nine people aged from 17 to 73, all men blindfolded and handcuffed with zip-ties, for several weeks in a 40 sq. m room in the town's window manufacturing plant, with little food and water. Witnesses said that there had been very little light in the room, two buckets instead of toilets, one twenty-litre bottle of water, and a lack of space to lie down, with the result that people were forced to sleep in shifts. One man who had been blindfolded recounted that Russian soldiers had put a rifle to his head and loaded it, and that he had heard three shots. Upon their return home after their release, two witnesses discovered that their houses had been looted. Among the stolen items there were a car, a

wedding ring, a generator, tools, Bluetooth speakers, about USD 30,000 in cash, and a watch worth USD 22,000.

1700. In Nova Basan HRW interviewed a member of the local territorial defence unit. He stated that on 9 March 2022 about fifteen Russian soldiers had captured him and his 25-year-old son at gunpoint. The soldiers had pushed them to their knees, while firing their rifles in the air, and had tied their hands behind their backs. The soldiers had released the witness the next day, detained him again on 12 March 2022, and held him until 31 March 2022. The Russian soldiers threatened to cut his hands off or run him over with a tank. The witness also described being put in a stress position. One soldier tied his hands together in the front with a zip-tie and hung a cable from the ceiling roof, pulling his hands upwards, so that the tips of his toes touched the floor. He said that the only way to alleviate the pain had been to stand on tiptoes, and he had endured that position for two or three hours.

1701. On 27 March 2022 a Russian soldier took Oleksandr Novichenko, a resident of Hostomel, into custody, tied his hands behind his back with a zip-tie, blindfolded him, and pushed him down into a basement, where for two days Russian soldiers repeatedly questioned him and subjected him to electric shocks. Oleksandr said that the zip-tie had been so tight that it caused swelling in his wrists. Additionally, he had an open wound on his knee, and Russian servicemen applied electric shocks to his wound.

16. Report “Background briefing: Landmine use in Ukraine”, 15 June 2022

1702. This background briefing surveyed the types of landmines used in Ukraine since 24 February 2022. As indicated in the report, Russian forces widely used landmines, including prohibited antipersonnel mines. There were at least ten reports of tractors detonating mines in the Kyiv region, injuring the driver in at least two cases. The report further described the use of victim-activated booby traps by retreating Russian soldiers, including on dead bodies. On 19 May 2022 two civilians were killed by an OZM-72 mine that police said had been placed by Russian troops in a field between the villages of Lypivka and Korolivka in the Bucha district of the Kyiv Region. On 19 May 2022 a civilian was injured when the tractor he was driving hit a landmine in the village of Andriivka near Makariv in the Kyiv Region.

17. Report “Ukraine: Russian missile kills civilians in shopping centre”, 30 June 2022

1703. According to HRW, on 27 June 2022 Russian forces had launched a missile attack at a shopping centre in Kremenchuk, killing at least eighteen civilians and wounding dozens of others. As of 29 June 2022, thirty-six people remained missing, as rescue efforts continued. HRW undertook an on-site investigative mission between 28 and 29 June 2022, interviewed

multiple eyewitnesses, analysed video footage of the attack, and reviewed satellite imagery.

1704. According to the report, the attack consisted of two missile strikes. The first was a direct hit at the open and busy shopping centre, and the other one, minutes later, hit the northern part of the Kremenchuk Road Vehicle Factory (“the factory”), a large industrial complex that began less than forty metres behind the shopping centre. The second strike hit 450 metres north of the first. HRW called “demonstrably false” the Russian officials’ claim that the fire that damaged the shopping centre had spread from the detonation of munitions caused by the second strike.

1705. Ukraine’s Minister of the Interior said that there had been no military targets within 5 km of the shopping centre. The Russian Defence Ministry claimed that Ukrainian authorities had stored American and European-supplied weapons at the factory. HRW was unable to verify or disprove whether the factory had ever been used for military purposes. However, after an unhindered on-site investigation, HRW reported seeing no evidence indicating that it had been storing munitions. The report also stated that the factory’s security staff had not been militarised and had only been equipped with radio and flashlights.

1706. According to the report, the Ukrainian authorities stated that the Russian forces had used KH-22 (X-22 in Cyrillic) cruise missiles fired from a Russian aircraft. They also presented remnants that they said had been recovered from the strike. HRW did not independently verify the weapons used in the two strikes but indicated that the impact crater in the factory and the blast damage to the shopping centre had been consistent with the detonation of warheads weighing nearly 1,000 kg with large high-explosive payloads.

1707. Analysing the proportionality of the attack, the report stated that if Russian forces had been targeting the factory, they had been or should have been aware of the large presence of civilians adjacent to it. The report stated that munitions with large, high-explosive warheads, as used in the Kremenchuk attack, could have a large destructive radius, were inherently inaccurate, or delivered multiple munitions simultaneously. The report concluded that the use of such weapons should be avoided in populated areas.

*18. Report “Russia: forcible disappearances of Ukrainian civilians”,
14 July 2022*

1708. Without specifying the dates, this report stated that Russian forces had detained nine male civilians while occupying the Kyiv Region. According to the report, the men were taken from their homes or detained while taking out rubbish, delivering humanitarian aid by bicycle, transporting drinking water, cycling to warn the residents about an upcoming rocket attack, charging a phone in a car, or driving in a car.

1709. Relying on information obtained from the Media Initiative for Human Rights, a Ukrainian human rights NGO, this report stated that when Russian forces had been rotating out or withdrawing from the Kyiv Region, those nine civilians had first been transferred to a camp in Naroulia, Belarus, and three to ten days later, to Russia. Six of the men were transferred to custodial facilities in Kursk, and three others to facilities in Bryansk, both in Russia.

1710. Families and friends of the detained men told HRW that they had learned about the men’s locations from former prisoners who had shared cells or had otherwise seen them in Russian facilities. Ukrainian authorities dealing with prisoners of war also informed the families concerned that five of the men were in detention in Russia. The report read:

“Two lawyers who attempted to visit detention facilities in Kursk and the town of Novozybkov in Bryansk told Human Rights Watch that the authorities refused to grant them access, acknowledge the detention, or disclose detainees’ whereabouts. One lawyer said his team tried at least five times to access both detention facilities, most recently in mid-June. Relatives also sent written requests for information about their loved ones to both detention facilities and received replies that the men were not there.”

1711. The wife of one of the detainees told HRW that when she had tried to contact the Kursk pre-trial detention facility in April 2022, she had been told that her husband was not there. On 13 May 2022 the ICRC informed her that her husband was in custody in Russia. Similarly, when the family of another detainee sent him a letter to Bryansk correctional facility no. 2, they initially received a notice that “the message has been delivered to the addressee”, and then another response that “this person does not exist”.

19. Report “‘We had no choice’. ‘Filtration’ and the crime of forcibly transferring Ukrainian civilians to Russia”, 1 September 2022

1712. This report by HRW was seventy-six pages long and documented in detail the “forcible transfer of Ukrainian civilians from Mariupol and the Kharkiv region to Russia and Russian-occupied areas of Ukraine” that had taken place between February and August 2022.

(a) Methodology

1713. This report was based on HRW’s interviews with eighteen people who had gone or had been transferred to Russia, ten of whom had undergone the “filtration” process on the way. HRW interviewed another eight people who had been able to continue on to Ukrainian-controlled areas after having undergone filtration. The report was also based on interviews with twenty-one Mariupol and Kharkiv residents whose family members and friends had been transferred to Russia, as well as eight lawyers and activists in Russia and Europe who had been helping newly arrived Ukrainians leave Russia. HRW also spoke with dozens of civilians from the Mariupol area who had

been able to escape the war zone to Ukrainian-controlled territory without undergoing filtration.

(b) How people got to the filtration process

1714. Describing how those interviewed by HRW had got to the filtration procedure, the report said that six people had been taken from their homes or other shelters by Russian and Russian-affiliated forces, put on buses, and forced into filtration. Six people had left Mariupol by foot and boarded free buses which took them further into Russian-controlled territory, where they then underwent screening. Seven others were in private vehicles and were led to believe they had to undergo the process in order to be allowed to travel onwards. One person left Mariupol on foot, was eventually picked up by a family in a car, and underwent the process for the same reason.

1715. Some interviewees reported to HRW that Russian forces had told them that they were being transported to Ukrainian-controlled territory, but they were actually taken to filtration “and on to Taganrog without giving us another choice”.

1716. According to the report, one interviewee from the Kharkiv Region was told by Russian soldiers, “You lived under us and so if the Ukrainian army comes, they will punish you. You will be executed,” to encourage him to leave for Russia.

1717. Interviewees reported the so-called “DPR Ministry of Emergency Situations” and Russian troops as being in charge of the “evacuation”. People also reported that they had been transported for filtration in military trucks, or that the “evacuation bus” drivers had worn military uniforms. Those who had been transported as a group reported having to change multiple Russia- or “DPR”-controlled locations, each time closer to the Russian border, on their way to undergoing filtration.

1718. According to the report, people often had to wait for days or weeks – housed in schools, community centres, government buildings, tents or vehicles – as they waited their turn to go through filtration, sometimes in deplorable conditions with limited food and poor sanitary conditions. “Authorities then gave everyone a form to fill out ... for filtration. One question asked where people wanted to go. The form didn’t restrict what you could write, ... but we knew you only could put down three options: return to Mariupol, stay in the [DPR], or go to Russia”, one interviewee told HRW.

1719. Most people interviewed by HRW who had fled in private vehicles said that they had not undergone filtration. One interviewee said that she and her family had been able to avoid filtration by “quietly walking away from the bus” when it stopped by the Volodarske filtration point and finding a private taxi to take them to Ukrainian-controlled territory.

(c) Filtration process

1720. The report described the filtration process in the following way:

“Those who underwent the filtration process described it as an involuntary security screening process that took place at either a police station, a community centre, or a make-shift camp area, in which [DPR] forces asked a series of questions, and in many cases required people to fill out questionnaires, including about their families, jobs, political opinions, and ties to the Ukrainian army and government. Authorities also took photographs of their face and face in profile with cameras, scanned their fingerprints and their palms with a tablet, and took and searched their mobile phones, scrutinizing contacts, messages, and photographs, and in some cases noting down the phones’ IMEI numbers, which are akin to each phone’s unique digital fingerprint. They also examined some of the men’s bodies, looking for tattoos showing links to the Ukrainian military or right-wing groups or bruises indicating that they had been carrying weapons.

All the interviewees who went through the process said that authorities did not ask for their consent to capture their personal data, including biometrics, and were given no reason why this data was being collected.

...

While for some the wait lasted only hours, many had to remain near the filtration centres for between three days and up to almost a month, waiting to undergo interrogation.”

1721. Anyone with a mobile telephone, laptop or a tablet had to turn it in and supply the passcode; officials scrolled through photographs, text messages and browsing histories and screened the device for deleted content. Sometimes officials connected the devices to a computer and downloaded their content. Finding photographs of damage from shelling, of the Ukrainian flag or of the Ukrainian military on a telephone resulted in the person to whom the telephone belonged being taken for more screening measures and harsher interrogation, including torture. The outcome was the same where a person was found to have tattoos thought to display symbols of affiliation to the Ukraine military, the Azov battalion or “Nazi” groups or to have injuries and signs thought to correspond to the use of weapons.

1722. According to the report, the “DPR’s Ministry of Internal Affairs” had stated in May 2022 that “filtration activities are carried out in [the] DPR with regard to residents of the territories formerly under Ukrainian control” in order to prevent “persons affiliated with Ukraine’s military, law enforcement and security agencies, nationalist battalions, and sabotage and intelligence groups from penetrating the republic”.

1723. Different interviewees told HRW that they had seen the “DPR’s traffic police”, the “DPR military police,” the “DPR department of motor vehicles inspection,” the “Dokuchaievsk department of the Ministry of Internal Affairs of the DPR”, as well as the “DPR” forces and some Russian forces, carrying out the filtration and staffing the “filtration camps”.

1724. The report stated that during filtration, the *de facto* authorities had “encouraged” people to consider going to Russia and cited high Russian pensions as an incentive, but did not otherwise insist.

1725. According to the report, most of those who underwent filtration received a paper receipt, and six people showed those receipts to HRW. Five interviewees who had made it to Ukrainian-controlled territory reported having had to show their receipts to prove they had undergone filtration in order to pass through Russian checkpoints easily. The report stated that there had been little official information about what had happened to those who “failed” the filtration process, but HRW understood that they had been detained in the “DPR”, and some might have been victims of enforced disappearances at the hands of the “DPR” and/or Russian authorities. “While this report cannot document their fate beyond that, there are serious grounds for concern that these individuals are at risk of grave harm, including torture or other ill-treatment; in particular, the lives of those forcibly disappeared may be at risk”, the report stated. A Ukrainian volunteer, who had spent a month evacuating over 8,000 people from Mariupol to Ukrainian-controlled territory and had gained a detailed understanding of what people went through during and after the filtration process, told HRW that those carrying out the filtration would detain people they thought might be linked to the Ukrainian armed forces or law enforcement for a period of administrative detention at the Olenivka detention facility in the “DPR”. Depending on the outcome on the filtration, they would ultimately release or prosecute the individual.

1726. Human Rights Watch interviewed two people who had said they had been transferred by Russian soldiers to Russia from the Kharkiv region, without undergoing filtration, as well as ten residents from another village and city in the Kharkiv region who had described how many of their neighbours, as well as people from neighbouring villages, had been transferred by Russian soldiers to Russia, where they had been fingerprinted and photographed.

(d) Internment of civilians

1727. The report described a specific episode of Russian and Russian-affiliated forces rounding up civilians in Mariupol whom they suspected of having ties to the Ukrainian military and sending them for filtration. From around 12 April to 24 May 2022, in the villages of Bezimenne and Kozatske in the “DPR”-controlled territory, almost 200 people, mostly men between 14 and 60, were “effectively interned” after they had completed the filtration process and received “filtration receipts”. For over forty days, the “DPR” personnel refused to return their passports and prevented them from leaving the village. The detainees sheltered in local schools and a cultural centre in unsanitary conditions with meagre food rations and no medical care. Two men who complained about the poor conditions were transferred to the detention centre in Olenivka.

1728. On or about 24 May 2022 “DPR” agents returned the passports to all the men remaining in the two camps and allowed them to leave the village.

HRW concluded that the reasons for that “confinement” or “internment” had been unclear.

(e) The forced transfer of seventeen children to the “DPR”

1729. HRW researchers documented the transfer of seventeen children, aged between two and seventeen, from the Regional Children’s Bone and Tuberculosis Sanatorium in Mariupol to the “DPR”. On 18 March 2022 a volunteer interviewed by HRW attempted to transport those children to Ukraine-controlled territory but was stopped at a Russian-controlled checkpoint. As he was trying to secure permission at a Manhush hospital to evacuate the children, the “DPR Minister of Social Policy” arrived and began distributing aid to the children in front of the local media. The children were then put on a bus and apparently taken to the “DPR”.

1730. Ukrainian officials raised this case with HRW. In June 2022, six of the children in question were reunited with their family in France as a neutral country. The exact whereabouts of the other eleven children remained unknown. According to the report, the Russian Commissioner for Children’s Rights, Maria Lvova-Belova, stated in May 2022 that children from institutions in the “DPR” had been placed with foster families in the Moscow Region and that almost 200 children without parental care from Ukraine’s Donbas were about to receive Russian citizenship in July 2022, including thirty orphans from Mariupol.

(f) Ukrainian civilians in Russia

1731. According to the report, after having completed the filtration process, people were loaded onto buses and transported to the Russian border, where they underwent another round of interrogations and telephone screenings. One person, a retired Ukrainian military officer who had already completed filtration, was nevertheless arrested at the Russian border and incarcerated in a custodial facility in Donetsk.

1732. After crossing the border into Russia, the transferred Ukrainians were generally sent to temporary placement centres for refugees in Taganrog, Voronezh, Penza, Vladimir and Vladivostok. Then many waited for days before being instructed to continue by bus or train to other regions of Russia. Some interviewees said that Russian officials had not allowed them to leave the refugee group. Four interviewees told HRW that they had faced no obstacles leaving refugee camps or travelling within Russia.

1733. Some interviewees told HRW that Russian investigators had questioned people at temporary placement centres and put pressure on them to officially admit to having witnessed, or suffered as a result of, war crimes by Ukrainian forces.

1734. On 5 March 2022 President Putin signed a “Decree on the entry, stay and departure from Russia of foreign citizens from the territories of the

[LPR, DPR] and Ukraine” to ease and expedite the process for Ukrainians, especially from Donbas, to acquire temporary asylum and obtain Russian citizenship. The report said that under Russian law, those granted temporary asylum had to hand their passports over to the Interior Ministry and use an asylum-holder card while in Russia. “But without the process being spelled out to them, people do not realise that they can get their passports back at any time in case they’re ready to leave the country and therefore, some genuinely believe they cannot ever return to Ukraine,” one Russian activist told HRW.

(g) Possibility of leaving Russia

1735. While Russian officials did not forcibly block Ukrainians from leaving Russia, many Ukrainians faced challenges doing so, including because they did not have proper identity documents or because of a lack of information about what options were available to them – mostly people without smartphones and elderly people. Some were interrogated again at border crossings before being allowed to leave the country.

(h) Conclusions

1736. HRW was unable to estimate the number of Ukrainians who had been forcibly transferred to Russia or Russia-controlled territories. They quoted Ukrainian officials, whose estimation was 1.2 million, and a Russian news agency, which mentioned a figure of over 2.8 million – half of them “DPR” and “LPR” passport holders.

1737. The report concluded that while Russia might have had legitimate grounds to conduct security screening of individuals voluntarily seeking to enter Russian territory, the filtration process, in its scope and the systemic manner in which Russian forces and authorities had organised and forced Ukrainian civilians into it, was punitive and abusive.

1738. The report concluded that whether or not those transferred to Russia had gone through a filtration or screening process, as described above, was not relevant to the crime of forced transfer. For example, those from the Kharkiv Region had not undergone filtration, the report stated. What they had in common with the civilians from Mariupol was their desire to go to Ukrainian-controlled areas. Both categories had no effective choice but to stay under shelling or to board the “DPR-” or Russia-provided buses. Russian forces and Russian-affiliated armed groups had told people that it was unsafe to evacuate to Ukrainian-controlled territory and prevented them from leaving in that direction. While there had been some civilians who might have wished to travel to Russia – for example, to reach Europe subsequently – HRW stated that that had not changed “the fundamental nature of the planned mass transportations of Ukrainian citizens to Russia as forced transfers”.

*20. Report “Ukraine: Russian forces tortured Izium detainees”,
19 October 2022*

1739. According to this report, in late September and early October 2022 HRW spoke with over a hundred people in Izium who had been there during the Russian occupation of the city, from March to early September 2022. Fifteen people – fourteen men and one woman – told HRW that the Russian military had tortured them during that period of time. One of the men had had ties to the (Ukrainian) armed forces but the rest had been civilians.

1740. Those detained reported being taken from their homes, on the street, or from an outdoor market and held for up to fourteen days. According to the report, one man was detained five times and tortured multiple times during each detention. All the men said that they had been given electric shocks or beaten with hands, rifle butts, metal pipes, plastic pipes, a rubber hose, and in one instance a stick with a bag of sand at the end. Additionally, some survivors described being subjected to waterboarding, threats at gunpoint, and being forced to hold stress positions for extended periods. They identified at least seven locations in the city – two schools, a police station, a former hospital compound, a water and sanitation station, a private residence, and a private factory – where they said that (Russian) soldiers had detained and ill-treated them. HRW researchers were able to enter four of the facilities and verify that they had indeed been used as detention facilities.

1741. The survivors’ and witnesses’ accounts are summarised below. HRW identified those interviewed by pseudonyms for their protection.

(a) Torture sites

(i) The City Railway Polyclinic

1742. Eight men, interviewed separately, said that Russian forces had detained them and others in two garages next to the building of the City Railway Polyclinic, which they had been occupying. A woman said that she had been held in a small room in a building opposite the garages. HRW visited the hospital on 22 September 2022 and confirmed that the two garage rooms matched the former detainees’ descriptions.

1743. All eight men said that they had been tortured with electric shocks. In one room, HRW saw two electric outlets that had been blackened. Referring to comments by two Ukrainian electrical engineers, the report pointed out that sockets could blacken in this way if they overheated, for example during electric shocks if the electrodes were located close to each other on the victim’s body.

1744. Those held in the garages said that they had been fed only once a day and given about 1.5 litres of water to share between up to thirteen people.

1745. A woman identified as Taisa, aged 36, said that Russian forces had detained her at the City Railway Polyclinic in mid-June 2022. She said that she had been held alone for a day in a small room in a building opposite the

garages on the hospital compound. At one point, a soldier had come to the door and shouted that she should “prepare yourself, [another] soldier will be coming to rape you,” though this did not happen. From the detailed description of the room given by Taisa, HRW concluded that Taisa had been kept in the same room where the Russian forces had kept another woman, Alla, who had been interviewed by *The Washington Post* for an article entitled “In Russian-occupied Izyum, she was raped and tortured”, published on 9 October 2022. HRW pointed out that according to *The Washington Post*, Alla had been subjected to electric shocks and repeated rapes, including through forced oral sex.

1746. When inspecting the room, HRW saw the word “Alla” carved on the wall, as well as the words and phrases “electricity, undressed or raped,” “barely alive,” “murdered,” “very painful,” and “help.” According to the report, Alla told *The Washington Post* that she had considered trying to kill herself in detention. HRW interviewed Boghdan, who had been held there during the same time. He reported hearing women’s screams on multiple occasions, and said he had heard two soldiers standing outside of the garage door one day saying, “Don’t give her food, she didn’t give a blow job.”

1747. HRW identified and recorded numerous signs of the Russian military presence in the City Railway Polyclinic and concluded that the Russian forces had used that building as their base while in Izyum.

(ii) *Izium Central Police Station*

1748. HRW interviewed five men who said they had been held at Izium Central Police Station. All five men reported being interrogated and tortured in the basement almost every day. Two said that their captors had forced gas masks over their faces when their screams became too loud. HRW researchers found five gas masks in a large room in the basement.

1749. An interviewee, Taras, told HRW: “They took me to one of the offices inside and beat me on and off for three hours, one with a metal rod and the other with a plastic pipe while they demanded that I give them the names of residents who were in the Territorial Defence Forces. ... They even put a gun to my head and threatened to shoot me unless I gave names.” Taras also reported hearing screams of a detainee held in an adjacent room.

(iii) *School no. 6*

1750. On 23 September 2022 HRW visited School no. 6, where two men said that they had been detained and tortured. Three people living next to the school said that Russian forces had occupied the school from roughly April to July 2022.

1751. Ihor, who had been detained five times, said that on 21 April 2022 three Russian soldiers had come to his apartment and accused him of having marijuana. They searched the apartment, put a bag over his head, and beat

him as they drove him to School no. 6. He was repeatedly beaten, kicked, and slapped after he had called the Russian soldiers fascists. A “commander” of the Russian forces interrogated Ihor about the members of the Territorial Defence Forces or the ATO (“anti-terrorism operation”). Ihor was released the next day.

1752. A man named Zhenia reported having been beaten by three Russian soldiers and held in School no. 6 for three days.

1753. A man living close to School no. 6 said he had spoken to the soldiers many times and deduced from their accent that the forces he encountered had been the forces of the “LPR” or the “DPR”.

(iv) School no. 12

1754. On 22 September 2022 HRW visited School no. 12, which five witnesses had identified as the building that had been occupied by Russian forces from early March to July 2022. An interviewee, Andrii, said that Russian forces had held him in the school for several hours on 7 April 2022. He said that the soldiers had blindfolded him and other detainees and made them believe that they had stepped on grenades. “They kept us standing like that for four hours without moving at all; we were petrified”, said Andrii. As he was leaving School no. 12, he realised that the Russian soldiers had lied to him about the grenades, which in reality had been a bunch of rocks. Andrii showed HRW researchers photographs his wife had taken of him after he returned home, with bruising to his legs, side, chest and elbow from the beatings.

(b) Ill-treatment techniques

(i) Beatings

1755. Ihor, the man who had been detained five times, said that on 24 June 2022 Russian soldiers had taken him “to the hospital garage” and beaten him, including with the butt of a rifle. He said that he had been blindfolded, had his pants pulled down, and was beaten on the buttocks with something hard. Then the Russian soldiers demanded that he give them the names of Territorial Defence members, police officers, or ATO veterans.

1756. Mykhailo Ivanovych, who had been detained in late August 2022 for twelve days, said that a Russian soldier had broken his left arm with a plastic pipe. As of late September 2022, Mykhailo Ivanovych’s arm had still not healed properly, and he was awaiting arm surgery.

1757. According to the report, the men interviewed said that they had also been kicked, slapped and punched. At least two men had broken ribs when they were released, and one said that he had also had a broken sternum.

(ii) Stress positions

1758. Ihor reported that he had been detained on five occasions and forced into the same stress position each time. Ihor said that Russian soldiers had made him sit on the floor with his knees bent upwards. They had then bound his hands under his knees and inserted a metal rod across his chest and under his armpits in a position he referred to as the “parrot” position. He said that they would then lift the metal pipe up so that he would be hanging. The report included a sketch depicting this stress position, drawn for illustrative purposes by John Holmes.

1759. Boghdan, a police officer, ATO veteran and Territorial Defence Forces member, said that Russian soldiers had forced him into the “parrot” position at least once, but he described it slightly differently, saying that the metal rod had been beneath his knees and above his elbows. He said that one time the metal pipe had been unable to carry his weight; when soldiers had lifted him up, the pipe had bent and broken. Both men said that after being hung in this position, they had been unable to use their arms for hours.

1760. Boghdan said that Russian soldiers had also put a plastic bag over his head and cut the airflow several times. At one point, when he had refused to give the soldiers any information, one threatened that they would make him “sit on a bottle”, indicating anal rape.

1761. Oleksandr, who had been detained for five days in early September 2022, described a position he had been forced into as the “spider”. Russian soldiers forced him to lie on his chest and tied his hands to his feet behind his back. Then they put electrical pads in his hands and gave him electric shocks. Oleksandr said that this treatment had been applied to him in order to force him to sign a document giving ownership of his house to the Russian army.

1762. Oleksandr also reported being blindfolded and left in a storage building in his T-shirt, shorts and shoes for a full day, with temperatures dropping to what he thought had been around 10°C, particularly at night. “By the time they came to get me the next day, I just wanted them to kill me, to put an end to it,” he said. He said that he had heard the voices of other people being detained in the storage hangar. Oleksandr showed researchers his knee, which was still inflamed as a result of the severe beatings.

1763. Oleksandr’s wife stated that while her husband had been detained, Russian soldiers had come to her house and told her that they had killed Oleksandr and would bring her his ears or the whole body to prove it.

(iii) Waterboarding

1764. Two men stated that they had been waterboarded. Oleh said that Russian soldiers had pinned him to the ground, covered his face with a cloth, and poured water over his face on and off for about thirty minutes. Andrii said that on 11 August 2022 Russian soldiers had taken him to a house basement, where “they held my nose shut and poured at least two litres of

water down my throat. ... I started throwing up.” Andrii showed researchers the cloth and duct tape that had been used around his head to cover his eyes. The abuse continued, with soldiers giving him electric shocks on his ankles on and off for another day. Finally, a soldier told him, “You aren’t useful to us, we will kill you”, and they drove him to a forested area, forced him onto his knees, and put a gun to his head. Then a Russian soldier said that if Andrii told anyone about what had happened to him, the soldiers would come back and kill his family. Then they let him go.

(iv) *Electric shocks*

1765. All fourteen men interviewed stated that they had been given electric shocks, in some cases numerous times, mostly to their ankles, but some said they had been given shocks to their ears, toes, hands, fingertips and genitalia. Oleh said that soldiers had applied electric shocks to his ears. He also said that three men held in the garage with him had told him that they had been given electric shocks to their genitalia.

1766. Ihor said that during several of his interrogations, soldiers had put electrical wires around his ankles and given him electric shocks on and off for thirty or more minutes.

1767. “They electrocuted me on my ankles for so long and with so much power that it felt like I was about to have a heart attack”, said another victim, Oleksandr. “They would always stop the shock at the last minute, just when you were on the brink of your heart stopping. They beat me afterwards, but because of the shocks, I didn’t even feel the beatings anymore; I couldn’t feel anything.”

1768. Mykhailo Ivanovych said that on one occasion, while he had been blindfolded, Russian soldiers had pressed what felt like needles into his back and shoulders. The HRW researchers did not see any scarring on his back. They referred to a comment made by the medical director at Physicians for Human Rights that electric shocks could feel like needles under the skin.

(v) *Suicide*

1769. HRW spoke to relatives and friends of two men, Mykola Papirnyi, aged 55, and Alexander Glushchenko, aged 43, who had both been detained – Mr Papirnyi for about two days in late June 2022 and Mr Glushchenko for a day or two in June 2022 and again for three days in July 2022. Both men had taken their own lives by hanging a day or two after their release.

1770. A man who had been detained with Mr Glushchenko in one of the garages at the City Railway Polyclinic said that he and Mr Glushchenko had been tortured while in detention and that on leaving the garage, Mr Glushchenko had had what his fellow detainees thought were several broken ribs.

(vi) *Extrajudicial execution*

1771. Yura, interviewed by HRW, stated that Russian forces had held him at the Iziurm central police station for a week in late August 2022. He said that an ATO veteran had been in the prison cell below him. Yura said that one day the ATO veteran had called up to him asking for a last cigarette, saying that the Russian soldiers were going to kill him. Yura said that a short while later, he had heard a door open and a gunshot ring out, and he had never heard the ATO veteran's voice again.

(vii) *Looting*

1772. Witnesses Ihor and Zhenia told HRW that as they had been helping a friend to evacuate with her belongings on 17 April 2022, Russian soldiers had stopped their car at a checkpoint. They detained Ihor and Zhenia and took possession of the car with their friend's belongings.

1773. Other interviewees told HRW that Russian soldiers had entered their homes and taken all of their electronic equipment, including tablets, iPhones and televisions, and family jewellery, including gold and silver necklaces and rings. Interviewees said that the soldiers had also taken the money they had found in their homes or on them at the time they were detained, and in some cases, their cars.

21. *Submission to the UN Committee on the Rights of the Child Review of Russia during the 94th pre-session of November 2022*

1774. In the submission, HRW highlighted areas of concern regarding the government of Russia's compliance with the Convention on the Rights of the Child. According to HRW, in mid-March 2022 a Ukrainian volunteer had tried to rescue seventeen children, between the ages of two and 17, from a residential healthcare facility in Mariupol. The volunteer told HRW that the Ukrainian regional authorities had asked him to rescue any children whose families had not collected them from the facility. The volunteer said that the "DPR" "minister of social policy" had blocked him and told him that he had no legal right to remove the children. The children were then put on a bus and apparently taken to the "DPR". In June 2022 six of the children, all from one foster family, were allowed to leave Donetsk for Russia and travelled from there onwards to France, where they were reunited with their foster parents. As of November 2022, the whereabouts of the other eleven children remained unknown.

1775. In a media report from July 2022, the "Adviser to the Head of the DPR on Children's Rights", Ms. Eleonora Fedorenko, had reportedly confirmed that all children who had been in institutions in the "DPR" were by that point in Russia.

1776.. The Russian Commissioner for Children's Rights, Maria Lvova-Belova, had stated in May 2022 that children from institutions in the "DPR"

had been placed with foster families in the Moscow Region and that she had been working to expand the programme and to unify guardianship and adoption procedures with the “DPR” and “LPR” authorities. In May 2022, Russia published a law that was revised to facilitate granting nationality to and adoptions of Ukrainian children, which President Putin had called for. “Now that the children have become Russian citizens, temporary guardianship can become permanent”, Ms Lvova-Belova said in July 2022.

1777. The Ukrainian government reported that 9,755 children had been deported to Russia as of 31 October 2022. As of August 2022, at least 160 children from the “DPR” had been placed in Russian foster families in at least six regions of Russia, and at least 133 children had received Russian citizenship. Some children, who were able to return from Russia to their families, had reportedly said that “DPR” and Russian officials had told them that their Ukrainian parents had “abandoned” them.

22. Report “Death at the station. Russian cluster munition attack in Kramatorsk”, 21 February 2023

1778. This report presented an in-depth analysis of the missile attack on Kramatorsk train station on 8 April 2022. HRW undertook a field visit to Kramatorsk from 14 to 24 May 2022 and interviewed the survivors and witnesses of the attack. Together with a visual investigations team at SITU Research, HRW analysed over 200 videos and photographs and conducted a spatial and temporal analysis of the attack.

1779. The evidence described and analysed by HRW demonstrated that in the days prior to the 8 April 2022 attack the Ukrainian authorities had used Kramatorsk train station to evacuate tens of thousands of civilians. The Ukrainian authorities had widely publicised the exact schedule of the evacuation trains on various internet portals and social media. At 8.56 a.m. on 8 April 2022 the Kramatorsk City Council, in the name of the mayor of Kramatorsk, Mr Honcharenko, posted on Telegram the schedule for the nine trains expected on that day. On the basis of video material, interviews and an analysis of the architectural layout of the train station and its surrounding area, SITU Research and HRW concluded that at the time of the attack, there had been over 500 people in and around the station waiting for evacuation trains.

1780. According to the report, at 10.28 a.m. on 8 April 2022, the rocket motor of a 9M79K-1 ballistic missile, or Tochka-U, had landed about fifty metres to the south-west of Kramatorsk train station’s main entrance. HRW interviewed a number of the survivors of the attack, who provided detailed accounts of the atrocities they had witnessed, including limbs being torn away and pieces of metal and glass penetrating the bodies of those at the train station. Mr Vladyslav Kopychko told HRW that he had been waiting at the north side of the station when he heard one explosion followed by a whistling sound, “as if something was approaching [him]”. He told he had then heard

eleven more explosions and felt something penetrating his body. He continued: “Then I raised my head and saw a dead man. I saw his brain, torn leg – this person lying on me with his face towards me. His intestines had fallen out on me. I understood that he was not alive. I then saw that I was bleeding and pierced with metal on my back, my pelvis, and my buttocks.”

1781. HRW also interviewed an ambulance driver who had arrived at the station minutes after the attack to collect the bodies. “But it wasn’t only the bodies I had to collect,” he said. As he rushed around the platform, helping where he could, he also collected body parts of the dead and injured and gathered them off to the side. “I heard a lot of cries,” he recalled. “People were crying all around. Very, very painful cries. I heard the crying of people who had twenty to forty seconds left to live. I heard the last cries before death. I saw limbs, children’s limbs on the ground. I saw a head rolling on the ground.”

1782. The report concluded that at least fifty-eight people had been killed in the attack – all of them civilians – and over a hundred others had been injured.

1783. HRW concluded that the Tochka-U variant used in the attack had been a type of cluster munition, “designed to open in the air and scatter dozens, even hundreds, of submunitions over wide areas”. The report stated that this Tochka-U variant could be launched up to 120 km away from the intended target. The report described the weapon’s mechanism in the following way:

“As the missile approached the train station on 8 April – but was still over 2,000 meters above ground – its warhead (called 9N123K) dispersed fifty 9N24 fragmentation submunitions. ... The main body of each submunition has eighteen pre-formed, partially pre-fragmented metal rings that, upon detonation, produce a total of approximately 316 near-uniform metal fragments averaging a weight of seven grams each that spread at high-velocity in all directions. This means that the fifty submunitions dispersed in a single attack by a ballistic missile equipped with a 9N123K warhead can produce 15,800 of these pre-formed metal fragments – all lethal projectiles, as well as fragments of other metal parts produced by the detonation.”

1784. The report contained a graphically designed simulation of the attack and additionally demonstrated that the simulation had been consistent with the actual photographs of one of the impact points at Kramatorsk train station.

1785. Between 14 and 19 May 2022 HRW identified and mapped out thirty-two distinct impact sites where 9N24 submunitions had hit and detonated, including on the ground surrounding the train station, on the roof of the station’s main building, on the train platforms, on and outside nearby shops, and in the car park to the east of the station’s main entrance. HRW analysed the impact spatter patterns, remnants and patterns of fragmentation, all of which had been consistent with those of a 9N24 submunition. The thirty-two separate submunition impact points that HRW identified had been located across an area of approximately 55,000 square metres.

1786. HRW researchers discovered and photographed thirty metal fragments from 9N24 submunitions at Kramatorsk train station following the attack. One of the survivors interviewed also provided to HRW an X-ray demonstrating a metal fragment in their limb, and another survivor provided an actual fragment extracted from their body following the attack. According to the report, these fragments were consistent in shape and size with those of the 9N24 submunitions, as well as the fragments that HRW had found at the train station.

1787. The missile's rocket motor that hit Kramatorsk train station had had the phrase "Payback for the children" written on it in Russian ("3a ðemeü", "Za detei") with silver paint. HRW stated that this slogan had been used as a rallying cry for Russian and Russia-backed armed groups in Ukraine since 2014 and onwards, including by Russian State bodies. The report indicated that Russian and the so-called "DPR" and "LPR" forces had put this slogan on their artillery projectiles and rockets. It also provided examples of this slogan being used by pro-Russian social media accounts alongside images of Russian forces apparently firing artillery and other munitions in Ukraine.

1788. Although the Russian government had denied responsibility, HRW researchers found no evidence in support of the Russian claims that the attack had been perpetrated by the Ukrainian forces. The report did specify that the Ukrainian forces had had the Tochka-U system in use; however, it concluded that "all evidence point[ed] to Russian forces having fired the Tochka-U missile". Despite the Russian allegations that their military had not been deploying Tochka missiles, HRW identified and listed in the report multiple instances of such use, including several locations where Russian forces had apparently deployed Tochka missile systems in Ukraine since 24 February 2022. The report named the village of Kunie, 22 km north of Izium in the Kharkiv Region, as a possible location of the launching of the Tochka-U missile on 8 April 2022. Having reviewed satellite imagery and visited the former Russian military position near Kunie, HRW found strong evidence indicating that Russian forces had had Tochka launch vehicles, the associated missile transport equipment and Tochka missiles in the area around the village around the time of the attack on Kramatorsk, and that Russian forces had regularly launched attacks from positions around Kunie during that period. The report also stated that Kramatorsk train station was well within a 120-kilometre zone from the village of Kunie. The report, however, did not conclude that the attack had definitely been launched from Kunie.

1789. Having reviewed twenty-six videos and photographs taken just before and during the attack, the report called the attack unlawfully indiscriminate. HRW researchers believed that at the time of the attack, the Kramatorsk train station had not been used for military purposes and that there had been no Ukrainian forces in the area. One volunteer told HRW that at most twenty military people a day would come to drop off their families for evacuation. He and other station workers said that in the days before the

attack, some members of Ukraine’s territorial defence forces had been helping the station authorities and police coordinate the thousands of evacuees each day. HRW also found evidence of “possible minimal military use” of the station and nearby rail network on the day of the attack. Three people said that before 10 a.m. on 8 April 2022 they had observed a train at the station carrying scrap metal, what one said had appeared to be “what was left from military machinery”.

1790. HRW concluded that even if the Kramatorsk train station had been used for these military purposes, “killing dozens of civilians ... to carry out an attack on damaged military materiel would likely be disproportionate ... compared to any anticipated military gain”.

1791. The report pointed out that the attack should also be considered indiscriminate because cluster munitions could not discriminate between combatants and civilians. HRW also emphasised that Russian commanders responsible for the attack and the military unit involved ought to have known that a large number of civilians would likely be gathered at the station, since local officials had made repeated public announcements about the evacuation. The report suggested that the use of aerial surveillance would also have uncovered the crowds of people at the station.

1792. During the field visit, HRW observed a Ukrainian military base about 350 metres south-east of the station and another military base about one kilometre north of the station. “It is unclear whether these military positions were present on 8 April 2022. The Russian government, which has denied carrying out any attacks in Kramatorsk on April 8, did not claim to be attacking these bases and accidentally striking the train station”, the report concluded.

23. Report “Education under occupation. Forced Russification of the school system in occupied Ukrainian territories”, June 2024

1793. The report described its scope and methodology in the following way:

“This report documents violations by the Russian occupying authorities in relation to education, both in formerly occupied areas of the Kharkivska region, and in areas of Khersonska, Zaporizka, Donetsk and Luhanska regions that remain under Russian occupation.

...

Human Rights Watch visited seven communities in Kharkivska region in November 2022, less than two months after Ukrainian forces de-occupied them, and interviewed 42 Ukrainian education officials, teachers, teachers’ union representatives, and other school staff there, as well as Ukraine’s Ombudsperson for Education, and a district military administration’s head. Having no access to the areas still under occupation, we later interviewed by phone or in person four teachers and other education staff from occupied areas—in Mariupol, as well as in Zaporizka, Khersonska and Luhanska regions—who had evacuated to Ukrainian-controlled areas. We also interviewed staff

from four Ukrainian civil society groups and three international humanitarian agencies specialized in education or mental health.

Our research included reviewing Russian history textbooks left behind in Ukrainian schools in 2022, as well as textbooks intended for use in the 2023-24 school year, and the new Russian secondary school history textbook launched in autumn 2023 in Russia and in Russia-occupied areas of Ukraine. We reviewed Ukrainian and Russian laws in the sphere of education, newspapers published by occupying authorities, publications in Russian government or pro-Kremlin media, and reports from UN and other humanitarian agencies and local and international news media. We sent letters to the Ukrainian government as well as the Russian government with our preliminary findings and questions. The Russian authorities did not reply. The Ukrainian authorities provided a written reply on June 12 and at time of writing, we are in dialogue with them regarding our research findings. The scope of this research is limited to primary and secondary schools, including vocational schools, and does not extend to either pre-primary or higher education.”

1794. According to the report, despite initial promises by the Russian Deputy Minister of Education in early August 2022 that the Ukrainian language could be used for teaching the Russian curriculum, on 12 August 2022 Russia’s Ministry of Education had stated that the language of instruction in occupied Ukraine would be Russian, with schools outside the “DPR” and the “LPR” given the option of teaching classes in Ukrainian only as a “native language” or as an “optional” language for a few hours per week. In late August and early September 2022 the “authorities” in occupied areas of the Zaporizhzhya and Kherson Regions decided that schools would teach at most three hours in the Ukrainian language per week. Before the start of the school year in September 2022, Russia’s Ministry of Education had reportedly shipped 5 million Russian textbooks to Ukraine, and Russian regional authorities had sent another 2.5 million textbooks. Teachers from several regular Ukrainian schools had confirmed to HRW that Russian textbooks had arrived during the occupation. Teachers also said that in addition to imposing Russian textbooks, the occupying “authorities” had also confiscated and destroyed Ukrainian school materials.

1795. HRW reported that parents in Mariupol and Melitopol had been threatened with losing custody of their children or fines if it was found that their children had attended online Ukrainian schooling. HRW also reported situations of children interrupting online education in the Ukrainian language after the occupation authorities had taken their parents away once it had been discovered that their children attended Ukrainian schools online. HRW reported statements that children had barely left home in six months to avoid detection by Russian authorities; another boy had left home with a backpack each school day, as if he were going to a Russian school, but had actually gone to a relative’s house to study the Ukrainian curriculum online.

1796. In Mariupol, even when Ukrainian educators were willing to risk persecution for teaching the Ukrainian curriculum and even when children had devices and connectivity, access to Ukrainian schools was disrupted by the blockage of Ukrainian online learning platforms by the Russian

authorities. HRW referred to the assessment made by Ukraine's education ombudsperson that Ukrainian and Russian curricula on mathematics and sciences were very close, while the areas of concern were the Ukrainian language, literature, history, and social sciences.

1797. According to HRW, by the start of the 2022 invasion of Ukraine, the Russian school-oversight agency (Rosobrnadzor) had accredited forty schools, colleges and universities in the "DPR" and the "LPR", which used the Russian curriculum and Russian as the language of instruction. From February to July 2022, the agency had accredited an additional seven schools and a college in newly occupied areas of Ukraine. According to Russia's education minister, Mr Kravtsov, a total of 1,300 schools had been opened under the Russian system in Ukraine in 2022. The occupying authorities' imposition of the Russian education system included prohibiting the Ukrainian curriculum and requiring Ukrainian teachers to be re-certified to teach the Russian curriculum through training in Russia or in occupied Crimea.

B. Amnesty International

1. Report "Summary killings during the conflict in eastern Ukraine", 20 October 2014

1798. The evidence of extrajudicial killings presented in this briefing was based on the findings of two Amnesty International research missions to eastern Ukraine in late August and late September 2014. The Amnesty International delegations gathered testimonies of local residents in the Luhansk and Donetsk Regions, including victims, members of their families, eyewitnesses, local officials, medical personnel, an Aidar battalion commander, pro-Russian combatants, and journalists.

1799. The section entitled "Killings of detainees by insurgent groups in Eastern Ukraine" contained the following passage:

"There are also reports of execution-style killings by insurgent groups in eastern Ukraine that have been widely reported in the media and not contested by the alleged perpetrators. In late May, for example, the Russian media reported that the [DPR]'s self-proclaimed Minister of Defence, Igor Strelkov (Ghirkin), had ordered the execution of two local commanders by a firing squad - for looting, armed robbery, kidnapping and desertion - and that the two had been put to death. Strelkov was quoted in the media as confirming the account, and copies of his written order for the killings, dated 26 May 2014, were circulated.

...

Amnesty International is concerned that summary executions may be carried out under the pretext of legal authority. In August, the media reported that the [DPR] de facto authorities had introduced a document that they referred to as a criminal code and that included provisions for imposing the death penalty for the 'gravest crimes.' The 'criminal code' was passed on 17 August in the first session of the [DPR]'s so-called Presidium of the Council of Ministers. The same session also saw approval given to the

establishment of military ‘courts’ in the territories under the [DPR]’s de facto control. Amnesty International is not aware of this ‘legal provision’ having been used to date.”

1800. The report also documented killings of detainees held by “LPR fighters” in Sieverodonetsk, in the Luhansk Region. A local police officer reported that as the “LPR” forces had withdrawn from Sieverodonetsk on 22 July 2014, he had waited until the Ukrainian forces arrived, and together they had inspected the building of the police temporary detention facility. He testified:

“[U]pstairs we found four men in a cell—they had been detained for not having IDs, and said ‘they forgot about us.’ After that, in two other cells, at either end of the corridor, we found a corpse in each. One was naked, camouflage trousers draped over him, freshly shot through the neck. The other had been shot in the head.”

Police officers showed Amnesty International the building and the cells in which they said the bodies had been found. The report also contained a description of photographs of the scene taken by the police on 22 July 2014.

1801. In a separate interview, a Sieverodonetsk businessman who had been detained in his office by “LPR” fighters on 21 July [2014] for suspected links with the Batkivshchyna party told Amnesty International that when the “LPR” forces had been evacuating the next morning, he had heard them shooting at least two detainees dead. He had thought that he would be killed next, but instead he was handcuffed and evacuated with some other prisoners to the town of Stakhanov. There, Pavel Dryomov, a local commander, interviewed him twice. The report continued:

“On the second occasion, on the twelfth day of captivity, the same commander drove him further south-east through Alchevsk to Perevalsk and handed him over to Nikolay Kozitsyn, another local separatist leader. After a further 12 days of detention in Perevalsk, efforts made by the businessman’s family to secure the intercession of the Orthodox Church bore fruit. Nikolay Kozitsyn sent for the businessman and, after the three met in his office, allowed a priest to take him home.”

2. Report “New evidence of summary killings of Ukrainian soldiers must spark urgent investigations”, 9 April 2015

1802. This report provided evidence of “execution-style killings” by pro-Russian armed groups in eastern Ukraine, emphasising the urgent need for action.

1803. Footage reviewed by Amnesty International showed a Ukrainian soldier, Ihor Branovytsky, one of the defenders of Donetsk Airport, being taken captive and interrogated. The video, posted on YouTube, showed signs that he had been hit in the face. He had remained in captivity until he was killed. A number of witnesses came forward claiming to have seen him being shot and killed point-blank by a separatist commander.

1804. Additionally, Amnesty International had obtained videos and images documenting the captivity and apparent execution-style killings of at least three other members of the Ukrainian armed forces. These soldiers were

reportedly held in a morgue in Donetsk, with signs of bullet wounds to their heads and upper bodies. The soldiers were reported to have been captured by pro-Russian forces in Debaltseve between 12 and 18 February 2015, when the defending Ukrainian forces were encircled there.

1805. This evidence was further supported by a report from the Ukrainian newspaper *Kyiv Post* on 6 April 2015 featuring a phone interview allegedly conducted with Arseniy Pavlov, also known as “Motorola”, a leader of the pro-Russian armed group “Sparta Battalion”. Mr Pavlov purportedly confessed to having killed fifteen captured Ukrainian soldiers, including Ihor Branovytsky.

3. *Report “Ukraine: Breaking bodies: Torture and summary killings in eastern Ukraine”, 22 May 2015*

1806. This report documented cases of alleged summary killings, mock executions, torture, and other forms of ill-treatment of pro-Kyiv captives by “separatists” in eastern Ukraine.

(a) Summary killings

1807. In one case, Arseniy “Motorola” Pavlov, a separatist commander, was believed to have deliberately killed a prisoner in the presence of witnesses. Ihor Branovytsky, a Ukrainian soldier, was killed on 21 January 2015 while in the custody of the Sparta battalion under Mr Pavlov’s command. Witnesses alleged that Mr Pavlov had shot Mr Branovytsky twice in the head after severe beatings, with video evidence supporting their accounts.

1808. Another case involved Andriy Havrilyuk, whose legs had been crushed during fighting at Donetsk Airport. He was allegedly shot in the head by separatist fighters while lying injured in the ruins of the airport.

1809. Amnesty International had also received testimonies suggesting the summary execution of at least three Ukrainian soldiers in the village of Krasniy Partizan. Witnesses described soldiers being lined up against a wall, with some shot dead and others injured, while a separatist fighter with a white ribbon on his arm threatened to kill them if they moved. The report refers to a video posted on YouTube showing the same captives (11 in total), lined up against a wall being questioned by a separatist fighter. One of the soldiers appeared to have been hit in the head with a blunt instrument. Two were lying injured against the wall and two others were dead. One of the injured soldiers was Oleh Belyash, 42, who was brought to the wall after being taken captive during the battle and was surrounded by dozens of separatist soldiers.

1810. In the fourth case, three Ukrainian soldiers captured by separatist militia near Debaltseve were later found dead with gunshot wounds, raising concerns of summary executions.

(b) Ill-treatment

1811. The article detailed numerous cases of torture and ill-treatment inflicted by separatist forces on captives in eastern Ukraine.

1812. Dmitry Kulish, a Ukrainian serviceman held by “DRP forces” in Donetsk, was singled out for daily beatings because a separatist fighter had accused him of breaking his leg. Once he was beaten so badly that he could not stand up; he later learned that his spine had been fractured in two places. Three former prisoners held with Mr Kulish told Amnesty International in April 2015 that he had been denied proper medical treatment for his injuries and was only offered iodine, a common antiseptic. In January 2015 he was transferred from the former SBU building in Donetsk to a pre-trial detention facility because the *de facto* authorities had charged him with breaking the fighter’s leg. To Amnesty International’s knowledge, he remained in detention as of the date of this report.

1813. Oksana Svyryd, a civilian, was stopped at a checkpoint near Donetsk on 26 January 2015, together with three friends of her detained husband, Anatoliy Svyryd. The people at the checkpoint found pictures from the 2013-14 EuroMaydan anti-government protests on her phone, and decided to detain the group, taking them to the city of Horlivka for questioning. There she was interrogated about her husband, with her unidentified captors hitting her in the face and body. She was then held in solitary detention for eleven days with no information about the outside world. After that, she was moved to an apartment with her companions, who had also been beaten. Ten days later she was released and decided to stay in Donetsk until her husband was released a few days later. Her original companions were set free soon afterwards.

4. Publication “Russia commits indiscriminate attacks during the invasion of Ukraine”, 25 February 2022

1814. Amnesty International reported indiscriminate attacks committed by the Russian military during the invasion of Ukraine. Amnesty International’s Crisis Evidence Lab analysed digital evidence, including photographs, videos and satellite imagery, of three such attacks in Vuhledar, Kharkiv and Uman, carried out in the early hours of the Russian invasion on 24 February 2022.

1815. According to Amnesty International, at approximately 10.30 a.m. on 24 February 2022 a ballistic missile had struck near a hospital building in Vuhledar, in the Donetsk Region, killing four civilians and wounding ten others. Amnesty International’s weapons investigator determined that a 9M79 Tochka ballistic missile had been used in the attack.

1816. Another attack was carried out at approximately 8 a.m. on 24 February 2022 near the Chuhuiv air base, in the Kharkiv Region. Russian

weapons struck a residential block, causing extensive fire damage, killing at least one male civilian and injuring at least two female civilians.

1817. A male civilian was killed by a strike that also damaged a nearby restaurant at 7 a.m. on 24 February 2022 in Uman, in the Cherkasy Region.

5. Publication “Cluster munitions kill child and two other civilians taking shelter at a preschool”, 27 February 2022

1818. Amnesty International confirmed that on the morning of 25 February 2022 a 220 mm Uragan rocket had dropped cluster munitions on the Sonechko nursery and kindergarten in the town of Okhtyrka in the Sumy Region. The attack killed three civilians, including one child, who had been sheltering from the fighting. Amnesty International acquired drone video footage and additional sixty-five photographs from a local source showing more details of the scene, the victims and their family members, and the damage to the school.

1819. The open-source investigative journalism group Bellingcat reported that the remains of the nose cone and cargo compartment of the 9M27K rocket had been discovered 200 metres to the east. Open-source reports indicated that there had been Russian forces to the west of Okhtyrka, the source of the rocket launch based upon the flight trajectory, at the time of the attack.

6. Publication “Ukraine: Russian ‘dumb bomb’ air strike killed civilians in Chernihiv – new investigation and testimony”, 9 March 2022

1820. Amnesty International stated that a Russian “dumb bomb” air strike had killed forty-seven civilians in Chernihiv. At approximately 12.15 p.m. on 3 March 2022 the small public square formed by Chernihiv’s Vyacheslava Chornovola St. and Kruhova St. had been hit by multiple bombs. Amnesty International’s Crisis Evidence Lab verified footage of the aftermath of the strike that showed damage to buildings and bodies in the street. Other verified videos of the aftermath showed widespread destruction and at least one distinctive bomb crater of a size consistent with surface impacted munitions of approximately 500 kg. Other verified content from another air strike location in Ukraine showed an unguided dud FAB-500 M62 bomb being removed by civil defence forces. In addition, an official video released by the Russian military on 6 March 2022 showed the sortie launch of Su-34 Fullback aircraft loaded with eight FAB-500 bombs, an indicator of the typical combat load in Russian operations.

7. *Publication “Ukraine: Humanitarian corridors for civilians fleeing Russian attacks must provide safety — new testimonies”, 10 March 2022*

1821. This publication stated that on 6 March 2022 Russian armed forces had attacked an evacuation convoy of twelve cars of civilians marked with signs “kids” as they had been leaving Irpin. Several civilians were killed in that attack. One of the survivors told Amnesty International that the attack had come from Russian soldiers. She said, “In two, three minutes [after they had passed a destroyed tank] the shooting began. We know for sure that a 30-year-old woman died, [and a relative’s] mother died[.]... A shard or a bullet went two millimetres from my brother-in-law’s eye, [and] his arm is broken. Our driver has an issue with his ribs. I’m OK, a small wound close to my head, just blood...”

1822. This publication also stated that journalists filming on the spot had reported “firing and shelling in the area, raising concerns that these attacks [had been] indiscriminate or disproportionate, violating the rules of international humanitarian law”.

8. *Publication “Ukraine: Beleaguered town of Izium at breaking point after constant attack from Russian forces – new testimony”, 16 March 2022*

1823. This publication indicated that the first reports of Russian military attacks on Izium had appeared on 28 February 2022, and that Izium had been exposed to constant rocket fire since 3 March 2022. Amnesty International’s Crisis Evidence Lab had reviewed and verified several photos and videos shared by residents of Izium that showed extensive damage to residential areas. Amnesty International experts had reviewed satellite imagery from 12 March 2022, which clearly showed craters and damage close to the locations reported by open street maps as children’s schools and hospitals.

1824. One interviewee told Amnesty International that several Ukrainian fighters had been based in one of the flats in his residential building, which had come under attack. Other interviewed Izium residents told Amnesty International that there had been no military bases or other military objectives in the vicinity of their bombed-out neighbourhoods.

1825. Interviewees also told Amnesty International that Russian forces had carried out attacks that killed and injured civilians and destroyed or damaged civilian infrastructure, including residential houses, schools, kindergartens, medical facilities and food stores. The report concluded that some of the attacks appeared to have been indiscriminate, and therefore unlawful.

9. *Publication “Ukraine: Apparent war crimes by Russian forces in Bucha must be investigated”, 4 April 2022*

1826. Amnesty International stated that the apparent war crimes by Russian forces in Bucha had to be investigated. Agnès Callamard, Secretary General of Amnesty International, said that the reports from Bucha were showing a wider pattern of war crimes, including extrajudicial executions and torture in other occupied areas of Ukraine. She added that Amnesty International had gathered evidence of civilians killed by indiscriminate attacks in the Kharkiv and Sumy Regions.

10. *Publication “Ukraine: Russian forces extrajudicially executing civilians in apparent war crimes – new testimony”, 7 April 2022*

1827. Amnesty International reported that Russian military forces had extrajudicially executed civilians in Ukraine. Amnesty International’s Crisis Response investigators interviewed more than twenty people from villages and towns close to Kyiv, several of whom had witnessed or had had direct knowledge of horrifying violence committed by Russian forces.

1828. 18-year-old Kateryna Tkachova gave Amnesty International the following testimony. On 3 March 2022 she was at home in Vorzel, Kyiv Region, with her parents when several tanks displaying the letter “Z” drove down their street. Russian forces used the letter “Z” to mark their vehicles during the invasion of Ukraine. Kateryna’s parents left the cellar where they had been hiding and went outside. They were dressed in civilian clothing and unarmed. Then Kateryna heard gunshots. Once the tanks had passed by, she went outside and saw her mother lying on her back on one side of the road, and her father faced down on the other side. Her father had six large holes in his back, and her mother had a smaller hole in her chest.

1829. A 46-year-old woman from the village of Bohdanivka witnessed Russian forces entering her village on 7 or 8 March 2022 and parking their tanks on the streets. She stated that at 9.30 p.m. on 9 March 2022 two Russian soldiers had entered her house and shot her husband in his right arm and head. Her husband had died at 4 a.m. the next morning.

1830. A woman in a village east of Kyiv told Amnesty International that on 9 March 2022 two Russian soldiers had entered her house, killed her husband, then repeatedly raped her at gunpoint, while her young son hid in a boiler room nearby.

1831. Volodymyr Zakhliupanyi, a resident of Hostomel, fled the city in the first days of invasion with his wife. Their son, Serhii, stayed in the city. Initially Volodymyr spoke with his son by telephone every day, and Serhii described heavy fighting in the city. On 4 March 2022 Volodymyr could no longer reach his son. Friends who remained in the city had been trying to find Serhii. Neighbours said that Serhii had been taken away from the basement

by Russian forces on 13 March 2022. Neighbours found the body of Serhii behind the garages of the same building. He had been shot in the head.

11. Report “He’s not coming back”: War crimes in northwest areas of Kyiv oblast”, 6 May 2022

1832. This report focused on war crimes in north-west areas of the Kyiv Region. According to the information provided, Amnesty International had documented twenty-two cases of unlawful killings by Russian forces in Bucha and nearby areas north-west of Kyiv. Amnesty International researchers had spent twelve days in April 2022 investigating killings in Bucha, Borodyanka, Novyi Korohod, Andriivka, Zdvyzhivka, Vorzel, Makariv, and Dmytrivka. They collected testimonies from forty-five people who had witnessed or had had first-hand knowledge of killings of their relatives and neighbours by Russian soldiers, as well as thirty-nine others who had witnessed or had had first-hand knowledge of air strikes hitting large apartment buildings.

1833. Amnesty International reported that a series of devastating air strikes launched by Russian forces on 1 and 2 March 2022 had hit eight residential apartment buildings in Borodyanka, in the Kyiv Region. The buildings had been home to more than 600 families, and at least forty residents were killed, most of them in the buildings’ basements.

1834. Vasyl Yaroshenko testified that he had left his apartment and gone to the garage, about 150 metres from the building, when there was a huge explosion. He saw a large gap in the building. The whole middle section of the building, where residents had been sheltering in the basement, collapsed. His wife, Halyna, was killed.

1835. Witnesses also confirmed the destruction of other residential apartment buildings on Tsentralna St. in Borodyanka as a result of air strikes, namely buildings no. 353, 359, 371, 427, 427A, 429 and 429A on Tsentralna St.

1836. Amnesty International reported that in addition to air strikes, the upper floors of many buildings along the same road had been struck by Russian forces, most likely using ground-launched munitions as rockets or artillery.

1837. Amnesty International noted that five men had been extrajudicially executed in five separate incidents between 4 and 19 March 2022 in a compound of five buildings set around a courtyard north-west of the intersection between Yablunska and Vodoprovodka St. in Bucha. Yevhen Petrashenko, a 43-year-old sales manager and a father of two, had been shot dead in his apartment on the ground floor of the building at 203A Yablunska St. on 4 March 2022. Amnesty International researchers had found two bullets and three cartridge cases at the scene of the incident. The Amnesty International weapons investigator identified the bullets as armour-piercing

9×39mm rounds that could only be fired by riddles used by a few specialised Russian units.

1838. Mr Petrashenko’s wife testified that she had been in the basement while Yevhen had been upstairs. His last text message at 8 p.m. said that Russian soldiers had been going from door to door trying to break into apartments. When Russian soldiers allowed Mr Petrashenko’s wife to visit the apartment, she saw Yevhen lying dead in the kitchen. Two other neighbours who had been present at the time also confirmed this sequence of events.

1839. On 12 March 2022 Ilya Navalny, age 61, was shot and killed just outside his apartment building. His neighbour saw “some of the soldiers running around the courtyard, shouting and firing their weapons”, and a few hours later they found Mr Navalny’s body lying down in the yard. He had been shot twice in the back and in the head. The wool cap he was wearing was said to have been soaked in blood, and they found torn pages of his identification document scattered near his body. They wondered whether his surname, Navalny, could have been the reason he was killed. Two other neighbours provided similar accounts of the events.

1840. On 19 March 2022 Leonid Goy, who had found the body of Yevhen Petrashenko, was shot in the courtyard. His neighbour witnessed the killing and said that Mr Goy had gone to his apartment to call his friend in Poland. He was met by young Russian soldiers just outside the courtyard. They noticed a grave near the building and asked who had been buried there. Mr Goy answered that his friend Yevhen had been buried there. At that point the soldiers shot him. Neighbours buried him next to Yevhen.

12. Report “‘Anyone can die at any time’: Indiscriminate attacks by Russian forces in Kharkiv, Ukraine”, 13 June 2022

1841. This report focused on “the relentless campaign of indiscriminate bombardments” against Kharkiv by Russian forces. According to the information provided, Amnesty International researchers had spent fourteen days in April and May 2022 investigating forty-one strikes in Kharkiv, which had killed at least sixty-two civilians and injured 196 more. They visited strike locations and interviewed 160 people, including victims, survivors, relatives of victims, witnesses and doctors. Amnesty International documented twenty-eight indiscriminate strikes on Kharkiv launched by Russian forces between 28 February and 30 April 2022.

1842. On the afternoon of 15 April 2022 Russian forces rained down cluster munitions in and around Myru St. At least nine civilians were killed and more than twenty-five sustained injuries. Doctors showed Amnesty International metal fragments they had removed from patients’ bodies. The fragments matched the types of pre-formed pellets found in 9N210/9N235 cluster munitions – weapons that had been repeatedly used by Russian forces.

1843. On that date Tetiana Ahayeva, a 53-year-old nurse, heard a sudden sound of firecrackers and saw puffs of black smoke in the courtyard where the explosions had just occurred. Her neighbour's son, a 16-year-old boy, was killed on the spot.

1844. On the morning of 24 March 2022 at least six people were killed and some fifteen more injured when cluster munitions had struck a car park outside the post office near the Akademika Pavlova metro station in Kharkiv, raining down shrapnel where hundreds of people had been queuing for humanitarian aid. Valeriia Kolyshkina, a sales assistant in a pet shop 150 metres east of the post office, described the scene to Amnesty International, stating that a man had been killed just outside the shop. He had been standing outside smoking, while his wife had been buying pet food. Metal shrapnel had come through the front window, flying over Ms Kolyshkina's head as she was standing behind the counter. Ruslan, a policeman, stated that there had been a lot of people in the car park waiting in line for the delivery of humanitarian assistance. In front of the post office Amnesty International researchers found parts of a 220 mm Uragan rocket.

1845. According to the report, on 3 April 2022 a rocket dispersed PTM-1SS scatterable mines in Bezruky, a village north-west of Kharkiv.

1846. On the early evening of 3 April 2022 seven civilians were and more than thirty sustained injuries when a series of cluster munitions had exploded over several streets on the north and south sides of Heroiv Stalinhrada Avenue, south of the city centre of Kharkiv. Tetiana, a resident of the building, had been in the kitchen when the explosion occurred. She saw a woman and a man lying in a pool of blood by the benches in front of the building. In Fonvizina Street the researchers counted six separate craters where cluster munitions had exploded over a 100-metre stretch of road.

13. Publication "Ukraine: Russia's military activity risk safety in the region", 6 September 2022

1847. Denis Krivosheev, Deputy Director for Research at Amnesty International's Eastern Europe and Central Asia office, issued a statement concerning Russia's military activities at the Zaporizhzhya Nuclear Power Plant. He quoted a local resident who had told Amnesty International that Ukrainians, including ZNPP staff whom Russian forces suspected of documenting their activities near the plant, had reportedly been subjected to brutal reprisals. Some had been abducted and tortured in a basement.

1848. In August 2022 a local resident and a member of the ZNPP staff also informed Amnesty International that Russian military personnel at the plant had been restricting the movement of staff and subjecting them to intrusive personal searches.

14. Publication “Russia: ‘Filtration’ of Ukrainian civilians a ‘shocking violation’ of people forced to flee war”, 8 September 2022

1849. Amnesty International verified that Russian soldiers had subjected Ukrainian civilians to a process known as “filtration”, a deeply abusive and humiliating practice. Amnesty International documented several cases of members of the Russian forces abusing detained Ukrainian civilians going through the “filtration” procedures while exiting the war zone or crossing the border into or out of Russia.

1850. On 8 September 2022 Marie Struthers, Amnesty International’s Director for Eastern Europe and Central Asia, stated that their research had shown that many displaced Ukrainians had ended up inside Russia or Russia-occupied territories involuntarily, even if they had not been physically forced to move. She also expressed concerns for vulnerable groups, including unaccompanied, separated or orphaned children, older people, and people with disabilities, some of whom had been prevented from fleeing towards Ukrainian-controlled territory by Russian soldiers.

15. Publication “Ukraine: As Ukraine retakes territory from Russia, securing evidence of alleged war crimes is crucial”, 12 September 2022

1851. On 12 September 2022 Amnesty International’s Director for Eastern Europe and Central Asia stated that as Ukraine had been regaining control of land occupied by Russian forces, it had to prioritise securing evidence of their alleged war crimes. According to the statement, on 10 September 2022 Ukrainian law-enforcement agencies had reported that the police had exhumed the bodies of two men allegedly tortured and killed by Russian forces in the village of Hrakove, in the Kharkiv Region, in March 2022.

1852. According to the statement, in what appeared to be a response to Ukraine’s military gains, Russia had launched attacks that caused significant damage to critical civilian infrastructure, including a power plant strike that had led to power and water outages and disrupted civilian activities.

16. Report “‘Like a prison convoy’. Russia’s unlawful transfer and abuse of civilians in Ukraine during ‘filtration’”, 10 November 2022

1853. This report focused on the transfer of civilians from Ukraine to Russia-occupied areas or Russia. Amnesty International interviewed eighty-eight civilians from Ukraine, forty-four of them from Mariupol, for the report. Amnesty International concluded that many of those civilians had had no choice but to be transferred or to otherwise flee in the direction of Russia. From Russia some were able to travel on to the European Union or other countries; however, unaccompanied children, older people and people

with disabilities faced more difficulties leaving Russia or Russia-occupied territories.

1854. Amnesty International documented several cases in which children without guardians or parents fleeing Mariupol towards Ukrainian-held territory had been stopped at Russian military checkpoints and transferred into the custody of local authorities in Donetsk in Russia-controlled territory. On 20 March 2022 two boys, 15 and 16 years old, orphans who had been separated from their guardian and were fleeing to Zaporizhzhya, were stopped in the Russian-occupied village of Manhush and were not allowed to leave. Subsequently, the “DPR” authorities took the boys to Donetsk Children’s Hospital no. 5. In another case, on 18 March 2022 armed men at a Russian-controlled checkpoint in Manhush stopped a Ukrainian volunteer evacuating seventeen children and took the children to Donetsk. Another documented case concerned an 11-year-old boy separated from his mother during the filtration process. The boy told Amnesty International, “They took my mom to another tent. She was being questioned ... They told me I was going to be taken away from my mom ... I was shocked ... They didn’t say anything about where my mom was going. A lady from Novoazovsk [child protection] service said maybe my mom would be let go ... I didn’t get to see my mom ... I have not heard from her since.”

1855. Amnesty International noted that Russia had simplified the process of acquiring citizenship for orphans and children left without parental care from Ukraine, thus further complicating their return to Ukraine. The decree allowed the heads of orphanages and other State institutions located in occupied areas to apply for Russian citizenship on behalf of children in their care who were under 14 years of age. Amnesty International stated that in June 2022 the Russian-appointed head of the Kherson Region had announced the forthcoming acquisition of Russian citizenship by orphans in Kherson. On 5 July 2022, according to Maria Lvova-Belova, the first children from the occupied areas of Donetsk region had become Russian citizens under this decree.

1856. According to the report, civilians had not been able to leave districts of Mariupol before those districts came under Russian occupation. Subsequently they were transferred to the so-called “DPR” and then, in almost all cases, to Russia.

1857. Milena, a 33-year-old resident of Mariupol, told Amnesty International that Russian soldiers had prevented her from fleeing towards the Ukrainian-held territory with her husband and two children. As explained by Milena, a Russian soldier told her, “If you don’t go to the [DPR] or the Russian Federation, you will stay here forever”. Viktoria, a 51-year-old resident of the left bank of Mariupol, had been sheltering in the City Hospital no. 4 when it was taken over by “DPR” soldiers on 3 April 2022. She stated that the soldiers had ordered everyone to move to a church in Vynohradne, a suburb of Mariupol. Viktoria stated, “As we walked, ... there were shells

going over our heads and we saw many dead bodies in the street. At one point my daughter said: ‘Mom, I stepped on somebody’s brain.’ I told her not to look.” Viktoriya was subsequently transferred to a filtration camp in Bezimenne and then put on a bus to Taganrog in Russia.

1858. Amnesty International spoke with twenty-one people from Ukraine who had fled areas other than Mariupol after those areas had come under Russian control in 2022, including the Kharkiv, Luhansk, Donetsk, Kherson and Zaporizhzhya Regions. Some interviewees said they had left because Russian forces had arbitrarily detained, abducted or tortured people they knew, prompting fears for their own safety.

1859. Amnesty International documented six cases of people who had been arbitrarily detained following a series of invasive filtration screening processes. They had been subjected to torture or inhuman treatment by Russian or Russian-controlled authorities. Most people interviewed for the report had been able to leave Russia via the European Union or other countries, typically with logistical and financial support from volunteers. Usually, civilians fleeing fighting would go through filtration three times – in the “DPR”, at the Ukraine-Russia border, and at the Russian border with the European Union or other countries.

1860. People who had fled Mariupol on evacuation buses in the most acute phases of the fighting said that they had often had to wait at least a week for filtration. At filtration points, self-proclaimed “DPR” officials checked passports and other documents, took photographs and collected fingerprints and searched phones and other belongings of the fleeing people. A 31-year-old man from Mariupol who had gone through filtration in late March 2022 in Starobesheve said that there had not been enough places to sit or sleep in the building where he had been held, and that multiple people there had had dysentery from the unsanitary water supply. In another documented case, a 60-year-old woman fleeing Mariupol with her 82-year-old mother said that they had waited for almost sixteen hours at a checkpoint until they had been allowed onto an evacuation bus. She described that there had been nothing to sit on and that the temperature had been -6°C.

1861. Amnesty International interviewed four survivors of arbitrary detention and other ill-treatment, as well as relatives of three others presumed to still be in detention. Maksym, a 28-year-old former Ukrainian police officer, had been taken to an interrogation room with five officers. Maksym said that a man in black uniform had beaten him with a baton on his legs, shoulder, and his back. According to Maksym, one of the men said, “OK, let’s finish him, let’s bring him to a field and then kill him”.

1862. According to the report, people fleeing areas other than the Donetsk Region usually did not have to undergo filtration until they reached the border with Russia. Amnesty International documented two cases of people who had been detained at, or soon after having attempted to cross, the Ukraine-Russia border. Oleksandra, her husband and her two daughters tried to leave for

Russia after the village in the Kharkiv Region where they had been sheltering had come under Russian occupation. However, Russian servicemen did not allow her husband to pass, accusing him of being a Nazi and having the “wrong haircut”. They forced him onto the ground, beat him, and stomped on his hands. He was not allowed to travel to Russia, so the entire family had to come back to the village. On 20 March 2022 Russian soldiers in a black car with no licence plates and a “Z” sign came to that family’s home and abducted Oleksandra’s husband. Oleksandra sent multiple letters to the Russian authorities asking about her husband’s whereabouts but never received a response.

1863. The report concluded that after Russia’s occupation of Mariupol, Russian and Russian-controlled forces had blocked civilians fleeing towards Ukrainian government-held areas in many cases. In some cases, Russian forces explicitly refused to let people flee or physically escorted them to buses that then took people to the “DPR” and Russia. Russian forces offered transport only to the “DPR” or Russia, and Russian soldiers discouraged civilians from fleeing in the direction of Ukrainian-held territory.

C. Centre for Civil Liberties et al.

Report of the Centre for Civil Liberties and International Partnership for Human Rights in the framework of the Civic Solidarity Platform “When God becomes the weapon: Persecution based on religious beliefs in the armed conflict in eastern Ukraine”, April 2015

1864. This report outlined violations of religious freedoms by unlawful armed groups in the occupied territory in the east of Ukraine between April 2014 and March 2015. The report documented, *inter alia*, the case of oppression of parishioners of the Petrovskiy Church of Christ in Donetsk. It stated that in October 2014 gunmen of the “DPR” had seized control of the Church of Christ premises in the Petrovskiy district of occupied Donetsk. According to Leonid Kryzhanovsky, an elder of this church, about a dozen fighters from the pro-Russian “Oplot” battalion had occupied the congregation hall. The battalion’s commanding officer accused the church leaders and congregation of collaborating with Americans and added, “We only support the Orthodox Church and your Protestant churches shouldn’t be here”. Upon vacating the premises two weeks later, the battalion defaced the exterior wall with a black skull and crossbones emblem, and the name of their battalion, “Oplot”, in large lettering. Subsequently, another group of pro-Russian fighters occupied the church premises in November 2014, and as of March 2015, the building continued to serve as a military camp. Since the occupation of the church building, approximately 100 congregation members had gathered clandestinely in various locations across Donetsk for prayer meetings.

D. Coalition of public organisations and initiatives “Justice for Peace in Donbas”

Report “Surviving hell - testimonies of victims on places of illegal detention in Donbas”, 25 September 2015

1865. The report was published by the Coalition of public organisations and initiatives “Justice for Peace in Donbas” in close cooperation with the Ukrainian Parliamentary Commissioner for Human Rights, with the support of the Helsinki Foundation for Human Rights (Warsaw). Pertinent parts of the report have previously been summarised in the Annex to the decision on admissibility on this case. Pertinent parts of the report have previously been summarised in the Annex A (A 2234- 2239). The information below further complements (or may duplicate) the information included in Annex A.

1866. The report found that there had been a practice of forced labour in unofficial places of detention in the “LPR” and the “DPR”. Only some interviewees had stated that they had not been forced to perform coercive labour.

1867. Captives performed various types of work, including digging trenches, rebuilding houses, cleaning streets, moving cargo and unloading weapons from the so-called “Russian humanitarian convoys”. The report authors also recorded a case where people lacking the relevant skills had been coerced into carrying out demining operations. Prisoners were forced to conduct exhumations and bury the dead. According to the report, the frequency and number of hours of forced labour depended on the place of detention, and the attitude towards prisoners depended largely on the security guards. The report quoted statements from detainees who had subsequently been released, and included the following:

“Usually, it was hard physical work, including construction (repairs of houses of local population and [a] shop), collecting metal scrap for one of the security guards and taking it to a reception point. On Sundays, captives were usually forced to unload the ‘humanitarian load’ from white trucks – shells for ‘Grad’ systems. On one day, we could unload 10-15 tons of ‘humanitarian aid’ – shells [.]

...

They regularly took us for community work to Ilovaysk (cleaning trash, digging graves at Ilovaysk cemetery for deceased separatists, construction work). In addition, there were domestic tasks upon requests of people in Ilovaysk (they promised to feed us for work). Locals could submit a request to Ilovaysk commandant indicating the type of work and necessary number of people. They would send us there with a convoy[.]

...

There was always supervision over the working captives, but strictness of control depended on the guard’s personality. At first, they were watching everything very carefully, and then when they realized there were no escape attempts they loosened control, i.e. the guard did not always have his finger on the trigger pointing at the workers, but could move few meters away and rest while watching prisoners. The

captives were not trying to escape since they had been informed that 10 prisoners would be executed for one fugitive. This had happened in the neighbouring Torez, so they could not take such responsibility for the lives of their friends[.]

...

Several times, there was work at the border with Russia in Maryinka. It looked like a show since many prisoners were doing pointless tasks like carrying bricks for 10-20 meters but in a way that military and civilians entering Ukraine from Russia could see the humiliation of captives for their battle spirit to rise[.]”

E. Freedom House et al.

Report “Human rights in Eastern Ukraine during the coronavirus pandemic”, May 2021

1868. This report was based on the VostokSOS Charitable Foundation’s monitoring mission between 11 and 17 May 2021. The monitoring group had visited the checkpoints located along the line of contact and the demilitarised areas in the Donetsk and Luhansk Regions.

1869. The report read as follows:

“[T]he military conflict in eastern Ukraine has escalated since the beginning of 2021 and peaked in April. Both the pandemic and the escalated conflict have worsened the human rights situation for the civilian population in the settlements near the Line of Contact. Prior to the pandemic, locals could cross the LoC through official entry-exit checkpoints (EECPs) and through informal so-called ‘zero’ checkpoints, found outside the main checkpoints. The ‘zero’ checkpoints existed in settlements like Lobacheve, Lopaskine, Novooleksandrivka and Verkhniotoretske, but since the beginning of the pandemic, such checkpoints have ceased operations. Concurrently, the capacity of official EECPs has been significantly limited.

[T]he *de facto* Russian-backed separatist authorities have arbitrarily denied people from entering the occupied territories. These *de facto* authorities have prevented most EECPs from operating, ostensibly to fight the pandemic. Only the Stanytsia Luhanska checkpoint in the Luhansk region and the Novotroitske checkpoint in the Donetsk region are fully operational –the latter allows civilians to cross only twice a week.

Some checkpoints lack the sanitary conditions required to limit the spread of COVID-19, such as modern working restrooms or a stable water supply. In addition, some checkpoints lack sufficient heated areas or cabins, space to comply with the social distancing rules, and the Internet access required to install the *Vdoma* mobile application.”

1870. The report further discussed the difficulties related to the COVID-19 pandemic and the documentary requirements for crossing the *de facto* border. It also provided a detailed description of the situation at each of the monitored checkpoints.

F. Forum 18

1871. Forum 18 is a Norwegian-Danish-Swedish initiative in the form of a non-profit charitable foundation, established to work for the freedom of

religion and belief of all on the basis of Article 18 of the Universal Declaration of Human Rights and the ICCPR. Forum 18 is a partner of the Norwegian Helsinki Committee. Its reporting is based on direct quotes from those involved in the incidents and from its own examination of documents discussed in its reports. Its News Service reports on freedom of religion or belief issues in Ukraine, Central Asia, Russia, Belarus and Azerbaijan.

*1. Article “Donbas: Luhansk: Armed raids, worship bans, fines”,
7 August 2018*

1872. Forum 18 reported that in early February 2018 a “Law on Religion” had been passed in the “LPR”. It imposed compulsory registration on all religious communities, which had to have at least thirty adult local resident members to apply for registration. The “law” imposed registration of all religious literature, which, once approved, could be distributed only by religious communities among their own members and had to have the religious community’s full name on it. Forum 18 further reported that any community seeking registration had to be approved by an “Expert Commission of State Religious Studies Expert Analysis”, created in September 2017.

1873. According to Forum 18, the “LPR” authorities insisted that religious communities that had not undergone local registration were illegal under a May 2015 “decree” issued by the then “head of the LPR” Igor Plotnitsky, which banned mass events while the area was under martial law, as well as under the February 2018 “religion law”.

1874. Forum 18 reported that the “LPR” authorities had regularly been halting worship meetings, seizing religious literature and fining religious leaders. The article mentioned raids on the Pentecostal Church in Alchevsk, as well as the Baptist and Jehovah’s Witnesses communities in Krasnodon, Gorodyshe, Molodohvardiysk, Stakhanov, Naholno-Tarasovka, Chervonopartizansk, Alchevsk and Luhansk. Many individuals had been fined several weeks’ average wages for holding “illegal” worship meetings. “LPR” “courts” generally punished religious leaders under Article 20.2 of the “LPR Administrative Code”, which had been adopted in July 2016. Part 1 of that provision punished “[v]iolation by organisers of public events of the established procedure for organising or conducting gatherings, meetings, demonstrations, processions or pickets” with fines of RUB 3,000 to RUB 5,000 or community work of up to thirty hours. Part 2 punished individuals holding public meetings without having informed the authorities with fines of RUB 5,000 to RUB 10,000, community work of up to fifty hours or up to ten days’ imprisonment. A fine of RUB 5,000 was equivalent to EUR 70 and represented more than three weeks’ local average wages for those in formal work.

(a) Jehovah's Witnesses

1875. On 14 October 2017 a Jehovah's Witness, Vladimir Safarov, was meeting with up to thirty others behind closed doors in a flat in "LPR"-controlled Chervonopartizansk (also known as Voznesenivka). According to Mr Safarov, they were meeting for "friendly association, prayer and Bible reading". "LPR" "police" and "state security ministry officers" raided the flat during the meeting, recording all those present on video and seizing "personal items with no procedural documents". "Officers" then took four of those present, including Mr Safarov, to the "police station", according to the subsequent court decision seen by Forum 18. The "officers" pressured the four to sign statements prepared by the "police", despite their disagreement with the content of the statements. One of the parishioners later told the court that he had signed that statement only because he had been "severely intimidated by the aggressive actions" of the "police" and "state security ministry" officers. On 27 November 2017 the "City and District Court" in Sverdlovsk found the parishioner guilty and fined him RUB 5,000. Present in court as a "specialist" was Andrei Litsoev, "head of the Religious Organisations and Spirituality Department of the Culture, Sport and Youth Ministry in Luhansk". According to Forum 18, the latter insisted to the court that all meetings had required permission, regardless of which organisation had been holding them, and that "police" and "security agencies" had had to be informed. He also set out registration requirements, adding that "conducting any events of a religious nature on private land [was] impermissible". Also present in court as a "specialist" was a priest of the Ukrainian Orthodox Church affiliated with the Moscow Patriarchate ("UOC-MP"), Father Aleksii Slyusarenko, who insisted that the parishioner be found guilty of holding a religious meeting without State permission. He reminded the court that Russia had banned Jehovah's Witnesses as "extremist", as had the two breakaway regions of Georgia: Abkhazia and South Ossetia.

1876. The article also reported that on 23 September 2017, "LPR" "police" had detained two female Jehovah's Witnesses while they were sharing their beliefs with others. Five male "police officers" forced the women to undress to their underwear and searched them. During the five-hour interrogation, the "officers" did not allow the women to sit down and threatened them with lengthy imprisonment. The interrogation continued for another hour at the "LPR state security ministry". "Officers" also searched the home of one of the women.

1877. Forum 18 also reported that in August 2018 armed men had seized five Jehovah's Witnesses Kingdom Halls in Luhansk, Alchevsk, Bryanka, Perevalsk and Krasny Luch, while only two of the eighteen pre-2014 UOC-KP churches locally still functioned. On 30 May 2018 a fire destroyed the seized Luhansk Jehovah's Witnesses Kingdom Hall. It was unclear how the fire had started or who had been using the building at the time.

(b) Baptist denominations

1878. According to Forum 18, on the evening of 27 March 2018, men in military uniform had arrived at the of the Council of Churches Baptist church in Stakhanov (also known as Kadiivka) and broken into the building. This was followed by the arrival of two lorries and the men in uniform removing “literally everything” from the building, including the pulpit, the communion chalice, the amplification system, musical instruments, radiators and all the kitchen equipment. The intruders also vandalised the building, breaking down internal doors and damaging windows, electrical fittings and linoleum.

1879. On 3 June 2018 five armed men in plain clothes and balaclavas interrupted the Sunday morning worship of the Baptist Union church in Molodohvardiysk. About thirty-five church members were meeting when the men, who said that they were from the local “state security ministry”, arrived. The intruders asked to see documents permitting the worship. They searched the premises, seizing literature and the church laptop. They ordered all those present to give their address and phone numbers and then let most of them leave. The church leader, Sergei Zharkov, and four church members were held and ordered to write statements. The armed men then sealed the premises. The following day, the police summoned and brutally interrogated Mr Zharkov about the community’s activities. Officers then searched his home, seizing a hard drive from his computer, literature and his phone along with a SIM card. The district police officer informed Mr Zharkov that a case had been opened under the “LPR Administrative Code Article 20.2, Part 2” for “holding illegal religious gatherings”. Items the police had seized were not returned and the premises remained sealed. On 1 August 2018 the “Krasnodon Town and District Court” fined Mr Zharkov in the amount of RUB 8,000, according to a decision seen by Forum 18.

1880. On 26 July 2018 the “LPR ministry of security” announced on its website that it had banned the “destructive activity of the extremist religious organisation the All-Ukrainian Union of Evangelical Christian/Baptist Churches”. The “ministry” claimed that the Baptist Union “with its headquarters in Kyiv” had refused to submit to compulsory State registration locally.

2. Article “Donbas: Donetsk: Places of worship seized, sealed”, 12 October 2018

1881. According to the article, on 3 September 2017 Jehovah’s Witnesses had found their Kingdom Hall in Donetsk vandalised and desecrated. From that month, the “authorities” began seizing Jehovah’s Witness Kingdom Halls, handing them to “local administrations”. Titles to the properties had often already been seized in “anti-extremism” raids on the Kingdom Halls earlier in 2017. “Officials” had seized Kingdom Halls in Horlivka, Donetsk, Telmanove, Yenakiieve, Vuhlehirsk and Debaltseve. In an 8 September 2017

order, seen by Forum 18, the “head” of the “State Property Fund”, Sergei Kaida, declared that the Horlivka Kingdom Hall had been abandoned and would be taken over by the “town administration”. Ten days later a “State Property Fund Commission”, accompanied by “town administration officials”, visited the building and confirmed the decision. On 27 September 2017 the Horlivka Jehovah’s Witnesses community appealed to the “DPR ministry of the interior”. In his 3 November 2017 reply, seen by Forum 18, the “deputy minister” Major-General Igor Melnikov informed them that the confiscation had been ordered on the grounds that the building had allegedly been unused. On 25 October 2017 the “State Property Fund” declared that the Debaltseve Kingdom Hall building had been abandoned and should be managed by the “town administration”. On 22 November 2017 the “police” welded shut the entrance door.

1882. According to the article, the Donetsk Mosque was closed in or around June 2018 on the pretext that it had been spreading “extremist” literature. Following the raid, the “state security ministry” in Donetsk took the imam, Rinat Khabibbudinov, and a congregation member for questioning. A criminal investigation appeared to have been launched against the two men for spreading “extremist” literature. The two had to sign pledges that they would not leave the city.

3. *Article “Donbas: Luhansk: Re-registration denials, raids, religious communities closed”, 23 October 2018*

1883. According to the article, the “LPR” “religion law” of 2 February 2018 claimed to guarantee freedom of religion or belief but imposed a range of restrictions. Section 3 of the “law” allowed restrictions when deemed necessary “to secure the defence of the country and the security of the state”. Forum 18 observed that although the “law” claimed to require that all religious communities be treated equally, section 6 required that Orthodox communities “have compulsory diocesan registration” and that the dioceses “be recognised by Ecumenical Orthodoxy within the framework of the canonical territory of the Moscow Patriarchate”. This provision, according to Forum 18, seemed to have been designed to prevent parishes of the UOC of the Kyiv Patriarchate or other Orthodox jurisdictions from seeking registration.

1884. Forum 18 also reported that throughout 2018, “DPR authorities” had continued to seize or seal entry to places of worship to prevent religious communities from meeting. A Baptist church in Novoazovsk, which had been seized and had its entrance sealed in September 2018, was the latest known example. Also seized in 2018 was a Baptist church in Makiivka. The “State Property Fund” often seized places of worship on the pretext that they had been unused and were without an owner. Religious communities contested those claims. Also in 2018, Adventist churches were denied registration and decided to halt all their activities to avoid “provoking unpleasantness”. Most

of the forty-four local Baptist communities, which were part of the Ukrainian Baptist Union, had lodged re-registration applications, all of which were refused. All five Pentecostal communities linked to the Ukrainian Pentecostal Union, as well as the Pentecostal communities that were independent, were denied registration. All received letters informing that registration of the congregation was “inadmissible”, without specifying in what way the congregations’ documents had failed to comply with the “legal provisions”.

4. Article “Donbas: Luhansk: Community work, fines, property seizure”, 16 October 2019

1885. Forum 18 explained that on 21 April 2019, at least four “police officers” had come to a home in (“LPR”-controlled) Krasnodon (also known as Sorokyne), where a Council of Churches Baptist congregation had met regularly for worship. The “officers” ordered church members to halt their Sunday morning service. They demanded that church members not meet again without official registration. Church members reported that “[t]hey promised that if we still gathered, they would come to every service and drive us out, and not allow us the possibility of meeting”. The “officials” recorded the names and other details of all those present. They also took three church leaders, including the pastor, Vladimir Rytikov, to a “police station”. The three refused to give the “police” any statements or sign any documents. The “officers” fingerprinted and photographed each of the three church leaders before releasing them.

5. Article “Donbas: Luhansk: Worship bans, clergy bans, punishments”, 23 October 2019

1886. According to Forum 18, “LPR” courts repeatedly punished individuals who continued to lead worship meetings in defiance of official bans. Of the seven known cases in 2019 – all from various Baptist denominations – two were fined about one month’s average wages each, one was given a twenty-hour community work order and the other four did not receive any sanction.

6. Article “Donbas: Luhansk: Gospel of John, Baptist books banned”, 20 December 2019

1887. Forum 18 reported that on 26 November 2018 the “LPR authorities” had banned as “extremist” twelve Baptist books, including the Gospel of John, the main hymnbook used by the Council of Churches Baptists, their regular magazine and children’s books. The decision became known on 10 December 2018, when the “LPR ministry of justice” published the “State List of Extremist Materials” on its website. The decision itself was not published, with one government official describing it as a “secret document for official use and for limited distribution”. According to Forum

18, it remained unclear why such books were regarded as “extremist” and who had made that decision. Forum 18 observed that the computer formatting of the list was very similar to that of the “DPR Republican List of Extremist Materials”. As of 20 December 2019, the “DPR” list contained forty-five entries, including the Jehovah’s Witnesses international website, many Jehovah’s Witnesses publications and several Muslim works. However, in Donetsk, items had been banned not by a “government” decision but by the “supreme court”.

7. Article “Donbas: Luhansk: Soviet-era prisoner of conscience to be jailed again?”, 4 February 2020

1888. According to Forum 18, on 28 January 2020 “officers” of the “LPR ministry of security” had arrived at the home of Baptist Pastor Vladimir Rytikov in the town of Krasnodon. They took him to the “ministry” branch in Krasnodon for questioning about his religious activity. Then they read him a warning that he risked criminal liability under Article 340 of the “LPR Criminal Code” for “extremist activity” and distributing “extremist literature”. The sanction under that provision ranged from 100 to 300 times the minimum monthly wage, forced labour for up to five years or up to five years’ imprisonment.

8. Article “Donbas: Luhansk: No gas, electricity, water for unregistered communities”, 5 February 2020

1889. Forum 18 reported that in 2019, the “LPR” authorities had cut off the gas supply to religious communities with a recognised place of worship which had failed to gain registration under “LPR laws”. In late 2019, “LPR authorities” also threatened to cut off the electricity and water supply. A Baptist pastor, Serhii Moroz, told Forum 18, “Officials argue that they cannot supply gas, electricity and water to organisations that don’t officially exist, as they can’t have contracts with them”.

1890. By December 2019, the “LPR authorities” had registered only 195 religious organisations, according to the figures given by Dmitry Sidorov, the “minister of culture, sport and youth”, at a 26 December 2019 briefing in a “government” building in Luhansk. Of the 195 registered religious organisations, 188 were affiliated with the UOC-MP. The others were Muslim, Old Believer, Jewish and Catholic. No non-Moscow Patriarchate Orthodox Church, Protestant, Jehovah’s Witnesses, Hare Krishna or other communities which had existed before 2014 were granted registration.

9. Article “Donbas: Donetsk: Raid, fine for unregistered worship meetings”, 10 February 2020

1891. According to the article, on 24 June 2016 the “DPR” “people’s council” had passed a “religion law”. Section 3 provided for an explicit ban

on “the creation of sects or the spreading of sectarianism”, concepts that the “law” did not define. The “law” did not explicitly ban the exercise of freedom of religion or belief without official permission. However, Forum 18 observed that in outlining procedures for gaining State permission, the “law” presumed that such permission was required.

1892. On 11 October 2019 the “DPR” “people’s council” adopted a further amendment to its “religion law”, changing the section 3 ban on “the creation of sects or the spreading of sectarianism” to a ban on “the creation of religious associations infringing the rights and freedoms of citizens”.

1893. In autumn 2019 Father Aleksandr Sushko, a priest of the Orthodox Church of Ukraine, temporarily travelled out of the “DPR”-controlled area into government-controlled Ukraine. His re-entry was subsequently barred by “DPR officials”, who also refused to put the ban in writing.

1894. Forum 18 also reported that “DPR security forces” had raided a Protestant community during its Sunday morning worship meeting on 19 January 2020. They took church leaders to the police station for interrogation but released them after several hours.

*10. Article “Donbas: Luhansk: ‘The last Mass was in April 2020’”,
3 June 2021*

1895. According to the article, the Nativity of the Blessed Virgin Mary Parish in Luhansk had gained registration in the “LPR” in September 2019. “Officials” had previously demanded the names of parishioners and the “police” had visited the homes of some of them. A previous registration application had been refused on the basis of false assertions that parishioners had criminal records.

1896. In 2020 “LPR officials” told the UOC-KP that it could no longer use its second church in Luhansk, the small Exaltation of the Cross chapel. “Officials” said that one church was enough and told the priest that if he served there, he would be imprisoned.

*11. Article “Donbas: Donetsk: Three Protestant churches banned”,
4 October 2021*

1897. Forum 18 reported that March 2021 amendments to the 2016 “DPR religion law” acknowledged the existence of religious associations only if they had been registered. The article explained how the “DPR religion law” had been used to ban non-Moscow Patriarchate religious communities, either on formal grounds or by finding them to be “extremist”. All non-Moscow Patriarchate religious communities were banned from functioning if they had failed to secure re-registration by 1 March 2019. “DPR officials” would routinely deny registration on arbitrary grounds. Those who had failed to register faced fines and raids on places of worship, or were denied re-entry from the Ukrainian-controlled territory.

1898. The “authorities” of the “DPR” had also banned literature from their June 2021 “list of extremist materials”, consisting of ninety-seven titles and including Jehovah’s Witnesses and Muslim publications. On 25 June 2021 the “DPR minister of culture”, Mikhail Zheltyakov, instructed all institutions under the “ministry’s” control to display publicly the list of banned publications and organisations.

1899. As part of this campaign, numerous places of worship were seized from a variety of religious communities, including Baptists, Jehovah’s Witnesses, the Church of Jesus Christ of Latter-day Saints (Mormons), Seventh-day Adventists and Muslims, as well as the Donetsk Christian University. The article covered the prohibition of three Protestant churches by “DPR courts”. It reported that on 17 June 2021 the “prosecutor general’s office of the DPR” had announced that following proceedings it had brought, two Protestant churches, the Good News Baptist Church and the Church of Our Lord Jesus Christ, had been banned by the “arbitration court” of the “DPR” in accordance with the “religion law” of the “DPR”. On 25 June 2021 the “prosecutor general’s office” had announced that a further action had been brought against the third church, the Church of the Awakening in Yenakiieve. The action was also subsequently allowed. On 28 September 2021 Forum 18 had sent a written enquiry to the “culture ministry of the DPR”, but it had not received a response by the date of publication of its article.

12. Article “Occupied Ukraine: Religious leaders seized, tortured; churches, mosques closed; no news of seized Baptist couple”, 20 October 2022

1900. Forum 18 continued to report on harassment and intimidation of religious communities in occupied territories throughout 2022. It reported that in March 2022 Rustem Asanov, a Crimean Tatar and imam of the Muslim Birlik (Unity) Mosque community in the village of Shchaslyvtseve in the Kherson Region, had been detained and tortured in a basement by Russian occupation forces. During his detention, a man with the callsign “Bars”, in plain clothes, insisted that he co-operate with the occupation authorities, cut the community’s ties to the Spiritual Administration in Kyiv and subjugate his mosque community to the Spiritual Administration of Muslims of Crimea in Simferopol. After the imam’s release, the Russian occupation forces came to inspect the mosque. As of October 2022, the Birlik Mosque community in Shchaslyvtseve remained closed.

1901. On 12 June 2022 armed men came to Mariupol’s Central Baptist Church, where nearly 100 church members were meeting for worship. The armed men “issued threats” and demanded the church’s registration documents. Church members handed over the original documents, which the armed men took with them. On 15 or 16 June 2022 “officials” came to a pastor of Mariupol’s Christ the Saviour Baptist Church and asked to see the church’s registration documents. The minister told the officials that the leader

of the church had the documentation but was out of the city. The “officials” then told him to come to their office to discuss the church registration. On the same date Russian military personnel forcibly expelled Protestants from their church and rehabilitation centre in the village of Manhush, about 30 km from Mariupol.

1902. On 21 May 2022, according to Forum 18, the “DPR ministry of culture” initiated the removal of “extremist” publications from public libraries. Viktoriya Kamynina, chief specialist in the “DPR ministry of culture”, said at a 25 May 2022 briefing that specialists from the Krupskaya Donetsk Republic Universal Scientific Library had been travelling to newly seized towns and villages to remove such literature from libraries. Ms Kamynina stated that about 2,000 “extremist” publications had already been removed, including books on “political and religious figures”. On 30 May 2022 the “head of the DPR”, Denis Pushilin, signed a “decree” bringing the “DPR Republican List of Extremist Materials” into line with Russia’s Federal List of Extremist Materials.

1903. A leader of Ukraine’s Baptist Union informed Forum 18 that on 14 June 2022, Russian FSB officers had raided a Baptist church in Vasylivka and recorded the details of all those present. The officers told the parishioners that they were closing the church as a “destructive sect” and that no further meetings would be allowed. The officers seized the keys to the building.

1904. Forum 18 reported that on 23 June 2022, the Russian military had brought a delegation of Moscow Patriarchate priests to Mariupol. There, they toured churches, including the Church of Petro Mohyla of the UOC, which had been granted autocephaly (independence) by the Ecumenical Patriarch in 2019. Petro Andriushchenko, advisor to the Ukrainian mayor of Mariupol who had had to flee the city, stated: “After the visit of the Moscow FSB agents in cassocks, it became known that the whole large library collected by volunteers and benefactors had been seized and burned in the yard”.

1905. Forum 18 reported that after having occupied the city of Lysychansk in the Luhansk Region in early July 2022, Russian and Russian-backed forces had seized the Central Baptist church, the largest Protestant church in the city. Men in military dress who did not identify themselves broke the door to gain entry. According to the church’s pastor, Eduard Nosachov, they threw out all of the church’s possessions, including all Christian literature, Bibles and educational materials. The Baptist church was subsequently used by the Russian-controlled city administration to hold the September 2022 “referendum” on joining Russia. Also in Lysychansk, in late July 2022 the Russian forces seized the Grace Baptist church and said that it would be used as a kindergarten. According to Forum 18, Russian officials told local church members in Lysychansk that the military administration had banned all Baptists, Pentecostals and Adventists as extremists. No written document was provided to that end.

1906. On 11 September 2022, in an incident reported by Forum 18, the Russian military raided the Protestant Grace Church in Melitopol during the Sunday morning worship. Church members had been singing a worship song in Ukrainian as soldiers mounted the stage to halt the service, as seen on the church's livestream. Soldiers recorded the names and passport details of all those present. They forced the women and children out of the church building and then photographed and fingerprinted all men, taking their identity documents. Russian soldiers accused the Grace Church members of having links with the United States, declared the church "nationalised", and told the parishioners not to come there in future. They also detained two of the church's pastors, including the chief pastor Mikhail Britsin.

13. Article "Occupied Ukraine: 'There is no one to replace the arrested priests'", 30 November 2022

1907. Forum 18 reported that on 9 April 2022, Russian forces had detained the head of the Berdyansk German Lutheran Church, Artur Kozhevnikov, while he had been walking in the town centre. They took him to a police station where the Russian military had established their headquarters. No contact and no information about his fate had been given until his release in early May 2022.

G. Crimea SOS

Report "Enforced disappearances in Kherson region under the Russian Occupation, February 2022 – February 2023", 2023

1908. Crimea SOS, a Ukrainian NGO, based this report on twenty-seven in-depth interviews with journalists, activists, public figures, residents and local self-governing bodies of the Kherson Region. Its research was limited to cases of abductions of civilians only and did not include abductions of combatants.

1909. Crimea SOS identified at least 628 cases of enforced disappearances in respect of 606 persons (537 men, 69 women) in and around the Kherson Region. They mostly involved employees of the security and defence sector of Ukraine, individuals with social capital (local self-government deputies, teachers, doctors), opinion leaders (activists, journalists, bloggers, volunteers, priests) and so on. Most of the heads of territorial communities in the Kherson Region became victims of enforced disappearances. As of the date of preparation of this report, three heads of territorial communities of the Kherson Region – Ihor Kolykhaiev, Oleksandr Babych and Dmytro Liakhno – were still detained. Out of forty-nine heads of territorial communities of the Kherson Region, only nine had not been detained.

1910. According to the Kherson Regional Prosecutor's Office, since the beginning of the full-scale invasion, Russian occupation forces had abducted 1,100 persons in the Kherson region. As of 2 January 2023, 638 of them had been released and 474 were still detained.

1911. On 30 March 2022 Russian forces abducted Serhii Chudynovych, the abbot of the Church of the Holy Mother of God in Kherson. On 1 April 2022 they abducted Father Dmytro Dziadevych, the abbot of the parish of the Forty Martyrs of Sebaste of the Kherson Diocese of the UOC-MP. On 26 January 2023, Russian forces abducted the abbot of the Holy Trinity Church, Platon Danyshchuk.

1912. In some cases, the detained/abducted persons were taken from the Kherson Region to temporarily occupied Crimea. There were also known cases of transporting the abductees to Russia. The following persons had first been transferred to Crimea, and later to the Moscow pre-trial detention facility in Lefortovo: Yurii Kaiov, Serhii Ofitserov, Serhii Kovalskyi, Kostiantyn Reznik, Serhii Kabakov, Denys Lialka, Serhii Heidt, and Oleh Bohdanov.

1913. It was known that only fifteen people taken by the occupation administration from the Kherson and Zaporizhzhya Regions to Crimea had been charged with a criminal offence. At the same time, Russian forces had transferred 2,500 prisoners from the Kherson Region to the Russian Federation.

1914. In all territorial communities, it was ascertained that enforced disappearances were accompanied by torture and sexual violence. There were cases of deaths of victims of enforced disappearance as a result of torture.

H. Institute for the Study of War (ISW)

1915. ISW is a United States-based non-partisan, non-profit, public policy research organisation. According to information from its official website, ISW conducts a detailed open-source intelligence analysis to provide the most accurate information on current conflicts and security threats. Since 24 February 2022 ISW has been publishing daily updates on the course of hostilities in Ukraine. ISW uses publicly available information and draws extensively on Russian, Ukrainian, and Western reporting and social media, as well as commercially available satellite imagery and other geospatial data as the basis for the reports. ISW's daily reports are mainly based on publications of the Ukrainian and Russian General Staff, and statements by officials and representatives of Ukrainian local authorities. Every daily report is supported by a map depicting the positions of the Russian troops and the territories under Russian control at the time. References to all sources used by ISW are provided in the endnotes of each update.

1. February 2022

(a) Initial Russian offensive campaign assessment of 24 February 2022

1916. On 24 February 2022 at 3 p.m. Eastern Standard Time (“EST”) ISW reported that Russian military operations in Ukraine had begun with a short and incomplete air campaign at around 4 a.m. local time on 24 February 2022, targeting Ukrainian air defences, supply depots and airfields across the territory of Ukraine.

1917. According to ISW, Russian ground forces were advancing on four primary axes. Firstly, Russian troops advanced on Kyiv from Belarus along both sides of the Dnipro river. Secondly, there was a frontal assault on Kharkiv from north-eastern Ukraine. Thirdly, Russian forces conducted an envelopment through the Luhansk region rather than a frontal assault from the Russian-occupied Donbas. Fourthly, Russian forces had reportedly penetrated to a depth of at least 60 km and captured the city of Kherson, securing access to the Crimean Canal.

(b) Russia-Ukraine warning update – Russian offensive campaign assessment of 25 February 2022

1918. On 25 February 2022 at 3 p.m. EST ISW reported that Russian armed forces had entered the outskirts of Kyiv on the west bank of the Dnipro as of 11 a.m. local time. ISW also mentioned that Russian reconnaissance and sabotage units, allegedly operating in civilian clothes or captured Ukrainian uniforms, had reportedly been active in central Kyiv. The Hostomel military airport had come under Russian control following the withdrawal of Ukrainian forces early on 25 February 2022.

1919. Referring to the Kharkiv civil authorities, ISW reported that Russian forces had entered the outskirts of Kharkiv from several directions at 9 p.m. local time. Russian forces had reportedly crossed the north-eastern Ukrainian border at several other points west of Kharkiv, including Okhtyrka and Sumy.

1920. ISW indicated that Russian forces had been unable to continue an enveloping manoeuvre through the Donetsk Region as of 4 p.m. local time on 25 February 2022. Ukrainian forces claimed to continue to hold the entire line of contact in Donetsk and Luhansk as of 1 p.m. local time on 25 February 2022. The mayor of Mariupol claimed that Ukrainian forces had destroyed twenty-two Russian tanks advancing from Pavlopil at 4 p.m. local time on 25 February 2022.

1921. According to ISW, Russian forces had fully captured Kherson at 6 p.m. local time on 25 February 2022. ISW also reported that Russian troops had claimed to have captured the city of Melitopol, Zaporizhzhya Region, as of 6 p.m. local time on 25 February 2022.

1922. ISW reported that at around 3 a.m. local time on 25 February 2022, Russian forces had carried out air and missile strikes on Kyiv and other major

cities. The Ukrainian General Staff reported that the Russian troops had been increasingly targeting civil infrastructure and residential buildings “to intimidate the population of Ukraine”. Additionally, Russian sources reported shelling of Mariupol with MLRSs at 7 p.m. local time on 25 February 2022.

(c) Russian offensive campaign assessment of 26 February 2022

1923. On 26 February 2022 at 3 p.m. EST ISW reported that Russian armed forces’ main axes of advance had focused on Kyiv, north-eastern Ukraine and southern Ukraine. As to the Kyiv axis, during the night of 25 February 2022 Russian forces successfully penetrated downtown Kyiv along the western bank of the Dnipro. However, their attempts to enter the city from the east were unsuccessful. As to the north-east axis, on 26 February 2022 Russian forces advanced along a broad front between Chernihiv and Kharkiv. According to ISW, at 11 a.m. local time on 26 February 2022 Russian forces had entered the village of Volokhiv Yar, 70 km from Kharkiv. As to the Donbas axis, ISW reported that Russian forces had captured Stanytsya Luhanska, Volnovakha, and Starohnativka in the Donetsk Region. ISW also noted that Russian forces had carried out airstrikes on suburbs of Mariupol at 3 p.m. local time on 26 February 2022. On the same date, Russian proxies claimed to have captured Pishchevyk and Pavlopil, 25 km from Mariupol. As to the Crimea axis, ISW reported that as of 3 p.m. local time on 26 February 2022 Russian forces in Crimea had been advancing directly north towards Zaporizhzhya, entering Velyka Bilozerkha and Tokmak, approximately 80 km from Zaporizhzhya. ISW indicated that early on 26 February 2022 the Russian forces had captured Berdyansk, 70 km from Mariupol, and had entered the outskirts of Mykolaiv.

1924. On 26 February 2022 Russian tank and motor rifle units were reportedly continuing direct assaults on Kharkiv and shelling residential areas.

(d) Russian offensive campaign assessment of 27 February 2022

1925. On 27 February 2022 at 4 p.m. EST ISW published an update on the situation in Ukraine. On the Kyiv axis, Russian forces continued to assault Kyiv along a narrow front on the western bank of the Dnipro. Ukrainian forces reported halting Russian advances in Bucha, west of Kyiv. Russian forces also entered Borodyanka on 27 February 2022. Ukrainian forces conducted a counterattack against Russian airborne forces in Irpin. The Ukrainian General Staff reported that elements of the 36th Russian Army had been deployed to Bucha, Kapitanivka and Bilohorodka, on the western outskirts of Kyiv. On the north-east axis, ISW reported that Russian forces had entered the city centre of Kharkiv for the first time on 27 February 2022, but had not secured the city. ISW stated that Russian forces had likely seized Kupyansk, south-east of Kharkiv, on 27 February 2022. On the Donbas axis,

Russian forces had encircled Mariupol from the west and had begun initial assaults on the city. On the Crimea axis, Russian forces had entered the outskirts of Mykolaiv on 27 February 2022.

1926. The Russian forces shelled residential areas of the city of Chernihiv throughout 27 February 2022.

(e) Russian offensive campaign assessment of 28 February 2022

1927. ISW reported that Russian troops had been continuing their attempts to infiltrate Kyiv, and for that reason on 27 February 2022 they had attempted to use three captured ambulances. According to ISW, Russian forces resumed offensive operations in north-eastern Ukraine, between Chernihiv and Sumy, on 28 February 2022. Ukrainian forces claimed to have halted attacks by Russian forces out of Khomutovka (Kursk Region, Russia) in a direction west of Sumy, towards Hlukhiv, Sumy Region, and Baturyn, Chernihiv Region.

1928. ISW stated that the Russian forces that had been advancing on Mariupol from the west had continued assembling in Berdyansk.

1929. As to the Crimea axis, ISW stated that Russian forces had continued limited advances on two axes out of Crimea – north towards Zaporizhzhya, although they had not entered the city, and west towards Mykolaiv, reaching the outskirts of Mykolaiv on 28 February 2022. The Russian Ministry of Defence claimed to have captured the Zaporizhzhya Nuclear Power Plant on 28 February 2022.

1930. ISW reported that Russian forces had used close air support and heavy artillery in assaults on Kharkiv on 28 February 2022. Russian Su-34 fighter bombers conducted strikes in Kharkiv on that date. Russian MLRSs and traditional tube artillery began striking central Kharkiv on 27-28 February 2022, inflicting numerous civilian casualties. Unconfirmed reports indicated that Russian forces had also used thermobaric weapons, which could have devastating effects, especially on civilian targets.

2. March 2022

(a) Russian offensive campaign assessment of 1 March 2022

1931. This report, published at 3 p.m. EST on 1 March 2022, relied on data gathered by Maxar Technologies, a company headquartered in Colorado, the United States, specialising in crafting telecommunications, Earth observation, radar and on-orbit servicing satellites, as well as satellite products and associated services within the space technology sector.

1932. As to the Kyiv axis, ISW stated that Maxar Technologies had observed a lengthy column of trucks and combat vehicles approaching Kyiv from the north-west, while additional combat units had been positioned defensively near the Antonov airfield in Hostomel. Maxar's imagery also indicated a concentration of Russian forces in the village of Zdvyzhivka in

the Bucha district, Kyiv Region, situated along a road connected to the Antonov airfield. According to ISW, Russian forces were present in the north-west outskirts of Kyiv. On 1 March 2022 the Ukrainian Ministry of Defence reported that Russian forces had been looting in areas of Kyiv's western suburbs in Bucha, Hostomel and Novyi Basaniv. Social media users reported that Russian tanks were present in Makariv, a town approximately 30 miles from Kyiv. As to the Chernihiv axis, according to ISW, on 1 March 2022 a column of Russian combat vehicles reportedly moved east from the Chernihiv group of forces towards Bobrovytsya, approximately 65 km from Kyiv. Referring to the Ukrainian General Staff, ISW noted that Russian troops had encircled Sumy, Lebedyn and Okhtyrka. Russian forces had claimed to have completed the encirclement of Mariupol by land and sea on 1 March 2022, but ISW was unable to verify these claims. ISW also stated that Russian troops, most likely elements of the 7th Airborne Division and Spetsnaz units, had been noticed throughout Kherson on 1 March 2022.

1933. ISW reported that on 1 March 2022 Russian forces had conducted rocket and missile attacks on Kharkiv, the city of Okhtyrka in the Sumy Region, and the Chernihiv Region. According to ISW, the Russian military used area-attack weapons in the city of Kharkiv, dramatically increasing the damage to civilian infrastructure and civilian casualties. Russian forces used bombers, tube artillery, MLRSs, and reportedly thermobaric weapons against Kharkiv

(b) Russian offensive campaign assessment of 2 March 2022

1934. On 2 March 2022 at 4.30 p.m. EST ISW issued an updated report on the advance of Russian troops. On the Kyiv axis, Russian forces renewed advances towards north-eastern Kyiv on 2 March 2022, reaching a line approximately 65 km from the city centre. Russian forces additionally launched offensive operations in the Zhytomyr Region and renewed advances towards Kyiv along the Chernihiv axis on 2 March 2022. Russian forces began establishing forward logistics camps in Borodyanka, Katyuzhanka and Havronshchyna to support this axis of advance on 2 March 2022. Russian forces steadily advanced into the north-west outskirts of Kyiv to a line extending through Horenychi, Hostomel and Demydiv, approximately 30-40 km from the city centre. The Kyiv Regional Administration reported that Ukrainian forces had been controlling all of Bucha as of 9 a.m. local time on 2 March 2022, and social media depicted several destroyed Russian vehicles in the area following a failed assault. The Ukrainian General Staff reported that some Russian troops had been active at an unspecified location in Zhytomyr region. Previously, Russia's envelopment of Kyiv had extended as far west as Makariv, approximately 60 km west of Kyiv, but Ukrainian forces had recaptured that town on 2 March 2022.

1935. On the Chernihiv axis, the Ukrainian General Staff reported the halting of up to seventeen Russian Battalion Tactical Groups in Kozelets,

Bobrovytsya, and Makiiv. On the Sumy axis, Ukrainian forces had halted Russian advances from Sumy at Nova Basan and Kozelets as of noon local time on 2 March 2022. Residents of Konotop, 120 km from Sumy, filmed a Russian delegation arriving in the city to demand its surrender. The ISW stated that Russian forces had fully encircled Mariupol as of 2 March 2022. Lastly, the Ukrainian Ministry of Defence stated that Ukrainian forces had been retaining control of portions of Kherson as of 11 a.m. local time on 2 March 2022.

1936. This report also referred to the following incidents of shelling residential areas. With reference to a video published on Twitter, the ISW reported that on 2 March 2022 Russian forces had shelled residential areas in Irpin, Kyiv Region, and had inflicted civilian casualties. As to the Chernihiv axis, ISW stated that on 2 March 2022 Russian forces had continued to shell Chernihiv, including residential areas. According to ISW, Russian forces resumed frontal assaults on Kharkiv on 2 March 2022 and continued using area-attack weapons, dramatically increasing the damage to civilian infrastructure and civilian casualties. Local Ukrainian authorities reported repelling a Russian assault on the Kharkiv Military Medical Centre, near the city centre, as of 6 p.m. local time on 2 March 2022. ISW also reported that Russian forces were continuing to deliberately target civilian infrastructure in Kharkiv with MLRS systems, tube artillery, cluster munitions and Kalibr cruise missiles on 2 March 2022, inflicting numerous civilian casualties.

1937. ISW stated that on 2 March 2022 Russian forces had conducted a deliberate campaign to destroy critical civilian infrastructure and residential areas in Mariupol in a likely attempt to force the city to surrender. The deputy mayor of Mariupol, Serhii Orlov, informed the BBC that the city had been “near a humanitarian catastrophe” after fifteen hours of Russian bombardment on 2 March 2022. Mr Orlov confirmed that Russian forces had advanced within several kilometres of the city on all sides and had particularly been targeting critical civilian infrastructure. Russian offensive campaign assessment of 3 March 2022

1938. Referring to the Ukrainian General Staff, ISW reported that at 6 a.m. local time on 3 March 2022 Russian forces had attempted to conduct offensive operations in the area of Kozarovychi (40 km from Kyiv) towards Vyshhorod (15 km from Kyiv); Fastiv (70 km from Kyiv); and Obukhiv (40 km from Kyiv). ISW stated that Russian forces had additionally opened a new line of advance into the northern Zhytomyr Region from Belarus, advancing roughly 20 km into Ukraine towards Bihun and Ovruch as of noon local time on 3 March 2022. ISW also added that Russian forces had continued to assemble supplies in Borodyanka, Katyuzhanka, and Havronshchyna, north of Kyiv. According to ISW, Russian forces had remained concentrated in Lyubech and Mena, west and east of Chernihiv respectively. Ukrainian forces reported that Russian troops had been advancing toward eastern Kyiv along the “Peremoha-Brovary” axis. ISW

noted that as of 2 March 2022 Ukrainian forces had halted Russian forces in Peremoha and Korosten, 30 km from Chernihiv.

1939. The report mentioned that Ukrainian forces had halted Russian offensive operations towards Nizhyn and Pryluky, approximately 130 km from Kyiv, as of noon local time on 3 March 2022. According to ISW, on 2 March 2022 Russian troops had continued to keep Sumy, Lebedyn and Okhtyrka “under siege”. ISW’s analysis indicated that Russian proxy forces – the “Lugansk People’s Republic” – had likely taken control over Havrylivka, Starobilsk and Krasnorichenske in the Luhansk Region. The “LPR” announced that its forces had also captured Novoaidar, Yepifanivka and Andriivka, but ISW was unable to confirm that information. On 2 March 2022 ISW reported that Russian forces had secured the surrender of Kherson through negotiation, and proceeded with further advances towards Mykolaiv on 3 March 2022. The mayor of Kherson confirmed that no Ukrainian forces had remained in the city.

1940. With a reference to a video published on Twitter, ISW reported that Russian forces had continued to shell Chernihiv on 3 March 2022, destroying a school and killing nine civilians.

1941. With a reference to a video published on Twitter, ISW reported that on 3 March 2022 Russian forces had continued to deliberately target civilian infrastructure in Kharkiv with MLRSs, tube artillery, cluster munitions and Kalibr cruise missiles. According to ISW, Russian troops had surrounded Mariupol and were attacking it brutally to compel its capitulation or destroy it. Russian forces were destroying critical civilian infrastructure and killing civilians to create a humanitarian catastrophe and thus force Mariupol to capitulate.

(c) Russian offensive campaign assessment of 4 March 2022

1942. According to the ISW report published at 3 p.m. EST on 4 March 2022, the Russian forces had achieved notable progress in their eastern advance on Kyiv, particularly along the Sumy-Konotop-Nizhyn axis. However, the significant concentration of Russian troops positioned between the Dnipro and the Desna rivers, north-east of Kyiv, was unsuccessful in capturing Chernihiv. As of 3 March 2022, the Russian forces had apparently secured the Antonov airfield in Hostomel, and intense fighting for the town of Hostomel continued.

1943. According to the information ISW had gathered from social media reports, on 4 March 2022 Russian troops had reached Brovary, 20 km from Kyiv. The advance of Russian forces on the Sumy axis appeared to follow two primary highways – one originating from Sumy through Romny and Pryluky in the south, and the other from Krolevets via Baturyn and Bobryk to the north.

1944. ISW further documented ongoing actions of the Russian forces near Kharkiv – a combination of city bombardment and manoeuvres to the east

and west, avoiding direct engagement with the city. Instead of a direct assault, the Russian troops seemed to be supporting other strategic objectives. Notably, there had been no encirclement of the city or renewed ground offensives against it in the preceding twenty-four hours.

1945. As regards Mariupol, ISW stated that Russian forces had maintained a siege around the city, persisting with an intensive artillery, rocket, and missile barrage while consolidating their ground forces.

1946. Regarding the Kherson and western axes, ISW reported that Russian forces had exploited their consolidated control of Kherson to initiate a renewed offensive towards the city of Mykolaiv.

1947. ISW noted that the Russian attack on the Zaporizhzhya Nuclear Power Plant had been widely reported. As of 4 March 2022, Russian forces had captured the city of Enerhodar, where the ZNPP was situated, along with its surrounding perimeter. However, Ukrainian officials and technicians had been able to maintain control of the ZNPP itself and to continue its operations.

(d) Russian offensive campaign assessment of 5 March 2022

1948. On 5 March 2022 at 3 p.m. EST ISW reported an update on the situation in Ukraine. With reference to the Ukrainian General Staff, ISW stated that Russian troops had attempted to move towards Vyshhorod, Kyiv Region, and had been establishing a forward base for helicopters near Ivankiv, 70 km from Kyiv. According to the report, as of 4 March 2022, Hostomel, situated near the Antonov airfield northwest of Kyiv, continued to be a disputed area. ISW stated that on this date, Russian troops had reportedly seized control of Hostomel and taken forty civilians hostage.

1949. According to ISW, on 5 March 2022 Russian forces remained focused on attacking Kharkiv using air, artillery, rocket, and missile fire. The Ukrainian General Staff reported on 5 March 2022 that the Russian military had continued offensive operations in the directions of Dnipro and Zaporizhzhya. The General Staff also reported that Russian troops had been trying to advance toward Sieverodonetsk but had encountered resistance, leading to their halt somewhere along the Northern Donets river.

1950. Regarding the Mariupol axis, the Ukrainian General Staff reported that the Russian encirclement of Mariupol had persisted, leading to extensively documented hardship among the city's population. ISW suggested that Russian violations of the negotiated humanitarian corridor via Volnovakha might have been connected to the reported efforts by Russian military and proxy forces to advance westwards towards the border of the Zaporizhzhya Region.

1951. According to ISW, Russian troops had continued to consolidate their control of Kherson. Moreover, ISW stated that some media reports had indicated that Russian troops had been raping local women.

(e) Russian offensive campaign assessment of 6 March 2022

1952. On 6 March 2022 at 2 p.m. EST ISW reported that Russian forces had continued to assemble for renewed offensive operations east and west of Kyiv, west of Kharkiv and towards Mykolaiv-Odesa, but had not initiated new large-scale ground attacks. According to ISW, Russia had escalated its aerial, artillery, and rocket attacks on civilian positions and infrastructure, deliberately targeting established evacuation routes. ISW noted a shift in the Russian forces' strategy, transitioning from encircling Kyiv to concentrating on the civilian evacuation corridor extending westwards from the capital through Irpin. Incidents on 5 and 6 March 2022 were reported, involving the shelling of a bridge and the bombing of a rail line crucial for the evacuation of civilians. ISW reported that the Russian encirclement and shelling of Mariupol had continued on 5 March 2022.

(f) Russian offensive campaign assessment of 7 March 2022

1953. In this report, ISW indicated that Russian forces had been persisting in their attempts to gain control of the towns of Irpin and Bucha in the Kyiv Region. Quoting the Ukrainian General Staff, ISW also highlighted that on 6 March 2022 Russian troops had been active in the Irpin area. ISW stated that Russian forces had reportedly been using "a siege-and-starve approach" in Irpin, similar to the activities they had conducted in Syria, to compel Irpin to surrender. On 7 March 2022 the Ukrainian General Staff reported that the residents of Irpin had been deprived of water, heating, and food supplies by Russian forces for three consecutive days, with restrictions on their ability to leave the town. Additionally, social media users documented damage resulting from Russian rocket attacks on civilian infrastructure in Irpin on the same date. It was stated that on 7 March 2022 the Russian troops had been shelling civilian targets in the town of Myla, 7.5 km from Irpin. The Ukrainian General Staff reported on 7 March 2022 that Russian forces had been concentrating near the southern outskirts of Chernihiv, intending to encircle and presumably seize the town. Regarding the Sumy axis, ISW stated that Russian forces had been consolidating their presence in the eastern outskirts of Kyiv. Social media reported Russian MLRS units firing at Kyiv from the vicinity of Peremoha, near Brovary and about 23 km from Kyiv.

(g) Russian offensive campaign assessment of 8 March 2022

1954. Referring to the former Ukrainian mayor of Irpin, ISW reported that Russian troops had consolidated control over towns around Irpin, including Bucha and Hostomel. The report mentioned that the Russian forces had been using siege-and-starve tactics in occupied areas, preventing inhabitants from leaving while depriving them of food, fuel and other necessities. With reference to the Ukrainian General Staff, ISW reported that the Russian military had made efforts to encircle Kyiv on 8 March 2022. They

had advanced on the village of Byshiv in the Fastiv district, and begun offensive operations against the village of Ivankiv in the Vyshhorod district. On 7 March 2022 Russian troops launched an attack near the village of Rakivka in the Bucha district. Russian military positions had also reportedly been located near Dymmer, in the Vyshhorod district, on 8 March 2022. Referring to CCTV footage published on Twitter, ISW stated that on 8 March 2022 Russian troops had been observed in Bohdanivka, a village approximately 30 km from Kyiv. According to information from the Ukrainian General Staff, as of 8 March 2022 Russian forces were actively engaged in efforts to encircle Sumy. Moreover, airstrikes and artillery attacks on Sumy persisted as of 7 March 2022. Regarding the Mariupol axis, ISW reported that Russian forces had continued their encirclement of Mariupol. ISW stated that Russian proxies had claimed to have gained control over the highway between Volnovakha and Mariupol on 8 March 2022. According to the Ukrainian General Staff, on 8 March 2022 Russian troops had been seen in Hulyaypole and Orikhiv, in the Zaporizhzhya Region. Social media users had observed a Russian armoured train in Novobohdanivka, 85 km from Zaporizhzhya. The Ukrainian General Staff also reported concentration areas of Russian troops near Kapustyne, Balovne and Novomatviivske in the Mykolaiv Region.

(h) Russian offensive campaign assessment of 9 March 2022

1955. With reference to the Ukrainian General Staff, ISW stated that on 8 March 2022 Russian troops had launched an attack from the vicinity of Babyntsi towards Bucha, but had been repulsed. ISW noted that this specific area had been the site of frequent fighting for several days. On 8 March 2022 the former mayor of Irpin stated that the Russian forces had gained control over a significant portion of that contested area. ISW reported the advance of Russian troops to Yasnohorodka in the Kyiv Region on 8 March 2022. Additionally, pontoon bridging equipment had been observed being transported by Russian troops near Kozelets in the Chernihiv Region, approximately 65 km from Kyiv.

1956. According to ISW, on 9 March 2022 Russian forces had continued to bombard Kharkiv and Mariupol and had destroyed a maternity hospital in Mariupol.

(i) Russian offensive campaign assessment of 10 March 2022

1957. This report concerned the advance of Russian troops in the territory of Ukraine as of 10 March 2022. On the Kyiv axis, Russian positions encircled north and west of Kyiv, and the ring of their positions extended through Poliske, Kukhari, Borodyanka, Andriivka, Motyzhyn, Horenychi, Bucha and Demydiv. ISW also noted slight advances by Russian forces in Motyzhyn and Bucha, west of Kyiv. ISW reported that Ukrainian forces had

repulsed Russian attacks on Vyshhorod, approximately 18 km from Kyiv, and on Moshchun, roughly 20 km from Kyiv, on 10 March 2022.

1958. On the Chernihiv axis, on 10 March 2022 Russian forces continued efforts to assault Chernihiv, but according to the Ukrainian General Staff, Ukrainian forces controlled the city as of 6 a.m. local time on 10 March 2022. Ukrainian forces also repelled Russian attacks on Brovary, Kyiv Region, on 10 March 2022.

1959. Russian forces appeared to be largely stalemated around Kharkiv and distracted from efforts to seize the city. They continued to bombard Kharkiv on 10 March 2022. The governor of Kharkiv, Oleh Sinegubov, claimed that Ukrainian forces had recaptured the northern Kharkiv suburb of Derhachi from Russian forces on 10 March 2022. The Ukrainian General Staff reported that Russian forces had attempted to seize Izium, Petrivske and Hrushuvakha. Russian forces attacked Okhtyrka in the Sumy Region throughout 9-10 March 2022.

1960. Russian forces and their proxies continued attacks in the Donetsk and Luhansk Regions on 10 March 2022, focusing on the city of Kryvyi Rih. Russian troops also continued to encircle and bombard Mariupol. The so-called “Donetsk People’s Republic” claimed on 10 March 2022 that its forces had taken control over several suburbs of Mariupol, including Azovskiy, Naydenovka, Lyapino, Vynohradar and the Azovstal steelworks. Russian forces also continued assaults on the outskirts of Mykolaiv on 10 March 2022. Ukrainian forces and social media reported ongoing fighting in Voznesensk, north-west of Mykolaiv.

(j) Russian offensive campaign assessment of 11 March 2022

1961. According to this report, Russian forces had not conducted offensive operations west of Kyiv on 11 March 2022. The military situation in the Chernihiv, Sumy and Luhansk Regions had also not materially changed during the last day. With reference to the Ukrainian General Staff, ISW stated that at midnight local time on 10 March 2022, Russian forces had attempted to break through Ukrainian defences in Andriivka, Zhovtneve, Kopyliv, Motyzhyn, Buzova, Horenychi and Bucha in the Kyiv Region but had failed to secure any territory. According to ISW, on 11 March 2022 Russian forces had shelled Kharkiv. They had seized the village of Mala Rohan village late on 10 March 2022. Russian forces had also made several unsuccessful assaults on Mariupol on 10-11 March 2022 and continued to shell the city. The Defence Minister of Ukraine, Oleksiy Reznikov, stated on 11 March 2022 that Russian forces had continued to hold Mariupol “hostage” and had been “committing a real act of genocide”. Reznikov said that Ukraine had been attempting to negotiate humanitarian corridors out of the city but that Russian forces had continued to shell Mariupol during official negotiations. The ISW report referred to the statement by the “Donetsk People’s Republic” forces claiming to have captured the villages of Olhynka, Velyko-Anadol and

Zelenyi Hai in the Donetsk Region on 11 March 2022. The Russian Ministry of Defence claimed that the “DPR” forces had seized Volnovakha on 11 March 2022.

(k) Russian offensive campaign assessment of 12 March 2022

1962. This report stated that Russian forces had shelled Kyiv’s north-western suburbs. According to the Directorate of Intelligence of Ukraine, Russian commanders had authorised their soldiers to loot civilian businesses and households and move to “self-sufficiency” to offset continued supply problems. As to the Chernihiv axis, the Ukrainian General Staff reported that Russian forces had attacked towards Zazymya and Vyshenky. Also, it was reported that Russian forces had attacked towards Mykhailo-Kotsyubynske and Shestovytsya, 15 km from Chernihiv, in a likely effort to fully encircle the city. The Ukrainian General Staff additionally reported the deployment of Russian bridging equipment in Mykhailo-Kotsyubynske, Levkovychi, Zhukotka and Horodnya, around Chernihiv. Within the territory of the Sumy Region, at midnight local time on 11 March 2022 Russian forces were shifting reserves in Velyka Pysarivka, Moskovskiy Bobryak, and Lebedyn. Concerning the Kharkiv axis, ISW stated that on 12 March 2022 Russian forces had captured unspecified northern portions of the city of Izium and had launched an attack on Rubizhne, Luhansk Region. ISW noted that Russian forces had shelled Kharkiv on 12 March 2022. According to the Ukrainian General Staff, Russian forces had captured the eastern outskirts of Mariupol on 12 March 2022. Ukrainian forces reported that a Russian offensive towards Krasna Polyana and Olhynka – two towns north of Mariupol which Russian forces had previously claimed to have already captured – had been repelled as of noon local time on 12 March 2022. As to the Kherson and west axis, the Ukrainian General Staff reported that Russian forces had conducted a new advance north-east from Kherson along the western bank of the Dnipro on 12 March 2022, deploying artillery and air defence assets to Mylove. Russian forces directly south of Zaporizhzhya had conducted limited advances on 12 March 2022, capturing Stepove and Shcherbaky, approximately 40 km from Zaporizhzhya.

(l) Russian offensive campaign assessment of 13 March 2022

1963. This report informed that on 13 March 2022 Russian forces had conducted a few ground offensives, securing new terrain in the Donetsk and Luhansk regions. Specifically, the Russian Ministry of Defence claimed that Russian forces had captured the eastern and southern outskirts of Sieverodonetsk, Luhansk Region. The Ukrainian General Staff confirmed that Russian forces had captured several settlements in the Donetsk Region: Staromlynivka, Yevhenivka, Pavlivka and Yehorivka, as of noon local time on 13 March 2022.

1964. ISW also reported that hostilities had been continuing in Irpin, Kyiv Region, and that Russian forces had killed an American journalist, Brent Renaud, in Irpin on 13 March 2022.

1965. With reference to video footage published on Twitter, ISW stated that Russian forces had heavily shelled civilian infrastructure in the Donetsk region on 12-13 March 2022. The videos allegedly depicted the results of shelling of the bridge from Sloviansk to Krasnyi Lyman, over which an evacuation train had been moving, and the shelling of the Avdiivka coke plant.

1966. ISW also noted the expansion of Ukrainian protests in occupied Kherson. In particular, the Ukrainian General Staff reported on 13 March 2022 that Russian troops had fired in response to a protest in Kherson, which had been estimated to involve participants in the low thousands, but no casualties had been reported. Additionally, ISW mentioned that pro-Ukrainian rallies had been held in occupied Berdyansk and Melitopol on 13 March 2022. The mayor of Kherson, Igor Kolykhayev, announced that he had rejected a Russian attempt to force Kherson residents to pass a referendum declaring a “Kherson People’s Republic”.

(m) Russian offensive campaign assessment of 14 March 2022

1967. This ISW report stated that Russian forces had launched several unsuccessful assaults against Irpin and Bucha on 13-14 March 2022, attempting to cross the Irpin river. ISW also reported that late on 13 March 2022 Ukrainian forces had repelled Russian forces around Izium, in the Kharkiv region, and around the villages of Topolske, Shpakivka and Donetsk. ISW added that Russian forces had continued to shell Kharkiv. As to the Luhansk Region, ISW reported that Russian forces had conducted several unsuccessful attacks on Sievierodonetsk late on 13 March 2022. Ukrainian authorities reported that Russian forces had shelled the town of Popasna with prohibited incendiary rockets on 12-13 March 2022. The report stated that Russian forces had conducted several assaults on eastern Mariupol on 13-14 March 2022. Specifically, Russian artillery continued to shell the city and its northern outskirts, and a Russian aircraft increasingly conducted close-air-support missions near the city. The Russian Ministry of Defence claimed that Russian forces had advanced 15-17 km from the pre-invasion line of contact in the Donetsk Region as of 14 March 2022.

(n) Russian offensive campaign assessment of 15 March 2022

1968. ISW reported that on 14-15 March 2022 Russian forces had conducted attacks against Irpin and Huta-Mezhyhirska in the Kyiv Region and Horlivka in the Donetsk Region. ISW stated that the Russian Ministry of Defence had falsely claimed that the village of Huta-Mezhyhirska had been captured late on 14 March 2022. According to ISW, the Russian and proxy

forces had conducted several assaults on Mariupol on 14-15 March 2022. The report mentioned that Russian forces had continued to shell civilian infrastructure and residential areas of Mariupol to force the city to capitulate. ISW stated that the “DPR” forces had claimed to have captured the towns of Rivnopil, Zlatoustivka and Blyzhnie north of Mariupol on 15 March 2022. ISW also stated that late on 14 March 2022 Russian forces had attacked several settlements in the Zaporizhzhya Region: Hulyaypole, Orikhiv and Kamyanske. ISW noted that the Russian Ministry of Defence had falsely declared that the entirety of the Kherson Region had been captured on 15 March 2022.

(o) Russian offensive campaign assessment of 16 March 2022

1969. ISW stated that, according to the Ukrainian General Staff, on 15-16 March 2022 Ukrainian forces had repelled limited Russian attacks toward Vyshhorod, in the Kyiv Region, Rubizhne, Sieverodonetsk and Lysychansk, in the Luhansk Region, and Sumy. ISW reported that the Russian Ministry of Defence had claimed that “DPR” forces had taken control over Mykhailivka, Stavka, Botmanka and Vasylivka in the Donetsk region on 16 March 2022. The Ukrainian General Staff reported at noon local time on 16 March 2022 that Russian forces had conducted an offensive towards Velyka Novosilka, in the Donetsk region. ISW had not been able to verify the full extent of the claims of Russian officials.

1970. ISW stated that on 15 March 2022 Russian forces had seized the Mariupol Regional Intensive Care Hospital and had been holding its patients hostage. The Mariupol City Council additionally reported that on 16 March 2022 a Russian aircraft had purposely destroyed the Mariupol Drama Theatre, where hundreds of civilians had been sheltering.

1971. According to ISW, Russian forces continued to shell Kharkiv, Mykolaiv and Mariupol. The Ukrainian General Staff stated that on 16 March 2022 Russian warships had shelled the coastal settlements of Lebedivka, Sanzhiika, Zatoka and Bilenke in the Odesa Region. ISW referred to satellite imagery depicting Russian warships near the coast of Odesa on 15 March 2022.

(p) Russian offensive campaign assessment of 17 March 2022

1972. This ISW daily report stated that Russian forces had made little territorial progress, namely capturing the outskirts of the city of Rubizhne, in the Luhansk region, and the village of Mala Shestirnya, in the Kherson region. Additionally, the Russian Ministry of Defence claimed that “DPR” forces had advanced 4 km on 17 March 2022 and captured Marinka, Slavne and Solodke in the Donetsk Region. On 16 March 2022 social media users had filmed Russian armoured vehicles in Okhtyrka city, approximately 65 km

from Sumy. However, ISW stated that there was no evidence that Russian forces had fully captured the city.

1973. ISW also reported that Russian forces had continued to shell Kharkiv and Mariupol on 17 March 2022, targeting residential areas.

(q) Russian offensive campaign assessment of 18 March 2022

1974. ISW stated in this report that Russian forces had intensified repressive measures towards civilians in occupied areas of Ukraine as a result of increased Ukrainian attacks. With reference to the Ukrainian General Staff, ISW reported that Russian forces had aimed to establish strict administrative control, while also attempting to “create a positive image” by distributing food to the civilian population. Additionally, Russian forces had actively targeted and detained individuals who could be prone to resisting the occupation, including pro-Ukrainian activists, civil servants, people with a military background, and their families. The Ukrainian General Staff reported that Russian forces had shelled the city of Chernihiv and had been “intimidating the locals to quell civilian resistance” across the Chernihiv Region.

1975. According to ISW, Russian and proxy forces had made minor territorial gains north of the city of Sieverodonetsk in the Luhansk Region. Russian forces had launched multiple assaults on the city of Izium, south-east of Kharkiv, starting on the night of 17 March 2022, but ISW assessed that Ukrainian forces had maintained control of the city centre. ISW noted that there had been conflicting reports, with the Izium City Council initially stating that Russian forces had crossed the river but had been stopped by Ukrainian forces. Subsequent reports of 18 March 2022 indicated ongoing fighting on the city’s outskirts, prompting local Territorial Defence forces to evacuate civilians. The Ukrainian General Staff reported continuous Russian assaults on Izium, with additional deployment of units and supplies. ISW added that there had been discrepancies, as a senior US defence official claimed that Russian forces had taken control of Izium on 17 March 2022, but this information might have been inaccurate.

1976. ISW reported that Russian forces had captured portions of Rubizhne, north-east of Sieverodonetsk, on 17-18 March 2022. Throughout the day, “LPR” forces shelled Ukrainian positions in the city. On 18 March 2022 the Russian Ministry of Defence claimed that Russian forces had seized more than 90% of the Donetsk Region, but this claim could not be verified by ISW. The Ukrainian General Staff announced that Russian and proxy forces had seized an unspecified territory in the Rubizhne area as of noon local time on 18 March 2022. Additionally, the Russian Ministry of Defence asserted that “LPR” forces had been “eliminating” the remaining Ukrainian forces south of Rubizhne, and social media users shared footage of “LPR” forces raising the “LPR” flag above the Rubizhne administration building on 17 March 2022.

1977. According to ISW, on 18 March 2022 Russian forces had captured an administrative building on the left (eastern) bank of Mariupol, less than 10 km from the city centre. Chechen forces of the Rosgvardiya had been observed operating in the outskirts of Mariupol.

(r) Russian offensive campaign assessment of 19 March 2022

1978. ISW stated that the Russian military had increased its aerial, missile and artillery bombardment of populated areas of Ukraine. According to ISW, on 18 March 2022 Russian forces had unsuccessfully attempted to cross the Irpin river and capture Moshchun in the Kyiv Region, facing defeat. The General Staff indicated that Russian forces had maintained pressure on Sumy and Izium. Additionally, on 18-19 March 2022 Russian forces continued their assault on Rubizhne and secured areas in its western and north-western outskirts. They continued offensive operations at Popasna, probably in an effort to blockade Sieverodonetsk itself. ISW also stated that Russian forces had continued their advance towards Kryvyi Rih. In addition, it reported that on 19 March 2022 Russian forces had continued their grinding block-by-block advance into Mariupol, although without apparently making much new progress. Russian forces continued to attack civilian targets with air, missile, artillery and tank main gun rounds.

(s) Russian offensive campaign assessment of 20 March 2022

1979. This ISW report stated that Russian troops and proxy forces had made limited territorial gains north of Rubizhne on 19-20 March 2022, capturing the village of Varvarivka. The Ukrainian General Staff stated at noon local time on 20 March 2022 that Russian forces had continued to attempt to capture the settlements of Rubizhne, Sieverodonetsk and Popasna but had been unable to break through Ukrainian defences. The Russian Ministry of Defence claimed that “DPR” forces had advanced 3 km towards Verkhnotoretske, north of Mariupol, on 19 March 2022. Ukrainian forces in Izium had repelled a Russian attempt to capture the city centre on 19-20 March 2022.

1980. ISW stated that Russian forces had continued to shell civilian settlements across north-east Ukraine and Mariupol, including with thermobaric munitions.

(t) Russian offensive campaign assessment of 21 March 2022

1981. ISW stated that Russian forces had increasingly been shelling major civilian infrastructure in Kyiv and killing civilians, including the strikes on a major shopping mall in Podil overnight into 20 March 2022. Russian troops had also shelled densely populated areas and civilian infrastructure in Chernihiv, Kharkiv and Mariupol.

1982. The Russian Ministry of Defence claimed that Russian forces had captured a Ukrainian command bunker in Mykolaivka, approximately 30 km from Kyiv, but ISW was not able to independently confirm that claim. The Ukrainian General Staff reported that Ukrainian forces had halted a Russian attack towards Brovary, in the Kyiv Region, as of noon local time on 21 March 2022. According to ISW, Russian and proxy forces in the Luhansk region continued to contest the town of Rubizhne but had not launched any major offensive operations. Social media users had spotted Russian troops in Alchevsk, west of Luhansk, on 20 March 2022.

1983. The Ukrainian General Staff reported at midnight local time on 20 March 2022 that Russia had deployed Rosgvardiya forces to the Kherson and Zaporizhzhya Regions to conduct punitive measures against civilians in order to deter further protests in occupied cities. Russian forces fired at protesters in Kherson and raided local shops on 21 March 2022. Social media users filmed Russian forces beating protesters in Berdyansk on 20 March 2022.

(u) Russian offensive campaign assessment of 22 March 2022

1984. This ISW report stated that Russian forces had continued to conduct air and missile strikes against residential areas of Chernihiv, Sumy, and Mariupol. The Pentagon Press Secretary, John Kirby, additionally stated on 21 March 2022 that Russian forces had increased their long-range bombardment against Ukrainian cities to force them to surrender.

1985. Local Ukrainian sources reported that Russian forces had “entrenched” around Bucha on 22 March 2022. Satellite imagery of 21 March 2022 additionally depicted fortified Russian artillery positions northwest of Irpin. According to ISW, Ukrainian forces had retaken control of Moshchun and Makariv in the Kyiv Region. The Ukrainian General Staff reported at noon local time on 22 March 2022 that Russia and proxy forces had concentrated their efforts on capturing Rubizhne, Sieverodonetsk, Popasna, Marinka and Vuhledar in the Donetsk and Luhansk Regions but had been unsuccessful.

(v) Russian offensive campaign assessment of 23 March 2022

1986. This daily report noted that Ukrainian forces had taken control of Makariv, Kyiv Region, on 22 March 2022. According to the mayor of Irpin, Ukrainian forces had been controlling 80% of Irpin as of 23 March 2022; however, ISW was unable to corroborate that claim. As of 22 March 2022, Russian forces controlled Bucha and Hostomel, according to the statement of the head of the Kyiv Region Military Administration. Russian forces continued efforts to advance in the Luhansk and Donetsk Regions, concentrating on limited ground attacks on Popasna and Avdiivka.

Block-by-block fighting continued in the city of Mariupol, as Russian forces increased their bombardment using artillery, drones and naval guns.

(w) Russian offensive campaign assessment of 24 March 2022

1987. With regard to the advancement of Russian forces on the territory of Ukraine as of 24 March 2022, this ISW report stated the following. Hostilities were ongoing along the Zhytomyr highway in Irpin and Hostomel on the Kyiv axis. Russian forces were present in the Borodyanka, Baryshivka, Velyka Dymarka, Kalytyanske and Kalynivka districts.

1988. Russian forces had successfully advanced in Rubizhne and Popasna in the Luhansk Region and attacked Avdiivka and Ocheretyne in the Donetsk Region. Russian armour was observed concentrated near Yasynuvata in the Donetsk Region. Ukrainian forces retained control of the city centre of Izium and repelled Russian attacks. Russian forces continued their grinding territorial advances in Mariupol, entering parts of the city centre, and seized the Church of the Intercession of the Mother of God on 24 March 2022.

1989. ISW also reported widespread Russian shelling of civilian infrastructure in the north-eastern outskirts of Kyiv, including the city of Irpin city, and the cities of Chernihiv, Kharkiv and Mariupol throughout 23-24 March 2022. The Kharkiv city authorities reported that Russian forces had shelled a humanitarian aid delivery point at the Nova Poshta post office on 24 March 2022, killing six and wounding fifteen people.

1990. With reference to local authorities, ISW reported that the humanitarian situation in the cities of Izium and Mariupol was poor as a result of the Russian forces' intentional targeting of key infrastructure, including heating, water and electricity.

1991. The General Staff of Ukraine reported on 24 March 2022 that Russian forces had been forcibly evacuating residents of Rubizhne and Kreminna, in the Luhansk Region, to Voronezh in Russia, though ISW was unable to independently confirm this report. The Mariupol City Administration reported that Russian forces had been using loudspeakers to falsely claim to Mariupol residents that Zaporizhzhya was no longer accepting IDPs and that the Ukrainian government had abandoned them. As a result, Russia forcibly deported approximately 6,000 Mariupol residents to Russia as of 24 March 2022.

1992. On 24 March 2022 the Ukrainian General Staff reported that Russian Rosgvardiya units had been engaging in acts of "terrorising the local population" in Kherson as a response to protests.

(x) Russian offensive campaign assessment of 25 March 2022

1993. This ISW daily report stated that on 25 March 2022 heavy fighting had been ongoing in Irpin, Hostomel and Makariv in the Kyiv region. On the Chernihiv and Sumy axis, Ukrainian forces had recaptured Lukyanivka,

40 km east of Brovary, and several other small towns. Russian forces continued to shell humanitarian aid distribution points and civilian infrastructure in Kharkiv on 24-25 March 2022. Russian troops entered downtown Mariupol, according to several social media reports. Chechen forces claimed to have captured the entire left (eastern) bank of Mariupol on 24 March 2022.

(y) Russian offensive campaign assessment of 26 March 2022

1994. ISW reported that Russian forces had continued to fight for positions in Irpin and around Hostomel, Kyiv Region, and had entered the town of Slavutych, 35 km from Chernihiv. According to the report, on 25 March 2022 Ukrainian forces regained control of the towns of Mala Rohan and Vilkhivka, 20 km from Kharkiv. On 26 March 2022 Russian forces launched an offensive operation in an apparent effort to capture the towns of Popasna and Rubizhne, but without success, according to the Ukrainian General Staff. ISW also stated that there had been grounds to assert that Kherson had no longer been under full Russian control as of 26 March 2022.

1995. ISW also mentioned that on 26 March 2022 Russian soldiers had fired into the air to disperse residents of Slavutych, Kyiv Region, protesting against the Russian incursion. Furthermore, ISW noted that to suppress Ukrainian unrest in Kherson, Henichesk, Berdyansk and certain districts of Mariupol, the Russian forces had deployed all Rosgvardiya units stationed in the Kherson, Donetsk, and Zaporizhzhya Regions and Crimea.

(z) Russian offensive campaign assessment of 27 March 2022

1996. ISW reported on 27 March 2022 that Russian shelling had concentrated on Bucha, Irpin, Hostomel, Borodyanka and Makariv, in the Kyiv Region.

1997. According to ISW, late on 26 March 2022 Ukrainian forces counter-attacking east of Brovary had successfully retaken Lukyanivka and Rudnytske, 40 km from Brovary. Civilian authorities of the Kyiv Region had confirmed the presence of Russian forces in Baryshivka, Kalyta and Velyka Dymarka, in the Kyiv region. On the Chernihiv and Sumy axis, on 26 March 2022 Russian forces captured Slavutych, about 35 km from Chernihiv. On 26-27 March 2022 Ukrainian forces recaptured Trostyanets, Sumy Region, and Husarivka, Kharkiv Region. On 27 March 2022 Ukrainian forces continued to repel Russian assaults on Popasna and Rubizhne that had begun on 26 March 2022. Pro-Russian Telegram channels circulated a video of Russian forces capturing Rubizhne on 26 March 2022, but ISW stated that this video was likely to have been fake.

(aa) Russian offensive campaign assessment of 28 March 2022

1998. ISW noted in this daily report that on 28 March 2022 Ukrainian forces had recaptured the city of Irpin in the Kyiv Region. This information was confirmed by the mayor of Irpin, Oleksandr Markushyn, Ukrainian forces, who had shared photographs of themselves in Irpin, and the Kyiv Region military authorities. Ukrainian forces additionally confirmed the recapture of Rudnytske, east of Brovary, on 27 March 2022. The Ukrainian General Staff reported that Russian forces had attacked Ukrainian positions around Topolske, Kamyanka and Sukha Kamyanka near Izium on 28 March 2022. ISW reported that media news about the liberation of the entire territory of the Mykolaiv Region by Ukrainian forces had been incorrect. The governor of the Mykolaiv Region, Vitalii Kim, confirmed on 28 March that Russian forces were operating in Snihurivka.

1999. According to ISW, Russian forces continued to shell Chernihiv and Kharkiv. The Ukrainian General Staff stated that Russian forces had destroyed several bridges in the Chernihiv and Sumy Regions, in locations including Stara Rudnya, Smyach, Malyi Dyrchyn, Velykyi Dyrchyn and Konotop.

(bb) Russian offensive campaign assessment of 29 March 2022

2000. As to the Kyiv axis, ISW stated that some Russian forces had been pulling back into Belarus. Hostilities were ongoing in the Irpin and Hostomel areas, and Russian forces continued to shell Makariv and Irpin on 29 March 2022. Russian troops were entrenched in the Bucha and Nemishaieve areas. On the Chernihiv and Sumy axis, the Ukrainian General Staff reported on 29 March 2022 that Russian forces had been attempting to hold their positions in and around Brovary. Russian forces remained in likely encircled positions around Baryshivka, and at Kalytyanske and Velyka Dymarka. Russian forces continued their encirclement and bombardment of the city of Chernihiv on 29 March 2022. ISW also reported fighting along the road from near Izium towards Sloviansk and Russian progress in seizing the city of Mariupol.

(cc) Russian offensive campaign assessment of 30 March 2022

2001. This ISW daily report stated that elements of the Russian forces around Kyiv and Brovary had continued to pull back into Belarus. A column of Russian forces had travelled north through Ivankiv towards the Chornobyl area. Ukrainian forces fully controlled Makariv and parts of Borodyanka, in the Kyiv Region. Fighting was ongoing in Irpin and Hostomel, Kyiv Region. A Russian aircraft had continued to strike targets in Chernihiv during the night of 29 March 2022. Russian forces continued to make steady progress in Mariupol on 30 March 2022.

(dd) Russian offensive campaign assessment of 31 March 2022

2002. ISW reported that some Russian troops had withdrawn from positions north-west of Kyiv into Belarus. Local media and social media users reported that on the Kyiv axis Ukrainian forces had recaptured Lisove, Kapitanivka, Dmytrivka, Kopyliv and Buzova since 29 March 2022. According to ISW, fighting continued throughout Bucha, Makariv and Hostomel.

2003. On the Chernihiv and Sumy axis, on 31 March 2022 Russia had continued to withdraw elements of its forces around Brovary, namely from Baryshivka, Kalyta and Velyka Dymarka. Social media users reported that on 30 March 2022 Ukrainian forces had recaptured Ploske, Svitylnya and Hrebelky, all east of Brovary, and entered Nova Basan on 31 March 2022. ISW stated that the assertion made by the head of the Sumy Regional State Administration about the liberation of the entire Sumy Region except the Konotop area had highly likely been false. The Russian General Staff claimed that “LPR” forces had captured Zhytlivka, north-west of Sieverodonetsk, and Zolota Nyva, south-west of Donetsk, on 31 March 2022, but ISW was unable to verify that claim.

3. April 2022

(a) Russian offensive campaign assessment of 1 April 2022

2004. ISW stated that Ukrainian forces had regained control of Bucha, Hostomel, Ivankiv and several smaller towns in the Kyiv Region in counterattacks on 31 March and 1 April 2022. This information was confirmed by the Ukrainian military, local civilian administrations, and footage on social media. The Ukrainian General Staff stated that Russian forces had mined the vacated terrain and used artillery to screen their movements. According to ISW, Ukrainian forces had probably broken the encirclement of Chernihiv and pushed Russian forces east from Brovary, and had regained control of Nova Basan. According to ISW, as of 1 April 2022 Russian offensive operations in the Luhansk Region were centred on Popasna and Rubizhne, and operations in the Donetsk Region were concentrated on Marinka. ISW stated that Russian forces had captured Izium on 1 April 2022. This was confirmed by the Ukrainian General Staff and local sources. Regarding the Kherson axis, ISW reported that Ukrainian forces had successfully launched counter-attacks in the northern Kherson Region on 1 April 2022, liberating several towns and pushing Russian forces south from Kryvyi Rih.

(b) Russian offensive campaign assessment of 2 April 2022

2005. ISW reported that Russian forces had continued to capture territory in central Mariupol. ISW had geolocated a video released by Russian forces inside the Ukrainian SBU headquarters in central Mariupol. On the Kyiv axis,

on 2 April 2022 Ukrainian forces conducted operations to clear settlements in the Bucha, Vyshhorod and Brovary districts. According to the ISW report, Ukrainian forces continued to pursue Russian forces in the Chernihiv Region on 2 April 2022, taking control over Horodnya, Sloboda, Shestovytsya and Novyi Bykiv. Sumy regional authorities stated on 2 April 2022 that Russian forces had been active in Bilopillya, Buryn, Putyvl and Novoslobidske. The Ukrainian General Staff stated on 2 April 2022 that Russian troops had withdrawn from Brovary to Russia. ISW also mentioned that on 1 April 2022 Russian forces had shelled Kryvyi Rih, Kharkiv and its outskirts: Saltivka, Pyatykhatky, Derhachi and Oleksiivka. Ukraine's National Resistance Centre and local social media users had additionally reported that Russian forces had forcefully dispersed a protest in Enerhodar on 2 April 2022. Ukrainian protests and partisan actions in southern Ukraine continued to tie down Russian forces.

(c) Russian offensive campaign assessment of 3 April 2022

2006. ISW reported that Russian forces had completed their withdrawal from the Kyiv Region, and Ukrainian forces had been continuing to clear the Kyiv Region of isolated Russian troops left behind in the retreat. The Ukrainian governor of the Luhansk Region claimed on 3 April 2022 that the mayors of Rubizhne, Milove, Stanytsya Luhanska and Markivka in the Luhansk Region had been collaborating with the "LPR". "LPR" officials separately claimed to be clearing Rubizhne and evacuating civilians, but ISW was unable to confirm that claim. According to the Ukrainian General Staff report of 2 April 2022, Russian forces had not yet secured Rubizhne.

2007. Ukrainian reports indicated that Russian forces had been operating from Bilopillya to Konotop, Sumy Region, on 2 April 2022. Although on 3 April 2022 a Ukrainian member of parliament had claimed that Konotop had been liberated, ISW believed that Russian claims were more likely to be accurate. On the southern axis, the Ukrainian General Staff reported on 3 April 2022 that Russian troops had been fighting to retake Oleksandrivka in the Kherson Region after Ukrainian forces had regained control of the town in mid-March 2022.

(d) Russian offensive campaign assessment of 4 April 2022

2008. ISW stated that Ukrainian forces had control over the entirety of the Kyiv and Zhytomyr Regions as of 4 April 2022. Also, according to ISW, Russian forces had almost completely withdrawn from the Chernihiv and Sumy Regions. As to the Luhansk Region, Russian operations remained concentrated on Popasna and Rubizhne. Local Ukrainian authorities and Russian forces shared footage confirming ongoing urban fighting in Rubizhne, which the "LPR" had previously claimed to have captured on 3 April 2022. The Ukrainian General Staff claimed that Ukrainian forces had

retaken some territory in the Kherson Region on 4 April 2022, although ISW was unable to independently verify that claim.

(e) Russian offensive campaign assessment of 5 April 2022

2009. According to this report, as of 5 April 2022 the hostilities were ongoing in Popasna and Rubizhne, Luhansk Region, and Ukrainian forces continued an organised defence of parts of Mariupol. Additionally, ISW reported that Russian troops had advanced south-east from Iziurm towards Sloviansk and had taken control of the village of Brazhkivka, about 25 km from Iziurm. In the north-east of Ukraine, Russian forces had continued to withdraw from the Chernihiv region, and Ukrainian forces had continued clearing the Romny district on the Sumy axis on 4 April 2022.

2010. ISW reported that on 4 April 2022 Russian forces had bombarded settlements in the Kharkiv Region with a long-range MLRS. As a result of that attack, ten people were killed and forty-six were wounded.

(f) Russian offensive campaign assessment of 6 April 2022

2011. ISW reported that on 6 April 2022 Russian troops had completed their withdrawal from the Sumy Region. Russian forces continued assaults in Mariupol, Popasna and Rubizhne and concentrated their forces to resume the offensive from Iziurm towards the south-east. Ukrainian forces continued counter-attacks towards Kherson, recapturing Osokorivka, Dobryanka, Novovoznesenske and Trudolyubivka. Ukrainian forces additionally conducted counter-attacks towards Kherson along the Black Sea coast, with fighting ongoing in Oleksandrivka as of 6 a.m. local time on 6 April 2022.

(g) Russian offensive campaign assessment of 7 April 2022

2012. According to this daily report, Russian forces had asserted that central Mariupol had been successfully captured. However, social media users and the Ukrainian General Staff had reported that Ukrainian forces still maintained control of the south-western part of the city. Ukrainian forces repelled continuing Russian attacks from Iziurm south-east towards Sloviansk, in the Donetsk Region, and Barvinkove, in the Kharkiv Region. The Russian Ministry of Defence claimed to have captured Solodke, 30 km south-west of the city of Donetsk, on 7 April 2022. Ukrainian forces claimed to have conducted a counter-attack in Kreminna, north-west of Rubizhne, on 7 April 2022, pushing Russian forces back 6-10 km.

2013. ISW reported that Russian forces had shelled civilian infrastructure in Kharkiv and its outskirts. The Ukrainian General Staff additionally reported that Russian forces had been carrying out strict “filtration” measures in the Kherson Region, which ISW believed were likely to include targeted detentions and killings of Ukrainian civilians.

(h) Russian offensive campaign assessment of 8 April 2022

2014. ISW stated that Ukrainian forces had retained control of defensive positions in eastern and south-western Mariupol, despite Russian claims to have captured most of the city. On the southern axis, on 8 April 2022 local authorities stated that in the Mykolaiv Region Russian forces only controlled Snihurivka, a town north of Kherson.

2015. On 8 April 2022 a Russian Tochka-U missile struck a civilian evacuation point at the Kramatorsk railway station in eastern Ukraine, killing at least fifty and wounding around a hundred evacuees. Pro-Russian Telegram channels and the Russian Ministry of Defence initially claimed that Russian forces had conducted precision strikes on railway stations in Donbas before deleting the claims once the heavy civilian casualties had emerged.

2016. The report mentioned that Russian forces had continued to shell civilian infrastructure in Kharkiv and its outskirts on 8 April 2022.

(i) Russian offensive campaign assessment of 17 April 2022

2017. ISW stated that Russian forces had captured the port of Mariupol on 16 April 2022 and had reduced Ukrainian positions in the city to the Azovstal steelworks. According to ISW, on 17 April 2022 Russian forces had conducted heavy air strikes in Mariupol, including by Tu-22M3 strategic bombers. Additionally, ISW stated that Russian troops had continued attacks against Rubizhne, Popasna and Sieverodonetsk on 17 April 2022 without any significant territorial gains.

2018. On 17 April 2022 the Ukrainian General Staff reported that Russian forces had been attempting to mobilise Ukrainian civilians in Izium for manual labour, though ISW did not independently confirm that report.

(j) Russian offensive campaign assessment of 27 April 2022

2019. ISW reported that Russian forces had intensified “filtration measures” in the Kharkiv, Zaporizhzhya, Kherson, Mykolaiv, Luhansk and Donetsk Regions and had been abducting Ukrainian citizens, likely for use in future prisoner exchanges. According to the Main Intelligence Directorate of Ukraine, the “filtration measures” targeted men of military age, former military and law-enforcement personnel and pro-Ukrainian activists for interrogation, torture, and possible execution. Additionally, the adviser to the mayor of Mariupol, Petro Andryushchenko, reported that Russian forces had increasingly been restricting civilian movement in Mariupol and “resorting to physical coercion and blackmail” to force Ukrainian citizens to work for the occupation regime.

2020. According to ISW, as of 27 April 2022 Russian forces had continued ground and air assaults against Ukrainian troops in the Azovstal steelworks in Mariupol. They had also made marginal advances in frontal assaults around Sieverodonetsk, Rubizhne and Popasna, and captured

Novotoshkovske, 25 km from Sieverodonetsk, and Zarichne in the Donetsk Region. Russian troops had made territorial advances directly west of Izium, capturing the town of Zavody and the outskirts of Velyka Komyshevka, Kharkiv Region. As to the Mykolaiv axis, ISW noted that Russian forces had conducted failed attacks towards Tavriske and Nova Zorya and that Ukrainian forces had reportedly recaptured Shyroky, Novopetrivka and Liubyn, 50 km north of Kherson.

2021. ISW reported that Russian occupation forces had continued their preparations to proclaim a “Kherson People’s Republic” amid widespread Ukrainian resistance. According to the Ukrainian General Staff’s report of 27 April 2022, Russian forces had printed ballots, conducted a census for a “referendum”, and prevented civilians from leaving the occupied territories.

4. July to September 2022

(a) Russian offensive campaign assessment of 12 July 2022

2022. In this report ISW noted that on 12 July 2022 social media users from Enerhodar had reported a series of explosions and smoke originating from the direction of the Zaporizhzhya Nuclear Power Plant. According to the claims of the mayor of Enerhodar, Dmytro Orlov, Russian forces had staged the attacks on Enerhodar to cause panic and rapid evacuation at a nearby checkpoint in Vasylivka, approximately 45 km from Zaporizhzhya. At the same time, Russian forces reportedly closed the Vasylivka checkpoint on 12 July 2022 and prevented the evacuees from Melitopol from leaving.

2023. ISW reported that Russian forces had conducted ground assaults north of Sloviansk, east of Siversk, and north of the city of Kharkiv. The United Kingdom Ministry of Defence confirmed that Russian forces had seized the village of Hryhorivka, north-east of Siversk, in the Donetsk Region.

2024. According to the report, Russian forces had continued to shell settlements along the Kherson region administrative border and carried out airstrikes on Zarichne. They had also fired artillery and rocket fire salvo systems at Kharkiv city districts and nearby settlements. The report stated that Russian forces had continued air and artillery strikes around Bakhmut, Avdiivka, Kurakhove, Marinka, Sloviansk, including Mazanivka, Dibrovne, Barvinkove, Velyka Komyshevka and Chepil, and had continued firing on areas along the line of contact, including Kryva Luka, Verhnokamyanske, Spirne and Serebryanka.

(b) Russian offensive campaign assessment of 12 September 2022

2025. This ISW report stated that Ukrainian forces had taken control of the entire north-eastern part of the Kharkiv Region along the Vesele-Vovchansk line. Ukrainian troops had retaken Dvorichna, 100 km east of Kharkiv, Ternova, 30 km north-east of the city of Kharkiv, and

Bohorodychne and Svyatohirsk in the Donetsk Region. In the Kherson Region, Ukrainian troops had liberated thirteen settlements, including Vysokopillya, Novovoznesenske, Bilohirka, Sukhyi Stavok and Myrolyubivka.

2026. The Ukrainian Resistance Centre reported on 12 September 2022 that throughout the occupied Kherson Region Russian forces had restricted general freedom of movement, strengthened military checkpoints, and increased looting, particularly of motorcycles, in order to be able to flee in the event of a military collapse.

(c) Russian offensive campaign assessment of 17 September 2022

2027. ISW referred to the Russian Presidential Commissioner for Children’s Rights, Maria Lvova-Belova, reporting that Russian authorities intended to place 125 “orphan” Ukrainian children from the occupied Donetsk Region with Russian families, but that they might have to separate siblings from families with over seven children. Additionally, Ms Lvova-Belova stated that Russian authorities had already granted those children Russian citizenship and conducted “psychological testing” to determine an appropriate placement with Russian families.

2028. According to ISW, Russian authorities were intensifying efforts to suppress Ukrainian opposition to the occupation regime by implementing stricter measures, including the threat of forced deportation and the nationalisation of businesses, particularly in Zaporizhzhya and Kherson Regions. Deceptive tactics, such as organising fake fundraisers and making enquiries about Russian forces, were used in the city of Kherson to identify and detain patriotic Ukrainians. The Rosgvardiya Press Service confirmed the detention of over fifty individuals labelled as “accomplices of the Ukrainian Armed Forces” in the occupied regions of Zaporizhzhya and Kherson in the week preceding the publication of this report.

5. January to September 2023

Russian offensive campaign assessment between 2 January and 19 September 2023

2029. This batch of evidence consisted of ISW daily reports covering the period from 2 January to 19 September 2023. Each report described the course of offensive operations conducted by Ukrainian and Russian forces, specified settlements captured by Russian forces or recaptured by Ukrainian ones, reported on Russian drone and missile strikes on the territory of Ukraine, and highlighted other news of a military and political nature.

I. International Partnership for Human Rights (IPHR) and Truth Hounds

1. Report “War crimes in the wake of Russia’s military onslaught on Ukraine”, 27 February 2022

2030. IPHR is a Brussels-based human rights NGO founded in 2008. On 27 February 2022 IPHR published an article prepared by Truth Hounds, a Ukrainian human rights NGO, analysing the alleged war crimes committed by the Russian military within the first forty-eight hours of the full-scale invasion.

2031. Referring to Ukraine’s Minister of Health, Viktor Lyashko, the article stated that as of 10 a.m. on 26 February 2022, 198 civilians had been killed, three of them children, and another 1,115 civilians, including thirty-three children, had been injured. The article then described several attacks against the civilian population and civilian objects. In particular, the researchers had verified an artillery attack on a civilian neighbourhood in Chuhuiv, Kharkiv Region, which had occurred on 24 February 2022 at 8.23 a.m., killing a young boy, injuring several people, and destroying or damaging dozens of flats and cars. The researchers believed the attack had been committed with a Russian BM-30 Smerch MLRS, while noting that the closest military target, the Chuhuiv air base, had been 1.4 km away from the place of the incident.

2032. Another verified shelling occurred around 10 a.m. on the same day, hitting an apartment building in the northern outskirts of Kharkiv. A photo in the article depicted a long rocket hanging from the ceiling of a flat with a man looking at it. The researchers stated that it had also been fired from a Smerch MLRS and reported that one person had been injured. Meanwhile, the closest military target, a National Guard base, had been located some 5.4 km away. One more reported Smerch shelling on that day had hit the yard of a residential building in northern Kharkiv but had caused no casualties. Referring to a video posted online, the article described another shelling of the Oleksiivka district in Kharkiv with the use of Smerch cluster munitions. The article also reported an attack in the direction of Tsyркunь, Kharkiv Region, resulting in at least one death.

2033. The article covered several reports of shelling of Vorzel, Kyiv Region, on 24 February 2022. In particular, there were reports of a large orphanage having been damaged by shrapnel at 1.03 p.m. on that day. There were no casualties, as at the time of the shelling teachers and children had been in a shelter. The article also reported on an airstrike on Maryanivka, Kyiv Region, on 25 February 2022. The attack left four civilians dead and fifteen injured, without any reported military objects in close proximity.

2034. In Donbas the article covered attacks on Mariupol which had begun with shelling as early as 5 a.m. on 24 February 2022. At least seven private residences caught fire, seven civilians were killed, and a further seven

sustained injuries as a result of shelling by Grad and Smerch missiles. An artillery shelling of Donetsk, not controlled by the Ukrainian government, was also reported with the regional children's hospital coming under fire. Then, at 7.20 p.m. on 25 February 2022, the shelling of Mariupol hit School no. 48 and a residential building, leaving three persons injured. Another shelling of Vuhledar, the article stated, had occurred on 24 February 2022 at 11 p.m., hitting a clinic and leaving four civilians dead and eleven injured. Six of the casualties had been medics. A series of strikes against medical units, ambulances and personnel was reported to have occurred throughout the country. Another strike at 6.53 a.m. on 24 February 2022 hit a boarding school in Shchastya, Luhansk Region.

2035. In Okhtyrka, Sumy Region, a reported Uragan MLRS strike on 24 February 2022 hit a kindergarten with rocket shrapnel, leaving five people dead and eighteen injured, including two young boys with serious injuries. A photo in the article depicted a helicopter view at the kindergarten's entrance with at least three dead bodies lying on the ground surrounded by traces of blood. In the Kherson Region, it was reported that Russian soldiers had fired at a vehicle with four civilians for sixty seconds using automatic firearms.

2036. Lastly, the article reported an improper use of military emblems, insignia and uniforms of the adversary by Russian forces, as well as perfidy, by means of soldiers disguising themselves as civilians. Without mentioning any specific incidents, the article stated that Russian troops had used this tactic on 25 February 2022 to get behind the Ukrainian lines. Such actions were condemned in the article as violations of IHL.

2. *Analytical report "Evidence of war crimes and serious violations of international humanitarian law committed during Russia's military aggression against Ukraine (22 March – 5 April 2022)", 18 April 2022*

2037. The report described grave violations of human rights by the Russian armed forces in the course of the military aggression against Ukraine. It covered the period from 22 March until 5 April 2022. The report gave accounts of torture, wilful killings, sexual violence, attacks on civilians and civilian objects, forcible transfer of civilians, pillage and seizure of property, impeding of access to humanitarian aid, and use of human shields. The report was mainly based on open internet resources. Provided hereinafter are brief descriptions of human rights violations on the part of the Russian armed forces resulting in deaths and injuries.

2038. On 23 March 2022 in Motyzhyn, Kyiv Region, Russian forces abducted the village head, Olha Sukhenko, and her family. Their bodies were found in a mass grave and a sewer well with signs of torture. In Irpin, Kyiv Region, up to 300 civilians were killed by Russian troops, who shot at locals and ran over their bodies with tanks.

2039. On 24 March 2022 in Kharkiv, a Nova Poshta post office was shelled, resulting in the death of at least six people and injuries to fifteen. On 27 March 2022 in Oskil, in the Iziurm district of the Kharkiv Region, artillery shelling killed seven people, including a seven-year-old child. Between Shevelivka and Husarivka, Kharkiv Region, a civilian car was shelled, resulting in the deaths of three people, including a three-year-old child.

2040. On 29 March 2022 in Mykolaiv a missile strike at the Regional State Administration building killed at least thirty-six people.

2041. On 30 March 2022 in Lysychansk, Luhansk Region, shelling killed at least seven civilians, including a one-year-old child. On 31 March 2022 in the Donetsk Region, shelling by the Russian army killed five civilians and injured twenty-two others. On the same date, two male bodies displaying signs of torture were found in Trostyanets, Sumy Region.

2042. On 1 April 2022 a journalist, Max Levin, was shot in Huta-Mezhyhirska, Kyiv Region. On the same date, seven civilians were killed and six injured as a result of shelling in the Donetsk Region.

2043. On 1 April 2022 in the village of Novyi Bykiv, Chernihiv Region, Russian troops used children as human shields when relocating their military convoys. Russian soldiers took local Ukrainian children hostage and put them in trucks to protect military machinery from attacks by the Ukrainian army. They also used children as hostages to guarantee that the local population would not give the coordinates of the enemy's movements to Ukrainian forces. According to the Ministry of Defence of Ukraine, such cases were also documented in the Sumy, Kyiv, and Zaporizhzhya Regions.

2044. On 3 April 2022 in Kharkiv Russian troops shelled residential buildings, killing seven people. On the same date in Boromlya, Sumy Region, Russian troops tortured and killed a marathon runner, Serhii Pronevych. On the same date in Balakliya, Kharkiv Region, an evacuation convoy was shelled, resulting in the death of at least one bus driver.

2045. On 4 April 2022 in Bucha, Kyiv Region, Russian forces tortured people *en masse* in a basement. The bodies of five men with their hands tied and signs of torture were found there.

2046. On 5 April 2022 three tortured people were discovered in the Konotop district, Sumy Region.

2047. The report also provided evidence of multiple instances of Russian soldiers looting the apartments of Ukrainians in occupied territories.

3. *Analytical report "Evidence of war crimes and violations of international humanitarian law committed by the Russian Federation during its campaign of military aggression against Ukraine (5 May to 18 May 2022)", 14 June 2022*

2048. The report described grave violations of human rights by the Russian armed forces in the course of the military aggression against Ukraine. The report was mainly based on open internet resources.

2049. On 9 May 2022 a grave containing the bodies of three men shot by the Russian military in the head and abdomen was found near Makariv, Kyiv Region. One of those killed was a Czech citizen. Local authorities in occupied Mariupol reported that Russian forces had continued to bring the bodies of hundreds of civilians to a mass grave near Vynohradne, close to Mariupol, Donetsk Region. In Bilohirya, Zaporizhzhya Region, the Russian military shot at a car carrying two civilians. The passenger died on the spot and the driver sustained injuries.

2050. On 10 May 2022 the bodies of three civilians were found in a car on the road near Tsyrkuny, Kharkiv Region, following its liberation from Russian occupation.

2051. On 12 May 2022 CNN published a video dated 16 March 2022 showing the Russian military shooting dead two civilians on the outskirts of Kyiv. The events unfolded in the following way. A group of Russian servicemen broke into a car dealership. They stopped and searched the owner and the security guard, and then shot them in the back. The owner of the company died on the spot. The wounded security guard was able to reach the premises of the company, where he died of blood loss while waiting for help. The video showed Russian servicemen looting the dealership.

2052. In the Kherson Region, the Russian military fired at a column of civilian vehicles using artillery on 12 May 2022. That morning, Russian forces stopped about 1,000 civilian vehicles who had been trying to evacuate. They were not released until the afternoon, in batches of 200 cars. At 4 p.m., the Russian military fired at one of the columns that had reached the territory controlled by Ukraine. As a result, a woman and an 11-year-old child were injured.

2053. On 13 May 2022 the Ministry of Internal Affairs of Ukraine reported that the Russian military had shot civilians from a tank in one of the occupied villages of the Kharkiv Region.

2054. On 16 May 2022 the body of a local resident who had been shot in the back was found in Vyshehrad, Kyiv Region. In occupied Velyka Oleksandrivka, Kherson Region, Russian troops captured and tortured a local resident. When he was released from captivity, he said that the Russian military had broken six of his ribs and pierced his lungs.

2055. On 17 May 2022 near Davydov Brod, Kherson Region, Russian troops used a Grad missile system to fire at an evacuating convoy of civilian vehicles. At least three people were killed, and six others were injured.

4. *Analytical report “Evidence of war crimes and violations of international humanitarian law committed by the Russian Federation during its campaign of military aggression against Ukraine (19 May to 1 June 2022)”, 5 July 2022*

2056. The report described grave violations of human rights by the Russian armed forces in the course of the military aggression against Ukraine. The report was mainly based on open internet resources.

2057. According to the Office of the Prosecutor General of Ukraine, in March 2022 five Russian soldiers and three members of the Wagner Group had kidnapped the head of the village of Motyzhyn, her son and her husband. They tortured the whole family for information on Ukrainian territorial defence forces. The perpetrators shot the son in the leg in front of his mother. Failing to receive any information, they shot the son in the head and tortured the husband. The whole family died from multiple gunshot wounds. Their bodies were found in a mass grave outside Motyzhyn.

2058. On 19 May 2022 a journalistic investigation by the *New York Times* presented reliable evidence of Russian paratroopers executing nine unarmed Ukrainian men on 4 March 2022 in Bucha, Kyiv Region.

2059. On 23 May 2022 Russian soldiers broke into the home of a Zaporizhzhya Nuclear Power Plant employee and shot him multiple times.

2060. As of 26 May 2022, the death toll of civilians executed by the Russian forces in the Kyiv Region had risen to 1,303.

2061. On 29 May 2022 in Vyshehrad, Kyiv Region, Ukrainian police uncovered the body of a dead civilian who had been beaten to death by Russian soldiers.

2062. On 30 May 2022 the Russian forces fired at an evacuation vehicle, killing a French journalist.

5. *Analytical report “Evidence of war crimes and violations of international humanitarian law committed by the Russian Federation during its campaign of military aggression against Ukraine (21 April to 4 May 2022)”, 1 June 2022*

2063. The report described grave violations of human rights by the Russian armed forces in the course of the military aggression against Ukraine. The report gave accounts of torture, wilful killings, sexual violence, attacks on civilians and civilian objects, forcible transfer of civilians, abductions, pillage and seizure of property, and impeding of access to humanitarian aid. The report was mainly based on open internet resources. Provided hereinafter are brief descriptions of human rights violations on the part of the Russian armed forces resulting in deaths and injuries of people.

2064. On 21-25 April 2022 investigative journalists for *Skhemy* reported on three mass graves in the Mariupol district, Donetsk Region. The first mass burial site was found in the village of Manhush, 20 km from Mariupol, and

was more than 300 metres long. The second mass burial site was approximately 45 metres long and found near the village of Vynohradne, 5 km from Mariupol, occupied by Russian troops. The third mass burial site was more than 200 metres long and was located near the occupied village of Staryi Krym, 5 km from Mariupol.

2065. On 21 April 2022 police in the Kyiv Region reported that in Borodyanka two burial sites had been discovered, containing the bodies of nine people murdered by Russian servicemen.

2066. On 27 April 2022 the State Bureau of Investigation informed that in the liberated Trostyanets, Sumy Region, sites where least twenty local residents had been tortured by occupying forces had been discovered. Batons, handcuffs, pliers and the bloodied clothes of victims were found at the crime scenes.

2067. On 29 April 2022 the President of Ukraine reported that a mass burial had been found in the Kyiv Region, containing the bodies of 900 people killed by Russian troops.

2068. In deoccupied Husarivka, in the Balakliya district of the Kharkiv Region, the body of a 27-year-old medical professional was found with multiple wounds, shot through the knees and feet, with a craniocerebral injury and a bullet in his chest. On the road between Husarivka and Shevelivka, a car was found with a family shot dead – a man, a woman, and their three-year-old son. Earlier, law-enforcement officials found the burnt corpses of Ukrainians who had been tortured by the Russian military and then thrown into cellars along with wood and/or car tyres and set alight in an apparent attempt to cover up the crime.

2069. On 30 April 2022 police in the Kyiv Region reported that in a forest near the village of Myrotske, Bucha district, in the Kyiv Region, a pit had been found containing the bodies of three men killed by Russian troops. There were signs of torture and gunshot wounds in different parts of the bodies.

2070. On 2 May 2022 the Office of the Prosecutor General of Ukraine reported that in Kalynivka, Bucha district, in the Kyiv Region, a burial site of two men bearing traces of torture had been found. Nails had been torn off from their fingers, their arms were tied behind their backs, and there were indications of gunshots on their bodies.

2071. On 3 May 2022 the Office of the Prosecutor General of Ukraine reported that in Irpin, Kyiv Region, the bodies of seven civilians shot dead by Russian forces had been found. A Russian soldier from the 234th Air Assault Regiment of the Armed Forces of the Russian Federation was identified; together with other Russian servicemen, he was believed to have captured and tortured two men. The captives had been held in a cellar and struck on their ribs and legs with rifle butts, threatened with murder and simulated execution, and had received no food or water.

2072. On 4 May 2022 the Kyiv regional police reported that bodies of twenty more civilians killed by the Russian military had been found in the

Kyiv Region. The police also reported discovering the body of a 58-year-old man who had been shot by Russian troops near his home in the village of Shybene, Borodyanka district, in the Kyiv Region.

2073. Local authorities in the Kyiv Region had discovered 1,235 dead civilians. 50-75% of those killed appeared to have gunshot wounds. There was evidence of at least three mass graves organised by Russian troops near the besieged Mariupol. There were initial reports of torture and killings of civilians in the Kharkiv Region that had been liberated from Russian occupation, and further reports of torture in the liberated Sumy Region.

6. *Analytical report “Evidence of war crimes and violations of international humanitarian law committed by the Russian Federation during its campaign of military aggression against Ukraine (2 June to 30 June 2022)”, 5 August 2022*

2074. The report described grave violations of human rights by the Russian armed forces in the course of the military aggression against Ukraine. The report was mainly based on open internet resources.

2075. In April 2022 Russian servicemen tortured and killed a Ukrainian police officer, Vitalii Lapchuk.

2076. On 3 June 2022 Russian shelling resulted in the death of a 13-year-old boy in Hirske, Luhansk Region.

2077. On 8 June 2022 the Office of the Prosecutor General of Ukraine announced that in Yahidne, Chernihiv Region, Russian soldiers had forced over 300 civilians, including seventy-seven children, into a school basement and threatened them with weapons and injury. The civilians were kept in a dark, unsanitary basement and denied food and water for nineteen days. Those conditions led to ten civilian deaths.

2078. On 13 June 2022 the Head of the National Police for the Kyiv region reported that seven civilians had been tortured and executed by Russian forces near the village of Myrotske.

J. Ukraine Crisis Media Centre (UCMC)

1. *News article “War crimes of the Russian Federation: 8 civilians were killed, including 2 children, by air strike on Izium in Kharkiv region”, 3 March 2022*

2079. In this news item, UCMC reported that according to Volodymyr Matsokin, the deputy mayor of Izium, Kharkiv Region, on 2 March 2022 Russian aviation had attacked a multi-apartment building and a private house in Izium, resulting in eight civilian deaths, including two children. Another object of the attack had been the Izium police station; no casualties were reported in that regard.

2. *News article “Russia’s war crimes: the occupiers shelled residential areas of Kramatorsk, there are killed”, 6 March 2022*

2080. In this news item, UCMC shared a report by the Joint Forces Operation’s press service, according to which on 6 March 2022 Russian forces had fired a missile on a residential neighbourhood in Kramatorsk, resulting in “at least two people killed and many wounded”. A number of houses on Kramatorsky Boulevard had been affected. According to the report, experts on the ground had been working to identify the type of weapon used, with the initial version being a cruise missile, similar to one that had been shot down by Ukrainian forces near Kramatorsk on the previous day, 5 March 2022.

3. *News article “The Russians shot at a car from an infantry fighting vehicle near Kyiv”, 12 April 2022*

2081. In this news item, UCMC shared information from a Facebook post by Andriy Nyebytov, the deputy head of the National Police of Ukraine. According to him, on 13 March 2022 a civilian car from an evacuation column with white flags and “children” signs had been attacked by a Russian infantry fighting vehicle with a heavy machine gun near the village of Havronshchyna in the Bucha district, Kyiv Region. As a result, two children and three women had been killed, while the driver, a man, had been hospitalised with severe wounds. This news item contained photos of a heavily damaged black Volkswagen sports utility vehicle, as well as dead bodies, toys, and a child’s shoe.

K. Médecins sans frontières (MSF)

1. *Press statement “Staff report dire conditions in Mariupol”, 5 March 2022*

2082. In an update posted on 5 March 2022, MSF reported that many of its staff members had been sheltering in Mariupol with their families. In particular, MSF cited an unnamed staff member who had heard severe shelling in close proximity that night. The staff member stated that there had been no access to water and bread, as the queues for them were huge and the schedule and places of distribution unclear, while multiple grocery stores had been destroyed by missiles. The staff member also reported that there had been no power, heating or mobile telephone connection, while the remaining pharmacies had been running out of medicines. The staff member had not heard about any evacuation efforts. In the meantime, Christine Jamet, the MSF director of operations, had called for safe routes from Mariupol allowing civilians to be evacuated, including MSF staff members and their families. They had all been trapped in Mariupol, she stated.

2. *News article “Every day thousands of Ukrainians arrive in Slovakia traumatised and exhausted”, 14 March 2022*

2083. In an interview of 14 March 2022 an MSF project coordinator stated that Uzhhorod, a Ukrainian city 2 km away from Slovakia, had become a hub for the distribution of humanitarian aid, as well as a shelter for numerous Ukrainians fleeing their homes. According to her, the city’s population had tripled from 100,000 before the full-scale invasion. She stated that local authorities had been afraid of the city’s resources running out. As to the situation on the border with Slovakia, the coordinator said that an average of 10,000 people had been crossing every day from Ukraine, 90% of them women and children. She stated that there had been 3 km-long queues of people waiting to cross the border, with temperatures dropping to -5°C, and at times -10°C. The coordinator mentioned that on the Slovakian side the refugees were being welcomed in a transit centre in Humenne, from which most continued their way to other European countries. The centre was assisted by Slovakian NGOs, volunteers and firefighters. The MSF emergency team, she said, had arrived in Slovakia at the beginning of March 2022 and had been assisting the Slovakian Ministry of Health. She added that MSF was considering setting up a base in Uzhhorod, where the lack of crucial medicines, such as insulin, narcotics and sedatives, had been the main concern.

3. *News article “Ukraine MSF team witnesses hospital bombing in Mykolaiv”, 5 April 2022*

2084. MSF reported that on 4 April 2022 its team of four had witnessed the shelling of a hospital in Mykolaiv while visiting the city to meet with regional and city health authorities. In particular, the area around the city’s oncology hospital, which had been treating the wounded since the beginning of war, had come under fire at around 3.30 p.m. while the MSF team was there. According to Michel-Olivier Lacharité, the MSF head of mission in Ukraine, several explosions had taken place near the team within ten minutes. They had been able to take cover and remained unhurt, but while leaving the site they had seen injured people and at least one dead body.

2085. According to the team members, the regional hospital located around 300 metres away had also been hit. Upon approaching that hospital, the MSF team had seen numerous small holes on the ground which could be consistent with the use of cluster bombs. Mr Lacharité confirmed that three hospitals in Mykolaiv had been hit within two days. Apart from the oncology and regional hospitals located in a residential area on the eastern side of Mykolaiv, hospital no. 5 located on the southern side had been hit on 3 April 2022.

L. International Committee of the Red Cross

1. Research Study “Displacement in Times of Armed Conflict: how international humanitarian law protects in war, and why it matters”, April 2019

2086. This study was based on research carried out by the ICRC and considered the links between displacement and IHL from a human and social sciences, rather than a purely legal, standpoint. Part of the research focused on existing literature on displacement and drew inspiration from academic articles and publications by other humanitarian organisations. Its authors had interviewed around a dozen delegates, asking them about their experiences at the heart of the action, gathering detailed accounts and questioning them more generally about their views on displacement. The research also drew heavily on the ICRC’s archives. The study contains accounts of the situation on the ground in around a dozen countries experiencing armed conflict.

2087. The study found as follows:

“Displacement is part and parcel of war. But one has to keep in mind that social, political and economic factors also have an impact of displacement. The jury is still out on which factor has the most weight as a cause of displacement. But there is one that comes up time and again, no matter when, where or how the conflict plays out. And that factor is ‘violence’, whether it is in violation of IHL or not. Evidence from the literature and our records shows that more people flee because of violence and the direct or indirect effects of hostilities than for any other reason. Violence is still the number - one cause of internal displacement in Colombia.... And in Ukraine, a wave of displacement was triggered when conflict-induced violence erupted in the east of the country. Without exception, the literature on the situation in Ukraine reveals a direct correlation between the conflict-induced violence and displacement.

...

Not everyone who flees during armed conflict does so in response to an actual act of violence. Apprehension and fear can influence people’s decisions, too. In many cases, people decide to flee perceived and anticipated threats as a preventive measure.”

2088. It further reported as follows:

“[I]ndividual IHL violations are often reason enough for people to flee their homes, especially when the perpetrators target civilians directly. Multiple, concurrent IHL violations cause mass displacement. That is why, when seeking to understand why unlawful violence in the conduct of hostilities causes displacement, we need to consider how multiple, concurrent violations produce a cumulative effect.

... Both the ICRC and other humanitarian organizations have long argued that the causes of displacement are complex and multifaceted ...People are fleeing their homes to escape the combined human, psychological, social and economic costs of war, some of which are related to (or could constitute) IHL violations, while others do not.”

2089. The study also noted as follows:

“[D]isplacement is more than a mere consequence of war or the result of an IHL violation. In some cases, it can be a deliberate strategy in its own right amounting to a violation of the IHL prohibition of forced displacement. When examining what causes

people to flee, we must consider the intent behind the acts pushing people to flee. We cannot hope to understand displacement, let alone contain it, unless we recognize that one or more warring parties may be intentionally trying to force people from their homes and deliberately violating IHL to achieve this end.

Sometimes the parties to a conflict use overt methods, such as forced displacement, by ordering people to leave their homes or by transferring them by force for the purposes of so-called ethnic cleansing and demographic reengineering. Yet research has revealed a battery of other, more underhand strategies that State armed forces and non-State armed groups employ to force civilians out of their homes. They do not explicitly order displacement, nor do they organize it, but they provoke it deliberately by using methods such as direct attacks against civilians, sexual violence, public beatings, threats against people's lives and safety, and direct attacks against civilian objects, including homes, places of work, infrastructure and religious and cultural property. In addition to other violations of IHL, these cases may also amount to forced displacement as prohibited by IHL."

2090. Analysing the causes of displacement and the difficulties of return, the study found:

"[P]eople's experience of displacement differs according to the circumstances that caused them to leave. When people flee acts that do not contravene IHL, they might be displaced for relatively short periods of time. Conversely, displacement caused by IHL violations, or by a build-up of violations, is likely to be more protracted. [B]uild-up of violations can push people further afield and keep them away from their homes for longer – and can force them to move many times over. Research from other organizations points to recurring patterns of multiple displacement, whereby people become displaced more than once.

...Sometimes, people flee constant attacks, shattered civilian infrastructure and immense hardship, knowing that a swift return is unlikely. The cumulative effect of the conduct of hostilities, especially where it violates IHL, can thus provoke protracted displacement. ..."

2091. Explaining the factors that prevented the return of displaced persons, the study noted:

"[W]hat is clear is that violations of IHL rules that protect civilians can contribute to impeding return. A study on the situation in Afghanistan reveals how displaced people are less inclined to return home if there is a pervading climate of fear and intimidation and if they cannot trust the parties to the conflict to keep them safe. A separate study on Syria draws similar conclusions – although here, some civilians returned in the early stages of the conflict because they believed that the security situation had improved. Meanwhile many displaced people make the journey home because they feel unsafe in their place of displacement. The decision to return is never taken lightly. People weigh up multiple factors, including security conditions at home and in their place of displacement.

...[D]isplaced people are not able to return home when their communities lie in ruins, partly because their houses are severely damaged or destroyed, but also because the essential services they need in order to rebuild a stable

and sustainable life – such as electricity and drinking water – are simply non-existent. Families tend only to consider returning if health-care services are available back home – especially if they need to care for children or elderly relatives. And more generally, returning becomes a challenge when essential civilian infrastructure such as medical

facilities, power plants and schools have been damaged or destroyed – irrespective of whether this was as a result of IHL violations....

Some IHL treaties prohibit the use of certain weapons, such as anti-personnel mines and cluster munitions. These weapons are a cause of displacement, and they can make it almost impossible for displaced people to return. Returnees face similar problems with unexploded ordnance, booby traps and other weapons that pose a direct, indiscriminate threat to civilians. Many displaced people simply cannot go home for fear that doors, light switches, cabinets – even their children’s toys – might be booby-trapped. And when they hear accounts of these devices killing and maiming people, they begin to wonder if they will ever see their own homes again. Displaced people frequently say they are scared to return because their homes are contaminated by booby traps, mines and unexploded ordnance.”

2. Publication “Ukraine: audio soundbite from Mariupol ‘Some people still have food, but am not sure how long it will last’”, 10 March 2022

2092. The ICRC reported that the situation in the city of Mariupol was “becoming increasingly dire and desperate” with “hundreds of thousands of people hav[ing] no food, water, heat, electricity, or medical care”. On 9 March 2022 the ICRC’s deputy head of sub-delegation, Sasha Volkov, who had been in Mariupol at the time, stated that people had been getting sick because of cold, humidity and the lack of electricity, water and gas supply.

M. War Crimes Watch Ukraine

2093. The website of War Crimes Watch Ukraine describes the methodology of its work in the following way. Associated Press (“AP”) and *Frontline* examined video, photographs, audio, eyewitness accounts, news stories and official documents for evidence of war crimes. The sources included AP journalists on the ground, human rights organisations, the Ukrainian military and government, and a number of other sources. Experts in war crimes verification were also consulted. For reports not witnessed by AP journalists, a team of reporters worked to verify the events using a variety of tools to geolocate images posted on social media, compare them to earlier photographs or satellite imagery, and confirm their veracity. Journalists sought out corroborating social media posts, witness accounts and official confirmations of attacks from an array of sources. Only events independently verified by the AP were included in War Crimes Watch Ukraine.

1. March to April 2022

(a) Publication “Russian soldier named in murder and rape case”, 10 March 2022

2094. According to this publication, on 30 May 2022 the Security Service of Ukraine and the Prosecutor General had sent to court the indictment of Mr Mikhail Romanov, a serviceman of the 239th Regiment of the 90th Guards Tank Division of the Russian Armed Forces. The indictment was

reported as accusing Mr Romanov of having broken into the home of a young Ukrainian family in March (2022), killing the unarmed civilian man and repeatedly raping his wife together with an unnamed accomplice.

(b) Publication “Five people, including two children, shot and killed in vehicle”, 13 March 2022

2095. The full text of this entry read as follows:

“Five people reported to be a family were killed when their car was shot at by Russian forces on a road leaving Havronshchyna, a village outside of Kyiv, as part of a convoy of civilians evacuating. Their bodies were exhumed in April [2022].”

(c) Publication “Kyiv children’s cancer hospital rocked by explosions for a third time”, 17 March 2022

2096. According to this entry, the chief doctor of the Kyiv Okhmatdyt Children’s Cancer Hospital reported that the hospital windows had been blown out by the explosion, apparently on 17 March 2022. The publication specified that that had been, at a minimum, the third bomb explosion close to the hospital (since 24 February 2022). The staff had to relocate their young patients to the basement for their safety.

(d) Publication “Bodies of three civilians found in basement, burned and with signs of torture”, 8 April 2022

2097. The full text of this entry read as follows:

“After Russian troops withdrew from Husarivka, in the Iziurm district, the bodies of three people were found in the basement of a house. They displayed signs of torture and were set on fire, according to police reports and photos.”

(e) Publication “Russian forces shell hospital in Bashtanka”, 20 April 2022

2098. The full text of this entry read as follows:

“An unspecified number of people were injured when Russian forces shelled a hospital in Bashtanka, Ukraine on 19 April [2022]. Local officials said the reception area and dialysis unit were destroyed.”

2. May to July 2022

(a) Publication “Rocket attack at bus shelter outside factory kills 10”, 4 May 2022

2099. Referring to evidence posted by Ukrainian officials and media, this publication stated that on 4 May 2022 “at least two rockets [had] hit a bus shelter outside a coal processing plant in Avdiivka” [in the Donetsk Region], killing at least ten people. The plant, according to the publication, produced coke used in steel production and had repeatedly been hit since the start of the war. War Crimes Watch Ukraine classified the attack as a “direct attack

on civilians and civilian infrastructure”. The party responsible for the attack was not discussed in the publication.

(b) Publication “Residential areas in Sloviansk, Ukraine, badly damaged by shelling”, 1 June 2022

2100. According to this publication, several residential buildings in Sloviansk (in the Donetsk Region) had been heavily damaged in an overnight missile strike on 1 June 2022. The publication cited the Donetsk Regional Governor Pavlo Kyrylenko’s Facebook entry stating that the strike had killed at least three people and damaged seven apartment buildings and a school.

(c) Publication “Woman dies in fire after Kyivskyi school shelled”, 3 June 2022

2101. According to this publication, on 3 June 2022 School No. 17 in the Kyivskyi district of Kharkiv had been shelled, causing a fire and leaving one person dead and one more injured. The publication specified that the (Ukrainian) authorities had attributed the attack to Russian forces.

(d) Publication “Two people hurt when residential area struck by Russian rockets”, 16 June 2022

2102. According to this publication, on 16 June 2022 three Russian rockets had struck a residential area in Pokrovsk (in the Donetsk Region), injuring two people and damaging residential property as well as destroying a hangar for metal products. The publication contained a link to a video recorded by AP capturing the aftermath of the attack.

(e) Publication “Russia fires cluster munitions into city centre of Slavyansk”, 20 June 2022

2103. This entry stated that on 20 June 2022 Russian forces had fired cluster munitions into a residential area of Sloviansk in the east of Ukraine. According to the publication, AP photographers reported seeing at least one person killed, a man slumped over a car doorframe, and others injured. Attached to the publication was a photograph, apparently of one of the victims, taken by AP.

(f) Publication “Four killed by missile attack on residential building in Mykolaiv”, 30 June 2022

2104. This publication stated that on 30 June 2022 Russian forces had struck a residential building in Mykolaiv with a missile. Quoting the Ukrainian State Emergency Service and the Mykolaiv Regional Prosecutor’s Office, the publication stated that four people had been killed and others had been trapped under the rubble. There had been an AP photographer at the scene documenting the events, and his photographs were attached to this publication.

(g) Publication “ICRC aid delivery attacked in Zolochiv”, 21 July 2022

2105. The publication reported on an attack on a humanitarian aid drop-off point in Zolochiv, Kharkiv Region, on 21 July 2022. According to the publication, the attack begun “within minutes” after an ICRC convoy had dropped off humanitarian aid. According to the publication, the shelling lasted for forty minutes. Quoting the AP, which, in turn, had quoted a local activist, Sarah Ashton-Cirillo, the publication stated that one person had lost a leg in the attack.

(h) Publication “Three people killed in Kharkiv by Russian shelling attack on bus station”, 21 July 2022

2106. Referring to the Kharkiv Regional Prosecutor’s Office and the Kharkiv Regional Centre for Emergency Medicine and Disaster Medicine, War Crimes Watch Ukraine reported on a Russian shelling of a Kharkiv bus station on 21 July 2022 with Hurricane salvo rocket systems. According to this entry, the shelling left three people dead, including a 13-year-old boy, and two people injured.

(i) Publication “Three killed in Russian shelling in Kharkiv”, 22 July 2022

2107. This entry reported on multiple Russian shellings of Kharkiv that had taken place on 22 July 2022. Referring to the mayor of Kharkiv, the publication stated that the attacks had left three people dead and twenty-three more injured. The attacks had reportedly struck a mosque, a medical facility, and a highly crowded shopping area. There had been an AP photographer at the scene documenting the events, and his photographs were attached to this publication.

(j) Publication “Three schools destroyed in Russian strikes on Apostolove”, 22 July 2022

2108. Quoting the AP, which, in turn, had quoted the Ukrainian authorities, this publication stated that seven Russian missiles had hit Apostolove in the Dnipropetrovsk Region on 22 July 2022, destroying three schools and wounding eighteen residents. According to this entry, the governor of the Dnipropetrovsk Region, Valentyn Reznichenko, called the attack “senseless” and pointed out that “there [had been] no military goals behind it and this shelling could only [have been] explained by their desire to keep people on edge and sow panic and fear”.

(k) Publication “Russian artillery fire kills 71-year-old farmer”, 24 July 2022

2109. Referring to a video posted in local news media and photographs released by the Sumy Regional Prosecutor, this publication stated that a farmer had been killed on 24 July 2022 as a result of Russian shelling of Ryzhivka, a village close to the Russian border. The victim’s body had

reportedly been pictured in the local news alongside two burned-out tractors. Quoting the Sumy Regional Prosecutor's Office, this entry specified that the artillery fire had come from the Russian side of the border.

(l) Publication "Five people killed in Russian rocket attack on bus stop", 30 July 2022

2110. According to this publication, on 30 July 2022 Russian forces had fired cluster munitions at a crowded intersection in Mykolaiv, killing five people and injuring a dozen more.

3. August to September 2022

(a) Publication "72-year-old man killed in Kharkiv bus stop shelling", 2 August 2022

2111. This publication stated that on 2 August 2022 Russian forces had shelled a bus stop in Kharkiv, killing an elderly man, injuring another person, and damaging residential buildings and cars.

(b) Publication "Russian shelling damages Mykolaiv trauma centre", 2 August 2022

2112. According to this publication, on 2 August 2022 Russian shelling had destroyed a part of the new trauma centre in Mykolaiv and damaged four other buildings and a medical vehicle.

(c) Publication "Supermarket, high-rise buildings and pharmacy damaged", 4 August 2022

2113. According to this publication, on 4 August 2022 Russian shelling had damaged a supermarket, a pharmacy and high-rise buildings in Mykolaiv.

(d) Publication "Residential area damaged by Russian cluster bomb attack", 6 August 2022

2114. According to this publication, Russian forces had dropped cluster bombs on residential properties in Mykolaiv on 5 August 2022. The attacks sparked fires and damaged homes, killing one person and wounding twenty-one others.

(e) Publication "Residential buildings hit by Russian shelling", 17 August 2022

2115. According to the publication, on 17 August 2022 Russian shelling had damaged four homes in Kramatorsk.

(f) Publication “Russian missiles hit resort area, homes near Odesa”, 18 August 2022

2116. It was stated in this publication that on 18 August 2022 Russian rockets had struck the resort town of Zatoka (in the Odesa Region), destroying two recreation centres and thirty private homes, and injuring four people.

(g) Publication “Woman killed in Russian shelling of Kharkiv”, 20 August 2022

2117. This publication stated that on 20 August 2022 Russian shelling had struck the Kharkiv Polytechnic Institute, damaging an administrative building and killing a civilian.

(h) Publication “Four people wounded, two hospitalized in Nikopol”, 23 August 2022

2118. Referring to the mayor of Nikopol, Oleksandr Sayuk, War Crimes Watch Ukraine reported that on 23 August 2022 Russian shelling had wounded four people and destroyed at least fifty homes in Nikopol, a city located six miles from the Zaporizhzhya Nuclear Power Plant. Additionally, a kindergarten, shops, pharmacies, markets and a bus station had been damaged by shelling.

(i) Publication “Russian forces strike another Donetsk School”, 23 August 2022

2119. Referring to a statement by the head of the Donetsk Regional State Administration, War Crimes Watch Ukraine reported that on 23 August 2022 Russian forces had shelled Kostyantynivka School no. 17, causing serious damage to the building. Between 24 February and 23 August 2022 Russian strikes had “damaged 594 educational facilities, including 263 schools”, the entry stated. According to this publication, the AP and *Frontline* had independently documented seventy-five attacks on educational institutions as of 7 September 2022.

(j) Publication “Russian missile attack on train station and surrounding area kills 25 people”, 25 August 2022

2120. This entry stated that Russian forces had attacked a train station and a neighbouring area with missiles in Chaplyne (in the Dnipropetrovsk Region) on 25 August 2022. Referring to a publication by the Deputy Head of the Office of the President of Ukraine, the entry stated that twenty-five people had been killed during the attack, including at least two children.

(k) Publication “Missile attack on central Kharkiv”, 28 August 2022

2121. This entry stated that a Russian missile had hit Kharkiv on 28 August 2022, damaging homes, local businesses and an administrative building. The publication contained a photograph by the AP documenting a large crater in a town square. Quoting the Kharkiv Prosecutor’s Office, the

publication stated that one person had received injuries as a result of the attack.

(l) Publication “Russian forces shell Sloviansk”, 29 August 2022

2122. This entry stated that Russian shelling had damaged residential buildings and a school in Sloviansk on 29 August 2022. The publication contained a photograph by the AP showing a damaged apartment. Referring to a statement made by the head of the Donetsk Region Military Administration on Telegram, the publication stated that no casualties had been reported.

(m) Publication “Four people killed in shelling of Kharkiv residential area”, 31 August 2022

2123. War Crimes Watch Ukraine reported a Russian air strike on Kharkiv on 31 August 2022. Quoting the Kharkiv Regional Prosecutor’s Office, the publication stated that the objects of the attack had been a residential area, a kindergarten and a recreation park in the Shevchenkivskiy district. At least four people were killed and seven suffered shrapnel wounds during the attack.

(n) Publication “Russian bombardment wrecks two schools”, 31 August 2022

2124. War Crimes Watch Ukraine reported that on 31 August 2022 Russian shelling had hit two schools in Druzhkivka in the Donetsk Region. Quoting the head of the Donetsk Regional Military Administration, this entry stated that School no. 8 had been destroyed completely. The publication included a photograph of what appeared to be the destroyed school. “An AP videographer documented the damage and spoke with School Director Oleksandr Mikheiev”, the entry stated.

(o) Publication “Kyiv region police say civilian tortured, executed by Russian troops”, 1 September 2022

2125. Referring to the Kyiv Region police, as well as videos and photographs posted on social media, War Crimes Watch Ukraine stated that a man had been tortured and executed by Russian forces near the village of Zdvyzhivka. This information had apparently become public on 1 September 2022. Referring to a Telegram post by the Kyiv Region Police Chief, the publication reported that there had been injuries on the neck and torso of the deceased. His hands had reportedly been tied and his head covered. The publication called the deceased a civilian. According to War Crimes Watch Ukraine, this was the seventeenth corpse found in Zdvyzhivka following the Russian withdrawal from the area in March 2022.

(p) Publication “Residential buildings hit by Russian strike in Kramatorsk”, 1 September 2022

2126. The publication stated that on 1 September 2022 Russian forces had repeatedly attacked residential buildings in Kramatorsk. According to the publication, photographs of damaged residential buildings, a crater in the ground, and medics treating the injured were posted by the AP and the mayor of Kramatorsk. Referring to a Telegram entry by the governor of the Donetsk Region, the publication stated that four high-rise buildings in the centre of Kramatorsk had been damaged.

(q) Publication “Russian shelling destroys kindergarten”, 2 September 2022

2127. Quoting Pavlo Kyrylenko, the head of the Donetsk Regional Military Administration, this publication reported on Russian shelling of a kindergarten in Sloviansk on 2 September 2022. Mr Kyrylenko alleged that this had been the 260th kindergarten damaged by Russian forces in the Donetsk Region.

(r) Publication “Russian shelling destroys children’s music school”, 3 September 2022

2128. War Crimes Watch Ukraine reported on Russian shelling of Snihurivka (in the Mykolaiv Region) on 3 September 2022. The shelling resulted in damage to several buildings, including the Children’s Music School, the roof of which had caved in.

(s) Publication “Russian missile strikes Kramatorsk psychiatric hospital”, 8 September 2022

2129. War Crimes Watch Ukraine reported on Russian shelling of a psychiatric hospital in Kramatorsk on 7 September 2022. This entry stated that the hospital had been continuing to treat patients at the time of the attack because other hospitals had been closed. According to this entry, the Kramatorsk City Council said on Telegram that there had been no victims.

(t) Publication “Martynov Palace of Culture shelled by Russians”, 9 September 2022

2130. War Crimes Watch Ukraine reported that on 9 September 2022 Russian forces had shelled the Martynov Palace of Culture, apparently in the Donetsk Region. Police of the Donetsk Region shared video of the damage on Facebook and stated that the palace had been used as a humanitarian aid station. The governor of the Donetsk Region stated on Facebook that at the time of the attack no military had been present at the site.

N. Committee to Protect Journalists (CPJ)

1. *Press statement “Attack on Fox News team in Ukraine kills journalists Pierre Zakrzewski, Oleksandra Kuvshynova; correspondent Benjamin Hall injured”, 15 March 2022*

2131. On 15 March 2022 CPJ issued a statement urging Russian and Ukrainian forces to ensure the safety of journalists covering the ongoing war. The statement followed an attack on 14 March 2022, when a Fox News team’s vehicle had been targeted near the village of Horenka, outside Kyiv. According to Fox News, other media reports and a Ukrainian army official speaking anonymously to CPJ, a camera operator, Pierre Zakrzewski, and a Ukrainian journalist, Oleksandra Kuvshynova, had died in the attack, while a correspondent, Benjamin Hall, had sustained injuries. A Ukrainian Ministry of Internal Affairs adviser suggested that the attack had come from Russian mortar fire, but the exact source remained unconfirmed. A former Fox News producer, Svyatoslav Yurash, described the team’s car as “shattered beyond recognition”. The Russian and Ukrainian Ministries of Defence were contacted for comments but did not respond. The death of an Irish citizen, Pierre Zakrzewski, was acknowledged by the Irish Prime Minister Micheál Martin.

2. *Press statement “Ukrainian journalist Viktoria Roshchina released after 10 days; at least 4 other journalists briefly detained”, 22 March 2022*

2132. This statement by CPJ urged the Russian forces to immediately end the detention of journalists in Ukraine and to ensure freedom of the press covering the war. According to this statement, on 22 March 2022 the independent Ukrainian television station Hromadske announced the release of Viktoria Roshchina, a reporter who had gone missing on 11 March 2022. According to Hromadske, Ms Roshchina had been detained by “occupiers” in Russia-held territory and pressured by Russian security forces to record a video denying her captivity. The video was then disseminated on pro-Russian media and social platforms.

2133. Additionally, on 21 March 2022 four journalists from the Ukrainian news agency MV were briefly detained by unidentified armed men in Russian-occupied Melitopol. The journalists, including the MV executive editor Yevgeniya Boryan, were taken from their homes, subjected to “preventive talks” discouraging their reporting, and then released. The captors seized personal phones and computer servers, but it remained unclear whether the devices had been returned upon release. The MV editorial office had reportedly been searched the previous week, with the occupation government’s “representatives” identified as the captors. The CPJ emailed the Russian Ministry of Defence but received no response.

3. *Press statement “Ukrainian journalist Konstantin Ryzhenko missing in Kherson”, 1 April 2022*

2134. On 1 April 2022 CPJ called for information on the whereabouts of a Ukrainian journalist, Konstantin Ryzhenko, the chief editor of *Kherson Newscity*, who had gone missing in Kherson on 30 March 2022. According to his friend Sergei Chernyavsky, on that day Russian soldiers had been searching for Mr Ryzhenko, and his family had lost contact with him. A pre-scheduled post on Mr Ryzhenko’s Telegram account hinted at his possible detention. CPJ expressed concern over his disappearance, linking it to a growing trend of Ukrainian journalists going missing since the full-scale Russian invasion. According to the Ukrainian National Union of Journalists, Mr Ryzhenko’s family faced intimidation, with soldiers detaining his brother Zakhar and accusing him of using the encrypted messaging app Signal. During the raid, Mr Ryzhenko’s father was questioned about his son’s activities, with soldiers suggesting that his son’s reporting may have led to casualties. They enquired about his motives, including financial gain and nationalistic views, and expressed a willingness to cooperate if his journalism had been financially motivated. According to Mr Chernyavsky, Mr Ryzhenko was persecuted by the Russian authorities because of his coverage of anti-Russian demonstrations; Mr Ryzhenko was also cited as a source on the situation in Kherson by the BBC and *Meduza*. CPJ had emailed Russian authorities but had received no response.

4. *Press statement “Russian forces release Ukrainian journalist Oleksandr Gunko”, 7 April 2022*

2135. On 7 April 2022 CPJ issued a statement urging the Russian authorities to halt the detention of journalists following the release of a Ukrainian journalist, Oleksandr Gunko. On 3 April 2022 Mr Gunko, the chief editor of the *Nova Kakhovka City* news website, was abducted by Russian soldiers from his home in Nova Kakhovka. He was released on 6 April 2022 from a Russian-controlled pre-trial detention facility in Kherson. Mr Gunko’s devices had been seized during the search, and though he was promised that they would be returned, concerns were raised about potential spyware installation.

2136. CPJ emphasised the recurring practice of detaining journalists as an attempt to intimidate the press covering the war and called for the immediate release of journalists Iryna Dubchenko and Dmytro Khilyuk, who were still in detention. The statement also mentioned other Ukrainian journalists previously detained and released by Russian forces. Konstantin Ryzhenko, reported missing on 30 March 2022, had stated on 4 April 2022 that he had narrowly escaped detention and was in hiding. CPJ had reached out to the Ukrainian and Russian Ministries of Defence for comments but had received no replies.

5. *Press statement “French journalist Frederic Leclerc-Imhoff killed in Ukraine”, 30 May 2022*

2137. CPJ expressed deep sadness over the death of a French journalist, Frédéric Leclerc-Imhoff, who had been covering the war in Ukraine. Mr Leclerc-Imhoff, a reporter for BFMTV, had reportedly been killed on 30 May 2022 when his armoured evacuation vehicle had come under fire as Russian troops entered the outskirts of Sievierodonetsk, in the Luhansk Region. The statement from BFMTV and the Luhansk Regional Governor Serhii Haidai indicated that Mr Leclerc-Imhoff had been killed by a Russian attack while carrying out his journalistic duties. According to the statement, Mr Leclerc-Imhoff’s colleague Maxime Brandstaetter had received slight injuries during the strike, while their “fixer” Oksana Leuta had escaped unharmed. France’s Foreign Minister, Catherine Colonna, confirmed the circumstances of his death. Mr Leclerc-Imhoff became the eighth journalist confirmed killed while reporting on the war since Russia’s full-scale invasion. CPJ was investigating whether the deaths of another seven had been work-related.

O. World Organisation Against Torture (OMCT)

1. *Publication “Ukraine: Grave human rights violations in territories under recent Russian control”, 16 March 2022*

2138. The OMCT reported that Russian forces had kidnapped the head of the NGO “Melitopol Conscious Society”, Olga Haisumova, while she was participating in a protest rally in Melitopol. The OMCT further reported that Russian forces had broken into the apartment of Serhii Pryima, the head of the Melitopol District Council, and confiscated his documents and mobile devices. It was mentioned that his current location was unknown.

2. *Publication “Concern over the abduction and torture of civilians in territories under Russian control”, 29 March 2022*

2139. The OMCT reported that on 19 March 2022 Ivan Samoidiuk, the first deputy mayor of the city of Enerhodar, Zaporizhzhya Region, had been abducted after having stopped at a Russian checkpoint. Since then, there had been no contact with him and his whereabouts were unknown.

2140. The OMCT also reported that on 21 March 2022 Victor Maruniak, the head of Stara Zburivka, Kherson Region, had been abducted. It stated that when Russian intelligence had brought Mr Maruniak home, he had told his wife that he had been severely beaten. Since 24 March 2022 there had been no contact with him, and his whereabouts were unknown.

3. *Publication “Ukraine: killings, kidnappings and torture of civilians in territories under Russian control”, 6 May 2022*

2141. Between 24 February and 30 April 2022 the OMCT and its Ukrainian partners directly documented sixteen purported enforced disappearances in the Kherson, Kyiv, Zaporizhzhya, Mykolaiv and Chernihiv Regions, all of which had been under Russian control at the time of the events. The OMCT confirmed that Oleg Baturin had been subjected to torture and ill-treatment by Russian military personnel or intelligence agencies, and his relatives had had no information about him for up to forty-five days.

P. Reporters Without Borders/Reporters sans Frontières (RSF)

Press statement “Chilling account of Radio France fixer who was kidnapped and tortured by Russian soldiers in Ukraine”, 21 March 2022

2142. RSF published a story of a 32-year-old Ukrainian fixer, Nikita, whose name had been changed for security reasons. On 5 March 2022 he was abducted by Russian troops “in the centre of the country”. Nikita was driving a car with a “Press” sign on it, but that did not stop Russian troops from ambushing it and, according to Nikita, firing between thirty and forty shots at it. He claimed that he had shouted that he was a civilian and had shown his hands, but six Russian soldiers still threw him on the ground and searched and beat him. Nikita tried to explain that he was a fixer working with the foreign press, but the soldiers believed that he was a scout guiding the Ukrainian artillery.

2143. They interrogated him, threatening to cut his face with a knife, and then hit his head and body with rifle butts, knocking out his teeth. Nikita was then subjected to a mock execution by being thrown into a ditch, next to a dead dog, and fired at.

2144. After the ill-treatment Nikita was taken to the soldiers’ temporary base in a nearby forest, tied to a tree, subjected to further beatings with rifle butts and steel bars, and kept there for three days. On 8 March 2022 he was transferred to a different location, subjected to further interrogation and torture, including electric shocks, and forced to sign a letter supporting the Russian invasion. For two days he and two other civilian detainees were kept in a cold basement of a nearby house. On 10 March 2022 they were all moved to a different house with another detainee, a former senior Ukrainian civil servant. According to Nikita, different soldiers in clean, polished boots and ironed trousers interrogated him there. Nikita thought it that they had been officers of the FSB or the foreign military intelligence agency of the General Staff of the Armed Forces of Russia (“GRU”). On 12 March 2022 Nikita was told that he would be released. The next day, he was driven away for an hour and set free in a forest.

2145. This account of events was verified by RSF, which had corroborated Nikita's testimony by talking to other released detainees. RSF planned to submit his account to the ICC Prosecutor as evidence of war crimes. Nikita's injuries, including bruises, a swollen leg and signs of electric shocks, were confirmed by a medical examination. A doctor also concluded that Nikita had suffered "criminal trauma" inflicted by the Russian army.

Q. Direct Relief

Report "Analyzing the Scale of Ukraine's Destruction", 23 March 2022

2146. On 23 March 2022 Direct Relief, a humanitarian aid organisation, published its analysis of the scale of Ukraine's destruction after one month of the full-scale invasion. It quoted the UN-confirmed figures of 902 civilian deaths and 1,459 injuries, which, it claimed, had likely been undercounted owing to challenges in data collection. On the basis of satellite imagery, it was assessed that about 80% of residential infrastructure in Mariupol had been damaged. In other major cities such as Kyiv, Kharkiv, Kherson and Lviv a night-time light analysis showed significant reductions in luminosity, possibly indicating evacuations, displacements and damage.

2147. Another major problem reported was the displacement crisis, with nearly 10 million people fleeing their homes, constituting one-quarter of Ukraine's population. The UNHCR estimated that 3.5 million Ukrainian refugees had fled abroad and over 6.5 million had been displaced internally, affecting all regions. While Poland continued to house most of the Ukrainian refugees, a report by Meta (Facebook) showed refugees spreading across EU countries, with Germany and the Czech Republic seeing high arrival numbers. As to those displaced within Ukraine, their common challenges were inadequate resources, disrupted medical services, and mental health issues.

2148. Direct Relief also emphasised the ongoing attacks on healthcare facilities. It quoted WHO reports, according to which an average of two missile or shelling attacks on health facilities had been happening daily, totalling sixty-two attacks since the full-scale invasion and resulting in fifty-two casualties, including fifteen health workers. An additional healthcare threat was posed by tuberculosis (TB), with concerns that displaced TB patients might struggle to access medication, risking their TB becoming drug resistant. Under-diagnosis of TB also exacerbated the problem, raising infectiousness. According to the analysis, maternal, newborn, sexual and reproductive health had all been at risk because of infrastructure disruptions and attacks on healthcare facilities. The WHO reported 4,300 births since the full-scale invasion, with increased risks to deliveries and newborn health.

R. Save the Children

1. *Press statement “Two children injured, two adults killed in hospital attack in southern Ukraine”, 6 April 2022*

2149. Save the Children, a humanitarian organisation, posted a statement reporting that an attack on a children’s hospital in Mykolaiv had happened on 6 April 2022. It had left two children in a critical condition with two adults dead and further seven adults injured. One of the injured children, a 15-year-old girl, had been undergoing surgery to remove a piece of shrapnel from her shoulder when the attack happened. Another injured child, a 9-year-old girl, was hit directly and required emergency surgery. This account of the events was confirmed by Pete Walsh, the Country Director of Save the Children, who had been on the ground during the attack.

2. *Press statement “Ukraine: Twice as many schools attacked in past 100 days as during the first seven years of conflict, 2 June 2022*

2150. This article assessed the damage caused to Ukrainian educational institutions during the war. According to the Ministry of Education and Science of Ukraine quoted in the material, at least 1,888 schools had been impacted since 24 February 2022, double the number of attacks recorded from 2014 to 2021. According to the Ministry of Education and Science, 1,708 of the impacted schools were damaged, with over half located in eastern Ukraine. 180 schools were completely destroyed. The numbers of damaged schools in eastern Ukraine were reported as follows: Luhansk Region – 143, Kharkiv Region – 372, Dnipropetrovsk Region – 20, Zaporizhzhya Region – 14, Donetsk Region – 433.

2151. The war had disrupted the education of all 7.5 million children in Ukraine, with over 6.7 million people, half of them children, fleeing the country. The article presented accounts of events by two Ukrainian schoolchildren: Mariia, aged 13, and Lev, aged 11. The former had fled her home in the Donetsk Region seeking refuge in Chernivtsi. The latter’s family had fled from Kharkiv, also to Chernivtsi. Save the Children provided assistance to displaced families, offering cash support for basic needs. The organisation also supported online learning, ensuring that children had access to digital education.

3. *Press statement “Four preschools a day damaged or destroyed in Ukraine”, 5 September 2022*

2152. According to this press statement, 822 preschools in Ukraine had come under attack since 24 February 2022, an average of four per day. It added that according to the Ministry of Education and Science of Ukraine, seventy-four of those preschools had been completely destroyed. The total number of educational facilities, from preschools to universities, damaged

during the war was reported to be 2,405, with 207 completely destroyed. According to the Ministry of Social Policy of Ukraine quoted in this publication, only 50% of schools were ready to begin in-class studies from September 2022. The schools in the areas of heavy fighting were closed for both online and offline studies, while those far from the frontline but unequipped with shelters were allowed to operate online only.

2153. The press release ended with comments by Sonya Khush, Save the Children's Country Director in Ukraine, stressing the importance of safe in-class preschool education. Anna, a psychologist for Save the Children working with Ukrainian children displaced in Poland, added that attention to every child had been key to cope with the children's post-war stress.

S. Kyiv School of Economics

Report "During the week, the damage caused to Ukraine's infrastructure in the war increased by \$12.2 billion", 11 April 2022

2154. On 11 April 2022 KSE Institute, an analytical unit of the Kyiv School of Economics, published its regular report with an assessment of the damage caused by the war during the week of 4-10 April 2022. According to KSE, the direct damage caused to Ukraine's infrastructure within that week had been USD 12.2 billion, with the overall direct losses since the full-scale invasion reaching USD 80 billion. Apart from this, the overall economic losses of Ukraine, as assessed by the Ministry of Finance of Ukraine and KSE, which included GDP decline, investment cessation, outflow of labour, additional defence and social support costs, and so on, had ranged from USD 564 billion to USD 600 billion.

2155. KSE also assessed the damage caused during the forty-seven days of the full-scale invasion by categories: 23,000 km of roads – approximately USD 28.3 billion, 37,000 sq. m of real estate – about USD 28.8 billion, 301 kindergartens – USD 227 million, 196 medical institutions – around USD 2.3 billion, 546 educational institutions – USD 804 million, 140 factories and enterprises – approximately USD 6.7 billion, 54 administrative buildings – USD 295 million, 266 bridges and bridge crossings – around USD 1.5 billion, 10 military airfields – USD 390 million, 8 airports – around USD 6.8 billion, 2 seaports – USD 622 million, 74 religious buildings – USD 253 million, 61 cultural facilities – USD 209 million.

2156. The KSE's project on the evaluation of financial losses caused by the war relied on an analysis of public data, as well as indirect methods, incorporating the expertise of the World Bank and Dragon Capital, a local investment firm. It included an assessment of destroyed residential real estate and took into account expenses for demolition and repairs. The valuation of enterprise assets excluded depreciation. The KSE indicated that the methodology utilised Ministry of Infrastructure data but might have lacked

completeness. While it was focused on destruction of buildings, it excluded any equipment costs. Future updates were to provide detailed regional assessments, including natural resources, animal husbandry, stocks of companies, and additional data not taken into account at the time of the report.

T. Foreign Policy Council “Ukrainian Prism”

2157. Ukrainian Prism is a network-based non-governmental analytical centre, the goal of which is to participate in providing democratic ground for the development and implementation of foreign and security policies by government authorities of Ukraine, the implementation of international and nationwide projects and programmes directed at improvement of foreign policy analysis and expertise, and the enhancement of expert community participation in a decision-making process in the spheres of foreign policy, international relations and public diplomacy.

2158. The relevant part of the publication “Russian war crimes in Ukraine” of 14 April 2022 reads as follows:

“On March 7, more than 3 thousand civilians went on the peaceful protest against Russian invasion in occupied Chaplynka, that is located in Kherson Oblast. According to the RBC Ukraine, people tried to stop the column of Russian military vehicles with their bare hands at the Askan crossroads, after that Russian soldiers started to fire at the civilians. 2 people were injured. Russian occupants also used tear gas, light and noise grenades against peaceful Ukrainian citizens.”

U. New Lines Institute for Strategy and Policy and the Raoul Wallenberg Centre for Human Rights

Report “An independent legal analysis of the Russian Federation’s breaches of the Genocide Convention in Ukraine and the duty to prevent”, May 2022

2159. This forty-eight-page-long report made the case for the actions of the Russian Federation in Ukraine between February and May 2022 to qualify as genocide. The report contained 248 footnotes and thoroughly cited various sources, including many Russian officials or State-controlled media, in support of its conclusions.

2160. The report stated that Russia had used the method of “accusation in a mirror” by blaming on Ukraine the actions that Russia itself had been perpetrating in Ukraine:

“On Feb. 15, 2022, President Putin delivered an address in which he accused Ukraine of genocide in the Donbas, a baseless allegation he has repeated for years, which has been echoed by senior Russian officials and State media. On Feb. 17, 2022, Russia’s Permanent Mission to the UN circulated a document to the UN Security Council accusing Ukraine of ‘exterminating the civilian population’ in areas controlled by Russian-backed separatist groups. Russian State media has extensively reported on Russians fleeing persecution by the Ukrainian government – a long-repeated charge

that served as a pretext for Russia's annexation of Crimea in 2014. On Feb. 21, 2022, in another national address three days before the invasion, Putin repeated claims that Ukraine is an illegitimate invention and that the Ukrainians are amassing troops, shelling the Russian-backed separatist held areas, and torturing Russians held there. On Feb. 26, after the start of the invasion, an essay published on a Kremlin-controlled platform, later removed, praised Putin for 'deciding not to leave the solution of the Ukrainian question to future generations'."

2161. The report stated that official Russian propaganda had denied the existence of a Ukrainian national group and had implicitly designated those who considered themselves distinctly Ukrainian as deserving of punishment, either by threatening the unity of Russia, or by indulging Nazism, as suggested in Mr Putin's essay.

2162. According to the report, as the invasion continued, various Russian high-level officials and State-run media commentators were painting Ukrainians more broadly in dehumanising terms to justify atrocities even beyond the battlefield. The report read as follows:

"In an April 3 RIA Novosti editorial entitled 'What Russia should do with Ukraine,' author Timofey Sergeytsev refers to Ukrainians in the following terms: 'a considerable portion of the population – very likely, a majority of it – has been subjected to the Nazi regime and dragged into its agenda ...' one that is 'a bigger threat ... than German Nazism in the style of Hitler;' a 'significant part of the masses ... are passive Nazis and accomplices;' 'a nazified bulk of the population;' and 'a Nazi society.' In addition, he asserts that Ukraine's elites 'must be liquidated as re-education is impossible;' 'denazification will inevitably include de-ukrainization;' and 'Ukrainism is ... a subordinate element of a different and alien civilization.' In his April 5 Telegram post, [Dmitriy] Medvedev uses fictitious rhetoric, though vivid and detailed, which tends to make it more believable, to justify violence against an entire generation of Ukrainians he describes as Nazis: 'For the past 30 years, a passionate segment of Ukrainians has prayed for the Third Reich. Literally. ... It's no wonder that, having transformed itself into the Third Reich, and having written into its history textbooks the names of traitors and Nazi henchmen, Ukraine will suffer the same fate. This kind of Ukraine gets what it deserves! ...'

...

On April 8, 2022, the host of Russia-1's flagship talk show, Vladimir Solovyov, stated that 'there won't be any Ukraine after [Zelenskyy].' Solovyov has been a vocal supporter of the invasion and has regularly engaged in extreme rhetoric. On March 29, [2022], he declared on his talk show a 'patriotic consensus' in Russia that 'Nazi scum' must be 'finished off.' ... On May 21, 2022, Solovyov shared (and subsequently deleted) a Telegram post from the popular Russian Telegram channel 'Kremlin laundress,' stating that 'Ukraine is a Nazi tumour,' similar to 'brain cancer,' and that Russians 'are liberating part of Russia.'"

2163. The report also cited the telegram sent by Vladimir Putin to Russian-backed separatists in eastern Ukraine on 8 May 2022, asserting that Russians had been "fighting shoulder to shoulder for the liberation of their native land from Nazi filth" and vowing that "victory will be ours, like in 1945".

2164. According to the report, “religious authorities reinforced the narrative praising the invasion with innuendo and spiritual meaning. On 13 March 2022 the Head of the Russian Orthodox Church, Patriarch Kirill of Moscow, gifted an Orthodox icon to Gen. and Director of the Russian National Guard Viktor Zolotov in order to ‘inspire young soldiers’ who are ‘on the path to defending the Fatherland’.” The report provided further examples of Russian religious leaders making references to World War II, “overtly link[ing] the current invasion with the Soviet Union’s existential war with Nazi Germany – amplifying the propaganda’s impact on its audience by injecting it with a potent element of Russian identity, imposing a personal duty on the soldiers and potential conscripts”.

2165. The report described the weight and authority attached to the messages of hatred towards Ukrainians in the following way:

“All of the purveyors of the propaganda messages encouraging violence against Ukrainians hold highly influential positions, including political leaders, religious figures, and journalists for State-run media with a near-monopoly on the dissemination of information on which the population depends. Their incitement is all the more influential against the backdrop of unprecedented censorship measures imposed recently, on top of the already restrictive media environment. At the start of the invasion, Russia passed a law with new criminal penalties for the ‘dissemination of deliberately false information about’ the armed forces, punishable by up to 15 years in prison; proposed another law to allow for bans on foreign media; blocked major foreign news outlets and Facebook and Instagram (later, a Moscow court upheld the ban and the Russian-backed separatist held areas blocked access to the platforms); and restricted access to Twitter. Other foreign media and independent news sources similarly shut down under the pressure.”

2166. The report recounted evidence indicating that Russian soldiers had been encouraged by social media users or relatives in Russia to perpetrate atrocities, because of vicious propaganda depicting Ukrainians, including civilians, as Nazis. The report read:

“According to an analysis of Russian users’ reactions to the news of mass killing in Bucha on nationalist Telegram channels, at least half of the sample urged the Russian army to be more violent, including comments like ‘death penalty for all the khokhols (a derogatory term for Ukrainians), there’s no place for them in this world, time to destroy this fucking race’ and ‘we’ve got to kill these fuckers.’”

2167. According to the report, there was evidence that Russian soldiers had internalised such State propaganda:

“According to the head of a UNICEF-supported hotline for victims, soldiers have explicitly threatened to rape ‘every Nazi whore.’ According to witnesses in Bucha, Russian forces went door to door, claiming they were ‘hunting Nazis,’ and rounding up men of military age.”

2168. Turning to the issue of attribution of genocidal intent, the report concluded that “[t]he pattern of atrocities targeting Ukrainian civilians as committed by the Russian military or Russian-backed separatists are attributable to Russia as persons and entities acting as State organs or under

the effective control of State officials”. With regard to the conduct of the figures disseminating the incitement messages, they “are attributable to the State as they are all either *de jure* or *de facto* State organs, including the head of State, key members of the State Duma, and heads of the security establishment, or State media outlets owned by or under the effective control of the Kremlin”.

2169. The report drew a parallel with the conclusion of the UN Independent Fact-Finding Mission on Myanmar, which in 2019 had found with respect to the “clearance operations” by Myanmar’s military and other forces against the Rohingya that “the vastness of the State’s involvement [was] inescapable”. To illustrate this point, the report provided the following examples:

“Investigative journalists and Amnesty International have traced the presence or involvement of Russian occupying forces to multiple sites of mass extrajudicial killings and torture of civilians. In the vicinity of Bucha, these forces included Russia’s Vityaz security force, the 76th Guards Air Assault Division (a paratrooper force under the Russian Defence Minister Sergei Shoigu) and Chechen units linked to the head of the Chechen Republic, and fervent Putin supporter, Ramzan Kadyrov. Vityaz is under the command of the National Guard, Rosgvardiya, and run by Viktor Zolotov, who reports directly to President Putin. Ukrainian authorities identified Russia’s 64th Separate Motorized Infantry Brigade as responsible for atrocities in Bucha, including killing civilians with starvation. Moreover, NGOs, reporters and weapons experts have traced many of the extensive cluster munition attacks directly to Russian forces, including to Russia’s 79th Rocket Artillery Brigade launching directly from Russia under the command of Col. Gen. Alexander Zhuravlyov.”

2170. Lastly, the report stated:

“The Kremlin has repeatedly denied that its forces have committed atrocities, referring to them as ‘fakes,’ thereby enabling soldiers to commit and the Russian public to condone further atrocities. The Kremlin has even celebrated soldiers from the 64th Separate Guards Motor Rifle Brigade suspected of mass killing in Bucha. On April 18, [2022], Putin awarded the brigade an honorary title for ‘protecting Russia’s sovereignty’, praising the unit’s ‘great heroism and courage ... a role model in fulfilling its military duty, valour, dedication and professionalism.’”

V. Armed Conflict Location & Event Data Project (ACLED)

2171. The ACLED weekly update of 26 May 2022 on the armed conflict in Ukraine reported that in the week of 14-20 May 2022 Russian forces had gained full control of Mariupol following the surrender of the remaining Ukrainian fighters in the Azovstal plant. According to the report, Mariupol had been under siege since the beginning of March 2022. Referring to a publication by the Institute of the Study of War of 21 May 2022, the report stated that with the final capture of Mariupol, Russian forces had intensified offensive operations in the rest of the Donetsk Region but had failed to secure any further significant territorial gains. Relying on a publication by the 24 Channel of 19 May 2022, the report said that in the Luhansk Region,

Russian forces had suffered heavy losses during their continued attempts to advance in the area of Sieverodonetsk.

2172. The report stated that Russian forces had continued to target civilian infrastructure across Ukraine with shelling and missile attacks. Referring to a publication by *Unian* of 23 May 2022, the report stated that in the Chernihiv Region Russia had fired missiles at the village of Desna on 17 May 2022, destroying a residential building. Eighty-seven people had been found dead under the rubble.

W. Bellingcat

Report “Russia’s Kremenchuk claims versus the evidence”, 29 June 2022

2173. Bellingcat reported that on 27 June 2022 the Amstor shopping mall in Kremenchuk, Poltava Region, had been hit by Russian X-22 missiles fired from Tu-22M3 bombers that had flown from the Shaykovka airfield in Russia’s Kaluga Region. It also reported that there had been 1,000 people inside the mall at the time of the attack and that the fire in the shopping mall had led to eighteen deaths and a number of individuals missing.

2174. Russia’s Ministry of Defence claimed that the attack had targeted hangars near the mall storing armaments allegedly supplied by the US and European countries. The Russian Foreign Minister blamed Western media for misrepresenting the situation, while claiming that the mall itself had been used as an armoury for local territorial defence forces, though Bellingcat concluded that evidence supporting these claims had been lacking.

2175. According to the report, Russia acknowledged the impact on the mall in Kremenchuk but claimed that it had resulted from the detonation of nearby ammunition. However, satellite imagery confirmed missile strikes, with one directly hitting the mall’s roof. According to the report, “A freeze frame of the video even appears to provide a view of the type of missile used”. The absence of subsequent explosions suggested that no munitions had been stored in the mall, undermining Russian claims.

2176. Shortly after the first missile, the second one hit a factory next to the mall, damaging several buildings. Although one report in 2014 stated that the factory had been used to repair three military vehicles, Bellingcat concluded that “this in itself does not prove that it was a storage site for US and European weapons and ammunition eight years later”. The factory’s corporate videos depicted typical equipment for a road machinery plant. Therefore, Bellingcat concluded that Russia’s claims about the factory being an ammunition dump lacked verification from open sources.

2177. A regional media report specified that the area struck at the factory had been the “workshop of the plant and greenhouse”, as corroborated by a local resident’s Facebook video showing a significant crater at the site. Official Russian sources claimed that a nearby train yard had also been hit.

However, Planet Skysat imagery of 28 June 2022 showed no damage to the Kremenchuk train yard east of the mall. According to Bellingcat, debris from the strike on the mall might have affected a nearby rail line, but its location contradicted the Russian claims about the train yard being hit.

2178. Russian pro-Kremlin sources claimed that the mall had not been operational at the time of the strike, citing a lack of recent reviews and images online. However, Bellingcat concluded that evidence contradicted that assertion. A blog post from the Comfy retail chain listed its outlet at the mall as reopened, and a local Telegram channel shared messages indicating that the mall's shops had been operating as usual despite air-raid sirens. Receipts and posts from retail stores confirmed that they had been open during the strike, with some expressing condolences for affected staff. Several businesses, including Silpo and Comfy, reported injuries and even fatalities among their employees, highlighting the mall's active operations at the time of the attack.

2179. The BBC Reality Check team highlighted local Telegram groups reporting multiple persons missing after the attack. They also referenced a YouTube video showing the mall open the day before the strike. Pro-Kremlin sources, including Regnum, and a fact check shared by a Russian embassy claimed that the mall had been closed on the basis of the sparse car-park occupancy, ignoring public transport access. Bellingcat stated that claims that only military-aged men had been present and that the mall was a military facility lacked evidence and contradicted available open-source evidence showing women there. According to the report, "the presence of some men in military fatigues is not out of keeping with the aftermath of other attacks across Ukraine on civilian infrastructure behind frontlines, in which members of the territorial defence forces have been seen alongside firefighters, medics and policemen".

X. Centre for Information Resilience (CIR)

Report "Mass graves after the Russian invasion", 15 July 2022

2180. CIR is an independent, non-profit social enterprise dedicated to, *inter alia*, exposing human rights abuses and war crimes. In January 2022 CIR launched the Eyes on Russia project (EoR) to collect and verify videos, photographs, satellite imagery and other media relating to Russia's invasion of Ukraine. The information verified by CIR was stored in a database and represented on the dedicated Eyes on Russia Map.

2181. This report focused on the expansion of several mass graves and grave sites in Ukraine since the full-scale invasion. Its idea was to show a comprehensive, visual overview of the death toll resulting from Russian military action in Ukraine. The EoR team specifically explored the following sites: the Yalivshchyna forest in Chernihiv, the main cemetery in Kherson, the town of Bucha, Starokrymske cemetery in Mariupol, and the villages of

Pionerske, Vynohradne, and Manhush around Mariupol. Many of the identified graves were only viewed remotely as the areas under Russian control were inaccessible. One of the key findings of the report was a significant expansion, possibly doubling, of the Mariupol cemetery.

2182. In respect of the Chernihiv Region the report noted that a series of mass graves in the Yalivshchyna forest had been formed between 26 February and 6 March 2022, and further expanded throughout March 2022. Using open-source material and satellite imagery, the EoR team was able to establish three large areas used as mass graves near the existing burial ground in Yalivshchyna. The estimated number of the deceased buried in these areas, based on a visual count of the headstones, was assessed to be between 323 and 381. The EoR team was able to correlate the increasing numbers of trenches dug on the site with a particularly intense shelling of Chernihiv which had occurred on 3 March 2022. On that day a pharmacy and residential buildings located 4 km from Yalivshchyna had been hit, causing up to forty-seven civilian casualties. Another strike on that day hit the Chernihiv Oil Storage Depot, located 3 km from the burial site.

2183. The main cemetery of Kherson, located west of the city, had seen “numerous new rows” added since Russia had taken control over the area. By comparing satellite imagery of 28 February and 15 April 2022, the EoR team identified lines of graves that had been dug or filled during that period. According to another researcher’s assessment, a total of 824 new grave plots had been dug between the beginning of the full-scale invasion and early April 2022. As an example of an event that could have led to fatalities, the report pointed to a violent dispersal of a pro-Ukrainian protest in Kherson on 21 March 2022, where Russian soldiers had opened fire at the crowd.

2184. In Bucha the report noted a mass grave in the yard of St Andrew’s Church with newly dug trenches visible since at least 11 March 2022. A video studied by the EoR team showed people carrying at least twelve plastic bags with bodies towards a long trench in front of the church. Another reported mass grave site was located on a football pitch. The researchers related these sites to the numerous incidents involving civilian deaths in Bucha, including the explosions of 3 March 2022, executions of civilians in various places on Yablunska St. on 5 March 2022 and afterwards, as well as civilian cars that had been run over by Russian tanks, found 650 metres from the church.

2185. In Mariupol the report focused on the Starokrymske cemetery, as well as makeshift graves amidst various buildings. For example, the EoR team had verified a video showing at least six graves in front of an apartment block, and another video showing several graves in the front yard of a kindergarten in eastern Mariupol. As to the Starokrymske cemetery located in the western part of the city, the report concluded that there had been an estimated 1,141 new graves dug between mid-March and 12 May 2022. Later footage of 30 May 2022 from the cemetery “suggested that hundreds more graves [had been] dug up”. According to the adviser to the mayor of

Mariupol, the overall death toll had reached 22,000 and “could turn out to be a lot higher”. The researchers related the sites to various incidents leading to the loss of civilian lives, including the bombing of Mariupol drama theatre on 16 March 2022 “causing the death of 600 people”, an incident when Russian tanks had fired at a residential building on 9 April 2022, a video of 15 April 2022 showing the bombing of a hospital and a residential area, and a video of 19 April 2022 showing dead bodies with signs of torture lying on the side of a road.

2186. In Pionerske, Vynohradne and Manhush, villages adjacent to Mariupol, the report noted more mass graves that had been dug between March and May 2022. Satellite imagery of the graveyard in Pionerske and Vynohradne of 29 April 2022 showed a series of freshly dug trenches 43 metres long, apparently with body bags next to them. In Manhush the EoR team had been able to verify another mass grave with imagery confirming the digging activities on 24 and 28 April 2022. Another image of 8 May 2022 showed a further expansion of that burial site.

2187. The report ended with the following conclusion:

“The Eyes on Russia Project continues to monitor cemeteries and mass burial sites in an attempt to highlight the alarming increase in civilian losses across most of the attacked regions in Ukraine.

Based on our analysis, it is apparent that makeshift graves have been increasingly synonymous with cities that were, are, or have been, under Russian occupation.

As we’ve noted throughout our investigation, Russian and Russian-allied movements, as well as indiscriminate attacks on nearby areas, were geolocated and verified in each respective city.

In cases such as Mariupol, the emergence of multiple mass graves nearby such as Pionerske denotes the high fatality rate that correlates with Russian movements and incessant shelling within a reasonable proximity.

The open source evidence presented in this report clearly shows how cities that were, or continue to be, under Russian military occupation have large and growing mass graves in them or in close proximity. This demonstrates a strong correlation between civilian casualties and Russian military activities.

When combined to other open source evidence around Russian targeting of civilian targets and infrastructure, a clear picture emerges of the Kremlin conducting their campaign in breach of international human rights conventions.”

Y. ACAPS

*Thematic report “Ukraine: Impact of conflict on education”,
17 August 2022*

2188. ACAPS is a Swiss non-profit information provider specialising in humanitarian needs analysis and assessment. Referring to various sources, this thematic report presented “a helicopter view” of the impact of the war in Ukraine on education.

2189. In general, the report noted that the war had affected an estimated 5.7 million Ukrainian school-aged children. After an initial two-week closure of schools at the beginning of the full-scale invasion, most had resumed studies online. The report expressed concern as to the possibility for schools to reopen for the new school year starting on 1 September 2022 owing to a lack of human resources, financing and bomb shelters, as well as the damage to school infrastructure or the use of educational facilities for other purposes. As of early August 2022, only 30% of schools had met the required security standards.

2190. The report highlighted how active fighting had completely disrupted education in the frontline regions such as Chernihiv, Donetsk, Kyiv, Luhansk, Mykolaiv, Odesa, Sumy and Zaporizhzhya. ACAPS reported that as of 17 August 2022, 1,863 educational institutions had been damaged and a further 177 completely destroyed, with the highest numbers in the Donetsk and Kharkiv Regions. This represented 34% of all recorded damage across Ukraine according to the data available to ACAPS. The report stated that the war had had a strong impact on children with disabilities, with thirty-six specialised educational institutions damaged and five destroyed, leaving around 30,000 such children displaced. Besides the educational facilities that had been damaged or destroyed, many were unavailable for studies as they had been repurposed as information centres, shelters for IDPs, or supply hubs. There were also reports of armed forces using schools for military purposes, particularly in the Donetsk Region.

2191. Referring to data collected by, *inter alia*, the World Bank and UNICEF, the ACAPS report stated that around 665,000 of school-age children, accounting for 16% of the total number enrolled in schools, had found refuge abroad. A further 164,000 had been displaced internally, and roughly 200,000 were assessed as having been forcefully displaced to Russia. The report also highlighted an urgent need for mental-health and psychological support, with 80% of the communities surveyed stating that this would be useful for their students and teachers. Also, the report emphasised that the five months of school disruption during the war had occurred on top of the eight-month disruption during the COVID-19 pandemic, which cumulatively amounted to over a year of learning losses.

2192. The report concluded by describing the challenges for the 2022/23 school year. It noted that while some schools, mainly in the west, would be able to hold in-person lessons, many others would still continue online education only. Schools in the west, on the other hand, could face overcrowding given the influx of students displaced from other regions. The biggest challenge for online education was expected to be upholding a stable internet connection of sufficient quality. A common challenge for both offline and online education was the lack of teaching staff, as many had fled, especially from the north and east. Speaking of infrastructure, the report noted that many schools that had been damaged would struggle with repairs, while

at least 3,515 educational facilities were continuing to serve as shelters for IDPs, presenting another challenge for in-person classes reopening. Another challenge reported by ACAPS was the lack of financing, with around 30% of communities experiencing such constraints. As to the security situation, it was stated that as of 20 July 2022 a mere 23% of schools had met the necessary requirements as to bomb shelters, alarms and risk education. Lastly, the report stressed that the Russian government had been planning to introduce a Russian curriculum in the occupied territories and estimated that a further half a million people were going to be displaced internally before the winter.

Z. Yale School of Public Health: Humanitarian Research Lab (“the Yale HRL”)

1. Report “Evidence of widespread and systematic bombardment of Ukrainian healthcare facilities”, 1 April 2022

2193. The Yale HRL identified twenty-two healthcare facilities in Ukraine that had sustained damage from apparent Russia-aligned bombardment between 24 February and 29 March 2022. On the basis of a review of a total of 277 facilities across five cities and regions (Mariupol, Kharkiv, Chernihiv, Iziun and the Kyiv Region), the Yale HRL concluded that Russia-aligned forces had “engaged in widespread and systematic bombardment of Ukrainian healthcare facilities”.

2194. The investigative methodology for this report combined very high-resolution satellite imagery analysis and open-source investigation.

2195. The full report was provided to the OSCE Moscow Mechanism. Only the summary of the report was released publicly owing to the highly sensitive nature of the location data contained in the full report.

2. Report “System of filtration: Mapping Russia’s Detention Operations in Donetsk oblast”, 25 August 2022

2196. This report was prepared by the Yale HRL and published on the website of a partner organisation, Conflict Observatory. The report provided detailed description of the “filtration system” – the physical infrastructure and process used by Russian forces to register, interrogate, and detain Ukrainian civilians, prisoners of war and others in areas controlled by Russian and its proxy forces. The report argued that there was evidence that the system had been created weeks before the invasion began and likely grew following Russia’s capture of Mariupol in April 2022 to accommodate filtration of all citizens. While the total number of people who had passed through filtration could not be reliably estimated, by 14 June 2022 the total number of civilians who had reached Russia from Ukraine had risen to at least 1,700,000. Yale HRL identified with high confidence at least 21 distinct locations in and

around Donetsk oblast containing one or more facilities in the filtration system for civilians operated by Russia. The report described filtration as an invasive process involving extensive body searches, detailed checks of all personal belongings, including mobile devices, interrogations about an individual's background, family connections, political beliefs and opinions about the war, and extensive data collection, such as downloading phone contact lists, registering identification numbers of telephones, including IMEI numbers, collecting passport numbers and scanning for biometric indicators (palm and finger prints, digital photographs of faces, other physical markers).

2197. People awaiting filtration often had to wait in schools and other buildings in poor and overcrowded conditions, subject to outbreaks of disease. Children as young as 14 had to undergo filtration themselves, while younger children were sometimes made to await their parents' filtration in the same inhumane conditions.

2198. The report gave a detailed account of the Volnovakha Correctional Colony no. 120, also known as Olenivka Prison. This prison was used as a long-term detention facility for two categories of detainees: civilians who had not passed the filtration process and prisoners of war who had surrendered after the siege of Azovstal. At Volnovakha Correctional Colony no. 120 there were reports of overcrowded cells, insufficient room to lie down, little or no access to water and hygiene facilities, insufficient and irregular nutrition, forced labour, beatings and torture. One of the inmates at the facility stated that his cellmate had worked a shift digging graves on the territory of the colony.

2199. The report stated that Russia and Russia-aligned forces had operated at least twenty-one facilities in and around the Donetsk Region that were part of the filtration system. There appeared to have been four types of facilities, depending on what actions detainees were subjected to therein – registration, holding, secondary interrogation, and detention. One facility could serve multiple purposes and a facility's use could be fluid over time.

2200. The report stated that disturbed earth consistent with potential new graves had been present at Volnovakha Correctional Colony no. 120 on two separate occasions. That colony had been the location of the explosion of 29 July 2022 that had allegedly killed fifty-three Ukrainian prisoners of war. The appearance of disturbed earth sites in satellite imagery had predated the explosion.

3. Report "Extrajudicial detentions and enforced disappearances in Kherson oblast", 18 November 2022

2201. The Yale HRL documented cases of detention and disappearance in the Kherson Region between March and October 2022, allegedly perpetrated by Russian forces, the FSB and Rosgvardiya. The report identified accounts of 226 individuals but specified that the actual number had likely been higher.

2202. Approximately one-quarter of the individuals concerned alleged torture or cruel, inhuman or degrading treatment. Five individuals allegedly subjected to torture had died in custody or shortly after release. Allegations included stress positions, beatings, electric shock, sexual and gender-based violence (“SGBV”), mock executions, torture of relatives, sleep deprivation, sensory overload, and temperature manipulation. Interviewees reported denial of medical care, insufficient food and water, and overcrowding while in custody. Twelve individuals had been forced to record propaganda videos. Biometric data, such as DNA, had allegedly been collected from detainees.

2203. The report detailed instances of SGBV, including threats of rape used as coercion and physical assaults targeting genitals during torture. Medical evidence supported signs of SGBV among patients. Referring to data collected by the UN, the report stated that over 100 cases of rape or sexual assault had been documented since 24 February 2022 and that “rape had been used systematically by Russia’s forces as a weapon of war”.

2204. With high confidence the Yale HRL identified twelve detention locations, including in the Kherson Region, at checkpoints, and in Crimea. A number of detainees had been charged with the crime of resistance.

2205. According to the report, occupations such as politicians, civil society leaders, educators, journalists and religious figures were disproportionately affected in the Kherson Region. Various actions by individuals perceived as opposing Russia’s control in Kherson could trigger detention and enforced disappearance. These included, for example, resistance activities such as blogging and passing information to Ukrainian forces, or former membership of the Ukrainian Territorial Defence Forces. At least thirteen of the individuals interviewed had attended protests against Russia’s control in Kherson, prompting efforts by Russia-aligned forces to suppress dissent and identify protest organisers. Two individuals had reportedly been detained for refusing to vote in Russia’s annexation “referendum” in late September 2022.

2206. The Yale HRL documented thirty-two cases of detentions or disappearances of Crimean Tatars since February 2022. They were disproportionately targeted, with higher capture rates by the FSB, and faced legal charges five times more often than non-Crimean Tatars. Some were accused of affiliation with the Noman Celebicihan Battalion, labelled a terrorist group by Russia but unrecognised elsewhere.

2207. The report documented instances of alleged looting and robbery of detainees’ homes by Russian forces. This theft, often in addition to confiscation of personal electronics, included valuables such as gold. In some cases, Russian soldiers allegedly brought empty bags to loot homes, taking items such as food, alcohol, electronic equipment and vehicles. The looting campaign was reportedly organised, with soldiers following lists of community members to target, including entrepreneurs.

2208. Credible reports from the Ukrainian and US governments indicated that Russia had organised and planned forced disappearances and extrajudicial detentions before the February 2022 invasion, with specific lists of targeted individuals. Leaked FSB memos suggested a deliberate strategy of “great terror” to pacify the population, involving disproportionate force to stop protests followed by door-to-door arrests. The order for this “great terror” had reportedly come from top Russian authorities.

2209. In September 2022 the Security Service of Ukraine charged a Russian police colonel with ordering illegal detentions, torture, property pillaging and dispersing protests. Documents found in the previously Russia-controlled Kharkiv Region described a command structure for civilian population control, suggesting that the activity in the Kherson Region had been integrated into Russia’s chain of command.

4. Report “Russia’s systematic program for the re-education and adoption of Ukraine’s children”, 14 February 2023

2210. According to this report, which relied on extensive open-source research, since the 2022 invasion over 6,000 Ukrainian children, ranging from four months to 17 years old, had been held in camps and facilities across Russia. At least forty-three facilities, mainly pre-existing summer camps, were involved, some located over 500 miles from Ukraine’s border. These camps were primarily aimed at political re-education, with around 78% engaging in systematic efforts to instil Russia-centric education. Some were marketed as “integration programmes” endorsed by Russia. Children from certain camps were placed with Russian foster families, often with consent obtained under duress. In some cases, returns to Ukraine were suspended, causing uncertainty for parents. The operation was centrally coordinated by Russia’s federal government, raising significant human rights concerns.

2211. Children fell into four categories: those with guardianship predating the invasion, deemed to be orphans, those previously in Ukrainian State institutions, and children with uncertain custody status due to wartime circumstances. While some children returned as scheduled, others were held indefinitely, with delayed or postponed returns documented. The report explained in detail the institutional framework and the processes which the Russian authorities had developed to carry out its deliberate and systematic campaign of child abduction.

2212. The report documented how the first deportations had taken place a few days before the full-scale invasion, followed shortly afterwards by a large campaign in the Kherson Region, then under siege by Russian forces, to transfer all children to Russian camps.

2213. The report stated that indefinite separation without consent had been one of the main variants of the practice of abduction. It was reported that Ukrainian children whose parents had firstly agreed to send them to “summer

camps” for the children to avoid the horrors of the invasion had been prevented by Russian authorities from returning to their families in Ukraine, and had been detained indefinitely in Russia or in the occupied territories.

2214. The Yale HRL reported that a centralised structure had been developed in Russia for administering “the programme” of abduction, deportation, detention and forced adoption of Ukrainian children. The report revealed a coordinated effort at the highest levels of the Russian government to facilitate the adoption of Ukrainian children. According to the report, President Putin had signed decrees easing the citizenship processes for those children and personally endorsed camps where they were to be integrated into Russian society. Maria Lvova-Belova, the Presidential Commissioner for Children’s Rights, oversaw those efforts and reported directly to Mr Putin. Russia’s Commissioner for Human Rights collaborated closely with the Presidential Commissioner for Children’s Rights in overseeing those initiatives. Despite allegations of human rights violations, she presented the programme with a veneer of human rights legitimacy. However, negotiations with Ukraine’s Ombudsman for Human Rights had revealed frustrations, as Russia had not provided information on children unwilling to stay in Russia but lacking contact with their families. The Minister of Education of the Russian Federation also played a crucial role. He supervised education in Russia, including in the occupied regions, and facilitated camps by providing vouchers for children from those areas to attend camps in Russia. He also promoted a State-backed version of history to children, aiming to reshape their perception of Russia’s and Ukraine’s shared history.

2215. Officials in Russia’s regional and republican governments actively encouraged parents to send their children to camps, often funded through patronage systems. Patronage involved Russian regions “adopting” towns or areas in Ukraine and providing vouchers for children to attend camps in their region. This initiative, directed by Russia’s federal government, saw participation from numerous regions and cities in Russia. This initially took place on a voluntary basis, but pressure was later exerted on governors to participate. Governors often took credit for these efforts, but the implementation fell to lower-level officials. In some regions, such as the Republic of Tatarstan, specific officials oversaw the camps, paying particular attention to children from occupied areas.

2216. The report outlined the involvement of various authorities in Russia and occupied territories of Ukraine in facilitating the system of camps, foster care placements and adoptions, particularly involving children. Those authorities, including at the regional and local levels, played crucial roles in identifying children for movement into foster homes, adoption and evacuation to Russia. The process involved coordination between different levels of authority, with individuals such as Daria Morozova, the “Commissioner of Human Rights of the ‘DPR’”, playing key roles in transporting children to Russia and the occupied territories, placing them with

foster families, and providing a facade of human rights legitimacy to the programme. Some local officials were appointed by occupation authorities to positions in education or childcare capacities and assisted in recruiting children for camps, collecting consent forms from parents, and providing “patriotic education”. The system operated as a network of actors with varying degrees of professional relationships, rather than a single hierarchical arm of the Russian government, with some following clear instructions and others apparently capitalising on opportunities presented by the situation.

AA. Institute for Religious Freedom

*Report “Russian attacks on religious freedom in Ukraine”,
22 September 2022*

2217. The Institute for Religious Freedom is a Ukrainian human rights NGO. This report was issued as a part of the Locked Faith project supported by the Kingdom of the Netherlands.

2218. First, the report focused on Russian attacks on places of worship and religious infrastructure. It stated that by implementing the “scorched earth” policy, the Russian military had brought devastation to many civilian buildings, including religious ones. According to the report, at least 270 places of worship had been destroyed by Russian forces during the five months of full-scale war, including seventy-one in the Donetsk Region, fifty-three in the Kyiv Region, forty in the Luhansk Region, and thirty-nine in the Kharkiv Region, but also in the Zhytomyr, Chernihiv, Sumy, Zaporizhzhya, Kherson and Mykolaiv Regions. Of them, 108 had belonged to the UOC-MP. Andrii Klyushev, a former UOC-MP priest from Irpin, Kyiv Region, interviewed by the researchers, stated that Russian forces had targeted his church of St Nicholas the Wonderworker with shelling, and had turned it into their firing position after having captured it. The report highlighted that when the war had started in 2014, the UOC-MP had even “enjoyed a certain level of loyalty from the occupation authorities, and the level of destruction of religious buildings was minimal”. However, since the full-scale invasion, their places of worship had suffered most from Russian missiles and shells.

2219. Not only Christian, but also Jewish and Muslim places had been attacked, the report stressed. In particular, on 1 March 2022 several Russian missiles had hit the historic Babyn Yar ravine in Kyiv – a Holocaust site where thousands of Jewish people had been murdered by Nazis. On 2 March and 21 April 2022 Russian missiles fell on Jewish cemeteries in the Berkovets suburb of Kyiv and the city of Bila Tserkva, destroying multiple tombstones. In Kharkiv, the Hillel Jewish youth centre was ruined, while the Jewish junior school and the Kharkiv Choral Synagogue had their windows shattered from the explosions. In Mariupol, the synagogue and the Jewish Community Centre were completely destroyed in May 2022. Valentyn Zagreba, a pastor

of the Seventh-Day Adventist Church in Mariupol, told the researchers that the church's two buildings had been destroyed.

2220. Apart from the damage from shelling, the report touched upon some deliberate acts of Russian forces to combat manifestations of Ukrainian identity. It was reported that all the books from the library of the Church of Petro Mohyla in Mariupol, belonging to the Orthodox Church of Ukraine, had been seized and burned by the Russian military. The report called it notable how Russian authorities in yet to be fully occupied Mariupol had hurried to replace road signs on the outskirts of Mariupol, removing the inscriptions in Ukrainian and English and replacing them with Russian. From September 2022 the education system in Mariupol had been fully transferred to the Russian curriculum, the report added. Denis Gorenkov, the head of a religious mission in Irpin, described how the Russian military had purposely burned his mission's gospels and literature printed in Ukrainian.

2221. The report described Russian practices of using religious buildings for military purposes. For example, the six-building complex of the Donetsk Christian University had been seized and looted in July 2014 and used as a military base ever since. The report also mentioned Berezivka, Kyiv Region, where the Ukrainian Evangelical Seminary had been seized by Russian military and used as an observation post from mid-March to early April 2022; it was left damaged and looted. Another example was reported in Antonivka, Kherson Region, where the Tavriyskyi Christian Institute had been seized by Russian forces and used as a military base since 9 March 2022. it was also damaged and looted.

2222. Veniamin Brynza, the vice-rector of a seminary in Irpin, stated that on 20 March 2022 Russian forces had fired around thirty mortar shells at the seminary building, causing multiple damage to the roof and the rest of the buildings. Ruslan Mykhalkiv, a priest and the rector of a Catholic seminary in Vorzel, reported that the seminary had been shelled by Russian artillery and MLRSs on 27 February 2022 and in the last days of March 2022. He added that on 24 March 2022 a group of ten to fifteen Russian soldiers had invaded their buildings, remaining there for several days. During this time, they had damaged many windows and doors, looted the seminary property, and had used a chapel as a toilet. Another attack in Motyzhyn, Kyiv Region, was reported by Vyacheslav Keba, the pastor of a Pentecostal church. He described how Russian soldiers had attacked the church rehabilitation centre, deliberately firing at it with machine guns and a grenade launcher, and even kidnapping an employee of the centre. Volodymyr Velykyi, the pastor of another Pentecostal church in Bucha, described that on 26 February 2022 a Russian helicopter had fired at an unfinished prayer house in Vorzel, which had had no Ukrainian soldiers or military facilities nearby.

2223. The report also described how multiple Islamic buildings had been damaged or destroyed in the eastern Donetsk and Luhansk Regions. Mr Ismagilov, the Mufti of the Ummah Religious Administration of Muslims

of Ukraine, interviewed for the report, stated that Russian heavy missile and artillery attacks had destroyed mosques in Mariupol, Kostyantynivka, Bakhmut and Sieverodonetsk. He mentioned the Islamic Cultural Centre in Sieverodonetsk as an example.

2224. The second part of the report was devoted to personal attacks on religious figures. According to the researchers, there had been at least twenty such attacks committed since the full-scale invasion. In particular, Sergiy Chudinovich, a parson of the Ukrainian church in Kherson interviewed by the researchers, said that he had been captured by Russian forces on 30 March 2022. According to Mr Chudinovich, he was accused of sabotage and aiding the UAF, which he denied. He was blindfolded and kept in a basement, where representatives of Russian authorities took his fingerprints and DNA samples. With his hands tied behind his back, he was then subjected to various forms of ill-treatment: threats of execution, beating, strangling, and an attempted rape with a baton. Because of the ill-treatment and duress, he agreed to sign a cooperation document promising loyalty to Russian forces, following which he was released. The researchers noted a change in Russian tactics in Kherson as compared to those in Donbas in 2014-2015: instead of closing churches and expelling unwanted clergy, they were now seeking religious leaders' cooperation and public approval.

2225. Rustem Asanov, a Muslim imam from Shchaslyvtseve, Kherson Region, told researchers that he had been captured at a checkpoint in the Kherson Region, blindfolded and detained in a basement. The reason for the detention was his civic position. In the basement, Mr Asanov was beaten, tortured and forced to cooperate with Russia. The handcuffs on his hands had been tied so strong that even after his release his thumbs did not work. He was released after his captors had run him through some databases confirming that he had not been involved in any Ukrainian battalions. Mr Asanov added that while the area had been under Ukrainian control, the Muslim community had enjoyed freedom of religion, which the Russian occupation had brought to an end by searching mosques, seizing books and telling imams which literature to use.

2226. In the Kyiv Region the researchers had interviewed Oleg Bondarenko, a minister of a rehabilitation centre in Motyzhyn under the "Salvation" Association of Churches. He said that on 23 March 2022 the scouts of "Wagner" mercenaries had discovered their centre, searched it, and found nothing. Nevertheless, later they had started firing at the centre from afar using machine guns and grenade launchers. All those present in the centre managed to escape, but Mr Bondarenko stayed to take care of a patient without legs. When the two were found by the returning mercenaries, Mr Bondarenko was tied, beaten, and then tortured at the "Wagner" base. When the base was shelled by the UAF, the mercenaries intentionally put Mr Bondarenko in the yard, hoping that he would be killed. When he survived the shelling, they threw him in a sewer, where he sat for two days. He said

that on the evening of 25 March 2022 he had heard the Russian soldiers bringing someone in, torturing him for an hour, then killing him. He had also heard other people being shot above the sewer, with the body of one of them being thrown into the sewer after the execution. Knowing that they were about to retreat, the Russian soldiers then let Mr Bondarenko go. Mr Bondarenko said that he had been unable to recover from this horror. He reported having sleep problems and needing psychological therapy and physical treatment for the injuries suffered to his back and hand, which had kept him off from work.

2227. Andriy Dudchenko, an Orthodox priest from Bucha who had survived the town's occupation, told the researchers about his experience of communicating with Russian soldiers, and especially chaplains from the Russian Orthodox Church. He said that he had not noticed any rampant aggression among Russian conscripts or, sometimes, even any understanding on their part of the "necessity" of the Russian invasion. At the same time, he said that a Russian chaplain had been more ideologically advanced and had argued for the alleged morality and necessity of Russia's war against Ukraine.

2228. Vasyl Vyrozub, an Orthodox priest from Odesa and UAF chaplain who was interviewed by the Ukrainian media outlet *NV*, told the story of his seventy-day captivity by Russian forces. On 26 February 2022 he had arrived at Snake Island with a rescue mission that also included two protestant pastors and a doctor. The mission was supposed to collect the bodies of Ukrainian soldiers. All the mission members were captured by Russian troops upon arrival and sent to a "filtration camp" in Sevastopol. On 18 March 2022 Mr Vyrozub was transferred to a pre-trial detention facility in Russia. According to Mr Vyrozub, the prison guards did not initially beat him as he looked like a priest; but after they had shaved him and dressed him in a uniform, he was beaten with all other captured Ukrainian soldiers. On 31 March 2022 the guards stripped him naked and locked him in a small cold isolation cell without windows or sanitary facilities for four days. On his first day in isolation, he was interrogated and beaten by four Russian officers; they believed that he had been working for Ukrainian intelligence services. On his second and third days in isolation, he was tortured with an electric shock and beaten again. After four days in isolation Mr Vyrozub was kept in detention for one more month, though without further ill-treatment. On 5 May 2022 he was released in a prisoner swap.

2229. On the basis of these interviews, the researchers characterised the various actions of the Russian forces as war crimes, including unlawful deprivation of freedom, torture, taking of hostages, and destruction and appropriation of property. They also touched upon the possibility of all those acts against religious persons and places being a part of the purported genocide of Ukrainians by Russia, or crimes against humanity in the form of persecution.

2230. The report also included a separate chapter on the situation in Crimea. It stated, in particular, that the Russian authorities in Crimea were persecuting the Ukrainian Orthodox Church, which had been internationally recognised in 2019. The persecution had resulted in a decrease in the number of UOC parishes in Crimea from forty-five to seven, and in the number of full-time clergy from fourteen to four. Many UOC priests and parishioners were forced to flee Crimea with their families. As to non-Orthodox organisations, the report noted that the Jehovah's Witnesses ("JW"), which had had more than 7,000 followers in twenty-two communities on the peninsula while it had been under Ukrainian control, had been totally banned after the judgment of the Supreme Court of the Russian Federation in 2017 declaring the organisation "extremist". After the prohibition, some of the JW parishioners faced searches of their homes, arrests, criminal fines, and even a six-year imprisonment for Artem Gerasimov, one of the JW's activists. Lastly, the report mentioned the persecution of the Hizb ut-Tahrir movement and its members in Crimea, which, unlike in Ukraine, had been declared a terrorist organisation in Russia since 2003. According to the Memorial human rights centre, quoted by the report, as of March 2022 at least ninety-four people had been persecuted in Crimea because of their allegiance with the movement. Three of them were already serving their sentences in Russian prisons. Apart from that, in 2016 the Crimean Tatar Mejlis, a traditional self-government body, was itself declared a terrorist organisation by the "Supreme Court of Crimea".

2231. The report's conclusion was that Russia's true goal was reflected in the speeches and actions of its President, Vladimir Putin, and corresponded to the ideology of the "*Russkiy mir*" ("Russian world"). The goal of that ideology, according to the report, was to destroy Ukraine as a sovereign democratic State striving for European integration and to destroy the Ukrainian nation with its own language, culture and religious diversity. This ideology, according to the report, was built around the legacy of the Russian Empire and the Soviet Union, and based on the Russian language, culture, Russian orthodoxy, and loyalty to the Russian State. According to the report, since 2014 it had transformed into an aggressive, militant and revanchist "Putinist" ideology. It was still trying to portray Russia as the island of traditional values, spirituality and religiousness, while in reality numerous atrocities were committed with the hypocritical blessing of the Russian Orthodox Church, and Russia itself topped the European ratings for divorce, domestic violence, orphanhood, substance abuse and HIV/AIDS. "

BB. Royal United Services Institute (RUSI)

Report “Preliminary lessons in conventional warfighting from Russia’s invasion of Ukraine: February - July 2022”, 30 November 2022

2232. RUSI is a United Kingdom-based thinktank specialising in military and security issues. This report by RUSI mostly dealt with the tactics and weapons employed by the Armed Forces of the Russian Federation (“AFRF”), their pre-invasion plans, and their overall performance during the fighting between February and July 2022.

2233. The paper claimed that the ultimate plan of Russia had been to subjugate the Ukrainian State. Its execution had begun with the military build-up along Ukraine’s borders during the spring of 2021, the purpose of which had been to test the speed of Russia’s troop deployment. The preparation went on in the summer of 2021 with the FSB planning to occupy Ukraine. The invasion plan was based on several pillars: speed as a critical factor, removal of Ukraine’s leadership, control of its critical infrastructure and financial system, and defeating the Ukrainian Armed Forces on the battlefield. Based on these pillars, the invasion plans were jointly developed by the FSB, Russia’s Defence Minister Sergei Shoigu, General Valery Gerasimov, and the Russian presidential administration.

2234. According to the plan, after a massive missile and air-strike campaign against Ukraine’s air defence, airfields, command and control infrastructure and ammunition storage depots, the AFRF were to advance via different axes to occupy Kyiv and the major cities on the Dnipro’s left bank (such as Kharkiv, Sumy and Chernihiv) and in the south (Odesa, Kherson and Mykolaiv), and to capture nuclear power stations and bridges over the Dnipro. After the tenth day of the invasion the AFRF were to transfer the main role to Russia’s special services, who would arrange for the occupation and the suppression of those opposing it. The plan was to have Ukraine under complete control by the summer of 2022, the paper stated.

2235. The invasion indeed began with a massive air-strike campaign across Ukraine with air defence sites, command and control infrastructure, ammunition depots, industrial facilities, fuel and energy storage facilities and troops assembly areas as the main targets. The researchers assessed that 75% of Ukraine’s stationary air defence sites and 10% of mobile ones had been engaged by Russian strikes within the first forty-eight hours of the invasion. The success rate of interceptions by Ukraine’s air defence forces during the first days of the invasion had been around 12-18%, but it rose had risen to 40-60% in the next months. An event which was particularly emphasised was the landing of Russian assault troops in Hostomel, north of Kyiv. The paper described how they had been cleared by heavy Ukrainian artillery fire shortly after landing, while two Russian helicopters had been shot down even before reaching the town. The paper stressed that the force

ratio on the Gomel axis, north of Kyiv, had been 12:1 in favour of the Russian troops. Nevertheless, Russian troops lacked ammunition, fuel, food, maps, proper communications and understanding of the invasion plan, which had been kept secret until the last minute. In contrast, the paper noted, Russian operations in Donbas and in the south had been more consistent with the plan. The cities of Kherson and Melitopol had been seized with minimal fighting by Russian forces advancing from Crimea. The encirclement of Mariupol had been fast too. At the same time, the paper noted that in the eastern city of Kharkiv Russian forces had suffered heavy casualties.

2236. From the fourth day of the invasion, the paper stated, the Russian commanders had realised that their plan “had gone seriously wrong”. In particular, Russian special services in Kyiv tasked with the removal of the Ukrainian political leadership were neutralised by the SBU. The Russian air forces had to change their tactics, having suffered many losses during the first days. The Ukrainian air forces regularly hit long Russian convoys that lacked air cover. In the south, the Russian navy had to abandon the plan of an amphibious landing between Odesa and Mykolaiv. As to the Russian ground forces, their eastern group, which had advanced along the Gomel axis, was eventually forced to withdraw, being unable to bring forward any significant artillery and ammunition. To the east of Kyiv, the central group of Russian forces had been stretched along 200 km of roads, being exposed to Ukrainian ambushes and air attacks, which eventually led to their withdrawal too.

2237. The paper specifically focused on Mariupol, describing its encirclement as successful compared with the operations in the north. It went on to state that, unlike in the north, the Russian forces had not expected a rapid surrender of Mariupol and had been prepared for fierce resistance by its garrison. Having previously applied similar tactics in the battle for Grozny during the Second Chechen War, the Russian forces destroyed Mariupol in order to break up the positions of its defenders. They were able to identify the boundaries between the Ukrainian ground, naval and territorial defence units, and struck in between them to isolate each of those forces. The defence of Mariupol still lasted much longer than expected owing to the extraordinary heroics of the Ukrainian forces, the paper added.

2238. The paper noted that after the AFRF had retreated from Kyiv, their objectives and strategy had changed. From then on their goal was to defeat the UAF in Donbas with the seizure and annexation of the Donetsk and Luhansk Regions. Their attacks in Donbas were aimed at operational encirclement through attacks to the north and south of the UAF positions. In this regard, the protracted defence of the Azovstal plant in Mariupol proved important in slowing the release of the AFRF in the south of Donbas. Since the UAF had used most of their artillery ammunition in the first months of the war, the AFRF started gaining advantage in Donbas. The paper claimed that the artillery advantage in May-June 2022 had been 12:1 in Russia’s favour, which corresponded to the AFRF firing up to 32,000 rounds per day,

whilst the UAF had rarely exceeded 6,000 during those months. The paper illustrated the surplus of ammunition by the fact that Russian Grad, Uragan and Smerch MLRS systems, which had doctrinally been meant to be used on area targets, had been used on point targets at a maximum range of 35-70 km. Nevertheless, according to the paper, the Russian forces had made slow progress in Donbas owing to a shortage of motivated and trained infantry, as their units often included conscripts from the “DPR” and “LPR”.

2239. As to the Russian air forces, their activities in the second phase of the war had been focused on long-range strikes by TU-22M3 and TU-95MS strategic aviation aircraft. The paper stated that there had been around 180 launches of such long-range missiles during February-May 2022, with more than 160 civilian and military objects being hit. On the ground, during the first months of the war the Russian artillery had extensively relied on Iskander short-range ballistic missile systems, which had been very difficult for the Ukrainian air defence to intercept. The paper also noted that the Russian naval forces had used the Bastion and Bal coastal missile systems against Ukrainian cities. Such inappropriate use led to their reduced accuracy and “in many cases, the tragic striking of civilian structures”. Apart from this, Russian ships and submarines in the Black Sea were constantly delivering long-range strikes against southern and western Ukraine.

2240. Lastly, the paper described Russian logistics in Donbas having to adapt to realities of the war. Initially, ammunition had been delivered in accordance with the classical doctrine, close to the units using it – up to 50 km from the front line. However, the UAF’s successful use of Smerch and Tochka-U MLRS systems against Russian ammunition warehouses made them move the storage of that ammunition up to 100 km from the front line. The subsequent delivery and introduction on the battlefield of Western HIMARS and M270 MLRSs, which hit Russian targets even beyond 100 km, effectively ended the Russian offensive, switching the war to a new phase.

2241. The paper included the following conclusion:

“Although the massive sacrifices of the UAF have inflicted serious and widespread damage to the Russian capacity for offensive operations, Ukraine’s international partners need to fully appreciate the scale of the conflict, the adversary’s capabilities and the cause of their deficiencies to assess whether the Russians are effectively adapting when they try to recover from their recent setbacks.

...

First, the war in Ukraine has demonstrated that consumption rates in high-intensity warfighting remain extraordinarily high ...

Second, the UAF were competitive against their adversaries not because of superior equipment in the early phases of the war but because they were adaptable – especially at the tactical level – and rapidly innovated new capabilities and concepts ...

Third, ... [l]egacy systems, from T-64 tanks to BM-21 Grad MLRS have proven instrumental in Ukraine’s survival. That does not mean, however, that historical concepts of employment for these systems remain advisable ...

... for all the new capabilities on the battlefield, the war in Ukraine has been marked by the usual miscalculations, uncertainties and human failings. For Ukraine, victory is essential but can only be achieved with the ongoing support of its international partners.”

CC. Ukraine 5 AM Coalition

Analytical report “Deportation of Ukrainian citizens from the territory of active military operations or from the temporarily occupied territory of Ukraine to the territory of the Russian Federation and the Republic of Belarus”, January 2023

2242. “Ukraine: 5 AM Coalition” is a coalition of human rights organisations that collected and documented war crimes and crimes against humanity committed during Russia’s armed aggression in Ukraine. This report ran to forty-four pages and contained information about the displacement of residents of Ukraine due to the war. The report was mainly based on reports of other NGOs, statements of governmental officials, and information from open internet resources. The report covered the period from 24 February to 1 October 2022.

2243. The first official report by Ukrainian authorities on forced displacement had become public on 26 March 2022, with Deputy Prime Minister Iryna Vereshchuk stating that nearly 40,000 Ukrainians had been forcibly deported by Russia. On 16 April 2022 the media resource RIA Novosti reported that the Russian military had taken approximately 100 people, including ten children, from Izium, Kharkiv Region, to the Belgorod Region of the Russian Federation. By 3 October 2022 UNHCR reported that 2.852 million Ukrainians had arrived in the Russian Federation, and 15,932 in Belarus. Russian sources claimed that over 4.5 million people, including 685,000 children, had arrived in the Russian Federation by 3 October 2022.

2244. The process of forced displacement included “filtration”, reminiscent of practices used during previous conflicts, particularly the Chechen Wars. Filtration measures involved detailed inspections, seizures of belongings, fingerprinting, interviews, forced medical examinations, and document checks at checkpoints with a view to identifying those disloyal to the Russian Federation. Reports indicated widespread violations during those processes, such as physical abuse, threats, and even electric shocks. By August 2022 twenty-one filtration camps had been identified, mainly concentrated in the Luhansk and Donetsk Regions. Family separations were reported to have taken place on various grounds, including suspicions of pro-Ukrainian activities. The fate of those who failed the filtration process varied, with some being sent to pre-trial detention centres or prisons in the occupied territory of Ukraine. Reports indicated severe conditions, including torture, lack of medical assistance, and deaths among those who had failed the filtration process.

2245. According to the testimony of deported Ukrainians, filtration measures were carried out mainly by local investigators, the police of the “DPR” and Russian border guards, but the harshest interrogations were conducted on the border with Russia. In the direction of Kherson, filtration measures were carried out by the Russian military and FSB investigators.

2246. Forced deportations to Russia and Belarus involved the creation of temporary accommodation points (“TAPs”). According to the Russian Government’s resolution no. 349 of 12 March 2022, around 95,909 people were planned to be accommodated across various regions of Russia and in Crimea. As of 3 October 2022, 38,000 people were staying in 559 TAPs. The number of TAPs reached 807 by 24 October 2022, and Ukrainian citizens were settled in various regions of Russia and Crimea, including remote areas. Between March and May 2022, Russian FSB data indicated that 156,000 Ukrainian citizens had entered Crimea.

2247. Regarding the integration efforts, Ukrainians were strongly encouraged to obtain temporary asylum status, get jobs in Russia, and enrol their children in Russian schools. By August 2022, only 55,202 Ukrainian citizens had received asylum in Russia.

2248. The process of acquiring Russian citizenship by Ukrainian citizens was significantly simplified over the years. Amendments in legislation in April and July 2022 extended this expedited procedure to residents of the Kherson and Zaporizhzhya Regions, and later to all Ukrainian citizens. Despite these changes, there was a notable 43% decrease in the number of Ukrainians acquiring Russian citizenship in the first half of 2022.

2249. The deportation of Ukrainian children to Russia was a significant concern. Over 7,000 Ukrainian children had reportedly been deported, subjected to forced acquisition of Russian citizenship and exposed to anti-Ukrainian propaganda. Reports indicated that at least 503 children from Kharkiv region had been taken to Russia’s Krasnodar Region, and approximately 6,000 children had been displaced to the occupied Crimea.

2250. Among the problems faced by Ukrainian nationals deported to Russia and Belarus were the lack of means of subsistence, the inability to exchange Ukrainian currency or withdraw funds using bank cards, the lack of clothing, hygiene products and medicines, and the inability to contact relatives and get advice on whether to stay in or leave the territories to which they had been deported.

2251. Another major problem was the absence of ID documents confirming Ukrainian nationality, which prevented deported Ukrainians from leaving for third countries. The reasons behind the absence of such documents included their loss or destruction during deportation, their removal during applications for asylum in Russia, failure to obtain them on account of the occupation or failure to collect them in Ukraine because of the full-scale invasion. Moreover, there were no public clarifications from Russian

authorities as to the list of documents that Ukrainian nationals needed in order to cross the Russian border.

2252. Lastly, the imposition of martial law in the occupied territories had led to restrictions on the freedom of movement, including the prohibition of or restrictions on leaving Russia, which made it even more difficult for Ukrainian nationals who had received Russian passports or passports of the “DPR” or “LPR” to leave Russia.

DD. International Centre for Defence and Security (ICDS)

Report “The stolen children: How Russia attempts to kidnap Ukraine’s future”, 23 February 2023

2253. ICDS is an Estonian thinktank specialising in foreign policy, security and defence issues. It was founded by the Estonian Government in 2006.

2254. This report stated that although cross-border adoption in Russia had been prohibited, on 30 May 2022 President Putin had issued Decree no. 330 allowing the adoption of Ukrainian children. It applied to all under-age orphaned Ukrainians or those left without parental care, with Russian authorities deciding on the eligibility of each particular child. The Ukrainian Ministry of Foreign Affairs protested against that move, calling it “an attempt by the Kremlin to legalise the illegal displacement”. The report referred to the Russian Colonel General Mikhail Mizintsev as stating that as of 16 August 2022 Russia had accepted 3.4 million Ukrainian refugees, of whom 556,000 were children. According to the report, Russian adoption of Ukrainian children was encouraged with financial stimuli by the Russian government, with each family that took in a child receiving a one-time payment of “a little over RUB 20,000”.

2255. The report included various examples, one of which was described by Olga Volkova, the head of a boarding school in Donetsk, admitting that 225 children had been “evacuated” to Taganrog, with ten being adopted as early as April 2022. By August 2022 over 1,000 children from Mariupol had been advertised on a Krasnodar Region website as available for adoption. That message was later removed from the website with Russian authorities blaming it on a cyber-attack. An unnamed Ukrainian official stated that Russian forces “had simply taken away all the children [from a hospital in Mariupol] left without parents”. Another report cited in the document claimed that children had been dispersed among the Russian heartland, reaching as far as Tyumen, Irkutsk, the Yamalo-Nenets Autonomous District, Kaluga, and the Altay Region. Other examples involved the arrival of 234 purported orphans in Moscow on a Russian military plane reported by the Kremlin, or a plane full of purported orphans being brought to Novosibirsk by its governor.

2256. One of the justifications for the removal of children from Ukraine was their allegedly poor health. As an example, a commission of Russian doctors who had examined 15,000 children in Luhansk concluded that 70% of them required removal to Russia. Another, more personal example involved a fourteen-year-old girl, Anya, who had been taken to Moscow from a tuberculosis care home in Mariupol, to be placed in a foster family despite her protests. There were also reports of fourteen children under five being removed from then-occupied Kherson to Crimea to be placed on usynovite.mosreg.ru, the adoptions website of the Moscow regional government. The Yolochka orphanage, where children were kept in Crimea, had been described in 2020 as “a concentration camp” even by the Russian propaganda outlet RIA Novosti, with reports of abuse, severe neglect, malnourishment, physical exhaustion and psychological trauma.

2257. A special place in the report was devoted to Maria Lvova-Belova, Russia’s Presidential Commissioner for Children’s Rights. As early as March 2022 she had been reporting that 1,090 alleged orphans from Donbas needed a new home in Russia. Then, by the end of May 2022, she reported a queue of 1,200 Russian families wishing to adopt Ukrainian children. Later, on World Children’s Day she claimed that 240,000 children had been “evacuated” from Donbas. In October 2022 Ms Lvova-Belova stated that 350 Ukrainian children had been adopted in Russia. Reporting about the children from Mariupol, she complained about their negative feelings towards Russia, saying that they had been highly critical in their comments about President Putin, had said nasty things, had sung the Ukrainian national anthem, and chanted “Glory to Ukraine”. However, she said, the first experiments of the State programme of “de-Nazification” and “re-education” of young Ukrainians into “proper Russians” had been successful, although she admitted that psychiatrists had had to be involved. Ms Lvova-Belova, the mother of twenty-two children, had herself adopted a Ukrainian child, Filip, from Mariupol. She had struggled to change the boy’s manners as he had Ukrainian patriotic feelings which she could not understand. Lastly, the report referred to the various sanctions imposed on Ms Lvova-Belova for her role in forced adoptions.

2258. The report then went on to characterise Russia’s campaign as a violation of IHL, a war crime, or even genocide. It described the practice of putting Ukrainians into “filtration camps” before they were deported to Russia. There, they would be subjected to inhumane conditions and pressured to change their citizenship. Children above 14 would undergo the “filtration” on their own, while minors would be separated from their parents and forced to wait as they went through the process. The report also mentioned ill-treatment of children in Bucha (Kyiv Region), Yahidne (Chernihiv Region) and Kherson, with “children’s cells and torture chambers” found in Kherson upon its liberation in November 2022. The report described the example of a 12-year-old boy separated from his captured mother in

Mariupol. The boy was told that he had no family left and was taken to Russia despite his grandmother's objections. Another account was presented by Olga Lopatkina, whose six children had been apprehended by the Russian military at a checkpoint. There were also reports of children of Ukrainian government workers or military personnel being separated from their parents during the occupation, including Dr Viktoria Obidina, whose daughter Alisa had been taken from her after their evacuation from the Azovstal steelworks, or Vladyslav Buriak, whose son had been kidnapped in April 2022 at a checkpoint while evacuating.

2259. The report also briefly mentioned the children who had allegedly been abducted from Donbas in 2014, with over eighty children stopped and apprehended at Russian checkpoints, and twenty-five other children in a minibus that had been forced to drive to Russia despite their intention to evacuate to Dnipro.

2260. In conclusion, the report drew many parallels between Russia's abduction and forced adoption campaign and similar practices applied by Nazi Germany or the USSR under Joseph Stalin. According to the Ukrainian intelligence services, Ukrainian deportees were dispersed mainly behind the Ural Mountains and in Siberia, making the task of locating the abducted children very difficult. The report added that many of those children had been issued with false documents with new names and birth dates. However, according to Ukraine's Deputy Prime Minister, Iryna Vereshchuk, the Ukrainian government had been able to repatriate ninety-six children back to Ukraine as of September 2022. The Ministry of Social Policy was working on reintegration plans for the forcibly transferred children once they had been returned.

EE. ZMINA Human Rights Centre

1. Report "Deportation of Ukrainian citizens to the territory of the Russian Federation", April 2023

2261. This analytical report covered the period between 24 February 2022 and 4 March 2023. It was based on open sources and documented testimonies of persons who had suffered or witnessed forcible transfer and deportation.

2262. According to the report, there had been no legal grounds for the displacement, and Russia had created an "atmosphere of fear" in which the displacement was carried out. The report concluded that it had not been the free choice of people to leave, given the poor humanitarian conditions, intimidation, the practice of enforced disappearances, and threats.

2263. The report documented cases of numerous human rights violations by the Russian side, which included a lack of food, water and medical care, and unsanitary material conditions. In addition to that, families were separated, people were not told where they would be transferred and were not allowed to leave bus stops. The procedure of "filtration" was unreasonably

lengthy; people were detained for several hours and were asked provocative questions as regards their opinion about Russia, Vladimir Putin, or the “special military operation”.

2264. Relying on testimonies of victims from various occupied regions of Ukraine, the report concluded that the displacement had been an organised campaign. The report described examples of armed Russian soldiers entering private houses and bomb shelters and taking everyone to filtration centres by buses.

2265. The report stated that Russian strikes had targeted civilian objects and civilian infrastructure, creating a threat to life and making it impossible to stay in attacked cities. ZMINA documented people in Mariupol lacking electricity and heating, and later gas, drinking water and medical care in the early days of the large-scale invasion as a result of the strikes. A resident of Mariupol reported, “I woke up afraid that my child would die of hunger. She asked me for bread and an apple, but I didn’t have any of that”. A different resident of Mariupol and his mother had moved to another shelter after a nine-story apartment block across their street burned to the ground. As they changed shelters, they saw dead bodies lying in the streets.

2266. According to the report, an atmosphere of fear and intimidation prevailed in the occupied territories in the event of any manifestation of a pro-Ukrainian position. In April 2022, protests against the occupying authorities began to subside in Kherson because of numerous interrogations, searches, detentions and disappearances of activists. In Mariupol, the Russian military began going around apartments and arresting activists. In the Kharkiv Region, the Russian military carried out filtration, in particular in the villages; they went from house to house checking documents and carrying out searches.

2267. Russia restricted access to information about the occupied territories. In the Kherson Region, the Russian military seized the Kherson television tower, blocked the broadcasting of Ukrainian channels, and turned on broadcasts of Russian channels, limiting the local population’s access to alternative sources of information. In May 2022, the Russian forces turned off mobile communications and the internet, switching to Russian operators. Residents of Mariupol reported that communication in the city had disappeared in the first days of the large-scale invasion, and Russian forces spread information that Ukraine no longer existed.

2268. The report asserted that the Russian side had also disrupted and restricted evacuations to Ukraine-controlled territory. On 23 April 2022 Russian forces expelled people who had gathered to evacuate from Mariupol to Zaporizhzhya. ZMINA documented a similar case of a Mariupol resident who had been brought to the village of Nikolske (territory of Ukraine occupied before 24 February 2022) instead of Zaporizhzhya as he had previously been promised.

2269. In addition, Russian troops attacked humanitarian corridors which had previously been agreed on. The report provided examples of families

from Kherson who had waited in line for two weeks, risking coming under fire. A resident of Mariupol said that he had tried to leave for Zaporizhzhya several times but had come under fire and returned each time.

2270. The report stated that Russia had not planned to return the displaced populations to the territories from which they had been displaced. That was confirmed by the fact that abandoned buildings had been destroyed. Russian military personnel had settled in abandoned buildings or occupied houses and forced residents to leave.

2271. The report provided an example of a family from Mariupol who had been forced to go to a temporary accommodation centre in Taganrog and then to Perm in Russia. A victim reported that people had had a very limited choice and had often been sent to remote regions of Russia. In addition, many Ukrainians reported difficulties when trying to leave Russia by train or bus. In particular, those who did not have identification documents were refused ticket sales. The report indicated that there had been no evidence of the Russian side organising the return of the displaced people from the occupied territories to their homes.

2. Report “Forcible transfer and deportation of children from the temporarily occupied territories of Ukraine to the Russian Federation”, April 2023

2272. This analytical report covered the period between 24 February 2022 and 11 March 2023. It was based on open sources and documented testimonies of persons who had suffered or witnessed the crime of deportation, in particular managers, employees and residents of custodial facilities, as well as on an analysis of reports from Russian authorities and occupation administrations.

2273. According to the report, the relocation of children’s institutions to the Russian Federation had begun before the full-scale invasion. Specifically, on 18 February 2022 the “evacuation” from the so-called “DPR” and “LPR” had been announced. Subsequently, on 19 February 2022 the first buses with 225 pupils from Donetsk Boarding School no. 1 arrived at the Russian border. On 2 October 2022 it became known that thirty-nine pupils of Donetsk Boarding School no. 1, who had previously been located in the territory of the Rostov Region, had been transferred to the city of Kirov in the Russian Federation.

2274. The report affirmed that at least forty-three “camps” had been found in Russia and Russia-controlled territories, accommodating children from those territories. In October 2022 Volodymyr Saldo, the head of the occupation administration of the Kherson Region, announced that 5,000 children from Kherson would come to Crimea. The transfer of 350 children from Mariupol to the Soligorsk district of Belarus was organised under a similar scheme. A group of children from the Kharkiv Region had been sent to a camp in the village of Kabardinka in the Krasnodar Region of

Russia in early August 2022, followed by twenty more children from Kozacha Lopan in the Kharkiv Region. A total of 203 children from the Kupyansk district of the Kharkiv Region had been taken by bus to Krasnodar. In September 2022, Kuban State media reported that 223 children from the Kharkiv Region had been enrolled in schools in Gelendzhik in Russia.

2275. According to the report, one of the main goals of the displacement of children from the occupied territories of Ukraine to camps in Crimea and Russia was “re-education” – the integration of Ukrainian children into the education and leisure system approved by the Russian government. The curricula included Russian narratives about the nature of the full-scale invasion and the history of Russian-Ukrainian relations. The “peacekeeping operations of the Russian army in Nagorno-Karabakh, South Ossetia, Kazakhstan, the defeat of terrorists in Syria, the protection of compatriots and the liberation of Donbas during a special military operation” were discussed with Ukrainian children. In addition, parents in the occupied territories of Ukraine were searched and equipment was checked to determine whether children had been taking online classes in Ukrainian schools. Parents were threatened with fines and their children being taken away during those searches.

2276. As specified by the report, the campaign to displace children from the occupied territories of the Donetsk Region to Moscow and the Moscow region had begun in April 2022. As stated by Russian sources, the initiative was discussed by the “Chairman of the DPR”, the Deputy Speaker of the Council of the Russian Federation, the Deputy Speaker of the State Duma of the Russian Federation, the Children’s Rights Commissioner for the President of the Russian Federation, and the Deputy Head of the Government of the Moscow Region. The plan was to search for relatives only in State databases of the Russian Federation and databases of the ICRC. On 23 April 2022 twenty children from the Donetsk Boarding School were taken to the town of Aprelevka in the Moscow Region. Twenty-seven more orphans from the “DPR” were accepted into families in the Moscow Region.

2277. In June 2022 the Children’s Rights Commissioner for the President of the Russian Federation, Ms Lvova-Belova, stated that the Russian regions of Kaluga, Tula, Rostov and Voronezh and the Yamalo-Nenets Autonomous District had accepted 108 Ukrainian children into families “following the example of the Moscow Region”. On 14 July 2022 a plane with 108 children from the “DPR” arrived at the Chkalovo military airfield in the Moscow Region. The children were to be sent to new families immediately from the airport. On 16 July 2022 it became known that a family from Salekhard, in the Yamalo-Nenets Autonomous District of the Russian Federation, had taken care of two orphans from the “DPR”, and a total of ten adopted children from Donbas would live in the district.

2278. Two children aged eight and nine from a boarding school in Donetsk had been transferred to a foster family in the Moscow region, even

though it had been known that their grandmother lived in Mariupol. The report mentioned another case of three children being separated from their father at a checkpoint because of his previous military service. The father was detained while the children were put on an evacuation bus.

2279. The report referred to the investigation by the Donetsk Regional Prosecutor's Office into cases of forcible transfer and deportation from Mariupol. It stated that in March 2022, under the pretext of evacuation, the armed forces of the Russian Federation had forcibly displaced twelve minor patients of the Regional Children's Bone and Tuberculosis Centre of Mariupol to the territory of the Donetsk Region that had been occupied before 24 February 2022. Another fourteen foster children from two family-type orphanages, together with three foster parents, were taken from Mariupol to the Rostov Region of the Russian Federation.

2280. Referring to the website of the Children's Rights Commissioner for the President of the Russian Federation, the report stated that on 5 August 2022 Maria Lvova-Belova had visited the temporarily occupied Luhansk Region and reported that 160 children from the "DPR" had been placed in the care of Russian families, of whom 133 had already received Russian citizenship. In the "LPR" there were 442 such children, and another ninety over the age of sixteen who were studying in colleges. The plan had been to place such children in families in different regions of Russia. On 13 October 2022 twenty-four orphans under the age of sixteen had been taken to the Novosibirsk Region of the Russian Federation from the temporarily occupied Luhansk Region for the purpose of transferring them to eight Russian foster families.

3. *Report "Enforced disappearances and arbitrary detentions of active citizens during the full-scale armed aggression by Russia against Ukraine (February 2022 – June 2023)", 30 June 2023*

2281. This analytical report provided data on enforced disappearances and arbitrary detentions of active citizens in nine regions of Ukraine which at the time were occupied by the Russian Federation. The data had been collected and documented by ZMINA in cooperation with an alliance of non-governmental organisations, the "Ukraine 5 AM Coalition". The authors of the report collected fifty-two testimonies of victims, members of their families, and witnesses of enforced disappearances and arbitrary detentions. ZMINA recorded from open sources at least 562 cases of abductions of active citizens within the scope of this research project.

2282. The report noted that the practice of enforced disappearances in the course of the Russian armed aggression was not new. Since 2014, during the occupation of Crimea and certain areas of the Donetsk and Luhansk Regions, the Russian Federation had followed a similar practice, trying to suppress resistance and any attempt to protest. The UN Human Rights Monitoring

Mission had documented forty-three cases of enforced disappearances in Crimea during the first seven years of its occupation.

2283. The report recorded the following numbers and categories of abducted people: activists and volunteers (323 persons); officials and representatives of local self-government bodies; relatives and friends of active citizens; educators (32), journalists, editors and mass media owners (18); cultural workers (10); politicians (9); religious figures (8); lawyers and advocates (4). These numbers included people who had subsequently been released, found dead or remained missing. In addition, the report broke down the documented enforced disappearances by region: Kherson (258); Zaporizhzhya (110); Donetsk (67); Kharkiv (60); Kyiv (33); Chernihiv (10); Mykolaiv (8); Luhansk (8); and Sumy (8). The category of public activists and volunteers included participants in peaceful protests against the Russian occupation, organisers of the evacuation of the civilian population, drivers of evacuation buses, and volunteers who had independently evacuated the civilian population and delivered food and medicine to the residents of occupied settlements.

2284. The report claimed that the Russian side had used torture against the civilian population as an element of a broader policy of identifying citizens disloyal to the occupation and suppressing civil resistance.

2285. According to the report, activists and volunteers had been abducted mostly while passing through checkpoints and the so-called “filtration checkpoint”. The report provided the example of Serhii Tsyhipa, a journalist, blogger, volunteer and co-organiser of peaceful pro-Ukrainian protests who had been kidnapped at one of the checkpoints in the occupied part of the Kherson Region on 12 March 2022. At the time of the report’s publication, he had been held in a pre-trial detention centre in Simferopol, Crimea.

2286. The report provided the example of a British volunteer, Paul Urey, who was engaged in the evacuation of civilians. On 25 April 2022, he had disappeared near the village of Verbove, Zaporizhzhya Region. In July 2022, the occupation administration spread information about his purported death “due to illness and stress”. The Russian Federation returned his body after more than a month and a half. Signs of physical injuries were found on the body, which might indicate that he had been ill-treated. The Ukrainian Parliament Commissioner for Human Rights reported that the returned mutilated body had been missing parts and had had numerous cuts and signs of torture.

2287. Regarding the representatives of local self-government bodies, the report gave the example of Oleksandr Babych, the mayor of Hola Prystan, Kherson Region. He had been kidnapped from his own home on 28 March 2022. At the time of the report’s publication, he had been held in pre-trial detention in Simferopol and had been coping with health problems caused by torture.

2288. On 23 March 2022 Russian forces kidnapped the entire family of the head of the village of Motyzhyn, Kyiv Region (Olha Sukhenko, her husband, and their son). On 2 April 2022, after the deoccupation of the Kyiv Region, the bodies of the Sukhenko family were found in one of the mass graves. According to the Prosecutor General's Office of Ukraine, Olha, her son and her husband had been tortured before their death.

2289. The report provided information about school principals in Melitopol, Zaporizhzhya Region, who had been kidnapped by representatives of the occupying forces on 31 March 2022. They had been kept in a garage for some time, and later taken by car 30 km from Melitopol and abandoned on the road.

2290. Concerning the relatives of active citizens, the report mentioned the family of Serhii Barchuk, the deputy head of the regional office of the Pension Fund of Ukraine in Kherson. Serhii, his father Artem Barchuk, mother-in-law Lidia Podozerska, and uncle Oleksiy Barchuk had been kidnapped by Russian forces in July 2022. At the time of the report's publication, they had been held in several places of detention. According to the family, all of them had been subjected to torture and other forms of ill-treatment.

2291. According to the report, the occupying power had tried to persuade journalists to cooperate by all available means, and those who expressed a pro-Ukrainian position were subjected to kidnapping and torture. The report provided the example of Oleh Baturin, a journalist from the newspaper *Novy Den* who had been kidnapped in Nova Kakhovka, Kherson Region. He had spent almost eight days in Russian captivity with almost no food, including several days with almost no water, no soap and no change of clothes. During the abduction and the initial interrogations, he had been beaten with a gun butt. Oleh had had four ribs broken as a result of such treatment.

2292. Regarding cultural figures and employees of cultural institutions, the report gave the example of the curator of the Melitopol Museum of Local History, Halyna Kucher. She was detained on 30 April 2022, after the occupation authorities had gained access to the museum's storage room and had taken the museum's collection from there. She was released two days later. Alla Buryko, the director of the cultural centre in Bratske, Zaporizhzhya Region, was kidnapped on 25 August 2022, allegedly because of her unwillingness to cooperate with the occupying forces. At the time of the report's publication her whereabouts remained unknown. Volodymyr Vakulenko, a children's writer and public figure from the city of Izium, Kharkiv Region, was abducted by the Russian military in early April 2022. After the deoccupation of Izium in late 2022, his body was found in a mass burial site.

2293. According to the report, religious figures were usually detained for a short period of time – from several hours to several days. Most often, the occupying forces targeted those who organised the process of collecting and distributing humanitarian aid.

2294. Mykhailo Reznikov was a pastor of the Church of Evangelical Christian Baptists in Mariupol, Donetsk Region. On 9 March 2022 the Russian military captured Mr Reznikov together with another parishioner, Andriy Fomenko. They were captured when they went to get food for the church, which had been sheltering people whose houses had been destroyed. The church confirmed that the men had been released but did not provide any other details.

2295. Dmytro Bodyu was a pastor of the “World of Life Fellowship” church in Melitopol, Zaporizhzhya Region. He was detained on 19 March 2022 and spent eight days in detention. The Russian military came to his home in the morning, took church equipment and statutory documents, and took the pastor in an unknown direction. In the church, the Russian military also announced that it was prohibited to hold religious services and provide humanitarian aid to people.

2296. At 8.30 a.m. on 30 March 2022, Serhii Chudynovych, a priest of the Orthodox Church of Ukraine in Kherson, was kidnapped directly from the church by people who called themselves “militia”. Three men searched the church and checked the documents and messengers of those present. Mr Chudynovych was released the same day.

4. Report “Deportation of residents of Kherson region”, 4 July 2023

2297. This analytical report covered the period between 24 February 2022 and 24 February 2023. It was based on open sources and documented testimonies of persons who had suffered or witnessed the crime of deportation and forcible transfer, as well as on the regulatory and legal framework and statements by government agencies of the Russian Federation.

2298. The report argued that the transfer of population in the occupied Kherson Region had been planned and conducted under conditions of coercion and psychological pressure. According to the report, since the beginning of the occupation, the Russian military had seized the Kherson television tower, blocked the broadcast of Ukrainian television channels, and begun broadcasting Russian channels, limiting the local population’s access to alternative sources of information. In the first month, the city of Kherson was cut off from the food and medicine supply. Later, in May 2022, the occupying forces switched off mobile communications and the internet, bringing in Russian telecom operators.

2299. On 2 March 2022 Russian forces occupied Kherson and part of the Kherson Region. Three days later, 2,000 Kherson residents protested against the occupation. From March to May 2022 the rallies became massive and regular. In April 2022 the mayor of Kherson, Ihor Kolykhaev, said that the protests had subsided as a result of the numerous disappearances of activists, interrogations, searches and detentions. In particular, more than thirty residents of the community of Ivanivka alone were abducted and taken to an unknown destination.

2300. According to testimonies collected by ZMINA, an atmosphere of fear prevailed in the city: before going out, citizens would leave their phones at home, delete apps, and stop communicating with relatives in the Ukraine-controlled territory. In the spring of 2022, the occupying power also tried to put the Russian rouble into circulation, closed Ukrainian banks and withdrew the Ukrainian hryvnia from circulation. Given all these circumstances, by the end of May 2022, according to the mayor of Kherson, Ihor Kolykhaev, almost 100,000 people had left the city.

2301. The report stated that there had been two options for leaving occupied Kherson. The route to the Ukraine-controlled territory went through a “grey zone” and was extremely difficult. The other option was to leave for Russia through occupied Crimea. Regardless of the destination, people leaving Kherson were subjected to “filtration measures” at Russian checkpoints. According to the testimony of a volunteer, Russian border guards misled people, stating that crossing the border or access to medical care was only possible after obtaining a Russian passport. People, especially those with serious health concerns, were powerless to resist, so they would acquire Russian passports to gain access to medical care.

FF. Religious Information Service of Ukraine (RISU)

2302. RISU is a non-profit organisation, established by the Institute of Religion and Society of the Ukrainian Catholic University (Lviv, Ukraine) with the main purpose of reporting on religious life in Ukraine.

1. *Press statement “The aggressor attacked the church in Kharkiv: A shell hit the Assumption Cathedral with people inside”, 3 March 2022*

2303. Referring to the Telegram channel News.LIVE Kharkiv, RISU reported that the Assumption Cathedral in Kharkiv had been damaged after shelling by Russian forces. According to the report, there had been people hiding inside but they had all remained unharmed. The cathedral’s windows had been shattered and the interior, including icons, had been damaged. It appeared from the article, however, that the cathedral had not been hit directly.

2. *Press statement “The occupiers hit the Cathedral Mosque in the Donetsk region”, 3 March 2022*

2304. RISU reported, with reference to a Facebook post by Mufti Said Ismagilov, that the Cathedral Mosque in Kostyantynivka, Donetsk Region, and its adjacent buildings had been damaged in a Russian shelling. Photographs in his post depicted a mosque and a house with their windows broken and their walls having shrapnel damage.

3. *Press statement “Invaders destroyed three more churches”, 7 March 2022*

2305. Referring to the TV5 Channel, RISU reported that Russian forces had destroyed a church in Hulyaypole, Zaporizhzhya Region. The video showed a church that had allegedly been hit directly by shelling with its tower destroyed. Apart from this, RISU reported that two more churches had been attacked in the Zhytomyr Region, with photographs showing a destroyed wooden church in the village of Vyazivka and a seriously damaged church in Malyn without windows or a roof, and with shrapnel damage all over its walls.

4. *Press statement “Kremlin barbarians shelled the Sultan Suleiman and Roksolana Mosque in Mariupol”, 11 March 2022*

2306. RISU reported, with reference to a Facebook post by Mufti Said Ismagilov, that the Sultan Suleyman and Roksolana Mosque in Mariupol had been shelled by Russian forces. According to him, there had been around eighty civilians, mostly Turkish citizens, hiding in the mosque’s basement; their fate remained unknown. A photograph from the post depicted the mosque before the full-scale invasion without signs of damage.

5. *Press statement “Illustrated lies of Russian propaganda: Zelensky comments on the shelling of the Svyatohirsk Lavra”, 14 March 2022*

2307. RISU reported, with reference to a statement by President Zelenskyy, that the Svyatohirsk Lavra in the Donetsk Region had been shelled by Russian forces. According to him, at the time of the strike there had only been monks and “hundreds of refugees” on the site. The photograph attached to the publication depicted an auxiliary monastery building with shelling damage on its walls and roof.

6. *Press statement “98 cultural and religious sites of Ukraine were damaged or destroyed during the war, – UNESCO”, 17 April 2022*

2308. RISU reported, with reference to material from the *Voice of America* quoting UNESCO, that at least ninety-eight Ukrainian cultural and religious sites had been damaged since the beginning of the full-scale invasion. They had been located in eight different regions of Ukraine. According to UNESCO, there had been no confirmed damage to any sites included in the UNESCO World Heritage list. The UNESCO director for World Heritage, Lazare Eloundou Assomo, warned that any attack on the UNESCO-protected “Blue Shield” cultural heritage building would be a violation of international law and could also be considered a war crime.

7. *Press statement “Russians destroy a Skete of Svyatogorsk Lavra (UOC-MP) with well-aimed strike”, 9 May 2022*

2309. RISU reported, with reference to material from *Ukrainska Pravda* citing a Facebook post by Yuriy Kochevenko, an officer of the 95th Separate Airborne Assault Brigade, that the St George Skete of the Svyatohirsk Lavra in the Donetsk Region had been completely destroyed by a precision strike by Russian forces. A video from his post depicted a stone-wall church in rubbles.

VII. MATERIAL AND STATEMENTS BY UKRAINIAN STATE BODIES

A. President of Ukraine

1. *Press statement “President signed a decree on the imposition of martial law in Ukraine, the Verkhovna Rada approved it” of 24 February 2022*

2310. On 24 February 2022 the President signed Decree No. 64/2022 on the imposition of martial law in Ukraine, which was also approved by the Verkhovna Rada of Ukraine. According to the decree, martial law had been imposed from 5.30 a.m. on 24 February 2022 for thirty days. This decision had been made “due to the military aggression of the Russian Federation against Ukraine”, on the basis of a proposal by the National Security and Defence Council, and in accordance with Ukrainian law.

2. *Address by the President of Ukraine of 25 February 2022*

2311. On 25 February 2022 the President stated that the Russian invasion of Ukraine had meant the beginning of the war against Europe’s unity and elementary human rights in Europe. He also called on European countries to take urgent measures to stop the Russian armed aggression.

3. *Press statement “Address by the President of Ukraine to Ukrainians at the end of the first day of Russia’s attacks” of 25 February 2022*

2312. The President stated in his address that on the first day of the invasion, according to preliminary data, 137 members of the Ukrainian military had been killed and 316 had been wounded. He also stated that the Ukrainian military had regained the areas occupied by Russia, for example the city of Hostomel near Kyiv.

4. *Press statement “Address by the President of Ukraine in the evening of the second day of the large-scale war” of 26 February 2022*

2313. The President stated that the fighting had been ongoing on all frontlines of the country: south, east, and north. He also said that on

26 February 2022 the Russian military had fired Grad rockets at an orphanage in the city of Vorzel, Kyiv Region, and shelled the city of Okhtyrka in the Sumy Region with Uragan rockets; residential blocks, shelters and kindergartens had come under fire.

5. *Press statement “We withstood - address by the President of Ukraine on the third day of the war” of 26 February 2022*

2314. On 26 February 2022 the President stated that “a real battle for Kyiv [had been] taking place,” and the Russian military had been using missiles, fighter aircraft, drones, artillery, armoured vehicles, saboteurs and paratroopers. He said that the Russian military had been shelling residential neighbourhoods, including with the use of missile artillery, trying to destroy energy facilities. He also noted that the Russian forces had been severely rebuffed by the Armed Forces of Ukraine in Uman, Odesa, Kherson, Mykolaiv, Donbas, Kharkiv, Sumy, Chernihiv and Kyiv.

6. *President of Ukraine Volodymyr Zelenskyy’s address to the citizens of Belarus of 27 February 2022*

2315. In this address, the President called on the citizens of Belarus to make the right choice in the referendum. He stated that the Russian Federation troops had launched rockets into Ukraine from the territory of Belarus, that the Russian military had been shelling and bombing residential areas and civilian infrastructure and that Russian forces had used rocket artillery and missiles in attacking entirely urban areas in which there had never been any military infrastructure.

7. *Address by the President of Ukraine Volodymyr Zelenskyy of 28 February 2022*

2316. On 28 February 2022 the President stated that Russian forces had shelled Kharkiv with rocket artillery. He emphasised that there had been no military objects in the area. He stated that dozens of eyewitness accounts had proved that the attack had not been a separate misguided shot but a conscious destruction of people. He said that in the five days of the full-scale Russian invasion, fifty-six missiles and 113 cruise missiles had been fired against Ukraine. He noted that three rocket-bombing strikes had been carried out in Kyiv on 28 February 2022, targeting the Kyiv Thermal Power Plant no. 6 in an attempt to leave Kyiv without electricity.

2317. He also announced the beginning of the first round of negotiations between Ukraine and Russia and said that he had signed an application for Ukraine’s membership of the European Union.

8. *Press statement “President of Ukraine - Ukrainians are a symbol of invincibility” of 2 March 2022*

2318. On 2 March 2022 the President reported that there had been multiple Russian strikes the previous day, namely an air strike targeting the Kharkiv city administration, strikes at residential buildings in Borodyanka, Kyiv Region, and a missile strike at the Kyiv television tower. He stated that the Russian military had continued to bomb Mariupol, Kharkiv, Kyiv, Zhytomyr and other cities and towns of Ukraine with missiles, artillery and machine guns, targeting peaceful people and residential areas.

9. *Press statement “Europeans must tighten sanctions against Russia so that it has no chance to continue the genocide in Ukraine - address by President Volodymyr Zelenskyy” of 10 March 2022*

2319. The President stated that on 10 March 2022 Russian forces had attacked the maternity and children’s hospital in Mariupol. As a result of the attack, seventeen people had been injured and the hospital buildings had been destroyed. At the time of the bombing, the hospital had been functioning.

10. *Press statement “Drive the occupiers out, drive these slaves out: President Volodymyr Zelenskyy’s address to the residents of Ukrainian cities” of 21 March 2022*

2320. On 21 March 2022 the President expressed support for the inhabitants of the cities in the south of Ukraine which had been temporarily occupied by Russia: Berdyansk, Kakhovka, Enerhodar, Melitopol and Kherson. He mentioned that on that date, Russian forces had shot at the civilians participating in a pro-Ukrainian peaceful rally in Kherson.

11. *Press statement “We are working to make the whole world friends of Ukraine - address by President Volodymyr Zelenskyy” of 21 March 2022*

2321. On 21 March 2022 the President stated that a Russian aircraft had dropped a bomb on an arts school in Mariupol, where about 400 civilians – mostly women, children, and elderly people – had been hiding. There had been no military positions nearby.

2322. He stated that on 20 March 2022, only four humanitarian corridors had been working; 7,295 people had evacuated, and almost 4,000 Mariupol residents had arrived in Zaporizhzhya in one day; more than 3,000 people had been rescued in the Kyiv Region. He stated that in the Kharkiv Region, the Russian troops had captured five drivers and one doctor who had been delivering humanitarian cargo for the city of Vovchansk.

12. Speech by the President of Ukraine Volodymyr Zelenskyy at a meeting of the European Council of 25 March 2022

2323. In his speech at the meeting of the European Council, the President talked about war crimes committed by Russia in Ukraine since 24 February 2022. Specifically, he mentioned the capture of the Chornobyl Nuclear Power Plant staff by the Russian military, and fire missiles targeting the Zaporizhzhya Nuclear Power Plant, Babyn Yar in Kyiv, educational facilities, residential neighbourhoods, hospitals, maternity hospitals, shelters and churches. He also talked about killings of children and journalists, the rape of women, looting and child abduction.

2324. He said that the Russian military had destroyed more than 230 schools and 155 kindergartens, and had killed 128 children. He also said that Russia had blocked Mariupol, with hundreds of thousands of residents not having access to water and food. He mentioned the killing of 96-year-old Borys Romanchenko in Kharkiv in his apartment as a result of Russian shelling.

2325. He stated that Russian forces had abducted more than 2,000 children from Ukraine. He said that Russian forces had fired at humanitarian convoys with children, women and church representatives who had been accompanying humanitarian cargo.

13. Press statement “Russian troops are destroying everything that makes us a nation, but they will be held accountable for that - address by President Volodymyr Zelenskyy” of 26 March 2022

2326. In his address, the President called on the partners of Ukraine for assistance in the struggle against Russia for the security of Europe. He mentioned that the Russian forces had destroyed the Holocaust Memorial in Drobytsky Yar near Kharkiv.

14. Press statement “Ukrainian servicemen in Mariupol are not ready to leave their wounded and dead brothers-in-arms in the city – President” of 27 March 2022

2327. On 27 March 2022, during an interview with opposition-leaning Russian media, the President stated that the Russian military had blocked all entrances and exits from Mariupol. As a result, it had not been possible to deliver food, medicine and water, leading to a humanitarian catastrophe in the city. He stated that Russian troops had been shelling humanitarian convoys and killing drivers and that Russia had organised the forcible removal of Mariupol residents to the occupied territories and that more than 2,000 children had been deported. He added that Ukraine had been trying to reach an agreement with the Russian side on the removal of the bodies of Ukrainian soldiers and civilians lying in the open air, but this had not been allowed.

15. Speech by the President of Ukraine Volodymyr Zelenskyy at the Romanian Parliament on 4 April 2022

2328. The President, in a speech addressed to the Romanian people, stated that more than 300 civilians had been tortured, executed or otherwise killed in Bucha. The victims had been found killed with their hands tied behind their backs; some had been shot in the back of the head or the eye. There had also been civilian vehicles with people crushed by military equipment. He mentioned cases involving the rape of women and girls in Bucha.

2329. He referred to an article published on the website of the Russian state news agency RIA Novosti, which justified the genocide of Ukrainians. He said that the article proved the purpose of the Russian invasion of Ukraine. He called on the Romanian people to stop the impunity together.

16. Press statement “President of Ukraine - The strike on Kramatorsk must be one of the charges at the tribunal regarding Russia’s war” of 8 April 2022

2330. On 8 April 2022 the President stated that Russian forces had initiated a missile strike targeting the Kramatorsk railway station. As a result, thirty-eight people had died on the spot, and twelve people had died in hospital later. Among the casualties there had been five children, and numerous individuals with severe injuries were undergoing treatment in hospitals at the time of the President’s speech.

17. Press statement “Evil returns when human rights and the law are violated and culture is destroyed; this is exactly what happened to Russia - address by the President of Ukraine” of 7 May 2022

2331. In his address the President stated that on 6 May 2022 the Russian military had destroyed the Hryhorii Skovoroda Museum in the Kharkiv Region by a targeted missile strike. He further disclosed that, as of 7 May 2022, the Russian army had already destroyed or damaged nearly 200 cultural heritage sites. Additionally, he reported that on 7 May 2022 Russian forces had launched a missile strike on the city of Odesa.

18. Speech by the President of Ukraine at the video conference of the G7 leaders on 8 May 2022

2332. The President stated that over 500,000 Ukrainians had been deported to Russia and placed in so-called “filtration camps” established by Russian troops in the occupied territories of Ukraine.

19. Press statement “The more losses the occupiers suffer, the sooner we will be able to liberate our land - address by the President of Ukraine” of 10 August 2022

2333. The President stated that Russian forces had shelled the city of Marhanets in the Dnipropetrovsk Region. Thirteen people had been killed, more than ten had been wounded, and five people had been left in a serious condition as a result of this attack.

B. Mission of the President of Ukraine in the Autonomous Republic of Crimea - Occupied Crimea and Sevastopol

1. Report “Occupied Crimea and Sevastopol in the midst of Russia’s all-out aggression against Ukraine: trends and highlights” issued on 19 July 2022

2334. This report, which ran to sixteen pages, provided a general overview of the role of Crimea in the framework of the strategic military perspective envisaged by the Russian Federation with a view to capturing Ukrainian territories. On several occasions the report provided detailed information pertaining to particular events or facts. The report was mostly silent on its sources of information.

2335. Without going into detail, the report described how the occupied territory of Crimea had been used as a military base where illegal and hidden conscriptions had been carried out by the occupying administrations. According to the report, the occupation administration of Crimea used Crimean residents – for example, doctors – in various ways in order to provide the necessary number of people for military needs.

2336. As indicated in the report, the occupied Crimea had been involved in propaganda activities. Ukrainian teachers from the Kherson Region were to be “retrained” in Crimea up to Russian standards, with a view to further employment in the temporarily occupied territories.

2337. As stated in the report, the Crimean Peninsula had been used as a base for forced displacement of Ukrainian citizens. The report indicated that between 24 February and 4 July 2022 almost 154,000 Ukrainians had crossed the administrative border into Crimea.

2338. According to the report, thousands of Ukrainian children had been unlawfully transferred either to Russia or to the Russia-controlled territories through the occupied Crimea. As contended by Darya Herasymchuk, the Adviser-Commissioner of the President of Ukraine for Children’s Rights and Child Rehabilitation, between 1 June and 4 July 2022 “over 234,000 children [had] crossed the border to Russia and territories occupied by Russia”. The report further specified that according to the special decree of Vladimir Putin no. 220 of 30 May 2022, the occupation administration had simplified the

procedure for the imposition of Russian citizenship on orphans and children deprived of parental care from Ukraine.

2339. The report referred to information from the Kherson Prosecutor's Office, according to which as of July 2022 1,431 people had disappeared or been abducted in the Kherson Region, of whom 269 had later been released and 162 had remained in captivity. The report gave accounts of abductions and forceful transfers of prisoners of war, Russian-Ukrainian war veterans and local officials from Kherson to Crimea. As an example, the report described the case of Denys Myronov, a member of the Kherson Territorial Defence Forces after 24 February 2022, who had been tortured following his detention by the occupation administration. After Mr Myronov's transfer to Sevastopol, he had died from injuries sustained as a result of torture.

2340. Further on, the report laid out information on persecution of Crimean Tatars and Ukrainian POWs, some of whom had been forcefully transferred from the Kherson Region to Crimea. As indicated in the report, POWs had been held in Simferopol pre-trial detention facility no. 1.

2341. The report described various types of anti-war protests held by activists in Crimea, which had been suppressed by the occupation administration. The majority of participants in such protests had faced administrative penalties and criminal charges for "discrediting the Armed Forces of the Russian Federation". As stated in the report, seventy-six offences had been registered in Crimea under the relevant Article between 4 March and 31 May 2022.

2342. According to the report, starting from 15 June 2022, 138 Ukrainians of Crimean origin, of whom 105 were Crimean Tatars, had been imprisoned for political motives. The report described particular instances of imprisonment of Crimean Tatar activists, journalists and lawyers.

2343. The report also described mechanisms for the looting of Ukrainian grain through the territory of the occupied Crimea.

2344. The report referred to other reports of the Mission accessible electronically via a QR code or a hyperlink. Those reports were entitled "The use of Crimeans in Russia's full-scale military aggression against Ukraine" and "Forced displacement of Ukrainian citizens from newly conquered territories and combat zones to the occupied Crimea".

2. *Report on "Forced displacement of Ukrainian citizens from newly conquered territories and combat zones to the occupied Crimea", undated*

2345. This report was mainly based on information obtained from open media sources, statements of public officials, non-governmental organisations, and witness interviews. It was undated, but its contents suggest that it was issued in the second half of 2022.

2346. The report covered the peculiarities of Russian's displacement to or through the occupied Crimea of the following categories of Ukrainians: those

fleeing from occupied southern Ukraine, children, politically exposed officials, Crimean Tatars, activists taken from southern Ukraine as hostages, POWs and members of Ukraine's territorial defence force.

2347. According to the occupying authorities, as of mid-May 2022, almost 154,000 Ukrainians had crossed the administrative border with the occupied Crimea.

2348. As indicated in the report, the occupied Crimea was used as a temporary station for those who were to be sent to remote Russian regions or other occupied regions of Ukraine. Crimea was also regarded and utilised by the occupying authorities as a hub for the unlawful transfer of thousands of Ukrainian children, and as a place harbouring detention centres for POWs, political activists and Crimean Tatars.

2349. When crossing the administrative border with the occupied Crimea, people were subjected to thorough document checks and questioning. As indicated by witnesses, there was a large cage at the administrative border where Russian forces would put all men before questioning. If a person had nowhere to live in Crimea, they would be allowed to stay in the so-called temporary accommodation centre.

2350. Once in Crimea, the displaced people were able to apply for temporary asylum or refugee status. However, according to the report, those statuses were "virtually impossible" to obtain. Usually, the passport of a displaced person applying for temporary asylum or refugee status was taken away for "safekeeping". The person would only get his or her passport back once the term of the asylum expired. The report stated that the occupying authorities mainly intended to carry out compulsory "passportisation" of Ukrainian citizens from the territories occupied by Russia.

2351. The report described the case of a Mariupol family who had been fired at by Russian forces when they had tried to cross a Ukrainian-Russian contact line to evacuate after 20 March 2022.

2352. According to the report, since 24 February 2022 Ukrainians had been forced to sign forged documents addressed to Russia's Investigative Committee or to testify to the FSB office in Crimea that it had been the Ukrainian Armed Forces shelling civilians and civilian objects in Ukraine. Those who had fled the besieged Mariupol were told that they would not be allowed to Crimea unless they agreed to sign the "testimony".

2353. According to the report, a family from Mariupol had been forced to sign a twenty-page false testimony at the Crimean administrative border, addressing it to Russia's Investigative Committee in Moscow. The woman and other adult members of her family had had no choice but to sign them, as it had clearly been an unofficial condition for being allowed to enter Crimea.

2354. In late March 2022 some Ukrainians who had been sent to the temporary accommodation centre at School no. 8 in Dzhankoy had started a protest by chanting "Glory to Ukraine! Glory to the heroes!", singing the Ukrainian national anthem, and shouting slogans that condemned Russia's

invasion. Prior to that, their Ukrainian passports had been confiscated. In June 2022, the Mission learned that some of the protesters had been detained and taken away by the police of the occupying administration. Their subsequent fate was unknown.

2355. According to the report, a refugee from Mariupol had been apprehended and detained in late March 2022 while trying to enter Crimea. He had been placed in Simferopol pre-trial detention centre no. 1, and his lawyer had been unable to meet with him. The report stated that he had been brutally tortured throughout his detention, and that he had later been dropped off in Chongar in a poor psychological state.

2356. On 30 March 2022 Russian forces had abducted the mayor of Osokorivka, Novovorontsov Territorial Community, Kherson Region, and had placed him in detention in the occupied Crimea.

2357. Quoting the Prosecutor's Office of the Kherson Region, the report stated that as of July 2022, 1,431 people had disappeared or had been abducted in the Kherson Region alone since 24 February 2022.

2358. According to the report, some of those who had failed the filtration when entering Crimea, or those abducted from the Kherson Region, had been sent to the Simferopol SIZO no. 1 without any official procedure for their arrest, detention or trial. In early May 2022, there had been around 100-150 detainees in the Simferopol SIZO no. 1. Those detainees had been subjected to various levels of abuse, the harshest being applied to Kherson Region residents.

2359. With reference to Media Initiative for Human Rights, the report stated that Denys Myronov, a Kherson Territorial Defence Force member, had been detained by Russian forces. He had been kept in a basement and tortured, which had resulted in broken ribs, one of which had pierced his lung, eventually causing his death.

2360. With reference to the Kherson Region Prosecutor's Office, the report indicated that as of 21 June 2022, 408 people had disappeared or had been abducted in the Kherson Region since 24 February 2022. According to the report, 259 of them had been released, and 149 had remained in captivity.

2361. According to the report, there had been eleven cases of Crimean Tatars imprisoned as members of the Noman Chelebidzhykhan Battalion, which had been declared a terrorist organisation by the Supreme Court of Russia.

2362. In mid-March 2022 a Red Cross volunteer had been captured by Russian soldiers in the Kyiv Region and tortured for a week in a basement of a plant.

2363. According to the Commissioner of the President of Ukraine for Children's Rights and Child Rehabilitation, over 234,000 children had crossed the border to Russia and the temporarily occupied Donetsk and Luhansk Regions as of 1 June 2022. Those children had been forcibly

displaced and relocated to the temporarily occupied territories, to the Russian Federation, or to Belarus.

2364. According to the Human Rights Centre ZMINA, on 18 June 2022, in just one day, Russian forces had forcibly displaced 3,502 children from the territory of Ukraine, including the Donetsk and Luhansk Regions, without Ukraine's authorisation.

2365. On 18 June 2022 the head of Russia's National Defence Management Centre said that over 307,000 children had been taken to Russia since 24 February 2022. Russia had attempted to assimilate children displaced to Crimea by granting them Russian citizenship and sending them to secondary schools and colleges in the occupied Crimea. Displaced Ukrainian orphans had found themselves in the most vulnerable conditions, as they had become subjects of the simplified procedure of granting Russian citizenship envisaged by the decree of Vladimir Putin issued on 30 May 2022.

C. Mission of Ukraine to NATO

Statement "Oleksandr Turchynov: Anti-terrorist operation started in the north of Donetsk Oblast" of 15 April 2014

2366. On 15 April 2014 the Mission of Ukraine to NATO published an article reporting that the acting President of Ukraine Oleksandr Turchynov had announced the start of an anti-terrorist operation in the north of the Donetsk Region.

D. Ministry of Foreign Affairs of Ukraine ("MFAU")

1. Twitter post of 17:13 on 2 March 2022

2367. A tweet posted on 2 March 2022 at 17:13 Eastern European Time ("EET") on the official Twitter account of the MFAU contained a 43-second video of a fire, with firefighters searching through the rubble. According to the MFAU, this scene had been recorded at a maternity hospital in Zhytomyr, which had been hit by Kalibr cruise missiles.

2. Twitter post of 19:00 on 4 April 2022

2368. A tweet posted at 19:00 EET on 4 April 2022 by Emine Dzheppar, the First Deputy Minister of Foreign Affairs of Ukraine, contained a 53-second video of a journalist visiting Bucha after the retreat of the Russian forces. The video depicted civilian cars which had allegedly been run over by tanks, burned, or otherwise destroyed. One of the heavily damaged cars had a dead body trapped in the driver's seat. The First Deputy Minister in her tweet blamed Russian forces for committing the atrocities recorded in the video clip.

3. Twitter post of 09:33 on 1 May 2022

2369. A tweet posted at 09:33 EET on 1 May 2022 by the official Twitter account of the MFAU contained a photograph of a six-storey building with destructions and smoke coming out of the sixth floor. According to the MFAU, this scene had been recorded in Kharkiv, where a hospital and a residential building had been fired at by the Russian forces on 30 April 2022.

E. Ministry for Reintegration of the Temporary Occupied Territories (“MinTOT”)

1. Letter from the MinTOT of 26 March 2022

2370. This letter was addressed to the Ministry of Justice of Ukraine. The letter ran to thirty-three pages and contained a table of humanitarian corridors with information on (i) agreed/non-agreed humanitarian corridors, and (ii) whether the humanitarian convoy had managed to use the agreed humanitarian route, and if not, what had been the reasons.

2371. On 5 and 6 March 2022 pre-agreed humanitarian corridors from Mariupol and Volnovakha, Donetsk Region, to Zaporizhzhya failed because of Russian shelling and violations of the “silence regime”.

2372. On 9 March 2022 pre-agreed humanitarian corridors from Mariupol, Donetsk Region, to Zaporizhzhya failed because of Russian shelling and violations of the “silence regime”. On the same date the pre-agreed humanitarian corridors from Volnovakha to Pokrovsk, Donetsk Region, and from Iziurm to Lozova, Kharkiv Region, failed because of shelling and violations of the “silence regime” by the Russian armed forces. Volnovakha and Iziurm had been under heavy shelling from all kinds of heavy weapons since the morning, thus preventing people from leaving their houses and reaching the points for evacuation.

2373. On 9 March 2022 pre-agreed humanitarian corridors from Vorzel, Borodyanka, Hostomel, Irpin and Bucha, Kyiv Region, to the city of Kyiv failed because the Russian military did not allow a convoy of buses from Kyiv to take people out.

2374. On 9 March 2022 on the route from Enerhodar, Zaporizhzhya Region, to the city of Zaporizhzhya, a convoy of civilian vehicles with people moving towards Zaporizhzhya was blocked for several hours at a Russian checkpoint. A convoy with humanitarian cargo (food and insulin), as well as additional evacuation buses moving from Zaporizhzhya, were blocked at a Russian checkpoint in Vasylivka, Zaporizhzhya Region.

2375. On 10 March 2022 pre-agreed humanitarian corridors along the route from Mariupol to Zaporizhzhya failed because of shelling and violations of the “silence regime” by the Russian armed forces. As a result of Russian shelling of Mariupol, the humanitarian convoy was unable to reach Mariupol. Pre-agreed humanitarian corridors from Volnovakha to Pokrovsk

and from Iziium to Lozova failed because of heavy shelling of cities and violations of the “silence regime” by the Russian armed forces. Pre-agreed humanitarian corridors from Borodyanka, Hostomel, Irpin and Bucha to Kyiv city failed since the Russian military did not allow a convoy of buses from Kyiv to take people out.

2376. On 11 March 2022 twelve buses sent from Bilohorodka, Kyiv Region, arrived in the village of Nemishaieve aiming to proceed further to the village of Mykulychy, Kyiv Region, to evacuate civilians. They were stopped at a checkpoint by the Russian armed forces. The Russian military said that they had had no orders to allow the convoy of buses to evacuate people, even though a humanitarian corridor had been agreed upon earlier.

2377. On 11 March 2022 pre-agreed humanitarian corridors from Mariupol to Zaporizhzhya, from Polohy, Zaporizhzhya Region, to the city of Zaporizhzhya, from Volnovakha to Pokrovsk, from Iziium to Lozova, from the village of Andriivka, Kyiv Region, to Zhytomyr, and from Borodyanka to Zhytomyr failed because of shelling and violations of the “silence regime” by the Russian armed forces. Mariupol was under massive shelling. A humanitarian convoy of trucks and buses escorted by religious figures was forced to return to Zaporizhzhya. Iziium was shelled by Russian mortars, forcing the buses to turn around and return to Lozova.

2378. On 12 March 2022 pre-agreed humanitarian corridors from Mykulychy to Kyiv, from Andriivka, Borodyanka and Makariv, Kyiv Region, to Zhytomyr, and from Trostyanets and Krasnopillya, Sumy Region, to Poltava failed because of shelling and violations of the “silence regime” by the Russian armed forces.

2379. On 13 March 2022, during an evacuation along a pre-agreed humanitarian corridor from the village of Peremoha, Kyiv Region, to the city of Kyiv, Russian servicemen dispersed people from evacuation spots three times by firing into the air.

2380. On 13 March 2022 a pre-agreed humanitarian convoy from Zaporizhzhya to Mariupol for delivering humanitarian aid and evacuation did not function since the city of Mariupol remained under systematic air strikes throughout the day. The air strikes targeted all infrastructure of the city, including kindergartens, schools, hospitals and orphanages. Because of shelling by the Russian armed forces, the convoy did not reach the city of Mariupol.

2381. On 14 March 2022 a pre-agreed humanitarian corridor from Nova Bohdanivka, Kyiv Region, to Brovary, Kyiv Region, failed since the Russian armed forces had launched an offensive and shelling in the morning. The convoys of buses were forced to return. While driving back from Hostomel, Kyiv Region, along the agreed humanitarian corridor, a convoy of buses carrying people came under mortar fire from the Russian armed forces, killing one elderly woman and wounding a number of men and the bus driver.

2382. On 15 March 2022 pre-agreed humanitarian corridors from the villages of Nova Bohdanivka and Bobryk, Kyiv Region, to Brovary failed since the Russian armed forces had not ceased the shelling and violated the “silence regime”. In the morning and throughout the day, the Russian armed forces shelled the bus convoys.

2383. On 15 March 2022 a pre-agreed humanitarian aid convoy that was moving from Zaporizhzhya to Mariupol with the aim of evacuating people on the way back did not reach its destination since the Russian armed forces did not cease shelling and violated the “silence regime”. The convoy remained in Berdyansk, Zaporizhzhya Region, and did not reach the city of Mariupol.

2384. On 18 March 2022 a pre-agreed humanitarian corridor in the direction of Mariupol failed since the convoy was not allowed to pass along the route.

2385. On 19 March 2022 a pre-agreed humanitarian corridor in the direction of Mariupol and another one along the route from Borodyanka to Bila Tserkva, Kyiv Region, failed because of shelling and violations of the “silence regime” by the Russian armed forces.

2386. On 19 March 2022, during the transfer of humanitarian aid (food and medicine) to Popasna, Luhansk Region, a convoy of buses was shelled. The evacuation was carried out under fire from the Russian troops’ positions. During the transfer of food and medicine to Kherson, a convoy of humanitarian cargo was not allowed to pass through a Russian checkpoint near the village of Liubymivka, Kherson Region. Food and medicine for Kupyansk and other towns in the Kharkiv Region were not delivered owing to ceasefire violations.

2387. On 20 March 2022, during an attempt to evacuate from the village of Kozarovychy, Kyiv Region, to Kyiv through a pre-agreed humanitarian corridor, people who had gathered to evacuate were dispersed by Russian servicemen with the use of weapons. The convoy of evacuation buses was shelled.

2388. On 20 March 2022 vehicles that transported humanitarian aid (food and medicine) for Vovchansk, Kharkiv Region, as well as accompanying vehicles and ambulances, were seized and held in Russia-controlled territory. A total of six ambulance workers were captured. Food and medicine for Nova Rokhan, Kharkiv Region, were not delivered owing to ceasefire violations.

2389. On 22 March 2022 buses coming from Berdyansk to pick up Mariupol evacuees in Nikolske and Melekine, Donetsk Region, were blocked at a Russian checkpoint in Manhush, Donetsk Region. Four rescuers accompanying the convoy and eleven bus drivers were captured. The vehicles were seized.

2390. On 23 March 2022 in Manhush, Russian troops captured twelve rescuers of the State Emergency Service of Ukraine during a humanitarian mission to evacuate the residents of Mariupol.

2. Letters from the MinTOT on humanitarian corridors, undated

2391. This piece of evidence comprised thirty-seven letters from the MinTOT addressed to the Ministry of Justice of Ukraine, which in aggregate ran to fifty-eight pages. The letters provided information about the functioning of humanitarian corridors during the period from 5 March 2022 until 18 September 2022.

2392. The letters provided extensive and rather detailed information on the proposals by Ukraine to open a number of humanitarian corridors and Russia's reaction, and addressed the question of compliance with the agreements pertaining to a particular humanitarian corridor..

2393. Since 5 March 2022 the representatives of Ukraine had suggested 394 humanitarian corridors to the Russian authorities with a view to the evacuation of civilians and the delivery of humanitarian aid to the residents of the temporarily occupied territories of Ukraine. 321 corridors were agreed upon, and only 155 were respected.

2394. According to the letters, 166 agreed humanitarian corridors did not operate for the following reasons: delays and blockage of bus convoys by Russian forces; ceasefire violations and shelling of humanitarian convoys by Russian troops; ban on Ukrainian residents evacuating in private vehicles; seizure and blockage of vehicles with humanitarian aid; and abductions of drivers and accompanying persons by the Russian armed forces.

2395. On 29 and 30 March 2022 the representatives of Russia failed to respect three agreed humanitarian routes from Vasylivka, Tokmak and Enerhodar in the Zaporizhzhya Region. The evacuation was only partially carried out.

2396. On 31 March 2022 the representatives of Russia failed to respect three agreed humanitarian routes from Berdyansk, Enerhodar and Melitopol, Zaporizhzhya Region.

2397. Between 1 and 17 April 2022 the Russian armed forces failed to respect agreed humanitarian routes from Rubizhne, Popasna, Lysychansk, Sieverodonetsk, and Nyzhnie, Luhansk Region, and from Tokmak and Enerhodar, Zaporizhzhya Region.

2398. Between 7 and 9 April 2022 the representatives of Russia did not allow a humanitarian convoy to enter the occupied city of Melitopol, stole humanitarian aid (medicine for the critically ill, food and hygiene items) along with buses and trucks, and threatened the drivers, forcing them to move to one bus and go back. Then Russian soldiers seized the remaining vehicles along with the cargo, depriving the residents of Melitopol not only of life-saving humanitarian aid, but also of the opportunity to evacuate, since the convoy of buses had been supposed to take people out on the way back.

2399. On 3 April 2022 seven humanitarian aid buses and the buses with an ICRC delegation were blocked in Manhush for several days and had to return to Zaporizhzhya on 5 April 2022.

2400. On 20, 21 and 23 April 2022 the Russian Federation failed to provide a safe passage of humanitarian cargo to Mariupol.

2401. From 11 April 2022 representatives of the Russian Federation blocked the exit from Mariupol for all civilians.

2402. From 6 to 9 May 2022 the evacuation of civilians from Azovstal, as well as residents of Mariupol, was carried out under shelling and with delays in the evacuation convoys.

2403. On 6 May 2022 the MinTOT reported that more than 6,500 filtration camps had been established in Russia and hundreds of thousands of deported Ukrainians had been transferred to those camps.

2404. From 9 May until 18 September 2022 there were no official humanitarian corridors.

F. Ministry of Defence of Ukraine

1. Operational information as of 6 p.m. on 25 March 2022 regarding the Russian invasion

2405. According to this publication, on 25 March 2022 Russian forces had forcibly deported people from the temporarily occupied territories of Ukraine to the Russian Federation. It was also stated that the Russian forces had carried out chaotic shelling of settlements to intimidate the local population and had seized vehicles and personal belongings.

2. Operational information as of 12 p.m. on 27 March 2022 regarding the Russian invasion

2406. According to this publication, on 27 March 2022 Russian forces had hit infrastructure facilities in Kharkiv and conducted artillery and mortar shelling of the settlements of Toretske, Svitlodarsk, Troitske and Pisky in the Donetsk Region. The Ministry of Defence also noted that Russian armed forces had carried out filtration measures in the temporarily occupied territories in the Kherson Region.

3. Operational update regarding the Russian invasion as of 6 p.m. on 8 April 2022

2407. According to this publication, as of 8 April 2022, Russian armed forces had continued the blockade of the city of Kharkiv and shelled residential neighbourhoods using artillery, including multiple rocket launchers and large-calibre mortars.

4. Operational update regarding the Russian invasion as of 6 p.m. on 17 April 2022

2408. According to this publication, as of 17 April 2022, because of a lack of human resources, the Russian forces had begun a forced mobilisation of men in the city of Izium, Kharkiv Region, which had been under Russian occupation.

5. Operational update regarding the Russian invasion as of 6 p.m. on 21 April 2022

2409. According to this publication, representatives of the Russian forces met with the residents of the village of Zolota Balka in the Kherson Region and told them there would be no more “green corridors” open for evacuation. They warned the residents that should their positions be shelled by the Armed Forces of Ukraine, they would shell the village in return.

6. Letter from the Ministry of Defence of Ukraine of 1 April 2022

2410. This letter from the Ministry of Defence of Ukraine contained a table with summarised information on violations of the Convention and IHL by the Russian Federation between 24 February and 3 April 2022. There were cases of rocket and artillery shelling of residential areas and civilian infrastructure, abductions, unlawful arrests and killings of civilians, looting and rapes.

2411. According to the letter, as a result of shelling by Russian forces more than 1,310 people had been killed, including 161 children, and over 3,050 people had been wounded, including 264 children.

2412. As of 6 April 2022, 410 civilians had been killed in Bucha alone during the period of Russian occupation.

2413. The documented cases of killings of civilians at close range by the Russian armed forces may be summarised as follows.

- (a) On 28 February 2022 a Russian serviceman shot a man in Berdyansk, Zaporizhzhya Region, who had refused to give him a phone.
- (b) On 4 March 2022 Russian troops shot dead a school principal in the city of Bashtanka, Mykolaiv Region.
- (c) On 5 March 2022 Russian troops opened fire from small arms at a civilian car in the city of Vorzel, Kyiv Region. As a result, two people were killed, including a seventeen-year-old girl, and four people were injured, including a seven-year-old child.
- (d) On 7 March 2022 Russian servicemen shot postal workers on the road between the villages of Yehorivka and Novoselivka in the Zaporizhzhya Region. Then they ran over the postal workers’ car with a tank.
- (e) On 7 March 2022 Russian troops fired at demonstrators during a peaceful rally against the Russian occupation in the cities of Nova

Kakhovka and Chaplynka in the Kherson Region. As a result, one person was killed and nine people were injured.

- (f) On 8 March 2022 Russian forces shelled a civilian car by BMP-2 vehicle in the city of Makariv, Kyiv Region. As a result, two elderly civilians were killed.
- (g) On 8 March 2022 Russian troops used small arms to target a group of people who had come to feed animals at the local Feldman Ecopark in Kharkiv, killing two civilians.
- (h) On 8 March 2022 Russian troops fired at a civilian vehicle with teachers on board on the H-14 road in the Mykolaiv Region. The car was marked “Red Cross”. As a result, three teachers were killed.
- (i) On 11 March 2022 Russian soldiers opened fire at a nursing home in Kreminna, Luhansk Region, killing fifty-six elderly civilians and injuring fifteen others.
- (j) On 12 March 2022 a Russian tank ran over a civilian vehicle in the Orikhiv district, Zaporizhzhya Region. Three people were killed, including one child.
- (k) On 18 March 2022 Russian servicemen threw a grenade at a group of civilians in the city of Trostyanets, Sumy Region, killing two civilians.
- (l) On 20 March 2022 Russian forces shot dead a local resident of Krasnopillya, Sumy Region.
- (m) On 22 March 2022 Russian forces fired at a line of people near a store in the city of Sieverodonetsk, Luhansk Region. As a result, one person was killed and more than ten people were injured and hospitalised.
- (n) On 22 March 2022 a serviceman of the Russian armed forces broke into a private house, killed the owner and raped his wife in the Brovary district, Kyiv Region.
- (o) On 26 March 2022, as a result of military clashes with Russian servicemen, one person died and one person was wounded in the city of Slavutych, Chernihiv Region.
- (p) On 27 March 2022 Russian servicemen shot a family in their own car on a road between the villages of Shevelivka and Husarivka, in the Kharkiv Region. Three people were killed, including a three-year-old child.
- (q) On 30 March 2022 Russian servicemen raped a woman for several days in front of her six-year-old child in Mariupol. The woman died from her injuries.

2414. According to the Ministry of Defence of Ukraine, since 2 March 2022, incidents of rape of local residents by Russian servicemen had been reported in the Kherson, Donetsk, Kyiv and Chernihiv Regions. On 4 March 2022 there were eleven documented cases of rape committed by Russian servicemen in Kherson.

2415. The Ministry of Defence of Ukraine reported the following cases of abductions and detentions of civilians.

- (a) On 11 March 2022 the Russian military abducted Ivan Fedorov, the mayor of Melitopol, Zaporizhzhya Region.
- (b) On 13 March 2022 Russian forces abducted the mayor of Dniprorudne, Zaporizhzhya Region.
- (c) On 14 March 2022 Russian servicemen abducted O. Nikolayev, a priest of the Ukrainian Orthodox Church, in the city of Berdyansk, Zaporizhzhya Region.
- (d) On 15 March 2022 Russian servicemen held hospital staff and patients hostage and used them as “human shields” in Mariupol, Donetsk Region.
- (e) On 21 March 2022 Russian servicemen abducted the village head of Tsyrkuny, Kharkiv Region.
- (f) On 21 March 2022 Russian servicemen abducted the mayor of the city of Beryslav, Kherson Region.
- (g) On 21 March 2022 Russian servicemen abducted five people in the Chernihiv Region, namely a local deputy and a school principal in Andriivka village and the head of the village of Hremiach.
- (h) On 22 March 2022 Russian servicemen abducted a member of the city council from the European Solidarity party, Olena Viacheslavivna Plaksina, in the city of Tokmak, Zaporizhzhya Region.
- (i) On 25 March 2022 Russian servicemen abducted six people in the villages of Nova Zburivka and Stara Zburivka, Kherson Region.
- (j) On 25 March 2022 Russian servicemen abducted two local government officials and eleven civilians in the city of Slavutych, Chernihiv Region.
- (k) On 27 March 2022 Russian servicemen abducted seven people, including the mayor of the city O. Medvedev, in the city of Snovsk, Chernihiv Region.
- (l) On 30 March 2022 Russian servicemen abducted eight civilians in the Kherson Region, including the mayor of the city of Hola Prystan, Oleksandr Babych, the head of the village of Stara Zubrivka, Viktoriia Maruniak, and civilians Mr Korop, Mr Dvorogo, Mr Kaiopt, Mr Chobotar, Mr Toropov and Mr Sergey Pashchenko.
- (m) On 2 April 2022 Russian servicemen abducted Mykola Rizak, the mayor of the city of Tavriisk, Kherson Region.
- (n) On 2 April 2022 Russian servicemen abducted four civilians who had taken part in a peaceful demonstration in support of Ukraine in the city of Enerhodar, Zaporizhzhya Region.
- (o) On 3 April 2022 Russian servicemen abducted several civilians who had taken part in a peaceful demonstration in support of Ukraine in the city of Kakhovka, Kherson Region.

2416. The Ministry of Defence of Ukraine reported the following cases of interference with the right to peaceful protest in the “occupied territory” by Russian forces.

- (a) On 7 March 2022 Russian servicemen shot at peaceful demonstrators during a rally in Nova Kakhovka, Kherson Region. As a result, one person was killed, and seven more were injured.
- (b) On 7 March 2022 Russian servicemen opened fire at demonstrators who were rallying against the Russian occupation in Chaplynka, Kherson Region. As a result, two people were injured.
- (c) On 2 April 2022 Russian servicemen used explosives and small arms against a peaceful demonstration in support of Ukraine in the city of Enerhodar, Zaporizhzhya Region. As a result, four people were wounded, and several protesters were taken in an unknown direction.
- (d) On 3 April 2022 Russian servicemen used explosives and small arms against a peaceful demonstration in support of Ukraine in the city of Kakhovka, Kherson Region.

2417. According to the letter, from 24 February to 3 April 2022, as a result of the Russian invasion of Ukraine, more than 3,940 residential buildings had been damaged and 656 completely destroyed; 790 educational institutions had been damaged and seventy-five completely destroyed; 117 medical institutions had been damaged and twelve completely destroyed. Furthermore, at least 1,455 settlements had been deprived of electricity, water and heat.

2418. During the same period, four civilian vessels had been damaged or destroyed, and three had been seized. Cases of looting, robberies of shops, markets, banks and petrol stations by the Russian military had been recorded in the Kyiv, Chernihiv, Sumy, Kherson and Zaporizhzhya Regions.

2419. The Ministry of Defence of Ukraine gave information on at least thirteen cases of attacks on education facilities.

- (a) On 2 March 2022 Russian forces bombed the city centre of Kharkiv. As a result, the building of the sociological faculty of V.N. Karazin Kharkiv National University was damaged.
- (b) On 6 March 2022 Russian forces shelled residential areas of Kharkiv, damaging the Kharkiv Institute of Physics and Technology.
- (c) On 7 March 2022 Russian forces shelled the residential area of the city of Chernihiv, damaging the building of city school no.19.
- (d) On 13 March 2022 Russian forces bombed Mykolaiv, destroying the city school.
- (e) On 13 March 2022 Russian forces shelled with artillery the city of Rubizhne in the Luhansk Region. The shelling destroyed the boarding school for children with visual impairments, the town hospital and three schools. Four people were killed.
- (f) On 14 March 2022 Russian air forces bombed the city of Chernihiv. As a result, the building of the Chernihiv Polytechnic National University sustained damage.

- (g) On 16 March 2022 Russian forces shelled a residential area of Zaporizhzhya. As a result, the building of the Zaporizhzhya National University was damaged.
- (h) On 17 March 2022 Russian troops shelled with artillery a residential sector of the city of Merefa in the Kharkiv Region. As a result, the city school and cultural centre were destroyed, twenty-one people were killed and twenty-five people were wounded.
- (i) On 18 March 2022 Russian air forces bombed a residential sector of Kyiv in the Podilskyi district, damaging a school and a kindergarten. One person died and nineteen people were wounded, including four children.
- (j) On 20 March 2022 Russian air forces conducted an air strike on residential areas of the Livoberezhnyi district in Mariupol. The strike destroyed the arts school no. 12, which had been sheltering about 400 civilians, including women, children and elderly people.
- (k) On 21 March 2022 Russian forces launched a missile attack on civilian objects in the Podilskyi district of Kyiv, damaging two schools and two kindergartens.
- (l) On 20 March 2022 Russian forces shelled a residential sector of Kharkiv with artillery. As a result, the building of the Kharkiv University of Internal Affairs was damaged.

2420. The Ministry of Defence of Ukraine also documented the following cases of attacks on civilians seeking to evacuate.

- (a) On 11 March 2022 Russian forces shelled civilians during a “green corridor” evacuation from the city of Mariupol.
- (b) On 12 March 2022 Russian forces shelled civilians during a “green corridor” evacuation in the village of Peremoha, Kyiv Region, killing seven people, including one child.
- (c) On 13 March 2022 Russian air forces bombed a Kramatorsk-Lviv evacuation train at Brusyn station, in the Donetsk Region, killing a train conductor and injuring one more person.
- (d) On 16 March 2022 Russian forces carried out artillery shelling during the evacuation of civilians from Mariupol to Zaporizhzhya. As a result, five people were wounded, including a two-year-old child.
- (e) On 30 March 2022 Russian forces opened fire at an evacuation convoy in Lysychansk district, Luhansk Region. An evacuation bus was damaged.
- (f) On 31 March 2022 Russian forces shelled five evacuation buses in the Chernihiv Region. One person was killed and four people were wounded.
- (g) On 1 April 2022 Russian forces fired at an evacuation convoy in Lysychansk district, Luhansk Region. No victims were reported.

2421. The Ministry of Defence of Ukraine also described cases of deportation or involuntary transfers of Ukrainian nationals. On 11 March

2022 servicemen of the Russian armed forces transferred fifteen injured people who had lived in a nursing home in the village of Stara Krasnyanka, in the Sieverodonetsk district of the Luhansk Region, to the temporarily occupied territory of Svatove, Luhansk Region. On 30 March 2022 Russian troops forcibly transferred more than seventy people – medical staff and patients of maternity hospital no. 2 of Mariupol – to the territory of the Russian Federation. Previously, about 600 people had been transferred from hospital no. 1 to the territory of the Russian Federation.

G. General Staff of the Armed Forces of Ukraine

1. Facebook post on operational information as of 12 a.m. on 1 March 2022 regarding the Russian invasion

2422. According to the General Staff, as of 1 March 2022 Russian forces had systemically attacked military and civilian objects, infrastructure buildings and cell towers from the territory of Belarus. On 1 March 2022 Russian forces had attacked the Kyiv television tower.

2. Facebook post of 8 March 2022

2423. This was a post regarding the course of hostilities as of 1 March 2022. It was reported that there had been systemic missile attacks on military and civilian targets from the territory of Belarus.

3. Facebook post of 13 March 2022

2424. This post reported that on 13 March 2022 the Russian armed forces had launched missile strikes at civilian infrastructure in Uman, Ivano-Frankivsk and Starychi.

H. Coordination Headquarters for the Treatment of Prisoners of War (“the Coordination Headquarters”)

Letter of 12 September 2023

2425. The Coordination Headquarters reported that the Russian Federation had not provided adequate medical care to Ukrainian prisoners of war and detained civilians, which might have been the cause of their deaths. Specifically, on 25 October 2022, 8 November 2022, 24 March 2023 and 14 April 2023, the bodies of twelve Ukrainian servicemen whose prisoner-of-war status had previously been confirmed by the International Committee of the Red Cross were repatriated. The Russian Federation did not report their deaths or any deterioration of their health, contrary to Article 122 of Geneva Convention III.

2426. As of the beginning of August 2023 the Coordination Headquarters identified and inspected fifty-one detention facilities for prisoners of war and civilians in the Russian Federation and forty-eight detention facilities in the temporarily occupied territories of Ukraine. Lists of the identified detention facilities with full names of the institutions, their addresses and descriptions of detention conditions were attached to this letter. The Coordination Headquarters reported that the conditions of detention had not met the requirements set forth in Articles 25 to 28 of Geneva Convention III and had caused a serious deterioration of detainees' health. According to the Coordination Headquarters, most Ukrainian servicemen and civilians released from captivity had stated that they had been subjected to torture and ill-treatment, such as beatings, stress positions, mock executions, simulated drownings, electric wires connected to ears or genitals, forced removals of tattoos, hanging by hands or legs, severe weight loss, threats of rape or killing, as well as physical and psychological pressure aimed at obtaining testimonies or confessions.

I. Ministry of Internal Affairs of Ukraine

Twitter post of 12:44 p.m. on 1 March 2022

2427. Referring to the State Emergency Service of Ukraine, this Twitter entry stated that at 7 p.m. on 28 February 2022 the Russian forces had bombed a house in Kalynivka in the Fastiv district of the Kyiv Region. According to the post, the house was fully destroyed by the bombing. The remains of a woman who had lived in that house were found, while the search for the body of her husband continued. This post was accompanied by three photographs of the destroyed house.

J. Prosecutor General's Office of Ukraine

Letter from the Prosecutor General's Office, undated

2428. This letter was addressed to the Ministry of Justice of Ukraine and contained quantitative data representing, *inter alia*, the number of civilian casualties starting from 24 February 2022, apparently until September 2022. The exact source of the information set out in the letter was not mentioned. At the same time, reference was made to two annexes to the letter, of which the first annex pertained to the war crimes being investigated by the Ukrainian law-enforcement authorities, and the second annex was the "Unified Report on Criminal Offences". These annexes, however, were not attached to the letter.

2429. The letter stated that as a result of the actions of Russian troops, 7,361 civilians, including 391 children, had died and 9,951 civilians, including 767 children, had been injured in Ukraine.

2430. The number of children who had suffered as a result of the Russian aggression between May and apparently September 2022 had been 532, of which 172 children had died and 360 had been injured. The letter also indicated the numbers of children killed by the Russian army in particular regions of Ukraine.

2431. The letter further indicated that 44,881 civilian infrastructure objects had been destroyed or damaged since 24 February 2022. By the letter the Ministry of Justice of Ukraine was also informed that the numbers were not final and were constantly updated.

K. State Security Service of Ukraine (“SBU”)

1. Letter from the Security Service of Ukraine of 8 April 2022

2432. This letter, which ran to forty-four pages including annexes, was addressed to the Minister of Justice of Ukraine in support of Ukraine’s position in the present case. The letter indicated that all the information had been based on the investigative measures undertaken by the Ukrainian law-enforcement bodies, although no primary sources were referenced in the table. Attached to the letter was a table detailing Russian military attacks on Ukrainian civilian and military objects from 24 February to 1 March 2022 and from 16 March to 3 April 2022 committed with the use of artillery, mortars, MLRSs, missiles, air strikes, vacuum and cluster bombs, white phosphorus and incendiary munitions, as well as by unidentified weapons. The letter did not address the issue of compliance of the attacks with international humanitarian law. The contents of the table may be summarised as follows.

2433. On 24 February 2022:

- (a) one missile attack on the Trypilska thermal power plant (one person sustained injuries).

2434. On 25 February 2022:

- (a) a missile attack on a residential building in Kyiv (eight people injured);
- (b) an MLRS attack on residential buildings and a kindergarten in Okhtyrka in the Sumy Region (five people dead, many injured, including children);
- (c) an artillery strike on a house in Katyuzhanka in the Kyiv Region (one person dead);
- (d) an air strike on residential buildings in Maryanivka, Kyiv Region (four people dead, over fifteen injured);
- (e) two missile attacks on residential buildings and evacuation buses in Shchastya, Luhansk Region (a number of dead and injured people);
- (f) an artillery strike on residential buildings in Starobilsk, Luhansk Region (one person dead).

2435. On 26 February 2022:

- (a) missile attacks and an air strike on residential buildings in Kyiv and the Kyiv Region (eleven people dead, nine injured);
- (b) a missile attack on a bridge in the Kyiv Region (five vehicles fell off the bridge, one child dead, five people injured);
- (c) an air strike on residential buildings in Sartana, Donetsk Region (three people dead, three injured);
- (d) an artillery strike on a shuttle bus in Kharkiv (five people dead, six injured);
- (e) a missile attack on residential buildings in Kharkiv (one person dead, twenty injured);
- (f) an artillery strike on a school in Mariupol (a number of dead and injured people).

2436. On 27 February 2022:

- (a) a missile attack on residential buildings in Kyiv (five people injured);
- (b) two MLRS attacks on residential buildings and a theatre in Chernihiv (over sixteen people injured).

2437. On 28 February 2022:

- (a) a missile attack on residential buildings in Chernihiv (one person injured);
- (b) a missile attack on residential buildings in Vasylkiv, Kyiv Region (three people dead);
- (c) an air strike on residential buildings in Brovary, Kyiv Region (six people injured);
- (d) an MLRS attack on a crossroads between residential buildings in Kharkiv (dozens of people dead and hundreds injured);
- (e) six attacks on Kharkiv and the Kharkiv Region with MLRSs (a number of dead and injured people).

2438. On 1 March 2022:

- (a) air strikes on the building of the Kharkiv City Council and residential buildings in Kharkiv (sixteen people dead, thirty injured);
- (b) a missile attack on residential buildings in Kherson (one person dead, four injured);
- (c) MLRS and missile attacks on a television company building and a television tower in Kyiv (ten people dead, including four children, ten injured).

2439. On 16 March 2022:

an MLRS attack on an evacuation convoy from Mariupol in Vasylivka, Zaporizhzhya Region (five people injured).

2440. On 17 March 2022:

- (a) artillery strikes on a community hall and a school in Merefa, Kharkiv Region (twenty-one people dead, twenty-five injured);
- (b) an artillery strike on the Barabashovo retail marketplace in Kharkiv (one person dead, one injured);

- (c) MLRS, artillery and missile attacks on residential buildings and a storage unit in Kyiv and the Kyiv Region (four dead, five injured);
- (d) a cluster bomb strike on residential buildings in the Kharkiv Region (over six dead).

2441. On 18 March 2022:

- (a) a missile attack on residential buildings in Kyiv (two people dead, over thirty injured);
- (b) a missile attack on a residential building in Kramatorsk, Donetsk Region (three people dead, ten injured);
- (c) an artillery strike on residential buildings and a kindergarten in Pokrovsk, Donetsk Region (one person dead, six injured);
- (d) artillery strikes on residential buildings and an ATM in the Donetsk Region (seven people dead, nine injured);
- (e) a missile attack on residential buildings in Rubizhne, Luhansk Region (four people dead, ten injured);
- (f) a missile attack on a police station and residential buildings in Bucha, Kyiv Region (seven people dead);
- (g) a mortar strike on residential and administrative buildings in Makariv, Kyiv Region (seven people dead, five injured).

2442. On 19 March 2022 two missile strikes on residential buildings in Rubizhne, Luhansk Region, and Avdiivka, Donetsk Region (five people dead, four injured).

2443. On 20 March 2022:

- (a) three artillery attacks on Avdiivka and Marinka, Donetsk Region (three people dead, two injured);
- (b) two missile strikes on residential property and shopping malls in Kyiv (twelve people dead, two injured);
- (c) an MLRS attack on residential buildings in the Zhytomyr Region (three people injured).

2444. On 21 March 2022:

- (a) an artillery attack on a chemical factory in Sumy (one person injured);
- (b) an artillery attack on a gas station in Mykolaiv (three dead, two injured);
- (c) a missile and an artillery attack on a store and a bomb shelter in Rubizhne and Sieverodonetsk, Luhansk Region (at least two dead);
- (d) an air strike on a locomotive depot in Pokrovsk, Donetsk Region (three injured).

2445. On 22 March 2022:

- (a) two artillery attacks on residential property in Rubizhne and Sieverodonetsk, Luhansk Region (four people dead, six injured);
- (b) a missile strike on residential buildings in Kyiv (one person dead, three injured);
- (c) a missile strike on a railway station in Pavlohrad, Dnipropetrovsk Region (one person dead).

2446. On 23 March 2022:

- (a) an artillery and a missile strike on residential buildings and a gas supply system in Mykolaiv (three people dead, one injured);
- (b) an air strike on a mall in Kyiv (one person dead, two injured);
- (c) an artillery attack on residential property in Novomykhailivka, Donetsk Region (one person dead, two injured).

2447. On 24 March 2022:

- (a) an air strike on residential property in Rakivshchyna, Zhytomyr Region (one person injured);
- (b) an artillery attack on residential buildings in Stanislav, Kherson Region (two people dead);
- (c) two attacks with explosive munitions and phosphorus bombs on residential property in Rubizhne, Luhansk Region (eight people dead, twelve injured);
- (d) two air strikes on residential buildings in Okhtyrka, Sumy Region (two people dead, one injured);
- (e) two missile attacks on residential buildings and a humanitarian aid distribution centre in Kharkiv (seven people dead, fifteen injured);
- (f) an MLRS attack on a school in Yavkyne, Mykolaiv Region (one person dead, thirteen injured);
- (g) two artillery attacks on residential buildings in Novomykhailivka and Avdiivka, Donetsk Region (three people injured);
- (h) an MLRS attack on a forestry in Krasna Polyana, Donetsk Region (one person dead).

2448. On 25 March 2022:

- (a) an artillery attack on residential buildings in Marinka, Donetsk Region (one person dead, five injured);
- (b) an artillery attack on a food cooperative in Bakhmut, Donetsk Region (five people dead, thirteen injured);
- (c) an artillery strike on a hospital in Kharkiv (a number of dead and injured people);
- (d) an artillery attack on residential buildings in Kharkiv (five people dead, a number of people injured).

2449. On 26 March 2022:

- (a) two artillery attacks and one missile attack on Bucha, Boyarka, and the Brovary district in the Kyiv Region (over three people dead, over ten injured);
- (b) a cruise missile attack on an oil terminal in Lviv (five people injured);
- (c) an MLRS attack on residential buildings in Krasnohorivka, Donetsk Region (two people injured).

2450. On 27 March 2022:

- (a) an air strike on residential property in Oskil, Kharkiv Region (four people dead, one injured);

- (b) an air strike on residential property in Stanislav, Kherson Region (two people dead);
- (c) an artillery attack on residential property in Borivske, Luhansk Region (one person dead, one injured).

2451. On 28 March 2022:

- (a) an artillery attack on residential property in the Bucha district, Kyiv Region (one person injured);
- (b) an air strike on village suburbs in the Korosten district, Zhytomyr Region (one person injured);
- (c) an artillery attack on residential property in Rubizhne and Sieverodonetsk, Luhansk Region (at least ten people injured);
- (d) a missile attack on residential buildings in Liubotyn, Kharkiv Region (one person dead, seven injured).

2452. On 29 March 2022:

- (a) a missile attack on an overbridge in Pavlohrad, Dnipropetrovsk Region (one person injured);
- (b) a missile attack on an administrative building in Mykolaiv (seven people dead, twenty-two injured);
- (c) two missile attacks on two farms in the Dnipropetrovsk Region (two people injured);
- (d) two artillery attacks on residential buildings and a garage cooperative in Kharkiv (two people dead);
- (e) an artillery attack on residential property in Nizhyn, Chernihiv Region (one person dead, six injured);
- (f) an artillery attack on a logistics company in Kyiv (one person injured).

2453. On 30 March 2022:

- (a) an artillery attack on residential property in Pokrovsk, Donetsk Region (one person injured);
- (b) artillery attacks on residential property in Mariupol, Kostyantynivka, New York, Vuhledar and Dolyna, Donetsk Region (nine people dead, twenty-three injured);
- (c) phosphorus bomb attacks on residential property in Krasnohorivka, Marinka and Novomykhailivka, Donetsk Region (at least four injured).

2454. On 31 March 2022:

- (a) an artillery attack on residential property in Sieverodonetsk, Luhansk Region (one person dead);
- (b) an artillery attack on residential property in Sorokivka, Kharkiv Region (one person dead);
- (c) an attack on residential property in Kharkiv with an unidentified weapon (one person dead).

2455. On 1 April 2022:

- (a) an MLRS attack on residential buildings in Hirske, Luhansk Region (one person injured);

- (b) three attacks on residential property in Kharkiv with unidentified weapons (five people dead, seven injured);
- (c) an attack on village streets in Derhachi, Kharkiv Region, with an unidentified weapon (one person dead);
- (d) attacks with artillery, mortars, and tanks on residential property in a number of cities and towns in the Donetsk Region (twenty-one people dead, thirty-seven injured).

2456. On 2 April 2022:

- (a) a missile attack on a railway depot in Lozova, Kharkiv Region (three people injured);
- (b) chaotic attacks on a number of cities and towns in the Donetsk Region with artillery, mortars and tanks (two people dead, forty-six injured);
- (c) a missile attack on residential property in Mykolaiv (thirty-five people dead);
- (d) a missile attack on a central park in Kharkiv (one person injured);
- (e) an attack on residential property in the Konotop district, Sumy Region, with an unidentified weapon (one person dead, two injured).

2457. On 3 April 2022:

- (a) attacks on residential property in Avdiivka and Heorhiivka, Donetsk Region, with unidentified weapons (two people injured);
- (b) a missile attack on an unspecified infrastructure object in Dnipro (two people injured);
- (c) chaotic attacks on Kharkiv with unidentified weapons (twenty-three people injured);
- (d) chaotic missile attacks on Mykolaiv (one person dead, fourteen injured).

2458. Additionally, the letter specified that Ukrainian law-enforcement bodies had been investigating four incidents of forced transfers of Ukrainians from Mariupol to Russia. The incidents being investigated included the transfers of patients of the Mariupol Children's Tuberculosis Centre, eight residents of a children's group home, and a number of other under-age and adult Mariupol residents. According to the letter, all investigations had been initiated in March-April 2022.

2. *Letters from the Security Service of Ukraine to the Ministry of Justice of Ukraine sent between July and September 2022*

2459. By these letters, the SBU informed the Ministry of Justice of Ukraine of shelling and other acts of the Russian armed forces resulting in human rights violations in Ukraine. The letters also contained a description of the measures taken by the SBU directed at establishing and documenting the illegal actions of those involved in planning and carrying out the invasion of Ukraine on 24 February 2022.

2460. According to the letters, the Security Service of Ukraine had carried out pre-trial investigations in 12,079 sets of criminal proceedings pertaining

to crimes originating from the armed aggression of the Russian Federation against Ukraine. The contents of these letters may be summarised as follows.

2461. On 21 June 2022 Russian forces shelled the village of Kotlyareve in the Mykolaiv Region, damaging residential buildings and property of private agricultural enterprises.

2462. On 27 June 2022 Russian forces shelled the Amstor shopping centre in the city of Kremenchuk in the Poltava Region, causing mass casualties among civilians.

2463. On 28 June 2022 Russian forces shelled the city of Ochakiv and the urban-type settlements of Novohryhorivka, Mishkovo-Pohorilove, Svyatomykolaivka, Pervomaiske and Solonchaky in the Ochakiv district of the Mykolaiv Region, leaving a number of dead and wounded victims and damaging civilian infrastructure and property of enterprises.

2464. On 29 June 2022 Russian forces shelled civilian infrastructure in the Tsentralnyi and Korabelnyi districts of Mykolaiv and the urban-type settlements of Shevchenkove, Polihon and Zaichivske in the Mykolaiv Region, leaving a number of dead and wounded victims.

2465. On 14 July 2022, according to the State Emergency Service of Ukraine, Russian troops launched a series of missile strikes on the city of Vinnytsya. Three missiles hit an office building; the House of Officers and residential buildings were also damaged. As a result, twenty-three people, including three children, were killed, seventy-one people were hospitalised, 117 people sought medical help, and eighteen people remained missing as of 15 July 2023.

2466. On 17 July 2022 Russian forces shelled the village of Atynske in the Sumy Region. As a result, a psychoneurological boarding school, livestock premises of a farm, a water tower, a concrete fence and asphalt road surfaces were damaged.

2467. On the night of 29 July 2022, penal colony no. 120 in the Olenivka urban-type settlement in the Volnovakha district of the Donetsk Region was shelled by Russian forces. As a result, a number of Ukrainian prisoners of war and other captives were killed and injured.

2468. On 9 August 2022 the dam at the Karlivka reservoir was shelled by the Russian forces using the Uragan MLRS. An object of civilian infrastructure was damaged.

2469. On 10 August 2022 Russian forces shelled the city of Marhanets in the Dnipropetrovsk Region using an MLRS. As a result, civilians were killed and wounded, and residential houses sustained damage.

2470. On 27 August 2022 Russian forces shelled civilian infrastructure in Berezhneuvate in the Mykolaiv Region. As a result, civilians were wounded and residential houses were damaged.

2471. On 29 August 2022 Russian forces shelled civilian infrastructure in Mykolaiv. As a result, two civilians were killed and five civilians were wounded.

2472. On 10 September 2022 Russian troops shelled the cities of Hulyaypole and Orikhiv in the Polohy district and the urban-type settlement of Stepanohirsk in the Vasyliv district of the Zaporizhzhya Region, as a result of which civilians were killed and wounded and private houses were damaged.

2473. On 12 September 2022 Russian troops shelled the building of the National Police of Ukraine in the Kharkiv Region. As a result, servicemen and civilians were wounded and an electrical substation was damaged.

2474. On 15 September 2022 Russian forces shelled the city of Marinka in the Donetsk Region. As a result, civilians were wounded and civilian infrastructure was damaged.

2475. On 15 September 2022 Russian troops shelled and damaged civilian infrastructure in the city of Toretsk and the town of Pivnichne in the Donetsk Region.

3. Letter from the Foreign Intelligence Service of Ukraine of 29 November 2022

2476. The Ukrainian Government indicated that this letter had been authored by the Foreign Intelligence Service of Ukraine; however, the letter itself did not have any indication of its author, date or addressee.

2477. The letter contained information on, *inter alia*, the number of people, including children, displaced from the temporarily occupied territories of Ukraine and the destination points of those displaced persons. The contents of the letter may be summarised as follows.

2478. In February 2022, 633 minors had been displaced from Amvrosiivka boarding school no. 4, Donetsk boarding school no. 1, Vuhlehirsk specialised boarding school no. 6, and Donetsk orphanage no. 1 “Teremok” to the Rostov and Kursk Regions of Russia.

2479. The displaced people were distributed across all regions of the Russian Federation, and this complicated their return. Mass transfers of children were carried out to the following Russian regions: Belgorod, Volgograd, Voronezh, Kirov, Kursk, Lipetsk, Moscow, Nizhny Novgorod, Oryol, Penza, Rostov, Ryazan, Samara, Saratov, Tula, Ulyanovsk, Orenburg and Vologda Regions, the Republic of Kabardino-Balkaria, the Republic of Mordovia, the Udmurt Republic, the Chuvash Republic, the Republic of North Ossetia-Alania, the Republic of Tatarstan, the city of St Petersburg, the Republic of Komi, and also to occupied Crimea.

2480. The letter contained the following data on the number of people displaced from Ukraine to some of the regions of the Russian Federation in November 2022:

- 3,409 persons, including 989 children, arrived in the Volgograd Region;
- 8,175 persons, including 2098 children, arrived in the Ural Federal District;

- 3,683 persons, including 783 children, arrived in the Siberian Federal District;
- 4,000 persons, including 1,011 children, arrived in the Nizhny Novgorod Region; and
- 16,908 persons, including 490 children, were registered with the Krasnodar “department of social protection”.

2481. According to the letter, Russian legislation facilitated the adoption of illegally transferred children. In accordance with the recently amended Russian legislation, orphans, children left without parental care, and legally incapacitated persons holding the citizenship of Ukraine or of the so-called “DPR” and “LPR” could acquire Russian citizenship through a simplified procedure under section 14 of Federal Law no. 62-FZ of 31 May 2002 on citizenship of the Russian Federation.

2482. With reference to data from the Ministry of Emergency Situations of Russia, the letter noted that between 18 February and 27 November 2022, 4,854,162 persons, including 715,402 minors, had relocated from the Donetsk, Luhansk, Zaporizhzhya and Kherson Regions of Ukraine to the border areas of Russia (the Belgorod, Bryansk, Kursk and Rostov Regions) and Crimea. The number of people who had arrived in Crimea was 922,482, including 95,801 children.

L. State Emergency Service of Ukraine

1. *Facebook post “Kharkiv region operational information as of 07:00 on 7 March 2022”*

2483. According to this post, at 7.15 p.m. on 6 March 2022, another mass air bombing of the city of Kharkiv had taken place, which resulted in the complete or partial destruction of multi-storey residential buildings, administration buildings, medical institutions, educational institutions and hostels. Firefighters had found the bodies of eight dead people under the rubble.

2. *Facebook post “Kharkiv region operational information as of 07:00 on 10 March 2022”*

2484. According to this post, at night on 10 March 2022, as a result of the shelling of the small village of Slobozhanske, in the Izium district, a private house had been destroyed. Consequently, four people had been killed: two women and two children. A five-year-old girl had managed to survive.

3. *Facebook post “Kharkiv region operational information as of 07:30 on 12 March 2022”*

2485. According to this post, the State Emergency Service of Ukraine was continuing the search for the bodies of those killed in Slobozhanske as a result

of the night-time air bombing of 10 March 2022. The bodies of five people had been recovered from the rubble.

4. *Facebook post “Chernihiv operational information on 13 March 2022”*

2486. According to this post, at 5.46 a.m. on 13 March 2022, an air strike had caused the destruction of a nine-storey hostel from the second to the ninth floor, which had been followed by a fire. Preliminary information suggested that seven people had been rescued, one person had been killed and one person had been injured.

5. *Facebook post “Chernihiv operational information on 17 March 2022”*

2487. According to this post, five people – three children and their parents – had been found dead as a result of the air strike on the hostel on 13 March 2022.

6. *Facebook post “Operational information on the consequences of enemy shelling in the Svyatoshynskyi district of Kyiv”*

2488. According to this post, on 17 March 2022, at around 4.30 p.m., the State Emergency Service of Ukraine had received several simultaneous reports about a fire in the Svyatoshynskyi district of Kyiv. As a result of the projectiles, two cars had caught fire and one person had been killed.

7. *Facebook post “Kyiv operational information on 18 March 2022”*

2489. The State Emergency Service of Ukraine reported that a fire in the Podilskyi district of Kyiv had been completely extinguished. According to this post, the fire had occurred as a result of the remnants of a shot-down missile hitting a residential building. Preliminary information suggested that twelve people had been rescued, ninety-eight people had been evacuated, nineteen people had been injured, including four children, and one person had been killed.

8. *Facebook post “Rubizhne, Luhansk Region, operational information on 19 March 2022”*

2490. The State Emergency Service of Ukraine provided information about the destruction of a residential building as a result of shelling in Rubizhne, Luhansk Region. According to this post, three people, including two children, had been killed, and one child had been rescued.

9. Facebook post “Zhytomyr Region operational information on 20 March 2022”

2491. The State Emergency Service of Ukraine reported that thirteen residential buildings had been damaged as a result of shelling in the Korosten district, Zhytomyr Region. According to this post, three people had been injured. The post contained photos of burnt residential buildings and missile debris.

10. Facebook post “Sieverodonetsk, Luhansk Region, operational information on 28 March 2022”

2492. The State Emergency Service of Ukraine reported that two multi-apartment five-storey buildings had been damaged as a result of shelling in Sieverodonetsk, Luhansk Region. According to the information provided, rescuers had found two people killed under the rubble.

11. Facebook post “Brovary, Kyiv Region, operational information on 29 March 2022”

2493. The State Emergency Service of Ukraine reported that a warehouse building with an area of 20,000 square metres had been damaged in Brovary, Kyiv Region. According to the information provided, a Russian projectile had hit the warehouse, causing a fire, at 4.05 p.m. on 29 March 2022. The publication contained photographs of the burnt warehouse premises.

12. Facebook post “Lysychansk, Luhansk Region, operational information on 29 March 2022”

2494. The State Emergency Service of Ukraine reported that multi-apartment five-storey buildings had been damaged as a result of shelling in Lysychansk, Luhansk Region. According to the information provided, the rescuers found the body of at least one person under the rubble. The post contained photographs of the damaged buildings.

13. Facebook post “Kharkiv operational information on 31 March 2022”

2495. The State Emergency Service of Ukraine provided information about a fire and damage caused to multi-apartment five-story buildings as a result of shelling in Kharkiv. According to the information provided, two elderly women had been rescued, and about ten apartments had been destroyed. The post contained photographs of fire in the building.

14. Facebook post “Luhansk Region operational information on 31 March 2022”

2496. The State Emergency Service of Ukraine provided information about constant shelling in Lysychansk and Sieverodonetsk in the Luhansk Region. According to the information provided, a two-year-old child had been killed and an eight-year-old girl had been injured in Lysychansk. Dozens of multi-storey and residential buildings had been damaged.

15. Facebook post “Mykolaiv region operational information on 13 May 2022”

2497. The State Emergency Service of Ukraine reported that massive shelling had caused a fire at a forestry and residential buildings in the Mykolaiv region. According to the information provided, four people had been injured.

16. Facebook post of 15 June 2022

2498. According to this post, on 15 June 2022 Russian artillery had struck a residential building in Dobropillya, Sumy Region, killing one civilian.

17. Facebook post “Mykolaiv Region operational information on 16 June 2022”

2499. The State Emergency Service of Ukraine reported that massive shelling had caused a fire at a forestry and residential buildings in the Mykolaiv Region. According to the information provided, one woman had been injured.

M. Ukrainian Parliament Commissioner for Human Rights (“the Commissioner”)

1. Facebook post of 22 March 2022

2500. The Commissioner, Lyudmyla Denisova, published information concerning Russian attacks on civilian objects by weapons prohibited by international agreements. She reported that on 22 March 2022, the city of Avdiivka had been attacked by Tornado-S multiple rocket launchers, which had resulted in the destruction of residential buildings. Ms Denisova stated that the Russian Federation had launched hundreds of Iskander and Kalibr missiles with cluster munitions in the Kyiv, Vinnytsya, Rivne, Zhytomyr and Kharkiv Regions and the city of Mariupol. She also stated that on 21 March 2022 the use of phosphorus ammunition had been documented in Kramatorsk.

2. *Post “Russian occupiers block the departure of Ukrainian citizens from the Kherson region” of 18 May 2022*

2501. The Commissioner reported that Russian forces had prevented people in the occupied Kherson Region from fleeing. As a result, people, including children, women and elderly people, had been forced to stay in a several-kilometre-long traffic jam for several days, risking being shelled. People had been exhausted as they lacked food, water, and rest. The Commissioner also stated that such actions of the Russian military were to be considered a detention of evacuees in an area particularly exposed to the dangers of war. The Commissioner stated that such treatment was contrary to Article 49 of Geneva Convention IV.

3. *Letter from the Head of the Department for the protection of the rights of servicemen, police veterans and other persons of 16 September 2022*

2502. The Head of the Department for the protection of the rights of servicemen, police veterans and other persons of the Secretariat of the Commissioner reported on six cases of forcible transfer of Ukrainian citizens to Russian territory or to Crimea from the territories occupied by Russia. These cases may be summarised as follows:

- (a) Mr Z., a former Anti-Terrorist Operation (“ATO”) fighter, was captured by Russian servicemen on 9 May 2022 in Kherson. He was then transferred to Crimea and charged with “international terrorism”.
- (b) Mr K. was captured on 22 July 2022 by unknown persons without identification signs near his house in the city of Henichesk in the Kherson Region and then transferred to a SIZO in Simferopol.
- (c) Ms A., a teacher, was captured on 25 March 2022 by Russian servicemen in the village of Staryi Bykiv, Chernihiv Region. According to witnesses, Ms. A. was transferred to Kursk SIZO no. 1 in the Russian Federation.
- (d) Mr P. disappeared during a work trip from the Kherson Region to Crimea on 26 July 2022.
- (e) Mr H. was captured by Russian forces at the Chonhar checkpoint on 27 March 2022 and taken to the “Department of the Federal Security Service in Simferopol”. Later “the Kyiv District Court of Simferopol city” authorised the pre-trial detention of Mr H.
- (f) On 28 March 2022 Mr Ch. was abducted by Russian forces at the checkpoint in the village of Ryzhivka, Sumy Region, and transferred to Kursk SIZO no. 1 in the Russian Federation.

2503. According to the letter, Russian media, referring to Russian military agencies, had reported that as of 15 September 2022, 641,000 children had been transferred to Russia. As of 15 September 2022, according to the National Information Bureau, Ukraine had verified 7,716 cases of children

who had been deported to Russia, of whom fifty-five had been able to return to Ukraine. The Commissioner had received numerous requests for assistance with the return of minors from the temporarily occupied territories of Ukraine. There had been two cases of the successful return of minors.

2504. The letter also described the case of a 15-year-old girl who was missing. Her parents had been shot dead while trying to evacuate in the Kyiv Region. The girl's younger sister had been released by the Russian military, and the girl's fate remained unknown.

2505. The letter stated that while the Russian forces were transporting Ukrainian populations to the Russian-controlled territories, they checked everyone in so-called "filtration camps". In the event of failure to pass the relevant checks, parents and children were separated. The letter described the case of the separation of a 4-year-old girl from Mariupol from her mother, who had been detained, apparently after having failed the filtration process. Another case concerned the forced transfer of two children, aged three and eight, from Mariupol to Donetsk, while their mother had been detained and their grandmother had been sent back to Mariupol.

2506. The letter stated that at the beginning of July 2022, all fifteen under-age residents of the Novopetrivsk special school in the Russia-controlled territory of the Mykolaiv region had been moved to the Kherson Region, deeper into occupied territory. Thirteen of those children had been orphans or otherwise deprived of parental care.

2507. According to the letter, on 10 September 2022 a representative of the occupation administration stated that children from the Russia-controlled cities of Izium and Balakliya in the Kharkiv Region had been taken to a camp in the city of Gelendzhik, in the Russian Federation. Those children had not been returned to their parents, as their stay in the camp had been extended.

4. *Special report "Unbloomed: Violation of the Rights of Ukrainian Children in the Temporarily Occupied Territories of Ukraine and in Russia: Deportation, Militarization, Indoctrination" of 2 June 2023*

2508. The Commissioner reported that Ukraine had identified 19,393 children who had been deported to the Russian Federation. Referring to the Centre for Strategic Communications, the Commissioner stated that deportations had taken place to fifty-seven regions of Russia, some of which were as far as 8,000 km away from the area of usual residence of those children. Those Russian regions differed significantly from the children's usual place of residence in terms of culture and religion – for example, the Republic of Dagestan, the Republic of Tatarstan, and the Chechen Republic.

2509. According to the Commissioner, the Russian Federation had not provided for the possibility of repatriation of minor orphans and children deprived of parental care. The Commissioner also stated that children from this category had been at a greater risk of becoming victims of forced transfer to Russian families. The report specified that a transfer to guardianship and

adoption in Russia was usually accompanied by imposition of Russian citizenship.

2510. The Commissioner reported that according to the Russian authorities, the number of Ukrainian minors deported for so-called “re-education” to Russia-controlled territories had reached about 30,000 in 2022. Specifically, 10,000 children had been forcibly relocated to Crimea, about 2,000-2,500 to Belarus, and others to thirty-four camps in the territory of the Russian Federation. Twelve of those camps had been located on the Black Sea coast, and ten around the cities of Moscow, Kazan and Yekaterinburg. Eleven camps had been located more than 800 km from the deported children’s usual residence, for example two in Siberia and one in the Far East. The Commissioner added that the children’s distribution across different regions had also been aimed at their greater integration into the Russian cultural and educational space and their loss of connection with Ukrainian identity as a result of the lack of any communication with other members of the Ukrainian national group.

2511. According to the report, as of March 2023 at least 550 children had been deported to the Russian Federation as a result of a “preventive medical examination” as part of the execution of order no. Пп-1872 of the President of the Russian Federation of 5 October 2022.

2512. The Commissioner noted that under the pretext of providing safety for children, Russia had also moved children “for rehabilitation and recreation” within the occupied territories of Ukraine. In particular, in October 2022 the so-called head of the occupation administration of Kherson, Volodymyr Saldo, stated that about 5,000 children from the Kherson Region would come to Crimea for rehabilitation. At that time, there had already been about 1,500 Ukrainian children in Crimea. On 8 May 2023, the occupation authorities of the Zaporizhzhya Region announced the transfer of 796 children to “safer settlements”. The Commissioner also noted cases where children had not been returned to their families from the camps, on the grounds of the danger of the situation at the children’s usual place of residence.

2513. The Commissioner reported that 3,198 educational institutions had been damaged by bombing and shelling, and 286 of them had been destroyed. According to information from the Ministry of Education and Science of Ukraine, since the beginning of the armed aggression of the Russian Federation, 127 pre-schools had been destroyed and 940 had been damaged. During the same period, 211 institutions of general secondary education had been destroyed and 1,327 had been damaged. Most such institutions had been located in the Donetsk, Kharkiv, Mykolaiv, Kyiv and Luhansk Regions. Twenty-two institutions for orphans and children deprived of parental care (centres for social and psychological rehabilitation of children, centres for social support of children and families, orphanages, boarding houses, children’s homes, and so on) had also been damaged and destroyed, including

six in the Donetsk Region. The Commissioner also reported that as of 21 March 2023, Ukrainian prosecution bodies had been conducting a pre-trial investigation in 1,642 sets of criminal proceedings into the damage to 2,688 and destruction of 438 educational institutions as a result of mass bombings and shelling. The Commissioner stated that the educational process in Ukrainian schools had been repeatedly interrupted because of the need to shelter during air raid sirens. The remote educational process had also had its challenges: the lack of access to technology, the internet and electricity for some children because of attacks on energy infrastructure, or internal displacement and the inability to equip a space for learning in a new place of residence. Because of Russia's targeted attacks on energy infrastructure from October 2022 to January 2023, Ukraine had been unable to fully guarantee the right to education to almost 4 million children.

N. State Nuclear Regulatory Inspectorate of Ukraine ("SNRIU")

1. Information note on the Zaporizhzhya Nuclear Power Plant status as of 06:00 EET on 4 March 2022

2514. The SNRIU reported that at around 1:00 EET on 4 March 2022 the site of the ZNPP had been shelled by Russian forces. The auxiliary buildings of the ZNPP's nuclear unit 1 had been damaged, which had not affected the safety of the unit and the ZNPP. There had been no changes registered in the radiation situation. Out of the six nuclear units of the ZNPP, only one had remained operational, with four units being in a state of cooling of nuclear installations, and the nuclear unit 1 being in outage.

2. Updated information about the ZNPP as of 07:15 EET on 4 March 2022

2515. The SNRIU reported that the site of the ZNPP had been shelled, causing a fire which had been extinguished by Ukrainian firefighters by 6:20 EET. The auxiliary buildings of the ZNPP's nuclear unit 1 had been damaged, which had not affected the safety of the unit and the ZNPP. There had been no changes registered in the radiation situation.

2516. The SNRIU also confirmed that the ZNPP had been seized by Russian forces, but its personnel had continued operating the plant. Out of the six nuclear units of the ZNPP, only one remained operational, with four units being in a state of cooling of nuclear installations, and the nuclear unit 1 being in outage.

3. Updated information about the ZNPP as of 08:00 EET on 4 March 2022

2517. In an update posted at 8:20 EET on 4 March 2022, SNRIU reported that the site of the ZNPP had been shelled, causing a fire. SNRIU confirmed

that the ZNPP had been seized by Russian forces, but the ZNPP personnel had continued operating it. Out of the six nuclear units of the ZNPP, only one remained operational. There had been no changes registered in the radiation situation.

2518. The SNRIU noted that while nuclear installations had been cooled at four of the ZNPP's nuclear units, it remained crucial to preserve the possibility of cooling down nuclear fuel. Otherwise, it could have led to an accident exceeding the scale of previous nuclear accidents in Chornobyl and Fukushima. The SNRIU also noted that apart from the six nuclear units, there was a spent nuclear fuel storage facility on the site of the ZNPP, damage to which was also capable of causing nuclear release.

4. Information note on the ZNPP status as of 12:00 on 10 March 2022

2519. In an update posted at 12:10 EET on 10 March 2022, the SNRIU reported that the ZNPP and the town of Enerhodar had been under the control of Russian forces for six days. The SNRIU stated that two of the ZNPP's six nuclear units had remained connected to the grid. The ZNPP personnel had continued operating the plant by working in shifts.

2520. According to SNRIU, on 9 March 2022 maintenance works at nuclear unit 1 had been resumed. At the same time, owing to difficulties in delivery of certain spare parts, it had been decided to reduce the scope of the planned work. Nuclear unit 6 had been put into emergency maintenance mode following the detection of damage to its transformer, which had been caused by Russian shelling.

2521. The SNRIU also confirmed that the ZNPP's training centre had been fired upon by artillery systems. As a result, part of the premises had been destroyed, and some unexploded shells had remained inside. The working space of the SNRIU inspectors had also been damaged during the shelling on 4 March 2022. Therefore, the SNRIU inspectors had been forced to work remotely and had been unable to ensure independent regulatory control over the state of radiation safety at the ZNPP site. There had been no changes registered in the radiation situation.

2522. As to the situation in the town of Enerhodar, the SNRIU confirmed that there was a proper supply of electricity, water and heating. At the same time, the SNRIU reported problems with the supply of food and medication which had been blocked by the Russian forces. Also, according to the SNRIU, there were difficulties with internet connections, ATMs and POS terminals, and fuel shortages. An evacuation of children, women and elderly people to Zaporizhzhya had been organised.

5. *Information note “Chornobyl NPP facilities, current situation” of 26 March 2022*

2523. In an update posted at 13:00 EET on 26 March 2022, the SNRIU reported that all facilities of the Chornobyl Nuclear Power Plant and facilities located in the Exclusion Zone had remained under the control of Russian forces. According to the CNPP management, the town of Slavutych, where many of the CNPP personnel lived, had also been seized. Lastly, the SNRIU confirmed that it had been unable to exercise regulatory control over the state of radiation safety at the CNPP site and the Exclusion Zone.

O. National Council of Television and Radio Broadcasting (“NCTRB”)

1. *Report of the NCTRB Chair of the National Council of Television and Radio Broadcasting of 12 May 2022*

2524. On 12 May 2022 Olha Herasymyuk, the Chair of the NCTRB, spoke at the 55th meeting of the European Platform of Regulatory Authorities in Antwerp, Belgium. She started her speech by describing the atrocities that had taken place in Irpin, Bucha, Borodyanka and Mariupol. She stressed that the Russian aggression against Ukraine had commenced in 2014 as a “hybrid war” and that in that connection Ukraine and its broadcasters had been deprived of numerous frequency assignments. In particular, she stated that the annexation of Crimea in 2014 had led to 503 frequency assignments of Ukraine being seized and unlawfully used by Russia. She said that before the full-scale invasion, 175 more frequency assignments had been lost in the territories of the so-called “DPR” and “LPR”. Furthermore, she added, since 24 February 2022 a further 284 frequency assignments had been lost to Russia, with 164 Ukrainian broadcasters having to stop broadcasting as a result of the war. Ms Herasymyuk stated that those assignments had been used for Russian propaganda. Finally, she thanked those European colleagues who had reacted to her call and had partially or completely banned Russian television channels on their territories. She also urged others to follow that example and to terminate all contracts with Russian structures.

2. *Letter from the National Council of Television and Radio Broadcasting of 23 February 2023*

2525. This letter from Valentyn Koval, First Deputy Chair of the NCTRB, was addressed to the Ministry of Justice of Ukraine and the Agent of Ukraine before the European Court of Human Rights in support of Ukraine’s position in the present case. The letter mentioned that three broadcasting organisations had reported cases of destruction of their infrastructure and seizure of equipment and premises. There were three attachments to this letter, which may be summarised as follows.

2526. The first annex was a letter of 17 March 2022 from the Internet Association of Ukraine to the NCTRB. The letter stated that according to the members of the Internet Association of Ukraine, Russian television channels had been launched in the occupied territories near Melitopol with the use of Ukraine's DVB-T2 broadcasting standard. The letter suggested blocking the signal or destroying the relevant Ukrainian infrastructure.

2527. The second annex was a letter of 6 June 2022 from a private Ukrainian company, Zeonbud LLC, to the NCTRB. The letter stated that following the occupation of several regions of Ukraine, twenty-one signal transmitting stations had been lost by Zeonbud LLC owing either to the loss of signal or to their physical destruction. The letter specified that Zeonbud LLC had lost one station in the Donetsk Region, four in the Zaporizhzhya Region, eight in the Luhansk Region, one in the Sumy Region, three in the Kharkiv Region, and five in the Kherson Region.

2528. The last annex was a letter of 29 April 2022 from Olha Herasymyuk, the Chair of the NCTRB, to the Head of the State Service of Special Communications and Information Protection of Ukraine. The letter stated that following the occupation of parts of the Donetsk, Luhansk, Kharkiv and Kherson Regions, the Ukrainian television and radio channels that had previously operated there had been displaced by Russian propaganda resources. The letter alleged that such actions, combined with the destruction of the Ukrainian telecommunication infrastructure, violated Article 18.1 of the International Telecommunication Union Radio Regulations. The letter called on the State Service of Special Communications and Information Protection of Ukraine to propose that Russia be deprived of its membership of the International Telecommunication Union.

P. State Language Protection Commissioner

1. Statement "Ban on Ukrainian television and radio in the occupied territories – linguicide of the Ukrainian people" of 12 May 2022

2529. This statement by the State Language Protection Commissioner, Taras Kremin, described the efforts by the Russian Federation to suppress the use of the Ukrainian language and to spread Russian propaganda through the occupation administrations. The key source of the statement was the official website of the State Language Protection Commissioner. According to the statement, the occupation administrations had shut down Ukrainian television channels and radio stations, shelled Ukrainian television towers, and abducted and murdered journalists in the occupied territories. As indicated in the statement, on 7 March 2022 the occupation administration had installed its equipment on the Melitopol television tower and begun broadcasting Russian television channels. On 19 April 2022 the television channels of the so-called "DPR" and "LPR" had started broadcasting in Kherson. Similar

situations had occurred in in Berdyansk, Enerhodar, Nova Kakhovka, Tavriya Kakhovka and Dniprorudne.

2. *Letter from the State Language Protection Commissioner of 11 August 2022*

2530. This letter was addressed to the acting Agent before the European Court of Human Rights, Marharyta Sokorenko. The letter described the actions undertaken by the occupation administration with a view to eliminating the Ukrainian language from public space and social use, in other words, “conducting a ‘linguicide’ towards the Ukrainian language”.

2531. As noted in the letter, the Russian Federation used the “language issue” as one of the instruments of its geopolitical expansion. Since 24 February 2022 the Secretariat of the State Language Protection Commissioner had collected more than 100 records from open sources and from reports by Ukrainian citizens, indicating the intention of the Russian Federation to entirely suppress the Ukrainian language in the occupied territories.

2532. In the letter, the State Language Protection Commissioner highlighted the areas of life in which the indicators of the “linguicide” of the Ukrainian language had been present and had manifested themselves. These were: (i) the domain of official administrative communication – the occupation authorities drafted documents and held conversations with local citizens solely in the Russian language; (ii) the sphere of education – switching the language of education from Ukrainian to Russian, confiscation and destruction of Ukrainian textbooks, introduction of Russian books into the educational process, promotion of Russian propaganda, and re-education of teachers and lecturers; (iii) the cultural domain – change of the language of public events, popularising Russian and Soviet Union musical content, destroying and/or removing Ukrainian literature; (iv) the media domain; and (v) public space – the occupation administration had attempted to eliminate any external expression of Ukrainian language (street signs, notices, inscriptions and so on).

2533. Attached to the letter was a table describing the attempts of the occupation administration to eliminate the Ukrainian language from the education process. On 16 May 2022, in one of the Mariupol schools, an announcement from the occupation administration had been posted stating that the language of instruction in that school was Russian. On 22 May 2022 and on 10 July 2022 the head of the “Department of Education” in Melitopol, Yeliena Shapurova, and the Minister of Education of the Russian Federation, Sergey Kravtsov, announced that starting from 1 September 2022, education in the Melitopol schools was to be in the Russian language. On 23 August 2022 the head of the Kherson regional “department of education”, and on 1 September 2022 the Ministry of Education of the Russian Federation, along with the occupation administration of the Kherson Region, announced that

the educational process would be in the Russian language and in accordance with Russian standards and curricula. It was also announced that Ukrainian language “would be studied during the native language hours”.

2534. Attached to the letter were reports on the seizure of literature dated 12 and 18 August 2022, which stated that the occupation administration had seized a considerable number of Ukrainian books in the village of Yakovenkovo and the city of Balakliya.

2535. In summary, the following measures had been taken in the occupied territories of Ukraine with a view to suppressing the Ukrainian language:

- (a) introduction of Russian language and Russian standards of education in Ukrainian schools in Melitopol, Henichesk, Kakhovka and Kherson, as well as Donske, Volnovakha, Mariupol, and other cities of the Donetsk and Luhansk Regions;
- (b) appointment of collaborators to managerial positions in schools;
- (c) retraining of Ukrainian teachers;
- (d) threats to teachers and forcing them to switch to the Russian language and the Russian educational system;
- (e) awarding Russian diplomas to graduates of schools in Donetsk, Luhansk and Melitopol;
- (f) printing and delivery of Russian textbooks to Ukrainian schools in the occupied territories;
- (g) accreditation of Ukrainian schools in the occupied territories by the Russian Ministry of Education;
- (h) abduction of a school principal, V.P., in Kakhovka; and
- (i) seizure of Ukrainian books, symbols, and so on from schools.

Q. Government online-portal childrenofwar.gov.ua

2536. This portal was created by Ukraine’s Ministry of Reintegration together with the National Information Bureau on behalf of the Office of the President of Ukraine. According to Daria Herasymchuk, Plenipotentiary Advisor to the President of Ukraine on Children’s Rights and Children’s Rehabilitation, “This portal was created as a tool for searching for children, rescuing them and releasing them from places of forced displacement or deportation”.

2537. The portal reported that, by 30 September 2022, a total of 7,890 children had been removed from Ukraine. It further recorded that at the beginning of 2024, a total of 19,546 children had been removed, with 388 children being returned.

R. State Enterprise “National Nuclear Energy Generating Company ‘Energoatom’” (“Energoatom”)

Letter from Energoatom of 14 February 2023

2538. This letter was addressed to the Ministry of Justice of Ukraine. Attached to the letter were other letters from Energoatom and one letter from the Security Service of Ukraine, which provided information on attacks at the Zaporizhzhya Nuclear Power Plant, violations of rights of its employees and the occupation of the ZNPP.

2539. The Chief Investigative Department of the Security Service of Ukraine had instituted a pre-trial investigation in criminal proceedings no. 42022000000000363, within which it was established that between 3 and 4 March 2022 the Russian Armed Forces had shelled the ZNPP, including from a tank gun, and stormed the ZNPP in order to seize it. From March 2022 and up to the date of the letter, the ZNPP had remained under the *de facto* control of the Russian troops. The Russian forces used weapons and committed explosions, arson, radiation contamination and other actions in order to kill, injure and intimidate the personnel of the ZNPP and persons involved in its protection.

2540. On 2 April 2022 Russian servicemen used explosives and small arms against a peaceful demonstration by the residents of Enerhodar, Zaporizhzhya Region, which resulted in injuries to four people.

2541. On 26 June 2022 the mayor of Enerhodar reported that since Russia had occupied the ZNPP, there had been constant physical and psychological pressure against the plant workers and residents of Enerhodar: people had been tortured by electric shocks, captured, beaten and detained, and money had been extorted from their families. On 29 June 2022 Russian forces captured several workers of the ZNPP and tortured them to force them to confess to keeping weapons in the plant’s cooling ponds.

2542. On 29 June 2022 Russian forces abducted and severely beat a worker of the ZNPP, A.H. As a result of the injuries sustained, he died in the Enerhodar city hospital.

2543. In early June 2022 Russian forces captured approximately twenty residents of Enerhodar, eleven of whom were workers of the ZNPP, and took them away in an unknown direction.

2544. On 1 July 2022 Energoatom reported that during the first days of the occupation of Enerhodar, Russian troops had captured the mayor of Enerhodar and forced him to request the city residents not to provoke the Russian military. The first deputy mayor and the head of the Enerhodar city fire brigade had been held captive.

2545. On 17-18 July 2022 Russian forces captured and transported in an unknown direction the head of the environmental protection service of the ZNPP, I.K., the acting head of the decontamination workshop of the ZNPP,

O.R., and an employee of that workshop. Their whereabouts remained unknown as of the date of the letter.

2546. On 6 August 2022 Russian troops launched a missile attack on Enerhodar and hit the area of the ZNPP, directly next to the plant's dry storage facility for waste nuclear fuel. One of the plant workers was wounded by shrapnel.

2547. On 14 August 2022 Russian troops fired six shells into the occupied city of Enerhodar, killing one person and injuring two others. An employee of the ZNPP, M.M., was killed on the spot.

2548. On 20 August 2022 the Russian military fired mortars into the territory of the ZNPP. The shelling was carried out from Russian military equipment, which had been deployed one to three kilometres away from the ZNPP.

2549. On 27 August 2022 the security services of the Russian Federation tortured and intimidated the personnel of the ZNPP with a view to forcing them not to disclose any information to the IAEA. On 28 August 2022 Russian troops shelled the ZNPP, injuring four of its employees.

2550. At 4.57 a.m. on 1 September 2022 another attack on the ZNPP resulted in the following: (i) it triggered the emergency protection system; (ii) power generating unit no. 5 was shut down; (iii) the ZNPP-330 kV auxiliary backup power line was damaged; and (iv) the inactive power unit no. 2 was de-energised.

S. State-owned company Naftogaz

2551. Naftogaz of Ukraine is the largest national oil and gas company of Ukraine. It is a state-owned company subordinated to the Government of Ukraine.

1. Latest update on the operation of Naftogaz Group entities as of 1 p.m. on 25 February 2022

2552. According to this news item, published on the official Naftogaz website, the gas pipeline in Novoluhansk, which had earlier been damaged by shelling, was repaired, and gas supply was restored. The date and source of the shelling were not discussed in the press statement.

2553. The article also mentioned that the Joint Stock Company Ukrgasvydobuvannya had been continuing to produce gas at all its facilities, except for a number of complex gas treatment units located near the demarcation line.

2554. This news item also listed a number of other Naftogaz facilities which had continued their normal operation.

2. Latest update on operation of Naftogaz Group enterprises as of 12:00 on 2 March 2022

2555. This news item, published on the official Naftogaz website, reported that during the night [of 1 to 2 March 2022], Kostyantynivka, Donetsk region, had been shelled, damaging gas infrastructure. The source of the shelling was not discussed in the press statement. By noon of 2 March 2022, the emergency repair team had restored gas supply.

2556. The news item also reported that due to numerous damages to gas pipelines, about 407 customers from the village of Bohoyavlenka, Volnovakha district of Donetsk region, had been disconnected. The article indicated that at that time it had not been possible to resume gas supplies in Bohoyavlenka.

2557. The article also mentioned that the Joint Stock Company Ukrgasvydobuvannya had been continuing to produce gas at all its facilities, except for a number of complex gas treatment units located near the demarcation line.

2558. According to this press statement, 5,087 customers of Naftogaz had been without gas supply as of 2 March 2022.

2559. This news item also listed a number of other Naftogaz facilities which had continued their normal operation.

3. Latest update on functioning of the Naftogaz Group companies as of 18:00 on 26 March 2022

2560. This news item, published on the official Naftogaz website, reported that thirty-eight private households had been left without gas supply as a result of shelling. The date and source of the shelling were not discussed in the article.

2561. According to the press statement, on 25 March 2022 the industrial premises of one of the branches of Ukrtransgaz in Kharkiv were shelled, which led to holes and crashing of walls as well as the loss of office equipment. The news statement indicated that the same building had also been hit twice before, destroying the concrete floor and vehicles in the garage, and smashing out the windows.

2562. The press statement also informed that as of 22 March 2022, the Shebelynka Oil Refinery operations had not been restored. The date and reasons the Shebelynka Oil Refinery had stopped operating were not discussed in the article.

2563. The article also mentioned that the Joint Stock Company Ukrgasvydobuvannya had been continuing to produce gas at all its facilities, except for a number of complex gas treatment units located near the demarcation line.

2564. According to the press statement, the consumers of “Naftogaz Trading” had cut their natural gas use by four percent.

2565. This news item also listed a number of other Naftogaz facilities which had continued their normal operation.

VIII. CRIMINAL PROCEEDINGS CONDUCTED BY UKRAINIAN AUTHORITIES

A. The Chernihiv Region

1. Investigations into detention and ill-treatment of civilians by Russian servicemen in the village of Yahidne in March 2022

2566. These criminal proceedings concerned the forcing of 368 civilians into a school basement in Yahidne between 3 and 30 March 2022 and their detention there in deplorable conditions. They also concerned the ill-treatment of local residents of Yahidne prior to and during their detention in the school basement.

(a) Criminal proceedings no. 22022270000000032 initiated on 17 May 2022

(i) Extract from the Unified Register of Pre-Trial Investigations ("URPI")

2567. According to the extract from the URPI, on 17 May 2022 the Ukrainian law-enforcement bodies launched criminal investigations on account of the ill-treatment, confinement and holding in captivity of 368 people, including sixty-nine minors, in the basement of the Yahidne branch of the Kulychivka Secondary School of I-III Degrees of the Ivanivka Village Council of the Chernihiv district of the Chernihiv Region ("the school basement"), located at 1-a Lisova St. in Yahidne.

(ii) Record of questioning of the victim L.I.Sh. of 20 May 2022

2568. The victim was a civilian of a respectable age residing in Yahidne. After 7 March 2022 Russian servicemen forced the victim and her husband to leave their house and to go with them to the school basement. The Russian soldiers made sure that the victim and her husband went down to the basement and closed the door behind them. According to the victim, their room in the basement measured about 16 sq. m. At that time, there were about thirty people in that room. The other two rooms in the basement were also filled with people. There were no windows, no light in the room, the rooms were also used by the captives as a toilet, there was a lack of fresh air, and it was impossible to walk since the captives filled the entire room. The next day the victim was allowed to go home. According to the victim, her son V.M.Sh. was killed by Russian military servicemen. On 30 March 2022 the victim's husband found out that the Russian forces had left the village.

(iii) Record of questioning of the victim H.P.Kh. of 21 May 2022

2569. The victim was a resident of Yahidne. On 5 or 6 March 2022 three Russian servicemen escorted the victim and her family at gunpoint to the school basement. They did not allow the victim to take any belongings, food, water, or clothes. The victim was forcibly taken to the basement and ordered to stay there. The room in which the victim was placed measured approximately 2 by 4 metres. There were no windows, no fresh air, no water supply, no toilet, and no cooking facilities. The room was very cold, there was no lighting, and the victim slept on the floor in a sitting position. There were sixteen other people in the room, including three children, one teenage girl, and three elderly people. The Russian soldiers repeatedly threatened the captives with execution. Occasionally the Russian soldiers allowed the captives to go outside, gave them water, or allowed them to take water from wells. According to the victim, it was very cold in the room of the basement, and almost all the captives were sick. The Russian soldiers did not provide any medication or medical assistance to the captives. Approximately ten elderly people died as a result of the unsanitary conditions in the basement. The victim stayed in the basement from 6 March until 1 April 2022. According to the victim, during her captivity in the basement her household was looted.

(iv) Record of questioning of the victim V.M.S. of 20 May 2022

2570. The victim was a resident of Yahidne. According to the victim, the Russian forces had entered Yahidne on 3 March 2022. On 4 March 2022 they forced the victim to the school basement at gunpoint. He was placed in a room measuring 28 square metres with approximately forty-four other people. The room had no ventilation, the floor was wet, and there were no toilets, which was why people were forced to relieve themselves in the room in front of other captives. From 7 to 8 a.m. almost every day the victim and other captives were allowed to go outside to use the toilet, but the Russian servicemen would almost never allow a person to use the outside toilet when needed. There was a lack of food and water. The captives were provided with dry rations to eat. According to the victim, eleven elderly people had died in the basement of the school. As mentioned by the victim, the Russian servicemen did not torture the captives in the basement.

2571. The victim was aware of the execution of V.Sh., A.Sh., A.Y. and L.H., local residents who had not been detained in the basement.

2572. The victim's son was abducted from Yahidne on 13 March 2022 and returned home from Belarus on 12 May 2022. According to the victim, his house was robbed by Russian soldiers during the occupation of Yahidne.

(v) Record of questioning of the victim M.R.S. of 20 May 2022

2573. The victim was a resident of Yahidne. On 5 March 2022 Russian soldiers ordered the victim and her family to take some belongings and food and go to the school basement, supposedly for two days. There were up to fifteen people in the basement by the time of the victim's arrival. The windows in the room were below ground level and covered with sand. The room was not equipped with a toilet, and there was no electricity, ventilation or fresh air in the room. It was cold during the initial days of the victim's stay in the basement. The victim counted more than 130 people, including at least twenty minors, at least thirty elderly people, and about five people with disabilities. The victim was not allowed to leave the basement without permission from the Russian soldiers. Sometimes the captives were allowed to go outside for twenty to thirty minutes. During the initial days of the detention, the Russian soldiers gave the captives dry rations to eat. Approximately ten people died in the basement during the entire period of the villagers' detention. As alleged by the victim, the deaths were caused by the lack of oxygen, improper nutrition, and significant stress. According to the victim, she had not seen Russian soldiers inflicting bodily harm on anyone in the basement. The victim left the basement on 1 April 2022.

(vi) Record of questioning of the victim N.M.R. of 1 June 2022

2574. As can be inferred from the record of questioning, the victim was a resident of Yahidne. On 3 March 2022 Russian soldiers ordered the victim and her family to stay in the cellar of their house. On 17 March 2022 a drunk Russian serviceman ordered the victim and her relatives to come out of the cellar, following which they were threatened with weapons. On 19 March 2022 the victim's house was shelled, causing the death of her husband, injuries to other members of her family, and damage to her house. Following this event, the victim's relatives were transferred to the school basement and subsequently displaced to the territory of Russia, where one of the victim's relatives, H.D., died.

2575. On 21 March 2022 the victim, her son and other relatives were forced into the school basement. The basement was very crowded. In total, there were approximately 360 people held there. There was no ventilation in the room where the victim was held. Occasionally, the captives were allowed to go out of the basement in the morning in order to use the toilet, but at other times they used a bucket in the presence of a large number of people. The majority of captives eventually started coughing and developed fever and other symptoms, but did not receive medical assistance. According to the victim, approximately ten or twelve elderly people died in the school basement during their detention. The victim was not allowed to go home until the Russian forces' withdrawal. The victim's house was partially destroyed and some of the victim's belongings were looted.

(vii) The bill of indictment of 31 March 2023

2576. The bill of indictment was issued against the following fifteen servicemen of the Russian Armed Forces: S.A.S, A.V.M., N.M.M., E.A.O., A.O.Kh., S.S.Kh., A.S.B., B.Sh.D, Sh.Sh.D., D.S.D., S.Ch.K., V.V.M., A.S.A., B.V.D., and A.A.K. The bill of indictment stated that at the time of the events the above servicemen had been carrying out military service in military unit 55115 of the consolidated battalion of the 55th separate motorised rifle brigade (city of Kyzyl) of the 41st Combined Arms Army of the Central Military District.

2577. According to the bill of indictment, on 3 March 2022 the accused Russian servicemen had invaded and taken under control the territory of the village of Yahidne in the Chernihiv Region. From 4 March 2022 the accused servicemen started forcefully removing residents of Yahidne from their households with a view to their further detention in the school basement. Having removed people from their households, the accused servicemen threatened some of the residents of Yahidne at gunpoint and forced them to strip naked, which was followed by a search of their belongings and an inspection of their bodies for tattoos. There were instances of civilians being beaten and threatened with death by the accused servicemen.

2578. The bill of indictment stated that on 4 and 5 March 2022 the accused servicemen had threatened residents of Yahidne with firearms, forced them to move to the school basement, and detained them there.

2579. According to the bill of indictment, on 9 March 2022 one of the accused Russian servicemen, B.Sh.D., had gone down to the school basement and committed sexual violence against V.V.H. by touching intimate parts of her body.

2580. In total, from 3 until 30 March 2022 the above-mentioned servicemen deliberately placed and detained 368 people, including sixty-nine minors, in a basement of 197.6 sq. m, allocating an area of 0.5 sq. m per captive. Between 9 and 28 March 2022 the following ten civilians died in the basement owing to lack of access to proper medical care: D.P.M., A.S.I., A.O.L., P.K.M., N.P.N, M.I.Ts., M.Y.M., P.M.D., M.T.B. and N.M.B. The bodies of the deceased were not immediately taken out of the basement of the school but left there.

(b) Criminal proceedings no. 22022270000000064 initiated on 2 September 2022

(i) Extract from the URPI

2581. According to the extract from the URPI, the servicemen of the Armed Forces of the Russian Federation Ch.A.Ch., together with K.A.Sh. and I.B.O., committed cruel treatment of civilians during the occupation of Yahidne in March 2022.

(ii) *Judgment of the Chernihiv District Court of the Chernihiv Region of 12 January 2023*

2582. According to this judgment, at the time of the events the above-mentioned servicemen of the Armed Forces of the Russian Federation had been carrying out military service in military unit 55115 of the consolidated battalion of the 55th separate motorised rifle brigade (city of Kyzyl) of the 41st Combined Arms Army of the Central Military District. Starting from 3 March 2022 the above-mentioned servicemen committed the crime of cruel treatment of the civilian population of the village of Yahidne. A special pre-trial investigation and the trial were held *in absentia*.

2583. The judgement concluded that the above servicemen had illegally entered private households in Yahidne, forcibly moved residents of Yahidne from their households, undressed them, searched them, threatened them with murder, beaten and detained them first in the cellars of their households, and later on in the basement of the local school. Some of the victims were forced to move to the school basement with no shoes. According to the judgment, from 3 to 5 March 2022 the average daytime temperature in Yahidne was between 1.4 and 1.8°C.

2584. While moving the residents of Yahidne from their households, the Russian servicemen fired shots at the walls, steps and floor of the cellars in which the civilians had been hiding.

2585. The judgment referred to information from the Defence Intelligence of Ukraine, according to which between 3 and 30 March 2022 military unit 55115 of the consolidated battalion of the 55th separate motorised rifle brigade (city of Kyzyl) of the 41st Combined Arms Army of the Central Military District had taken part in offensive actions near the village of Yahidne, in the Chernihiv district of the Chernihiv Region.

2586. The Chernihiv District Court of the Chernihiv Region found the above-mentioned servicemen of the Armed Forces of the Russian Federation guilty of violating the rules and customs of war and sentenced them to twelve years' imprisonment.

(c) Criminal proceedings no. 22022270000000075 initiated on 13 October 2022

(i) *Extract from the URPI*

2587. According to the extract from the URPI, the serviceman of the Armed Forces of the Russian Federation Sh.L.K., together with other servicemen of the Russian Federation, had committed the crime of cruel treatment of civilians during the occupation of Yahidne in March 2022 by illegally entering the territory of a Yahidne household, threatening four of its residents with firearms, forcing them to move to the cellar of the house, and detaining them there.

(ii) Judgment of the Chernihiv District Court of the Chernihiv Region of 10 January 2023

2588. According to this judgment, at the time of the events the serviceman of the Russian Armed Forces Sh.L.K. had been carrying out military service in military unit 55115 of the consolidated battalion of the 55th separate motorised rifle brigade (city of Kyzyl) of the 41st Combined Arms Army of the Central Military District.

2589. The Chernihiv District Court of the Chernihiv Region established that on 3 March 2022 Sh.L.K. had carried out a military invasion and occupied and exercised control over the territory of Yahidne. On 3 March 2022, together with other unidentified servicemen of the Armed Forces of Russian Federation, he illegally entered the territory of one of the households in the village of Yahidne. While threatening to use firearms, he forcibly detained the residents of the house in the cellar. He threatened with death one of the residents of that household who had attempted to leave the cellar.

2590. According to the testimony of one of the victims, after having been kept in the cellars of their houses, the victims and their families had been forced to move to the school basement.

2591. The Chernihiv District Court of the Chernihiv Region found the accused guilty of cruel treatment of civilians and other violations of the laws and customs of war and sentenced him to ten years' imprisonment.

(d) Criminal proceedings no. 22023270000000007 initiated on 14 January 2023

(i) Extract from the URPI

2592. According to the extract from the URPI, at about 12 noon on 15 March 2022, during the Russian armed forces' occupation of the village of Yahidne, the Russian soldier A.O.B. threatened the victim O.O.H. with execution, fired a Kalashnikov rifle over his head, threw a grenade under his feet, and used physical and moral violence, thus committing "moral torture and ill-treatment of the victim".

(ii) Judgment of the Chernihiv District Court of the Chernihiv Region of 24 May 2023

2593. According to this judgment, at the time of the events the serviceman of the Russian Armed Forces A.O.B. had been carrying out military service in military unit 55115 of the consolidated battalion of the 55th separate motorised rifle brigade (city of Kyzyl) of the 41st Combined Arms Army of the Central Military District.

2594. The judgment established that A.O.B. had participated in the military invasion, occupation and control of the territory of Yahidne.

2595. On 15 March 2022 A.O.B. went down to the basement of the Yahidne secondary school and started threatening to kill one of the detainees with firearms. Later on, A.O.B. forcibly moved that detainee out of the

basement, ordered him to stand in front of a concrete fence, interrogated him while shooting over his head, and threw a grenade under his feet.

(e) Criminal proceedings no. 22023270000000008 initiated on 14 January 2023

(i) Extract from the URPI

2596. According to the extract from the URPI, at about 9 pm on 10 March 2022 D.V.K., together with other unidentified servicemen of the Armed Forces of the Russian Federation, armed with automatic firearms, illegally invaded the territory of a private household in Yahidne, where three civilians had been staying at the time. D.V.K. reloaded the Kalashnikov assault rifle he was holding and fired a series of shots directly at the feet of I.M.A.. Immediately after the shots, D.V.K. pointed the muzzle of the Kalashnikov rifle at I.M.A. and threatened to shoot her in front of her husband and minor child.

(ii) Judgment of the Chernihiv District Court of the Chernihiv Region of 29 May 2023

2597. According to this judgment, at the time of the events the serviceman of the Russian Armed Forces D.V.K. had been carrying out military service in military unit 55115 of the consolidated battalion of the 55th separate motorised rifle brigade (city of Kyzyl) of the 41st Combined Arms Army of the Central Military District.

2598. The judgment established that on 10 March 2022 D.V.K. had invaded a private household in Yahidne and forced the family, consisting of three members, to leave their house and go to the basement of the school in Yahidne. D.V.K. shot directly under the feet of one of the members of the family and threatened to kill another member of the family in front of her minor child.

2. Investigation into the extrajudicial execution and ill-treatment of civilians by Russian soldiers in Lukashivka in March 2022 (criminal proceedings no. 12022270340001219 initiated on 10 April 2022)

2599. This case file included two records of victim questioning and a notification of suspicion against a Russian serviceman related to an alleged extrajudicial execution and ill-treatment of civilians in Lukashivka in March 2022.

(a) Record of questioning of the victim D.O.K. of 6 January 2023

2600. At the time of the events, this victim was a minor. On 24 February 2022 his family fled their home in Chernihiv and went to the nearby village of Lukashivka, where his grandparents lived. On 9 March 2022 Lukashivka was occupied by Russian forces. The victim stated that at around 9 p.m. on

that day five Russian servicemen had come to their house to check their documents. They checked the victim's mobile phone and found a message to his girlfriend in which he had called them "*siepary*" (separatists). They believed that the victim and his father were Ukrainian soldiers disguised as civilians. One of the Russian soldiers hit the victim in the face several times and put a knife to his throat, threatening to cut his head off. The victim's father explained that they were civilians while his mother and grandmother were crying. Another Russian serviceman by the callsign "Magnit", who had burns on his face, threatened the victim's father with a knife as well. The Russian soldiers then put their tank in the victim's yard and camped there, locking the victim and his family in the basement until the next morning.

2601. On the morning of 10 March 2022 the victim and his father were taken for interrogation with two other men, V.A.N., a Ukrainian soldier, and K.M.T., a local resident. The victim was put on his knees and blindfolded. He could hear "Magnit" interrogating Mr N. The latter said that he was a conscript from a logistics unit, but "Magnit" did not believe him. After that the victim heard the sounds of automatic gunshots. The victim and his father saw Mr N.'s dead body when they were interrogated next. "Magnit" asked if they were Ukrainian soldiers too and fired shots above their heads. The victim's father responded that he had no connection with the UAF and that his son was still a minor. Then "Magnit" interrogated Mr T., asking him the same questions. He asked the victim's father if he knew Mr T., who replied that he was a local tractor driver. After this, the three of them were released.

(b) Record of questioning of the victim K.M.T. of 21 January 2023

2602. The victim was a resident of the village of Lukashivka in the Chernihiv Region. According to the victim, on 10 March 2022 Russian servicemen entered his house, carried out a search and hit him several times with his assault rifle. After that, the victim was interrogated with a gun put to his head. During the interrogation the victim was hit with the rifle several times and was threatened with execution. Later on, the victim was detained in a garage. He witnessed the execution of a serviceman of the Armed Forces of Ukraine who had been detained in the same garage.

(c) Notification of suspicion of 27 July 2023

2603. This notification of suspicion was issued against the serviceman of the Russian Federation D.O.K., who at the time of the events was the battalion commander in the 74th separate guards of the Zvenigorod-Berlin motorised rifle brigade of the 2nd order of Suvorov. On 10 March 2022 D.O.K. interrogated and tortured a civilian in Lukashivka. Later the same day D.O.K. interrogated and captured another person who was a Ukrainian soldier *hors de combat*. The same day D.O.K. killed that Ukrainian soldier.

3. *Investigation into detention, ill-treatment and extrajudicial execution of civilians by Russian soldiers in the village of Haivoron in April 2022 (criminal proceedings no. 12022270310000098 initiated on 2 April 2022)*

2604. This case file included a record of witness questioning, a record of victim questioning and a bill of indictment relating to alleged instances of detention, ill-treatment and extrajudicial execution of civilians by Russian soldiers in the village of Haivoron in April 2022.

(a) Record of questioning of the victim V.I.D. of 19 May 2022

2605. The victim V.I.D. was a civilian residing in the village of Haivoron in the Chernihiv Region. On 1 April 2022 the victim and his acquaintances were detained by Russian servicemen and placed in a cellar of one of the households. There was no light, no ventilation, no seats and no fresh air in the cellar; it was very small, cold and damp. One of the detainees required insulin shots and thus asked the Russian servicemen to let him go home, but the servicemen warned him that they would kill him if he attempted to leave the cellar.

(b) Record of questioning of the witness O.I.H. of 17 May 2022

2606. The witness was a resident of the village of Haivoron. According to the witness, on 31 March 2022 a Russian military convoy had passed through Haivoron. On 1 April 2022 Russian servicemen brought three fellow villagers of the witness and detained them in the cellar of the witness's house. According to the witness, her cellar measured two by three metres, it had no ventilation, utility systems, windows or light, and it was very damp and cold at that time. The detainees were not given any water or food. One of the detainees was released from the cellar the same day. The two others were soon taken by the Russian soldiers to nearby shrubs and shot dead.

(c) Bill of indictment of 28 March 2023 issued against S.I.A.

2607. The bill of indictment specified that at the time of the events S.I.A. had been a serviceman of military unit no. 12128 of the 21st separate motorised rifle brigade of the Second Combined Arms Army of the Central Military District of the Armed Forces of the Russian Federation.

2608. According to the bill of indictment, on 1 April 2022 S.I.A. while in the village of Haivoron, Chernihiv Region, had detained the civilians M.M.S., B.M.T., and one more civilian in the cellar of one of the households. There was no ventilation, no lighting and no water supply in the cellar, and it was damp and cold there. On 1 April 2022 S.I.A. and another Russian serviceman forced M.M.S. and B.M.T. to go from the cellar to the yard, where they fired six shots in their direction, which resulted in their death.

4. *Investigation into killings of persons hors de combat in the village of Sloboda by Russian soldiers in March 2022 (criminal proceedings no. 12022270300000261 of 1 April 2022)*

2609. This case file included a record of witness questioning and a bill of indictment relating to alleged killings of persons *hors de combat* in the village of Sloboda by Russian soldiers in March 2022.

(a) Record of questioning of witness no. 0261 of 21 June 2022

2610. The witness was a resident of the village of Sloboda in the Chernihiv Region. He said that Ukrainian servicemen had been in Sloboda since 24 February 2022 with their Grad MLRS based in the outskirts of the village. On 5 March 2022 the witness found two Ukrainian servicemen, O. and M., hiding in a neighbouring house. They looked scared after their vehicle had been hit in the village by Russian forces. They said that their commander was probably dead and begged the witness to hide them and to help them leave the village. The witness and his wife agreed to help, provided civilian clothes and housed them until 9 March 2022.

2611. On 9 March 2022 the witness's family and the two disguised Ukrainian soldiers were hiding from shelling in his basement. At around 4-5 p.m. they were found there by a group of Russian soldiers, all wearing red armbands. The Russian soldiers took all the men out of the basement – the witness, his son, and the two disguised Ukrainian soldiers – and started interrogating them. They quickly found out who the latter two were, as one of them was wearing Ukrainian military underwear. The witness said that he had seen the Russian soldiers taking O. and M., with their hands tied, to an old ruined barn near his house. He had then heard two lines of shots, with two or three bullets each. On 31 March 2022, after the Russian forces had retreated from Sloboda, the witness found the bodies of O. and M. in the barn.

2612. The witness said that the Russian soldiers had stayed in his house for around five days, while he and his family had had to live in the basement. He stated that although there had been no ill-treatment, he had not been allowed to walk around his yard or take water without the soldiers' permission. While in the basement, the witness and his family had to cook and eat their animals' food, whereas the Russian soldiers ate their food in the house.

(b) Bill of indictment of 29 May 2023 issued against A.E.S.

2613. The bill of indictment specified that at the time of the events A.E.S. had been a serviceman of the 55th separate motorised rifle brigade of the tactical communication of the Ground Forces of the Russian Federation, serving in military unit no. 55115.

2614. According to the bill of indictment, on 9 March 2022 A.E.S. entered a private home in the village of Sloboda, Chernihiv Region. In the cellar he

discovered civilians, including minors, and discharged servicemen of the Armed Forces of Ukraine who had ceased to participate in the hostilities. A.E.S. forced the men to go outside the cellar and undress to examine their bodies for tattoos. A.E.S. noticed green underpants of military type and, by threatening to kill the men, forced them to reveal their former affiliation with the Armed Forces of Ukraine. Following this, A.E.S. shot the two men dead.

5. Investigation into detention and ill-treatment of civilians by Russian soldiers in Nova Basan in March 2022 (criminal proceedings no. 42022272180000037 initiated on 21 March 2022)

2615. This case file included two records of victim questioning related to alleged instances of detention and ill-treatment of civilians by Russian soldiers in Nova Basan in March 2022.

(a) Record of questioning of the victim M.I.D. of 19 May 2022

2616. The victim was the head of the village of Nova Basan in the Chernihiv Region. According to the victim, on 28 February 2022 an armoured personnel carrier of the Russian armed forces had entered Nova Basan from the direction of Novyi Bykiv and stopped near the Avantazh petrol station in front of the bridge, where it fired in the direction of the village of Polynivka. On 5 March 2022 the victim was blindfolded by Russian servicemen and placed in the premises of a Nova Poshta postal enterprise with another resident of the village. Soon the victim was transferred to a utility room in a different house in the same village. On 7 March 2022 the victim was transported to a farm and kept in a utility room until 9 March 2022, when he was transported to another household and placed in a cellar. On 11 March 2022 the victim was transferred from the cellar to a different part of the household. On 21 March the victim was placed in the barn of yet another house, where he stayed until 30 March 2022. During the entire time of the victim's captivity, Russian servicemen constantly threatened to throw a grenade into the room where the captives were or to shoot them. On 30 March 2022 the UAF began the liberation of Nova Basan, following which the detainees went free.

(b) Record of questioning of the victim M.P.D. of 21 April 2022

2617. The victim was a resident of Nova Basan. On 6 March 2022 a group of Russian servicemen entered the victim's house, blindfolded him, and tied his hands. The victim was taken to the village council building, where he was questioned about a territorial defence warehouse. A Russian soldier put a grenade into the victim's hands, put a gun to his head and threatened to shoot him in the head. Between 7 and 30 March 2022 the victim was detained in various places. During the time of his detention, the victim was threatened with execution by the Russian servicemen.

6. Investigations into abductions and ill-treatment of civilians by Russian soldiers in various villages and cities of the Chernihiv Region in February-March 2022

2618. This set of evidence consisted of four records of victim questioning relating to a series of incidents of alleged abductions and ill-treatment of civilians by Russian soldiers in various villages and cities of the Chernihiv Region in February-March 2022. It also included a judicial sentence pronounced by a Ukrainian domestic court against a member of the Russian Armed Forces.

(a) Record of questioning of the victim H.M.H. of 31 May 2022 (criminal proceedings no. 12022270320000061 initiated on 22 March 2022)

2619. At the time of the events, the victim held the post of head of the villages of Hremyach, Novoselivka, Kolos, Tyutyunne, Dibrova and Hai in the Chernihiv Region. At about 6.30 a.m. on 24 February 2022 shelling from a Grad MLRS began. At 7.20 a.m. Russian heavy military equipment began moving from the Hremyach checkpoint in the direction of the town of Novhorod-Siverskyi and continued until 27 February 2022. On 5 March 2022 Russian troops entered the village of Hremyach. On 15 March 2022 Russian troops shelled the village of Hai with cannon artillery.

2620. On 22 March 2022 Russian soldiers blindfolded and abducted the victim. She was questioned and threatened with weapons. Russian servicemen fired shots close to her head. She was taken to a field, where she saw many tents holding Ukrainian POWs. The victim was questioned on several occasions and was hit on the head three times.

2621. On 28 March 2022 the victim was taken to pre-trial detention facility no. 1 in the city of Kursk, Russia. From 28 March to 9 April 2022 she was interrogated by different people. On 10 April 2022 the victim was returned to Ukraine as a part of a Ukrainian POW exchange.

(b) Records of questioning of the victims O.O.M., H.N.B., and D.V.K. of 31 April 2022 and 26 May 2022 (criminal proceedings no. 42022272150000010 initiated on 22 March 2022)

2622. According to the victims, on the morning of 25 March 2022 members of the Russian Armed Forces deprived five residents of the Koryukivka district of their liberty, abducted them and took them to an unknown destination: the head of the Snovsk City Council, O.O.M., a former deputy of the Chernihiv Regional Council, H.N.B., an ATO veteran and a member of the Snovsk Territorial Defence, D.V.K., and two local residents, O.M.Y. and D.I.R.. They also illegally seized a BMW X5 car. During their detention the victims were subjected to physical and psychological torture, beatings, and sleep deprivation. The victims were released between 28 and 30 March 2022.

(c) Judgment of the Ripky District Court of the Chernihiv Region of 17 July 2023 (criminal proceedings no. 22022270000000033 initiated on 17 May 2022)

2623. By this judgment, A.A.O., a serviceman of military unit no. 41659 affiliated with the 35th Separate Guards Motorised Rifle Brigade of the Armed Forces of the Russian Federation, was convicted of war crimes. According to the judgment, on 28 February 2022 A.A.O. had entered a private household in the village of Vyshneve, in the Chernihiv district of the Chernihiv Region. In order to obtain information, he struck one of the residents of that household with an assault rifle several times. After that, A.A.O. threatened that resident with execution by pulling the trigger and pointing the rifle at him. Next, A.A.O. appropriated the person's car. On 3 March 2022 the defendant detained the same victim and took him to the premises of a wood-processing enterprise, where the victim remained until 19 March 2022. During his detention the victim was tortured, which resulted in broken arms, legs and fingers, and bruises to his internal organs.

7. Investigations into conflict-related sexual violence and other forms of ill-treatment of civilians committed by Russian soldiers in the villages of Lhiv and Novyi Bykiv in March 2022

2624. This set of evidence consisted of two judicial sentences pronounced by Ukrainian domestic courts against military personnel of the Russian Armed Forces for conflict-related sexual violence and other forms of ill-treatment of civilians in the villages of Lhiv and Novyi Bykiv in March 2022.

(a) Judgment of the Bobrovytsya District Court of the Chernihiv Region of 25 November 2022 (criminal proceedings no. 120222703000000525 initiated on 3 June 2022)

2625. According to the judgment, on 15 March 2022 a serviceman of the 385th Guards Artillery Brigade of the 2nd Combined Arms Army of the Armed Forces of the Russian Federation, O.V.O., unlawfully entered a private household in the village of Novyi Bykiv in the Nizhyn district, Chernihiv Region, and threatened its civilian residents with murder. At this time, another Russian serviceman took a minor resident of that household to a bedroom, partially undressed her, and started touching the lower area of her exposed stomach. At the same time, the serviceman struck the minor's mother, who had tried to stop his illegal actions. Later, unable to complete his intention owing to the active resistance of the minor and her mother, the second Russian serviceman fired a rifle shot into the wall, after which he and O.V.O. forcibly dragged the minor's stepfather outside, where they tried to force him to drink alcohol under the threat of execution, "as a sign of the victory of Russian troops in the armed conflict with Ukraine".

(b) Judgment of the Novozavodskyi District Court of Chernihiv of 2 November 2022 (criminal proceedings no. 42022272010000113 initiated on 27 April 2022)

2626. This judgment convicted of war crimes two servicemen of the 80th Tank Regiment of the 90th Guards Tank Division of the Central Military District of Ground Forces of the Russian Federation, R.R.K. and A.S.Ch.

2627. According to the judgment, on 9 March 2022 R.R.K. and A.S.Ch. entered a private household in the village of Lhiv, Chernihiv Region, and occupied its premises for the purpose of personal residence. One of the original residents of the household was severely beaten by the defendants because of his past service in the National Guard of Ukraine. After beating him, the defendants forced him to stay in the backyard of the household day and night from 9 until 13 March 2022 in cold temperatures.

2628. On 10 March 2022 R.R.K. acted violently against a minor who resided in the same household. Specifically, he pushed her onto the bed with his hands, then sat on her legs, twisted her arms, struck her once in the head with a gun, all the while threatening to kill her close relatives and hand her over to other Russian military personnel to be raped if she refused to have sexual intercourse with him. His attempt failed for reasons beyond his control. From 11 to 18 March 2022 R.R.K. attempted to rape two more victims.

2629. On 20 and 21 March 2022 R.R.K. threatened to kill the victim O.A.S., fired shots above his head and under his legs, and beat and tortured him.

8. Investigations into shooting, ill-treatment and abduction of civilians and looting by Russian soldiers in various villages of the Chernihiv Region in March 2022

2630. This set of evidence consisted of a bill of indictment and three judicial sentences pronounced by Ukrainian domestic courts against military personnel of the Russian Armed Forces for shooting, ill-treatment and abduction of civilians, as well as looting, in various villages of the Chernihiv Region in March 2022.

(a) Bill of indictment of 27 February 2023 filed against A.S.A. (criminal proceedings no. 22022270000000040 initiated on 6 June 2022)

2631. The bill of indictment specified that at the time of the events A.S.A. had been the commander of military unit no. 21005 - 7th Consolidated Rifle Company of the 74th Separate Mechanised Brigade of the Armed Forces of the Russian Federation.

2632. According to the bill of indictment, on 24 March 2022 unidentified servicemen of the Russian armed forces had detained a civilian, O.M.P., a resident of the village of Pakul, in the Chernihiv district of the Chernihiv Region, in the basement of the Chernihiv Forestry State enterprise. The

Russian servicemen used physical force against the victim. The same day, the unidentified servicemen of the Russian armed forces detained another civilian resident of the village, S.M.Y., after having found a military chevron belonging to the latter's son. S.M.Y. was taken to the premises of the Chernihiv Forestry. Both civilians were detained between 24 and 25 March 2022. On 25 March 2022 A.S.A. fired two shots to the right ulna, left ulna and right thigh of O.M.P. and three shots to the right supraclavicular area, right cheek, and upper and lower lips of S.M.Y.

2633. On 29 March 2022 A.S.A. organised and supervised the looting of the Andriivski Lakes homestead property in the Chernihiv district.

(b) Judgment of the Chernihiv District Court of the Chernihiv Region of 27 April 2023 (criminal proceedings no. 2202227000000057 initiated on 4 August 2022)

2634. This judgment established that on 6 March 2022, a serviceman of the Armed Forces of the Russian Federation, D.N.M. beat M.M.Y., a resident of Sloboda, the Chernihiv region, for thirty minutes. After that, D.N.M. ordered his subordinate Sh.R.D. to continue the beating. The defendants used a shovel and a metal chair leg to beat the victim. D.N.M. poured flammable liquid on the victim and threatened to set him on fire.

(c) Judgment of the Chernihiv District Court of the Chernihiv Region of 1 August 2023 (criminal proceedings no. 222022270000000039 initiated on 4 June 2022)

2635. The judgment established that on 12 and 15 March 2022, a serviceman of the Armed Forces of the Russian Federation, N.V.B., entered the private home of a civilian couple and their three minor children in Lukashivka, Chernihiv Region. N.V.B. beat the civilian male, imitated cutting off his fingers, and threatened to shoot him. N.V.B. also looted private property of the couple.

(d) Judgment of the Chernihiv District Court of the Chernihiv Region of 17 February 2023 (criminal proceedings no. 12022270340002663 initiated on 4 June 2022)

2636. The judgment established that on 13 March 2022, a serviceman of the Armed Forces of the Russian Federation, K.V.K. had shot at a civilian car VAZ 2101 using automatic weapons in the village of Tovstolis in the Chernihiv Region. Two local civilians who had been inside the car sustained bodily injuries. K.V.K. then abducted one of the people who had been inside the car and kept him detained with his hands tied and a bag on his head from 13 to 17 March 2022. While in detention, the victim underwent beatings, as well as psychological and physical coercion. The victim had been tortured to the extent that he soiled himself.

9. *Investigation into the aiming of tank fire at an apartment building by Russian soldiers in Chernihiv in February 2022 (criminal proceedings no. 22022270000000051 initiated on 20 July 2022)*

2637. This piece of evidence was a judgment of the Desnyanskyi District Court of Chernihiv of 11 April 2023. It convicted *in absentia* a major of the Russian Armed Forces and commander of a tank battalion, L.P.Shch., of violating the laws and customs of war in connection with his order to fire at an apartment building in Chernihiv. The court established that in the afternoon of 26 February 2022 the defendant had been moving towards the Chernihiv airfield in a T-72B tank under his command. After reaching the crossroads of Kiltseva and Yefremova Sts. the defendant ordered his tank crew to fire at the apartment building at 43 Rapoport St. in Chernihiv. A 125-mm shell that had been fired caused significant damage to three apartments. The judgment mentioned that on 1 August 2022 the defendant had been exchanged in a prisoner swap and did not participate in the trial. He was sentenced *in absentia* to eleven years' imprisonment.

B. The Zhytomyr Region

1. *Investigation into shelling of residential property in the Narodychi territorial community in February-April 2022 (criminal proceedings no. 4202206000000035 initiated on 8 April 2022)*

2638. This case file included a prosecutor's decision to change the classification of the offence, a record of victim questioning, and a witness statement. The offence was classified under Article 438 § 2 of the Criminal Code of Ukraine – violations of laws and customs of war – on the basis of the allegation of the use of prohibited means of warfare by the Armed Forces of the Russian Federation after 24 February 2022.

2639. The decision stated that scene inspections with the involvement of experts on explosives had been held on 7 April 2022 in the formerly Russia-occupied territories of the Narodychi territorial community in the Korosten district. Those inspections demonstrated that Russian forces had carried out a significant number of rocket-bomb and artillery attacks on residential buildings and other civilian objects in the villages of Davydky, Hrezlya, Radcha, Nova Radcha and Stara Radcha in the Narodychi territorial community.

2640. As a result of the attacks, about fifty premises of local civilians, as well as dozens of their utility rooms, were damaged and destroyed in Davydky. In Nova Radcha a shell fell near the courtyard of a residential building at 10 Sadova St., exploded and shattered into fragments, causing injuries and the subsequent death of I.I.D..

2641. The victim T.V.K., a resident of Rubezhivka, testified that at approximately 4 a.m. on 14 March 2022 she had heard a loud sound of a plane

followed by an explosion, which had damaged her house. The victim believed that the plane had come from the direction of Belarus.

2642. The victim further stated that at approximately 5 p.m. on 27 March 2022 she had seen Russian troops approaching her house, so she had quickly run to the neighbours' basement. She added that while they were in the basement, a young soldier of the Russian army had come to them, pointed a machine gun at her husband's chest, and asked how many of them were in the house. The Russian soldier subsequently left the basement. The victim then heard shots fired in different directions, including the basement. When the victim returned home, she saw that everything in the house had been turned over and the doors had been burnt.

2643. The witness S.P.L., a resident of Stara Radcha, testified that at about 5 a.m. on 24 February 2022 she had heard explosions in the territory of her village or near it. She further explained that from 24 February 2022 to 3 April 2022 she had constantly heard firing from what she described as "powerful weapons" coming from the territory of Belarus. In addition, she had also repeatedly seen low-flying helicopters from the territory of Belarus in the direction of Nova Radcha and the Radcha train station. She had seen the Latin letter "V" on the tail parts of helicopters flying very low above her house. In addition, she stated that she had seen several planes flying directly over her house and firing missiles in the direction of Ovruch in the Zhytomyr Region.

2. Investigations into attacks on educational, religious and cultural buildings in Zhytomyr in March 2022

(a) Record of questioning of victim A.V.Ch. of 16 March 2022 (criminal proceedings no. 220220600000038 initiated on 14 March 2022)

2644. The victim, employed since 2015 in property maintenance at the "Covenant of Jesus Christ" church, situated at 9 Dontsova St. in Zhytomyr, provided the following account.

2645. On 4 March 2022 at approximately 8.58 a.m. the victim, along with his family and other employees, was inside the church building. An explosive event occurred, causing significant damage to both the interior and exterior. All the occupants promptly evacuated to the basement, thus avoiding injuries.

2646. Upon coming upstairs, the victim observed extensive devastation to Lyceum no. 25 and surrounding structures, including the church. The church's windows and doors were extensively shattered, walls had been destroyed both internally and externally, the roof had sustained damage, and other types of harm had occurred.

2647. The victim specifically noted the damage to his Opel Combo car, which had been parked in the churchyard at the time of the explosion.

(b) Record of questioning of victim Y.V.K. of 13 May 2022 (criminal proceedings no. 12022060440000028 initiated on 24 February 2022)

2648. The victim had served as the deputy director of the Zhytomyr Museum of Local History since 2016. She reported that on 1 March 2022 the building of the museum, situated at 1 Zamkovyi Maidan in Zhytomyr, had sustained significant damage characterised by cracks along the entire facade, predominantly on its central side. The blast wave had caused partial damage to the front door, also affecting load-bearing walls within the museum and damaging internal walls in numerous rooms throughout the premises.

2649. The victim attributed all the damage observed to the blast wave resulting from the air strike targeting Lyceum no. 25 in Zhytomyr. The museum building also experienced ground vibration and a subsequent vibration shock.

(c) Record of inspection of the scene of 4 March 2022 (criminal proceedings no. 22022060000000010 initiated on 24 February 2022)

2650. On 4 March 2022 an investigative team conducted a scene inspection, particularly focusing on the area surrounding Lyceum no. 25, located at 18 Mala Berdychivska St. in Zhytomyr. The purpose of the inspection was to assess the aftermath of the explosion that had occurred in the main building of the lyceum at around 9 a.m. on the same day. The explosion was suspected to have been the result of munitions fired by Russian forces.

2651. The inspection revealed extensive damage to the main building of Lyceum no. 25. A significant part of it had been destroyed, windows had been smashed, and walls, partitions, doors, roofs, fences and internal property had been damaged. The site of the explosion was identified to the left of the main entrance. The explosion was found to have been caused by a shell strike and a subsequent fire. Video and photo evidence attached captured the extent of the damage.

2652. The inspection extended to adjacent buildings, including a two-storey structure at 16 M. Berdychivska St., where windows, walls and roofs had sustained damage. Similar damage was found at the building of the Zhytomyr Regional Administrative Court at 23 M. Berdychivska St. and interconnected buildings of the Zhytomyr Regional Council at various addresses.

2653. Further inspections included the utility room of Lyceum no. 25, where damage to walls and the roof was observed, as well as the Zhytomyr Regional Universal Scientific Library and residential and non-residential buildings at 27-B Pushkinska St. and 11 Dontsova St.

2654. During the inspection, fifty-three irregularly shaped metal fragments were discovered. One fragment was identified as a likely part of an R-500 cruise missile from an Iskander missile system.

3. *Investigation into the bombing of a residential area of the Malyn district in March 2022 (criminal proceedings no. 42022062350000064 initiated on 8 March 2022)*

2655. These criminal proceedings pertained to an aircraft bombing by Russian forces of a residential area of the Malyn district, Zhytomyr Region, in March 2022, which had resulted in casualties and the destruction of residential buildings and educational facilities.

2656. The case file included an extract from the URPI, a report on the inspection of the premises of Malyn Comprehensive School no. 5, a letter from military unit A0418 of the Ministry of Defence of Ukraine of 13 June 2022, and records of questioning of one witness and three victims.

2657. According to the extract from the URPI, at about 8.30 p.m. on 8 March 2022 an aircraft of the Armed Forces of the Russian Federation dropped bombs on the city of Malyn, in the Korosten district of the Zhytomyr Region, causing damage to an oil depot at 1 Ohienko St. and a residential building on Bazarna St. A resident of the house was never found after the attack. The plane also dropped a bomb on a house at 22 Vyshnevska St. in the village of Malynivka, resulting in the deaths of three people. The bodies of two children, both aged one year, were never found after the attack.

2658. According to the inspection report, the premises of Malyn Comprehensive School no. 5 were damaged as a result of hostilities between 8 and 16 March 2022. In particular, damage to thirty windows, the ceiling and the roof was recorded.

2659. The letter from military unit A0418 of the Ministry of Defence of Ukraine reported that on 8 March 2022 a tactical aviation aircraft of the 11th Army of Military Air Forces and Anti-Aircraft Forces of the Eastern Military District of the Russian Federation had been involved in missile and bomb attacks on the territory of the Zhytomyr and Kyiv Regions from operational airfields located in the Republic of Belarus. According to the letter, the following military personnel of the Russian Federation were the leaders of the operation: the Minister of Defence Sergei Kuzhugetovich Shoigu, the Chief of the General Staff of the Russian Armed Forces Valery Vasilyevich Gerasimov, the First Deputy General Staff Nikolay Vasilyevich Bogdanovsky, the Chief of the Main Operational Department of the General Staff Sergei Fedorovich Rudskoy, the Chief of the Main Department of the General Staff Igor Olegovich Kostyukov, the Commander-in-Chief of the Air and Space Forces Sergei Vladimirovich Surovikin, the Commander of the Eastern Military District Aleksandr Yuryovich Chayko, the Chief of Staff Yevgeny Nikiforov and his deputies Sergei Sevryukov and Mikhail Nosulev, the Commander of the 11th Army of Military Air Forces and Anti-Aircraft Forces of the Eastern Military District Vladimir Kravchenko, and the Chief of Staff V. Demidov.

2660. The witness V.V.K., the head of the education department of the Malyn City Council, reported that as a result of Russian shelling on 8 and 16 March 2022, kindergarten no. 5 and school no. 5 had sustained damage.

2661. The victim V.V.O., a resident of Yurivka village in Malyn district, stated that on 8 March 2022 his wife, N.M.O., born in 1981, and two children, I.V.O., born in 2002, and V.V.O., born in 2007, along with two grandchildren, D.A.D., born in 2021, and N.A.D., born in 2021, had been killed as a result of an air strike. His house at 20 Vyshneva St. in Yurivka, as well as all his family's property, had been completely destroyed. He stated that the destruction and the death of his family members had been caused by two high-explosive bombs dropped from an aircraft.

2662. The victims V.Y.K. and R.P.K., residents of Yurivka, stated that at about 7-8 p.m. on 8 March 2022 they had heard a loud sound of an aircraft over the village, followed by explosions shortly thereafter. Private property of both victims had been damaged as a result of the attack. The victim V.Y.K. also added that the house at 20 Vyshneva St. had been destroyed and the entire family – a woman, two children and two grandchildren – had been killed.

C. The Vinnytsya Region

Investigation into an attack on Vinnytsya city centre on 14 July 2022 (criminal proceedings no. 22022020000000128 initiated on 14 July 2022)

2663. This piece of evidence was a notification of suspicion of 8 July 2023 issued against I.O., the then commander of the Russian Black Sea Fleet. He was notified of a suspicion of him “giving orders in violation of the laws and customs of war resulting in murder” under Article 438 § 2 of the Criminal Code of Ukraine.

2664. Mr O. was appointed a commander of the Russian Black Sea Fleet on 3 May 2019. Because of his position, all Black Sea navy vessels and personnel reported to him, while he was personally liable for the operations of the forces under his command. According to the notification of suspicion, between 24 February and 10 August 2022 Mr O. had knowingly organised the fulfilment of unlawful orders of Russia's political leadership by giving his subordinates orders to invade Ukraine and to systematically shell its civilian infrastructure with 3M-14 Kalibr cruise missiles.

2665. A more specific incident was alleged to have occurred in July 2022. According to the notification of suspicion, at the beginning of July 2022 the Ukrainian Air Forces decided to hold a video conference with different companies to discuss potential improvements and innovations. It was decided to hold it at 10 a.m. on 14 July 2022 in a cultural centre, known as the “officers' house”, located on 60 Kotsyubynskoho Avenue in Vinnytsya. It was established by the investigation that that information had become known to Russian intelligence and that Mr O. had been put in charge of disrupting

this event by any means. He was aware that the cultural centre was a civilian building normally used for concerts, and that it was located in the centre of Vinnytsya. The premises of the building were also used as offices by multiple NGOs and social organisations, banks, shops, and study clubs, and there were many other residential, religious, medical, educational, cultural and other civilian buildings in close proximity. Therefore, it was evident that during working hours there would be many civilian people around.

2666. Mr O. decided to target the “officers’ house” with four Kalibr missiles, each bearing a warhead of 500 kilograms and having a range of 1,400-2,500 kilometres. He then gave an order to an unidentified commander of a “Buyan” class corvette, bearing four to eight Kalibr missiles, that in the morning of 14 July 2022 his vessel would be around Cape Fiolent in the south of Crimea. No later than at 10 a.m. that day Mr O. gave an order to launch four missiles at the cultural centre in Vinnytsya.

2667. As a result, on 14 July 2022 at 10.41 a.m. three Kalibr missiles hit the cultural centre and a nearby car park; a fourth missile was shot down by Ukrainian air defence. The strike resulted in twenty-nine deaths, including three children and five servicemen. 154 persons were left injured, of whom twelve were members of the Ukrainian Armed Forces. Thirty-five buildings, twenty-three enterprises, sixty-four private vehicles, and three items of public transport – two trams, a trolleybus, and a bus – were left damaged or destroyed.

D. The Lviv Region

Investigation into the shelling of the Lviv region on 18 April 2022 (criminal proceedings no. 22022140000000054 initiated on 18 April 2022)

2668. This case concerned a missile attack on Lviv that had taken place at around 8.30 a.m. on 18 April 2022. The case file included an extract from the URPI and four records of victim questioning. The extract specified that the attack had targeted a building located at 154-B Shevchenka Street in Lviv. According to initial estimations, four persons were killed, and damage was caused to buildings and private cars.

2669. The first victim, I.I.N., a Ukrainian national and a resident of Lviv, testified that her husband, Y.O.K., had been the manager of the Avtoshans car repair shop located at 154-B Shevchenka Street in Lviv. On 18 April 2022 he left for work at around 7.40 a.m. At 8.29 a.m. her husband called her, and they talked for one minute, after which the connection was lost. After unsuccessfully trying to reach her husband, she called the wife of her husband’s colleague, who told the victim that her husband had been killed. On the next day the victim was invited to a morgue by an SBU officer, where she identified her husband’s body.

2670. The second victim, I.M.F., a Ukrainian national and a resident of Lviv, testified that her husband, I.M.F., had been a sales manager at Avtoshans. On 18 April 2022 he had left for work at around 7.40 a.m. At around 8.20 a.m. the victim was at her workplace in Lviv when she heard a loud missile explosion. She found out that the target had been her husband's work and went there. On arrival she was informed that her husband had been one of the four people killed in the attack.

2671. The third victim, M.I.B., a Ukrainian national and a resident of Lviv, testified that her husband, R.R.B., had been a founder and director of another car repair shop that rented some premises at Avtoshans. On 18 April 2022 the victim had heard an air raid siren at around 8 a.m. Her husband then called her and asked her to hide in a basement, which she did. Later, at 8.30 a.m. the victim found out about the missile attack in the Shevchenkivskyi district of Lviv, where her husband had worked. She tried to call him but could not reach him. She then asked her neighbour to take her to I.'s place of work. They arrived there at around 10.30-11 a.m., as on the way they had been forced to stop and hide following another air raid siren. Upon arrival at Avtoshans she saw a fire and was told that her husband had been killed. She was able to come closer to the fire and recognised her husband's body by a familiar chain on his neck.

2672. The fourth victim, M.V.B., a Ukrainian national and a resident of Chervonohrad, testified that her son, Y.A.B., had worked at Avtoshans. In the morning of 18 April 2022 he had left for work. At around 9 a.m. the victim saw in the media that a car repair shop in Lviv had been attacked by a missile. She tried to call her son but could not reach him. Later the victim's husband called her and said that their son had been killed during the attack. Following this, they both travelled to Lviv and found that the building of Avtoshans had been destroyed. However, they could not find their son's body there. On the next day, 19 April 2022, they picked his body up from a morgue in Lviv.

E. The Luhansk Region

1. Investigation into the detention and ill-treatment of an elderly civilian in Sverdlovsk from October 2014 to January 2015 (criminal proceedings no. 2201500000000234 initiated on 14 August 2015)

2673. The evidence at hand was the record of questioning of a victim, V.V.P., of 25 August 2016. The victim, a pensioner residing in Sverdlovsk, in the Luhansk Region, had been kept in pro-Russian forces' captivity from 22 October 2014 until 25 January 2015. He was detained in a deserted mine in Sverdlovsk. While in detention, he had to use the toilet in the room where he and other people were being held. That created a terrible stench in the room. Prisoners also had no opportunity to wash themselves. The victim witnessed a Ukrainian serviceman (an intelligence officer) being beaten by men speaking Russian with a Moscow accent.

2. Investigations into long-distance shellings of the Luhansk Region in March-May 2022

(a) Investigation into the shelling of the village of Pryvillya on 7 May 2022 (criminal proceedings no. 12022131240000179 initiated on 2 March 2022, episode no. 12022131240000424)

2674. This piece of evidence was the record of questioning of a victim, V.A.S., on 23 and 25 May 2022. The victim was a resident of the village of Pryvillya, near Sievierodonetsk in the Luhansk Region. She lived with her partner S., her 12-year-old daughter R., and her eight-year-old granddaughter Y.. The victim said that the first days of the full-scale invasion had been relatively calm in their area, but since the middle of March 2022 the village had regularly been shelled. During one such incident, on 18 April 2022, the victim's apartment building had been hit by shelling. The attack also caused the breakage of most windows in the area.

2675. At around 1-2 p.m. on 7 May 2022 the victim had lunch with her family. After lunch, they decided to go down to the basement of their apartment building. As soon as her daughter R. had exited the building, the victim heard the sound of an explosion nearby. The victim and her neighbours ran outside and found R. lying on the ground injured with blood on her head. She could breathe although she had epileptic foam around her mouth. Two of the victim's nephews, 11-year-old H. and 14-year-old Y., were also on the ground with their heads injured and covered in blood; they displayed no signs of life. The victim's granddaughter Y. suffered injuries to different parts of her body. The victim's mother, 69-year-old N., also had shrapnel injuries to her head, arms, and torso.

2676. The Ukrainian military helped the victim take her relatives to a hospital in Lysychansk. From Lysychansk they were sent to another hospital in Bakhmut, and from there to a specialised children's hospital in Dnipro. On 22 May 2022 the victim's daughter R. died in the hospital. She had surgery there but never emerged from a coma. The victim's mother and granddaughter also underwent surgery and recovered.

2677. On 23 May 2022 the victim was invited to a morgue at the Dnipro hospital to identify the bodies of two boys from her village who had been taken to the morgue on 13 May 2022. The victim identified H. and Y., who had been killed by the same strike as her daughter. On the next day, 24 May 2022, the victim received the bodies of R., H. and Y. for their burial.

(b) Investigation into the shelling of Rubizhne in March 2022 (criminal proceedings no. 12022131530000081 initiated on 8 March 2022, episode no. 12022131330000552)

2678. This piece of evidence was a letter from the Prosecutor's Office of the Luhansk Region of 28 August 2023. It concerned the shelling of Rubizhne in the Luhansk Region by the "LPR" in March 2022. The letter stated that ten children had been injured as a result, including one child, 12-year-old D.R.,

who had suffered injuries to his torso from a shrapnel fragment and had been hospitalised. The type and cause of his injury was confirmed by a forensic examination.

(c) Investigation into the Russian shelling of Sievierodonetsk on 12 March 2022 (criminal proceedings no. 42022130000000023 initiated on 28 February 2022, episode no. 12022131370000310)

2679. This piece of evidence was a letter from the Prosecutor's Office of the Luhansk Region of 28 August 2023. It concerned the shelling of Sievierodonetsk, in the Luhansk Region, by Russian forces on 12 March 2022. The letter stated that the shelling had caused civilian deaths, left two-year-old M.K. injured, and damaged administrative and apartment buildings and private vehicles.

2680. There was also a letter from unit A0418 of the Ukrainian Armed Forces attached to the prosecutor's letter. According to it, there had been several Russian units based around Sievierodonetsk at the relevant time, including the 57th separate motorised rifle brigade and the 103rd motorised rifle regiment of the Russian Armed Forces.

F. The Dnipropetrovsk Region

Investigations into strikes at residential and transport infrastructure in the town of Chaplyne on 24 August 2022

(a) Record of inspection of the scene of 25 August 2022 (criminal proceedings no. 220220400000000203 initiated on 24 August 2022)

2681. During the inspection, it was revealed that a missile strike, which had been carried out on 24 August 2022 by the forces of the Russian Federation approximately from the south-east, had completely destroyed a residential building and adjacent buildings at Suvorov St. in Chaplyne, Synelnykove district.

2682. As a result of the strike a child born in 2011 was killed. His body was sent for forensic examination to the village of Vasylykivka in the Dnipropetrovsk Region the same day.

(b) Certificate of the results of the work of military specialists of the Interdepartmental Working Group of the Office of the Prosecutor General of Ukraine of 22 September 2022 (criminal proceedings no. 42022042030000026 initiated on 24 August 2022)

2683. Another strike on the same day hit a railway track. Five passenger coaches and one civilian car were destroyed.

2684. From the structure of the material of the fragments found at the scene, their shape and their specific colour, the specialists concluded that the strike had most likely been carried out by the 9M723 missile of an Iskander-M

operational-tactical missile system. It was considered likely that the strike had been performed by sub-units of the 12th rocket brigade of the 58th Combined Arms Army of the Southern Military District of the Russian Armed Forces.

G. The Zaporizhzhya Region

1. Investigations into abductions, ill-treatment, and looting by Russian forces in the Zaporizhzhya Region in March-September 2022

(a) Investigation into the abduction of civilians in Velyka Bilozerka by Russian forces on 20 June 2022 (criminal proceedings no. 12022091010000854 initiated on 21 June 2022)

2685. This case file included a record of questioning of victim N.A.K. of 19 August 2022, a record of questioning of victim O.V.K. of 22 August 2022, and a witness statement of O.O.K. of 18 August 2022.

2686. The victims, residents of Velyka Bilozerka in the Zaporizhzhya Region, stated that they had been kidnapped by the Russian military on 20 June 2022. According to the victims, the village of Velyka Bilozerka had been occupied by Russian forces on 25 February 2022. The victims were a couple; N.A.K. worked at a kindergarten in Nova Bilozerka, and her husband, O.V.K., was an entrepreneur trading in construction materials. They had been members of the local city council from 2017 to 2020.

2687. The victims reported that on approximately 13 June 2022 O.V.K. had visited Ukrainian-controlled Zaporizhzhya. On his way back to the Russian-controlled Velyka Bilozerka, he brought humanitarian aid, which included Ukrainian pension payments for two months. The victims claimed that they had not been aware that the boxes contained pensions for Velyka Bilozerka pensioners.

2688. Following these events, at 3.30 a.m. on 20 June 2022 around ten armed persons in uniform and with chevrons of the Russian FSB entered the victims' apartment by breaking the door. They immediately hit O.V.K. and started to interrogate N.A.K. They took N.A.K. to her shop, where they found a red and black flag, a yellow and blue flag, and papers with tridents on them. The Russian military accused the victims of possessing Nazi symbols. The Russian servicemen then took N.A.K. to a garage in another city, which she thought had been Dniprorudne, interrogated her, and threatened to cut off her husband's fingers or hand.

2689. The victim said that the interrogators had locked her up in inhumane conditions in the garage, leaving her only a two-litre bottle of water. There was junk and rubbish around, a broken chair, no bed and no toilet. She received a piece of bread with pâté to eat and was allowed to have five-minute walks two or three times a day. She was not allowed to call anyone, including family members. The victim further stated that on 29 July 2022, after forty days of her detention, the same FSB officers came back, tied her hands with plastic clamps, put a bag on her head, took her to an unknown destination,

and after forty minutes brought her to her apartment. The Russian officers threatened the victim and ordered that she leave the “territory of the Russian Federation” immediately. She and her family arrived at Zaporizhzhya at 11 p.m. the same day.

2690. O.V.K. confirmed the same sequence of events. He further stated that in his apartment the interrogators had hit him repeatedly and threatened to cut off his ear and knock out his teeth. After that, they took him to another garage in Dniprorudne, further interrogated him, connected two bare wires to his thumb, and administered electric shocks to him. He likewise spent forty days detained in a garage, sometimes also together with other people, but never with his wife.

2691. The victims’ daughter, a resident of Ladyzhyn in the Vinnytsya Region, testified that her mother had called her brother, a resident of Ivano-Frankivsk, during the night of 20 June 2022, when Russian officers had broken into the victims’ apartment. Together with her brother, she had started searching for their disappeared parents by contacting Ukrainian and Russian authorities. Through their uncle, who had contacted the local “military commandant’s office” in Russian-controlled Enerhodar in the Zaporizhzhya Region, they found out that their parents were in captivity. The witness had seen her parents again in Zaporizhzhya on 29 July 2022.

(b) Investigation into the abduction and ill-treatment of civilians in Chernihivka in May and June 2022 by Russian forces (criminal proceedings no. 22023080000000780 initiated on 15 May 2023)

2692. This evidence was a bill of indictment of 7 June 2023 filed against A.E.E., a lieutenant colonel and a Rosgvardiya battalion commander, for violating the laws and customs of war. According to the bill of indictment, since 26 February 2022 A.E.E. had been a “military commandant” of the village of Chernihivka in the Zaporizhzhya Region. He was accused of abducting a civilian, S.Yu.A., at a Russian checkpoint in the Berdiansk district on 2 May 2022. S.Yu.A. was ill-treated in detention and released on 21 May 2022. Mr E. was also accused of abducting, ill-treating, and detaining I.I.O., a civilian and a priest of the St Illia Church of the UOC in Chernihivka. I.I.O. was abducted on 11 May 2022 from his church and stayed in detention until 19 May 2022. Lastly, Mr E. was accused of abducting, ill-treating and detaining a civilian, O.V.K., the deputy head of a local firefighting squad. O.V.K. was abducted from his office on 27 May 2022 and stayed in detention until 4 June 2022. The indictment stated that all three abductees had been beaten and threatened with execution by Mr E. and his subordinates on multiple occasions.

(c) Records of questioning of victims and witnesses

2693. This set of evidence was collected from victims of abduction, ill-treatment and looting by Russian forces between March and September 2022 in various Russian-controlled areas of the Zaporizhzhya Region.

(i) Record of questioning of victim V.V.K. of 15 July 2022 (criminal proceedings no. 2202208000000020 initiated on 28 February 2022)

2694. The victim was a resident of the village of Franko in the Polohiv district. He stated that on 2 March 2022 the village had been occupied by Russians. On that day, he had seen 150 Russian military vehicles in Franko, including tanks, Grad MLRSs, and armoured personnel carriers. On 3 March 2022 he witnessed Grads firing shells from Franko towards Tokmak and the village of Omelnyk. Subsequently, on 25 March 2022 three Russian soldiers broke into the victim's house and searched it. They found and seized his Sauer hunting rifle. On 8 April 2022 another group of Russian servicemen came to the victim's house, made him kneel, and interrogated him while shooting at the ground around him and threatening to execute him. They requested his weapon, but the victim said that it had already been seized.

(ii) Record of questioning of victim Y.V.S. of 4 January 2023 (criminal proceedings no. 12022080600000172 initiated on 17 March 2022)

2695. The victim was a local councillor in the village of Mykhailivka in the Vasylivka district. He stated that Russian forces had entered the village on 25 or 26 February 2022. According to the victim, until July 2022 he and other councillors had continued working at the council, mostly dealing with humanitarian aid issues. During this period, they would occasionally be urged by the Russian forces to cooperate.

2696. The victim stated that on 19 July 2022 approximately seven Russian servicemen had broken into his house. They locked the victim's wife in a separate room, handcuffed him, and threw him on the floor while kicking and hitting him with a rifle butt. After this, they searched the victim's house and seized his mobile phone, wallet, documents, computer and car keys. Next, they questioned the victim about his connections with the SBU while hitting him with their fists, covered in gloves with hard pads on them. Then they blindfolded the victim, put him into a car, and drove away.

2697. The victim was taken to a garage where four other men had already been detained. On 20 July 2022 the victim was questioned again about his connections with the SBU, but this time he was also tortured with electricity. After this he was put back in the garage. In the evening, four Russian security guards, whom the victim believed to have come from Dagestan, broke into the garage and started beating the victim and other inmates. After this, they gave the victim a sheet of paper and told him to write his "explanations". He

wrote that he had no connections with the SBU and had not cooperated with the Ukrainian authorities.

2698. On 22 July 2022 the Russian servicemen once again tortured the victim with electricity and interrogated him about his mobile phone contacts. On 1 August 2022 the victim underwent another interrogation in relation to a bulletproof vest and a Starlink terminal which the Russian servicemen had found at his home. They then beat the victim with a baton and hit his head against the wall on several occasions. The victim collapsed and woke up later in his own blood.

2699. On 8 August 2022 the victim was blindfolded and driven away in a car. After a fifteen-minute drive he arrived in a building, where he was interrogated by a female Russian investigator. Although he was not ill-treated there, a man who had been present warned the victim that should he give wrong answers he would be tortured with electricity again. According to the victim, after twenty or twenty-five minutes he was taken back to the garage.

2700. On 21 August 2022 the victim was blindfolded again and driven to Melitopol. There he was placed in solitary confinement at a local police department. On the fourth day of his detention in Melitopol, the victim was again interrogated and beaten by the Russian military. Two days later, the victim had a gout pain and was examined by a doctor.

2701. On 19 September 2022 the victim was taken to an office within the police department, where Russian servicemen urged him to cooperate. He was filmed and forced to sign cooperation papers. On 25 September 2022 the victim was blindfolded and driven away in a car. On arrival, the victim found himself near the town of Vasylivka, where a Russian soldier told him that he was being “deported from Russia”. He was then driven by another car to an Epicentr store near Kamyanske, where he underwent a filtration process. On the same day he reached Zaporizhzhya, where he stayed as an IDP.

(iii) Record of questioning of victim O.V.K. of 21 July 2022 (criminal proceedings no. 22022080000000549 initiated on 18 May 2022)

2702. The victim worked as a firefighter at the State Emergency Service in Chernihivka. After his head of division had left, the victim had taken over the leadership and had eleven people under his command. The victim stated that Russian forces had taken control of Chernihivka at some point before 26 May 2022. On 26 May 2022 the self-proclaimed mayor of Chernihivka had called the victim and asked for information about the division’s decision about cooperation with Russia.

2703. Following the refusal of the division’s personnel to cooperate with Russia, on 27 May 2022 the victim was abducted and placed in a garage. The victim recalled being interrogated once and beaten twice, up to the point of his ears bleeding. He stated that there had been other detained people in three garages. The victim recalled among the detainees a Ukrainian serviceman’s father, who had been detained for fifty-eight days.

2704. While in detention, the victim was threatened that if he made any attempt to leave the occupied territory, he would “simply disappear at a Russian checkpoint”. The commandant threatened the victim by saying “I will shoot you if you do not make a confession that you will work for the Russian Federation”. In addition, the commandant’s subordinates forced the detainees to say on camera that they refused to work for Ukraine. The victim was released on 4 June 2022.

2705. The victim managed to escape to Ukraine-controlled Zaporizhzhya a few days after his release. He said that his parents had been interrogated following his escape. According to his statement, the occupying forces had taken the keys to his apartment and on 18 July 2022 they had moved some people into his apartment.

(d) Investigation into ill-treatment of Ukrainian POWs in April 2022 by Russian forces (criminal proceedings no. 4202200000000468 initiated on 15 April 2022)

2706. This evidence was a notification of suspicion of 6 June 2023 issued against K.Yu., a Rosgvardiya captain, for “ill-treatment of a prisoner of war”. According to this document, Mr Yu. was one of the commanders of the Rosgvardiya unit no. 5389. Between 5 and 7 April 2022 he had been supervising construction work carried out by Ukrainian POWs on a road between Enerhodar and Vasylivka in the Zaporizhzhya region. Around 10 or 11 a.m. on one of those days he approached a Ukrainian POW, V.P.. When the latter replied to him in Ukrainian, Mr Yu. got angry and ordered him to use the Russian language, but Mr P. continued speaking Ukrainian. Then Mr Yu. took him to a nearby building, ordered him to face a wall, following which he shot at Mr P.’s right knee joint with his pistol. Following this, Mr Yu. aimed at Mr P.’s head and ordered him to recite a poem by Alexander Pushkin, a Russian poet. Mr P. could not remember any, so Mr Yu. fired shots close to his head. Upon returning to supervise the work, Mr Yu. threatened the other Ukrainian POWs with even harsher consequences if they did not use the Russian language.

2. *Investigation into the shelling and storming of the Zaporizhzhya Nuclear Power Plant on 3 and 4 March 2022 (criminal proceedings no. 2202208000000036 initiated on 4 March 2022)*

2707. This piece of evidence was a letter from the Security Service of Ukraine of 28 March 2023 addressed to the Agent of the Ukrainian Government before the European Court of Human Rights. According to the letter, from 3 March 2022 to 4 March 2022 Russian forces had shelled and stormed one of the units of the Zaporizhzhya Nuclear Power Plant. The suspects were the Deputy Head of the Chief Department of Rosgvardiya in the Krasnodar Region, O.Y.D., the Head of the Department for Protection of Important State Facilities in the Siberian district of Rosgvardiya, S.M.D., the

commander of the 22nd Separate Operative Brigade “Cobra” of the North-Caucasus District of Rosgvardiya, Y.M.L., the commander of the Department for Protection of Important State Facilities in the Privolzhskiy district of Rosgvardiya, O.O.R., and the commander of the Separate Battalion of the Department of the Rosgvardiya in the Republic of Dagestan, M.A.A..

3. *Investigation into Russian shooting at civilian evacuees along the Kamyanske-Stepnohirsk road on 16 March 2022 (criminal proceedings no. 22022080000000069 initiated on 16 March 2022)*

2708. This case file contained two records of victim questioning of 5 April 2022. The first victim, V.D.V., was a resident of the village of Sartana near Mariupol. He said that after the first days of the full-scale invasion he, his aunt and his uncle had fled to Mariupol. During his stay in Mariupol, until 16 March 2022, the victim had witnessed shelling of civilian quarters, a car park, and hospital no. 3. On 16 March 2022 he and his relatives decided to evacuate in the second victim’s car together with an evacuation convoy of around 500 other cars moving along the route Mariupol-Berdiansk-Tokmak-Vasylivka-Zaporizhzhya. The victim said that they had passed eight Russian checkpoints without incidents. However, as they were reaching the first Ukrainian checkpoint just outside Kamyanske near the village of Stepnohirsk, around twenty-nine kilometres from Zaporizhzhya, their column had come under mortar shelling from the Russian positions behind them. One of the shells fell around half a metre from their car, setting it on fire. All passengers in the car received shell injuries, were picked up by an ambulance, and were taken to hospital no. 5 in Zaporizhzhya. The victim said that he had had fragments of shells removed from his skull, with one fragment remaining there. Another fragment went right through his left arm. On 1 April 2022 he and the other passengers of the same car were taken to Lviv for further treatment.

2709. The second victim, T.A.K., was also a resident of Sartana, where she had lived with her husband and their two-year-old son A.. On 25 February 2022 they had fled to Mariupol. During her stay in the city, until 16 March 2022, the victim witnessed shelling and bombing of civilian quarters, a car park, the Azovstal plant, and hospital no. 3. The second victim corroborated the first victim’s account of their evacuation of 16 March 2022. She added that the Russian mortar attack had caused her injuries from which she had collapsed owing to loss of blood, while her husband had suffered a concussion. The victim’s son had been injured by multiple shell fragments to his head, face, arms, legs and torso. In Zaporizhzhya he had surgery to remove a part of his intestine. From 1 April 2022 the victim’s son received further treatment in Lviv.

H. The Sumy Region

Investigation into the killing of a civilian in Chupakhivka, in the Okhtyrka district, on 28 February 2022 by a Russian soldier (criminal proceedings no. 22022101110000114 initiated on 4 May 2022)

2710. The evidence at hand was a judgment of the Solomyanskyi District Court of Kyiv of 23 May 2022. By this judgment, V.Ye.Sh., the commander of the squad section of the military unit 32010 of the Fourth Tank Kantemirivska Division of the Moscow Region, was convicted of violating the laws and customs of war in connection with his killing of O.F.Sh., a Ukrainian civilian. The Solomyanskyi District Court of Kyiv established that on 28 February 2022 Mr Sh. and four other men from his unit had seized two civilian cars in order to flee to Russia. As they had been driving through Chupakhivka, Sumy Region, they saw the victim riding his bicycle and talking on a mobile phone. The defendant and his counterparts thought that the victim might inform the Ukrainian Armed Forces of their whereabouts. The defendant then received an order to shoot the victim and fulfilled it by firing three or four bullets to the victim's head.

2711. Later, the defendant and his counterparts were ambushed by local hunters. They surrendered to the Ukrainian police on 1 March 2022. The defendant pleaded partially guilty during the trial, saying that he had acted upon a senior's order to save their lives. He was sentenced to life imprisonment.

I. The Kherson Region

1. Investigation into the abduction and ill-treatment of a civilian in Lazurne in March and April 2022 (criminal proceedings no. 22012160000000188 initiated on 28 June 2022)

2712. This evidence was a record of questioning of the victim M.I.B. of 12 September 2022. The victim used to be the head of the Bekhtery territorial community in the Skadovsk district of the Kherson Region. He had heard that at the end of February 2022 Russian forces had plundered a border outpost at Zaliznyi Port with the assistance of its former Ukrainian head L.T.T. At the end of March 2022, the victim had been invited to a meeting with Russian representatives in Zaliznyi Port. The meeting was arranged by S., a major in the Russian army, who requested that the victim and others participate in the delivery of Russian humanitarian aid to their communities while being filmed by Russian television. Two days later the victim, who had not delivered the aid, went for another meeting with S., during which the victim was abducted by Russian military and taken to Lazurne. There he was put in a basement in the Chaika sanatorium, interrogated and beaten. He was mainly questioned

about any cooperation with the SBU and pressured to cooperate with Russian authorities. After being ill-treated, having had his ribs broken, the victim agreed. At the end of April 2022 the victim was told that he would be officially appointed the head of his community under Russian law. He then decided to flee, and on 8 May 2022 he evacuated to the Odesa region by car.

2. Bills of indictment

2713. This set of evidence included bills of indictment issued against Russian servicemen for instances of alleged abduction, ill-treatment, rape, killing, theft, and dispersal of peaceful protests in the Kherson Region in the period between February and November 2022.

(a) Investigation into the violent dispersal of a peaceful assembly in Nova Kakhovka of 6 March 2022 (criminal proceedings no. 42022230000000035 initiated on 6 March 2022)

2714. This bill of indictment against V.A.A. dated 5 May 2023 concerned the violent dispersal of a peaceful assembly in support of the territorial integrity of Ukraine in Nova Kakhovka, Kherson Region, by Rosgvardiya servicemen.

2715. According to the indictment, at the time of the events Mr A. was the commander of the 378th separate operational battalion of the Southern District of Rosgvardiya. During the pre-trial investigation, it was established that at about 11 a.m. on 26 March 2022 V.A.A. and armed formations of the Russian Federation under his responsibility had occupied the building of Nova Kakhovka City Council.

2716. Following the occupation, Mr A. had begun to manage the city of Nova Kakhovka with the aim of creating and establishing occupation authorities by giving orders to subordinate military personnel of the 378th separate operational battalion. He subjugated the local population and induced them to cooperate with the occupation authorities. As a result, illegal detentions, imprisonments and murders of civilians were systematically committed on the territory of Nova Kakhovka.

2717. On 6 March 2022 at about 10 a.m., residents of Nova Kakhovka gathered at 25 Pervomaiska St. in Nova Kakhovka to hold a peaceful assembly in support of the territorial integrity of Ukraine, using Ukrainian symbols. The demonstrators marched to the location of the occupation authorities and representatives of the Armed Forces of the Russian Federation along 23 Dniprovskyi Avenue. At the same time, V.A.A. ordered the dispersal of the peaceful protesters using firearms, rubber batons, stun and smoke grenades, and tear gas, even though protesters had not posed any threat. The bill of indictment stated that the peaceful protesters had been subjected to excessive and indiscriminate force and had suffered various bodily injuries, physical pain and psychological injuries. Persons not identified by the pre-trial investigation had thrown stun grenades and shot

into the crowd with firearms. The indictment mentioned three victims who had received significant injuries.

(b) Investigation into the abduction and ill-treatment of a journalist and a community head in the Kakhovka district in March and April 2022 (criminal proceedings no. 42022230000000060 initiated on 13 March 2022)

2718. According to this document of 6 January 2023, at the time of the events the first indictee, V.P.L., was the head of the so-called “Nova Kakhovka Military Administration” appointed by the Russian forces. The second indictee, V.I.M., held the position of “adviser to the head of the DPR” and managed the “Kalmius Battalion”, an illegal armed formation of the “DPR”.

2719. On 12 March 2022, while in the occupied territory of the Kakhovka district of the Kherson Region, Mr L. and Mr M. had issued an order to the Russian military personnel under their control and other unidentified persons to abduct O.I.B., a journalist of the Kherson regional newspaper *Novyi Den*, because of his pro-Ukrainian position.

2720. At 5 p.m. on 12 March 2022, military personnel of the Russian Federation who were unidentified by the pre-trial investigation, acting in compliance with the above-mentioned order, arrived in a white Ford Transit van at the bus station on Melitopolska St. in Kakhovka. Using physical force against O.I.B., they put him on the ground, handcuffed him, and put him in a vehicle.

2721. After that, Mr B. was taken to the premises of the Kakhovka District Police Department, where the unidentified military personnel searched him while threatening to kill him. They inflicted numerous blows to his legs and torso with a rifle butt. Later on, O.I.B. was handcuffed to a heat battery in a cold room on the premises and held in gruelling conditions. According to the bill of indictment, the victim had suffered injuries in the form of a non-penetrating blunt trauma to the chest with four rib fractures on the right side, which had occurred as a result of blows with blunt objects.

2722. According to the bill of indictment, on 1 April 2022 V.P.L. and V.I.M., acting jointly and by prior agreement, had decided to detain M.I.R., the mayor of Tavriisk in the Kakhovka district of the Kherson Region. On the same day, Mr L. called Mr R. and ordered him to come to the premises of Nova Kakhovka City Council. M.I.R. arrived at the premises at 2.15 p.m., and V.P.L. ordered the detention of the victim. Accordingly, the servicemen of the Russian Federation, unidentified by the pre-trial investigation, threw a bag over the head of Mr R. using physical force, put him in a car, and took him to the Kakhovka District Police Department. From 1 to 3 April 2022, he was held in a cold room in that building, handcuffed to a heat battery, and deprived of food and water. As his condition worsened significantly, unidentified persons from among the armed formations of the Russian Federation took the victim to hospital.

(c) Investigation into the ill-treatment and abduction of a civilian, as well as theft, in Kherson in March 2022 (criminal proceedings no. 42022230000000114 initiated on 3 May 2022)

2723. This bill of indictment was issued on 9 June 2023 against Y.P.B., an officer of the 9th Department of the Operational Information Department of the 5th Service of the Russian FSB, for ordering and directly participating in the ill-treatment, detention, coercion of civilians, and threatening civilians and their relatives with deprivation of life.

2724. On 31 March 2022 Mr B. had ordered the unidentified persons from among the Russian FSB and military personnel under his command to arrest, detain and torture A.V.K. At 1 p.m. on 31 March 2022 Mr B. and persons under his command entered the apartment where the victim lived with his wife and son.

2725. Furthermore, these persons searched the apartment and seized USD 5,000 and EUR 1,000, as well as laptops, computers, cameras and a wristwatch. After that, the victim was taken by car to an unidentified room in the centre of Kherson, where he was detained from 3 p.m. to 9 p.m. on 31 March 2022. During that time, Mr K. was tied to a chair and interrogated at gunpoint, which on the orders of Y.P.B. was accompanied by constant beating with hands, feet, and a machine gun butt. The victim was beaten on his torso, head and legs, as a result of which he lost consciousness. Simulating an execution by shooting, an unidentified Russian serviceman fired two shots near the victim's head from one side, accompanying them with threats. At about 9 p.m. on 31 March 2022, after having received the consent of Mr K., under torture, to cooperate with the Russian FSB, the captors released him.

(d) Investigation into the ill-treatment and abduction of civilians, as well as theft, in the Kherson Region in April-November 2022 (criminal proceedings no. 42023230000000118 initiated on 28 February 2023)

2726. According to this bill of indictment of 30 March 2023, in April-May 2022 O.H.Y., M.Y.H., A.A.K., O.L.S., O.S.S., D.V.N., S.S.S., O.L.U. and D.O.L. had created an armed formation not authorised by Ukrainian law by analogy with the FSB of the Russian Federation, which had received the name "State Security Service of the Kherson Region". The total number of participants in this formation had been at least seventy people.

2727. Mr Y. acted as the head and commander of the so-called "State Security Service of Kherson Region". Mr H., Mr K., Mr S., Mr S., Mr N., Mr S. and Mr U. voluntarily entered the armed group as "criminal investigators", "security officers", and "heads of department". They detained Ukrainian citizens, including pro-Ukrainian activists and opponents of the occupation authorities, to whom they applied extrajudicial repressions and torture. In addition, they committed pillage, extorting money in exchange for the release of unlawfully detained people.

2728. In May-July 2022 the armed group seized and robbed civilians and civilian businesses, including stealing UAH 2,972,915.33 from the Kherson Regional Commercial Court.

2729. According to the bill of indictment, during June-November 2022 the armed group detained people without any procedural documents, refusing to admit that there had been any such deprivation of liberty or to report on the fate of the people concerned or the place where they were being held. Thirty-two such victims were specified in the indictment. The victims were handcuffed and placed in the cells of a pre-prepared torture chamber in the basement of a captured office building at 15 Pylyp Orlyk St. in Kherson. The victims received injuries of varying severity through electric shocks, suffocation, blows from batons, punching, kicking and simulated murder with the use of firearms. The indictees also restricted food and water, and failed to provide proper medical care to the inmates.

2730. The bill of indictment provided further details about the detention and ill-treatment of a civilian, S.V.Zh. The indictees had entered his apartment in Kherson at about 4 p.m. on 3 September 2022. After that, threatening the victim with deprivation of life, they beat him in the chest with a machine gun butt, kicked him all over his body, knocked him to the floor face down, immobilised him, and wrapped a bag over his head with sticky tape. Then they searched the apartment and seized UAH 40,000 and USD 1,500 in cash, gold jewellery, computer equipment, a watch, keys, and a Skoda Octavia 5.

2731. Starting from 3 September 2022, during the first ten days of his detention, Mr Zh. was interrogated daily. During interrogations, he was fastened to a chair with plastic fasteners, with or without a bag on his head. Despite providing answers to the questions, the victim was punched, kicked, and beaten with a rubber baton all over his body and on the back of his head. The armed group forced the victim to sign some documents without allowing him to read them first. On 22 October 2022 S.V.Zh. was forcibly taken from Kherson to an unidentified garden in Kherson, where he underwent a mock execution by shooting and was left with a bag on his head, thus being released.

2732. In addition to the case of Mr Zh., the bill of indictment described numerous other incidents of detention and ill-treatment of civilians and seizure of their property. The circumstances of the other cases were similar to the case of Mr Zh.

(e) Investigation into the ill-treatment and abduction of community heads in the Henichesk district in May and June 2022 (criminal proceedings no. 42022230000000166 initiated on 25 May 2022)

2733. According to this bill of indictment of 27 March 2023, at the time of the events O.M.O. had served as the commander of the “Vyatych” 15th separate special purpose detachment of Rosgvardiya. At the beginning of

May 2022, O.M.O., being in the occupied territory of the Ivanivka territorial community of the Henichesk district, ordered the detention of O.V.D., son of the chairman of Ivanivka V.O.D., during a search at the place of his residence.

2734. Following the order of O.M.O., two unidentified servicemen of the “Vyatych” 15th separate special purpose detachment of Rosgvardiya threw a plastic bag over the head of O.V.D., depriving him of air, secured his hands behind his back with zip ties, and inflicted at least five kicks on his kidneys.

2735. After that, O.V.D. was taken to the Russian-controlled police department No. 2 in Henichesk. O.M.O. and four other Rosgvardiya servicemen punched the victim for several hours in order to force him to disclose the whereabouts of his father. After a few hours of detention and beating, O.M.O. ordered his subordinates to release O.V.D..

2736. On 22 June 2022, complying with an order of O.M.O., four Rosgvardiya servicemen arrived at the place of residence of the head of the Ukrainiske rural district of Ivanivka and detained his son, O.S.D.. They took the son to the same police department, thus forcing his father, S.M.D., to come to that building. Then, the servicemen detained S.M.D. for two hours, during which he was beaten with the butt of an automatic weapon on the shoulder blade and on the torso and given electric shocks in order to persuade him to cooperate with the Russian Federation.

(f) Investigation into the ill-treatment and abduction of the mayor of Beryslav in March and April 2022 (criminal proceedings no. 4202230000000312 initiated on 21 March 2022)

2737. According to this bill of indictment of 6 January 2023, following the Russian occupation of Nova Kakhovka V.P.L. had been appointed the head of the so-called “Nova Kakhovka Military-Civil Administration”. At about 11.30 a.m. on 19 March 2022 V.P.L. gave an order to the Russian military personnel under his control and other persons not identified by the pre-trial investigation to detain O.M.Sh., the mayor of Beryslav. O.M.Sh. had expressed his pro-Ukrainian position and refused to cooperate with the occupation authorities. He had not been part of any armed formations of Ukraine.

2738. On 19 March 2022, in the premises of Nova Kakhovka City Council, O.M.Sh. was handcuffed and detained by persons unidentified by the pre-trial investigation, who acted in compliance with the order of V.P.L. Subsequently, the victim was taken to the Kakhovka District Police Department, where the Russian military searched him and applied psychological violence and psychological pressure to persuade him to cooperate with the occupation authorities. O.M.Sh. remained in detention until 2 April 2022 in unsanitary conditions in a room that was not suitable for long-term residence, with limited food and water, and without proper medical care.

(g) Investigation into the rape of a civilian woman in the Beryslav district in April-August 2022 (criminal proceedings no. 12022231090000502 initiated on 8 December 2022)

2739. By this document of 30 March 2023, O.A.R., a Russian national and a member of the Russian Armed Forces, was indicted for violating the laws and customs of war in connection with his alleged rape of M.I.F., a Ukrainian civilian woman. According to the indictment, Russian forces had controlled the territory of the Beryslav district from 29 March until 10 November 2022. Around the beginning of April 2022 Mr R. offered a consensual sexual relationship to the victim, which she refused. The next day he threatened the victim in her yard in the village of Davydiv Brid that should she refuse again, she would be raped by all the other Russian soldiers. During the evening of the following day, he came to the victim's house without her consent and raped her, using his knife to threaten her. Following this, Mr R. moved into the victim's house and stayed there until August 2022. During this period, he purportedly raped the victim on a regular basis, with her minor son being an indirect witness to those events.

(h) Investigation into killings and abductions of civilians in Pravdyne in April 2022 (criminal proceedings no. 12022230000000708 initiated on 12 April 2022)

2740. According to this bill of indictment of 30 June 2023, from 11 to 12 April 2022 the head of a military unit of the Marines of the Russian Black Sea Fleet, D.Y.N., had caused the death of seven civilians, including one minor, by shooting with an automatic weapon and using an explosive device in the village of Pravdyne, Kherson Region. Following that, the accused had detained three civilian residents of the village.

J. The Kyiv Region

1. Investigations into long-distance shelling of Kyiv and the Kyiv Region in February-June 2022

(a) Investigation into Russian shelling of residential buildings in Kyiv of 17 March 2022 (criminal proceedings no. 12022100080000690 initiated on 17 March 2022)

2741. This report issued by the Investigative Division of the Sviatoshynskyi District Police Department stated that on 17 March 2022 the armed forces and other agencies of the Russian Federation had launched missiles at a number of residential buildings in Kyiv. The attack also destroyed a bicycle manufacturing company and damaged a kindergarten. One person was killed and a four-year-old child sustained injuries that required treatment in the Czech Republic.

(b) Investigation into a shelling of the Kyiv television tower of 1 March 2022 (criminal proceedings no. 12022100100000740 initiated on 2 March 2022)

2742. This case file included records of questioning of witnesses dated 18 April 2022. The three witnesses, O.I.B., B.V.V., and A.M.I., were a shift engineer, a lift mechanic and an electrical engineer respectively. At approximately 5 p.m. on 1 March 2022 they had been working in the area of the Kyiv television tower when they heard three explosions a few minutes apart.

2743. They stated that as a result of the shelling the technical administration building and the structure of the television tower had been damaged. The witnesses said that there had been no objects that could be military targets located near the place of the shelling. They stated that they had only seen ten to twelve people of the Territorial Defence in the territory of the Kyiv television tower. The witnesses did not suffer any injuries, but they had heard about people being wounded and killed as a result of the attack.

(c) Reports by the Kyiv police concerning shelling of residential areas by the Russian forces in Kyiv in March-June 2022

2744. This piece of evidence contained a set of undated progress reports in a number of sets of criminal proceedings concerning alleged crimes by the Armed Forces of the Russian Federation in Kyiv from March to June 2022.

2745. Criminal proceedings no. 12022100050000480, initiated on 14 March 2022, established that at approximately 5.03 a.m. on 14 March 2022 Russian forces had fired an artillery shot, parts of which had hit a residential building at 20 Bohatyrskya St. in Kyiv. The building was damaged, two residents were killed, and other residents sustained injuries. The police conducted 144 apartment inspections, interrogated seventy-one apartment owners as victims and twenty-one as witnesses.

2746. Criminal proceedings no. 12022100070000501, initiated on 15 March 2022, established that on 15 March 2022 the Russian Armed Forces had conducted a missile attack at a ten-storey residential building at 14 Mostytska St. in Kyiv, which was a civilian object. The 140 windows of the building were damaged.

2747. Criminal proceedings no. 120022100080000672, initiated on 15 March 2022, established that at approximately 4.10 a.m. on 15 March 2022, as a result of the Russian aggression, a residential building at 9-A Chornobylska St. in Kyiv had been shelled, blowing out the windows and damaging the balconies and the façade. Four people were killed, three residents sustained injuries, and nearby cars were damaged. Additionally, the buildings at 80, 87 and 80 Kotelnikova St. were damaged as well. In particular, six apartments were completely destroyed by fire.

2748. Criminal proceedings no. 12022100070000515, initiated on 18 March 2022, established that on 16 March 2022 the Russian Armed Forces

had carried out a missile attack at civilian residential buildings at the following addresses in Kyiv: 5 Hazoprovodka St., sections 86 and 87; 1 Hazoprovodka St., section 28; Dachna St., section 197; and Soniachna St., section 164. The buildings were damaged and burned. O.V.A. received a mine-blast injury to the soft tissues of his right shin.

2749. Criminal proceedings no. 12022100070000523, initiated on 18 March 2022, established that on 18 March 2022 the Russian Armed Forces had carried out a missile attack at civilian residential buildings at 19, 22, 22-A, 23, 23-6, 24 and 26 Mezheva St. and 10, 13, 16 Svobody Avenue in Kyiv. As a result of the explosion and the explosion wave, the above-mentioned buildings were significantly damaged, one person was killed, and nineteen people sustained injuries.

2750. Criminal proceedings no. 12022100070000844, initiated on 23 March 2022, established that at approximately 7.30 a.m. on 23 March 2022 the Russian forces had caused shelling damage to civilian residential buildings at 5, 7 Estonskyi Lane, 21 Honcharova St., 86, 88, 48, 44, 34 Estonska St., 59, 61, 22, 45/1, 23/1, 23/2 and 23/3 Chernyakhovskoho St., 23-A Bezručka St., 44, 42, 37, 35, 33, 31, 31-a and 31-6 Shcherbakivskoho St., 2, 3 and 5-6 Salyutna St., the “Faina Town” residential complex, 6-7 Shcherbakova St., and 12-a Tupolieva St. Four residents were injured.

2751. Criminal proceedings no. 12022100070000485, initiated on 1 March 2022, established that the Russian forces had conducted a missile strike with the use of rocket artillery at the territory of the Troieshchyna residential area in Kyiv. It caused damage to the buildings at 1-1a, 5, 7, 7-a, 7-6, 11 and 13-6 Mykoly Lavrukhyina St. and 38 Draizera St. In addition, a pre-school and private vehicles were damaged. One person was killed.

2752. Criminal proceedings no. 22022101110000210, initiated on 26 June 2022, established that the Armed Forces of the Russian Federation had shelled a building at 13 Hlybochytska St. in Kyiv. As a result of the shelling, one person was killed, eleven residents were injured, and the building was damaged.

(d) Investigation into the shelling of a business entity in Bucha on 26 February 2022 (criminal proceedings no. 42022110000000109 initiated on 24 May 2022)

2753. The evidence was a record of questioning of O.M.T., the acting director of the limited liability company BC Region, dated 14 July 2022. He testified that the company had had a warehouse complex in Bucha. The main types of goods stored in the warehouse had been cosmetics, household chemicals, office furniture and equipment, gardening equipment, and so on.

2754. Mr T. stated that on 26 February 2022 the warehouse had been damaged. The southern wall of the warehouse and half of its western and eastern walls had collapsed. In addition, O.M.T. had become aware of two burned bodies located between the driver’s house and a large car park. The company stopped operating on the night of 27 February 2022.

(e) Investigation into a Russian artillery attack at a civilian gas station in Stoyanka on 4 March 2022 (criminal proceedings no. 42022112200000047 initiated on 6 March 2022)

2755. This case file included an extract from the URPI and two records of victim questioning of 12 and 19 May 2022. According to the extract from the URPI, on 4 March 2022 the Russian forces had launched an artillery attack at a KLO gas station in the Stoyanka village of the Bucha district, leading to the complete destruction of this “civilian infrastructure facility”.

2756. The victim, T.M.V., worked at the Avtobanservis LLC, which owned the KLO gas station. She stated that the Russian artillery attack of 4 March 2022 had resulted in the obliteration of a metal canopy, fuel dispensers and pumps, and caused extensive damage to the fuel supply pipelines. The KLO building suffered structural damage to the facade, windows and supporting structures. Additionally, the solar system on the roof was destroyed, and oil products were spilled. Moreover, all advertising structures were demolished, and utilities sustained damage.

2757. The second victim, Yu.Y.H., represented the enterprise Converse Links LLC, a retail seller of fuel, lubricants and related materials, which utilised the “KLO” network of fuel stations. He stated that during February and March 2022, owing to the hostilities, the staff of Converse Links LLC had had to evacuate the fuel station. In mid-March 2022 the victim found out through social media that Russian forces had destroyed the station with artillery shells. Once the Kyiv Region had been liberated, the irreparable destruction of the station, with all its goods, fuel and lubricants, was confirmed. According to the victim, the building, canopy, fuel dispensers and interior had all been ruined. The explosion had scattered debris, including plastic and glass, and damaged gas equipment, leading to gas leakage. According to the victim, the Russian forces’ actions had caused the burning and spilling of fuel, which had resulted in environmental harm.

(f) Investigation into Russian shelling of residential buildings in the Podilskyi district on 14 March 2022 (criminal proceedings no. 120022100070000496 initiated on 14 March 2022)

2758. This case file included a report on the progress of criminal proceedings, an extract from the URPI, and a record of questioning of the victim I.D.A. dated 20 September 2022. The proceedings established that on 14 March 2022 the Armed Forces of the Russian Federation had shelled residential buildings in the Podilskyi district of Kyiv. One person, V.I.Ch., born in 1962, had been killed and five residents had been injured as a result of the destruction of the house and shell fragments.

2759. According to the extract from the URPI, at approximately 11.13 a.m. on 14 March 2022, the emergency phone line 102 had been contacted by a resident of the building at 115/1 Kyrylivska St. in the Podilskyi

district. The resident reported that the building had been hit by a shell and the explosion wave.

2760. The victim, I.D.A., was a resident of the apartment building at 10 Kopylivska St. in the Podilskyi district. He stated that his building had been shelled at approximately 11.30 a.m. on 14 March 2022. He had heard the explosion and seen a window frame, broken glass and missile fragments fly past him. He said that he had not seen any movement of military equipment prior to the explosion. He reported that windows, the front door, furniture and wiring in his apartment had sustained damage. Although he had not been injured, he was aware that six people had been injured and one man had died as a result of the shelling.

(g) Investigation into Russian shelling of a residential dwelling in the Darnytskyi district on 15 March 2022 (criminal proceedings no. 120022100020000785 initiated on 15 March 2022)

2761. This case file included an extract from the URPI and records of questioning of witnesses M.V.Zh. and O.O.K. dated 6 and 11 April 2022 respectively. According to the extract from the URPI, at 5.30 a.m. on 15 March 2022 Russian forces had fired a missile at a house at 55 Sadova St. in the Darnytskyi district, causing pecuniary damage to Y.O.H..

2762. The witnesses testified that they had resided in neighbouring houses. O.O.K. stated that at approximately 5.05 a.m. on 15 March 2022 she had heard a loud explosion near her house. When she went outside, she noticed smoke around the house of her neighbour, Y.O.H. O.O.K. called Y.O.H, who asked her to get a spare key from the house of M.V.Zh. The witness had also called the fire department. Together with M.V.Zh., O.O.K. began extinguishing the fire. The fire department arrived at approximately 5.45 a.m. and extinguished the fire.

2763. The same sequence of events was confirmed by Mr. Zh. He said that he had seen a rocket coming from the direction of the Pivdennyi bridge in Kyiv. He further noted that he had seen remnants of the downed rocket near Mr H.'s house. The witnesses stated that there had been no objects that could have been military targets near the site of the shelling.

(h) Investigation into Russian shelling of a residential building in the Shevchenkivskyi district on 16 March 2022 (criminal proceedings no. 120022100100000825 initiated on 16 March 2022)

2764. This case file included a case progress report, a record of questioning of the victim V.M.Zh., and a letter by the Ukrainian military.

2765. According to the progress report, at about 6 a.m. on 16 March 2022 a missile of the Russian forces had hit the eleventh and twelfth floors of a residential building at 4 Bohdana Havrylyshyna St. in the Shevchenkivskyi district. During the inspection of the scene, objects resembling missile debris with the inscriptions "BVP P40 2x25 NKM-3-", "BZ №3214"

“40703080161024 45.40” “180071” “OTK 27” “504E.6101.202 4-64 24.12.2015” “Mesto UZHT Loshementa” and “Lozhennogo kryla”, as well as other unmarked debris, were found.

2766. The victim, V.M.Zh., was a resident of the neighbouring building at 6 Bohdana Havrylyshyna St. He testified that at 6 a.m. on 16 March 2022 he had heard a “whoosh” sound and then an explosion. A window in his kitchen had broken and hit him on the head, making him fall and lose consciousness.

2767. Replying to the investigator’s question as to whether there had been any objects that could have been military targets, he responded that the Petrovskoho and Elektronprylad factories and some military units had been nearby.

2768. According to the letter provided by the Ukrainian military, on 16 March 2022 Kyiv had been under a missile attack by strategic aviation planes of the Armed Forces of the Russian Federation. The debris discovered during the scene inspection of 16 March 2022 at 4 Bohdana Havrylyshyna St. came from an X-101 cruise missile. The letter specified that the X-101 cruise missile had been launched by the 121st heavy bomber aviation regiment of the 22nd Heavy Bomber Aviation Division, based in Engels and tasked with attacking Ukraine. Tu-160/Tu-95MC strategic bombers had been involved in the missile attack, performing practical launches of cruise missiles from the airspace of the Saratov and Rostov Regions of Russia.

2769. The note further listed the key Russian military personnel involved in the attack. They included S.I.K., the Commander of Long-Range Aviation of the Air Force; S.K., the Chief of Staff and the First Deputy Commander of Long-Range Aviation; O.T., the Deputy Commander of Long-Range Aviation; N.N.V., the Commander of the 22nd Heavy Bomber Aviation Division; and O.S., the Commander of the 121st heavy bomber aviation regiment of the 22nd Heavy Bomber Aviation Division.

(i) Investigation into Russian shelling of a residential building in the Darnytskyi district on 17 March 2022 (criminal proceedings no. 12002210020000807 initiated on 17 March 2022)

2770. This case file included an extract from the URPI and a record of questioning of the witness L.L.S.. According to the extract from the URPI, during the night of 17 March 2022 the Armed Forces of the Russian Federation had fired a missile at a residential building at 3-a Krushelnytska St. in the Darnytskyi district, damaging the building and killing a civilian, O.O.Sh., born in 1955. The blast wave also damaged the building of the International Relations Gymnasium no. 323.

2771. The witness, L.L.S., was a resident of an apartment in the attacked building. She stated that at the time of the explosion she had been in her apartment with her husband and daughter. At 4.36 a.m. on 17 March 2022, she had heard loud whistling and humming sounds. Approximately ten to

fifteen minutes later she saw a bright flash and heard another loud sharp noise. A missile strike hit the entire sixteenth floor of the building, and the walls supporting the panels on floors twelve to fifteen were damaged. The witness stated that she had had no information about military objects nearby and that her apartment complex had been exclusively residential.

(j) Investigation into Russian shellings of residential dwellings in the Sviatoshynskyi district on 2, 18 and 21 March 2022 (criminal proceedings no. 120022100080000691 initiated on 18 March 2022)

2772. This case file included a case progress report consisting of photos and summaries of victim questioning records. According to this document, the pre-trial investigation had established that on 2, 18 and 21 March 2022 a Russian artillery shelling had damaged and destroyed civilian houses on Sadova St. in the Sviatoshynskyi district. The police questioned fifty-one victims and three witnesses.

2773. As explained by the victim T.H.S., on 2 March 2022 she and her family had been in their house at 2 Sadova St. At approximately 10.20 a.m. they heard three or four strong explosions, followed by another one slightly later. The victim was stunned and fell, realising that the explosion had been in her backyard. The shelling damaged windows, walls and the front doors of her house.

2774. The account of T.H.S. was corroborated by the residents of neighbouring houses, which had also sustained damage. Photos of the damage and debris were attached to the case progress report.

2775. The victim O.M.Ts. stated that on 18 March 2022, as a result of the Russian aggression with the use of heavy artillery, a missile had hit the territory of his garden plot at 19 Sadova St., damaging his two-storey building and destroying his two cars. The victim A.V.T. said that he had heard explosions at approximately 4.57 p.m. on 18 March 2022. He further noted that the stress had greatly affected his physical and mental health.

2776. During the inspection of the plot of land at 19 and 20 Sadova St., a pit measuring 7.3 by 7 metres and 4 metres deep was found. A rocket marked 9M-528 “Smerch”, six missile fragments and soil samples were collected from the pit.

2777. The victim Y.A.Sh. testified that on 21 March 2022 he and his wife had been hiding in the bathroom. At that time, they heard a whistling sound followed by an explosion that made the wall of the bathroom collapse. A fire started and the front door to the house was damaged, so they could not exit immediately. When they had gone outside, they saw that the missile had hit their car, a Mercedes Vito. They doused the fire on their own. Photos of the damage and debris were attached to the case progress report. The victim testified that his family had experienced severe stress and fear, and had lost the ability to live normally, with the horror of the war having a strong impact on their physical and mental health.

2. *Investigations into deprivation of life, ill-treatment, forced labour, detention, and looting of property in Kyiv and the Kyiv Region in February-March 2022*

(a) **Investigation into an extrajudicial execution and forced labour in Hostomel in March 2022 (criminal proceedings no. 12022100080000690 initiated on 31 March 2022)**

2778. This case file included a record of witness questioning and a bill of indictment issued against two servicemen of the Armed Forces of the Russian Federation.

2779. The witness, O.I.D., was an electrician at the Hostomel animal shelter. At approximately 9 a.m. on 24 February 2022, while at work, he had heard the sound of helicopters and saw about twenty helicopters in the air.

2780. According to the witness, at about noon on 25 February 2022 several tanks and armoured personal carriers had driven up to his house in Hostomel, and sixteen Russian soldiers had entered his house. They ordered him not to move, searched his house, and left. After that, from time to time, the witness saw through his window the movement of Russian troops along the street.

2781. The witness further reported that at approximately 5 p.m. on 10 or 11 March 2022 two soldiers wearing St George ribbons and white armbands had entered the animal shelter, while three more stayed outside. The soldiers ordered him to go outside. While approaching the soldiers' vehicle, the witness saw D.R., whom he had known as a handyman at a sawmill. The soldiers' commander ordered the witness and D.R. to take backpacks and boxes with grenades and follow them. D.R. refused, citing his poor health. Then, the commander ordered a soldier to take D.R. away and shoot him. D.R. was shouting that the Ukrainian army would soon come to Hostomel and kill all Russian soldiers. The Russian soldier then shot D.R. multiple times with a Kalashnikov rifle.

2782. After that, the witness and the Russian soldiers brought backpacks and boxes with grenades to a line of trees. The commander ordered the witness to forget everything he had seen that day. Two days later, around fifty Russian military men entered the house of the witness again. The soldiers ordered the witness to hide in the cabin and not to leave. Periodically, the soldiers brought him food and water and beat him. The witness said that after a couple of days he had managed to escape. From time to time the witness passed by the place where D.R. had been shot. His body remained there until 14-15 March 2022, and then he was buried.

2783. The bill of indictment against A.I.K. and A.A.T. concerned the set of events described by the witness. The pre-trial investigation established that the direct commander of an unidentified paramilitary unit of the Russian Armed Forces, A.A.T., together with A.I.K. and other unidentified servicemen, had entered the territory of the Hostomel animal shelter on 11 March 2022 at approximately 5 p.m. They ordered two local residents,

D.F.R. and O.I.D., to transfer boxes of ammunition, weapons, and other equipment of the Armed Forces of the Russian Federation.

2784. After D.R. had refused to execute the above-mentioned order, A.A.T. ordered A.I.K. to kill D.R. In compliance with that order, A.I.K. committed the premeditated murder of Mr R. by firing several shots at Mr R.'s torso, which resulted in his immediate death.

(b) Investigation into shootings of civilians and civilian vehicles by the Russian forces in Hostomel in late February 2022

(i) *Letter from the Main Investigation Department of the National Police of Ukraine dated 7 October 2022 (criminal proceedings no. 12022100050000424 and no. 4202211230000654 initiated on 1 and 31 March 2022 respectively)*

2785. This letter was addressed to the Agent of the Ukrainian Government before the European Court of Human Rights and provided a detailed account of Russian attacks on civilian vehicles on 25 February 2022 in Hostomel, in the Bucha district of the Kyiv Region, during evacuations of civilians from that area. Annexed to the letter were excerpts from the URPI, notices of suspicion and records of victims and witness questioning.

2786. The investigation established that the attacks had resulted in deaths and injuries of civilians and damage to civilian property. This information was supported, *inter alia*, by the records of witness questioning. Below is the list of the vehicles attacked and the respective victims of the attacks.

- (a) I.M.N., the driver of a VAZ 2106, registration number AI0275EE, sustained pneumothorax and multiple gunshot wounds.
- (b) A.I.K., the driver of a Volkswagen Golf, registration number AI2548AB, sustained a gunshot wound to the left forearm.
- (c) K.V.S., the driver of a Dodge Charger, registration number KA3009CM, sustained gunshot wounds to her back and chest.
- (d) a German citizen, S.M., the driver of a Skoda Fabia, registration number BNA VV 46, sustained a gunshot wound to his head and a concussion.
- (e) a Russian citizen, K.M.G., the driver of a BMW 730, registration number AI4326HM, sustained gunshot wounds which resulted in his death.
- (f) L.V.K., born in 1961, the driver of a Renault Clio, registration number KA6440CB, sustained a mine blast trauma and multiple shrapnel wounds. The passenger in the front seat of the car, O.D.I., born in 2003, sustained a gunshot wound to his head, which resulted in his death.
- (g) P.I.Zh., the driver of a Hyundai Sonata, registration number AI3738M, sustained a shrapnel wound to the lower left limb.
- (h) Y.P.B., the driver of a Chery Tiggo, registration number CB6538AI, sustained a humerus wound.

- (i) V.M.U., the driver of a Chevrolet Aveo, registration number KA5465HT, and a front seat passenger, O.O.Z., died on the spot of gunshot wounds.
- (j) A.V.V., the driver of a Cherry VAZ-2107, registration number AA2509AT, died on the spot of gunshot wounds.

(ii) Record of questioning of the victim Y.P.B. of 13 June 2022 (criminal proceedings no. 4202211230000654 initiated on 31 March 2022)

2787. The victim was a civilian residing in the village of Desna in the Chernihiv Region. On the morning of 25 February 2022, the victim visited the military and enlistment office in Irpin with the intention to join the Ukrainian Armed Forces, only to find out that his service was not needed at the time. He was instructed to return home.

2788. On his way back to Desna, at approximately 8.30 a.m. on 25 February 2022, the victim was on the roundabout in Hostomel near the Fora store adjacent to the Bucha-Kyiv highway, also known as the “Warsaw highway”. At that time his vehicle, a Chery Tiggo, came under gunfire, resulting in damage to the car and causing it to stall. The victim sustained a gunshot wound to the bone in his right upper arm. He managed to reach the roundabout and stopped there. He then sought refuge with civilians residing near Sviato-Pokrovska St., where he received first aid. On the same day, he went to the military hospital in Irpin, where he received professional medical care, including surgery to remove the bullet.

(iii) Record of questioning of the victim L.V.K. of 8 June 2022 (criminal proceedings no. 4202211230000654 initiated on 31 March 2022)

2789. On 24 February 2022 the victim, a 61-year-old woman, and her grandson, a second-year medical student, after having attempted to pick up the victim’s disabled daughter, drove back home to Hostomel to take care of the victim’s paralysed husband.

2790. Upon reaching Shchaslyvyi Park, near the Fora store, the victim and her grandson encountered gunfire from the left side of the road. The grandson sustained fatal injuries to his eye and forehead. The victim, with a shrapnel wound to the chest and other injuries, while half-paralysed from the injury, managed to drive to a nearby location, where an ambulance was called. The ambulance took only the victim, saying that another ambulance would come for her grandson. The ensuing efforts to locate the grandson in hospitals and morgues were unsuccessful until a bystander informed the victim that her grandson had not been taken out of the car and had died.

2791. The victim’s husband stayed alone in the apartment for forty days awaiting volunteer assistance to relocate to Kyiv, which took place on 6 April 2022.

(iv) Record of questioning of the victim Yu.O.Ya. of 10 August 2022 (criminal proceedings no. 12022100050000424 initiated on 1 March 2022)

2792. The victim, a policeman from Bucha, reported that Russian servicemen had captured him and his colleague on 25 February 2022. The event occurred while they had been together in his colleague's VW Golf on the "Warsaw highway", which at the time had come under Russian gunfire.

2793. Among his captors, the victim identified three individuals who seemed to be directing the actions of others and could be associated with Russian special forces such as a special purpose police unit ("OMON") or a special rapid response unit ("SOBR"). These individuals collectively made decisions and communicated them to other subordinate servicemen who then executed the commands.

2794. The victim had first encountered these three individuals while being led to the nearby Cheskyi Dvir residential complex and the Fora store near Svyato-Pokrovska St. in Hostomel. The victim heard the servicemen actively discussing the situation, saying that they had been sent to Kyiv without reconnaissance and had come under fire, resulting in losses.

2795. Furthermore, the victim mentioned a conversation between the "first commander" and the "second commander", where the "first commander" had suggested continuing the tactic of shooting and capturing civilians. The "second commander" agreed, but the "third commander" indicated that there had been enough prisoners and advocated shooting everyone, considering all Ukrainians to be enemies. According to the victim, the unit was effectively led by the "first commander", with the "second commander" seemingly controlling and correcting the actions of the "first commander", whilst the "third commander" served as a subordinate, with a right to "vote" on decisions.

2796. The victim noted that the "first commander" had given orders over the radio, while the "second and third commanders" had issued orders to the soldiers verbally. Despite the soldiers being in a combat situation for the first time, they had followed the orders of the "commanders" in a coordinated manner. The victim emphasised that the shooting of civilians had been a direct order from those commanders, and he and his colleague had come under such shooting while in a civilian car and wearing civilian clothes.

2797. During his captivity in one of the Cheskyi Dvir townhouses, the victim had seen approximately four other detained servicemen, but no other civilians. From radio conversations the witness learned about a sniper on the second floor of the townhouse providing information about civilians' movement and awaiting commands from commanders to open fire or refrain from doing so. The victim also noted that some vehicles approaching from the direction of Bucha, Kyiv Region, had been driven by other Russian servicemen, and the "commanders" had therefore instructed the sniper to let them pass.

(v) Record of questioning of the victim I.Yu.S. of 29 August 2022 (criminal proceedings no. 12022100050000424 initiated on 1 March 2022)

2798. On the morning of 25 February 2022, the victim was travelling along the Kyiv-Kovel highway towards Kyiv in a Daewoo Matiz. In Hostomel, he was stopped by Russian servicemen, who pulled him out of the car at gunpoint. The victim was then subjected to a weapons and mobile phone check.

2799. Following the check, the victim was taken to a forest plantation to the left of his car, where he observed approximately fifty Russian servicemen and military equipment items. The victim was brought near three men in military uniforms, likely commanders or senior officers. He overheard a conversation among them, where they discussed the deployment of Russian servicemen along the Kyiv-Kovel highway, specifically on Shevchenka St. and Svyato-Pokrovska St. The person whom the victim identified as “commander no. 3” instructed the soldiers that anyone resisting should be shot immediately. The commanders also decided to shoot all vehicles moving along Shevchenka St. and Svyato-Pokrovska St. in both directions.

2800. “Commander no. 2” noticed the victim, interrogated him, and decided to let him go alive, instructing him to return to where he had come from. Simultaneously, “commander no. 3” ordered his subordinate servicemen to expel residents from the Cheskyi Dvir residential complex, converting the apartments into combat positions. “Commander no. 1” ordered personnel over the radio to shoot all vehicles passing by their positions in both directions, asserting that there were no civilians present.

2801. Regarding the military equipment observed while in captivity, the victim noted the presence of Ural trucks, Kamaz trucks, a possible APC near the Fora store, a Tigr armoured vehicle, and other unidentified vehicles such as Kamaz, MAZ, or ZIL.

(vi) Bill of indictment of 25 May 2023 (criminal proceedings no. 12022100000000843 initiated on 4 November 2022)

2802. This bill of indictment was issued against three Rosgvardiya servicemen – the officer of the command staff O.V.P. and his subordinates N.S.G. and A.S.M. The two other indictees were the Commander of the OMON of the Main Department of the Russian Ministry of Internal Affairs in the Krasnoyarsk Region, S.V.K., and his deputy S.V.V. Mr K. was believed to have supervised the actions of Mr P. and Mr V.

2803. On the morning of 25 February 2022, while at combat positions on Shevchenka St. and Svyato-Pokrovska St. in Hostomel, opposite the Cheskyi Dvir residential complex near the Fora store, Mr P., in agreement with Mr V. and Mr K., unlawfully ordered Mr G., Mr M., and other unidentified Rosgvardiya servicemen to indiscriminately attack civilian objects and

civilians by shooting at any vehicles moving along Shevchenka St. and shooting civilians.

2804. Between approximately 8.40 a.m. and 3.01 p.m. on 25 February 2022, the above-mentioned servicemen used firearms of an unspecified type to open lethal fire at eight civilian vehicles carrying civilians on Shevchenka St. in Hostomel, killing four people and injuring five more people.

2805. Between approximately 9 and 9.30 a.m. on 25 February 2022 unidentified servicemen under the command of Mr V., stationed on Svyato-Pokrovska St. in Hostomel, opened deadly fire at two civilian vehicles carrying civilians and killed three people, including one minor.

(vii) Extracts from the URPI (criminal proceedings no. 12022100050000424 initiated on 1 March 2022)

2806. In addition to information about the shooting of civilian vehicles, the extract from the URPI stated that on 3 March 2022 Russian servicemen had conducted targeted killings of the head of the Hostomel village council, Yu.P., together with I.K. and I.Z., all of whom had been civilians.

2807. The extract from the URPI also contained information on the abduction and torture of Ukrainian citizens. It specified that on 15 March 2022 Russian servicemembers had captured O.D., assistant shift commander of the Operational Coordination Centre of the Main Department of the State Emergency Service of Ukraine in the Kyiv Region, while he had been performing his official duties in evacuating civilians in Hostomel. As indicated by his wife, as of 14 May 2022 there was no contact with him. Another person, O.N., was detained by Russian servicemen on 27 March 2022 in a basement in the Hostomel area for two days and tortured with electricity.

(c) Investigation into Russian looting and ill-treatment of civilians in Buzova, in the Bucha district, in early March 2022 (criminal proceedings no. 12022141130000190 initiated on 21 March 2022)

2808. This case file included three records of victims' questioning and a judgment convicting two Russian soldiers *in absentia*.

2809. The first victim, A.V.T., was a resident of Kyiv. She said that on 24 February 2022 she had fled to the village of Buzova in the Bucha district with her two daughters, V., born in 2013, and Y., born in 2014. There they stayed in a house of her husband's cousin, Yu.O.Sh., with his family. There were four men, four women and three children in the house, including the victim and her two daughters. On 26 February 2022 they heard initial explosions near Buzova, and some of the house's windows were shattered by a shockwave. In the next two days the fighting near the village intensified and everyone spent their time hiding in the basement.

2810. At around 2 p.m. on 1 March 2022, a Russian soldier found the victim and the other inhabitants in their basement, pointed a gun at them, and

ordered them to come out. There were seven armed Russian soldiers in total: three of Buryat, two of Chechen, and two of Slavic appearance. Some of them were wearing white leg bands. The victim said they had belonged to a reconnaissance unit and their commander, of Buryat appearance, went by the callsign “Samuray”. The Russian soldiers seized everyone’s phones, two laptops, and the victim’s savings of USD 43,000. They also seized Yu.Sh.’s money and jewellery. Then “Samuray” said that he had decided to spare the civilians and ordered them to stay in the basement until his order. They spent the following two days in the basement with some Russian soldiers occasionally appearing and asking for food and water. On 3 March 2022 the Russian soldiers allowed all civilians to evacuate but warned them about a checkpoint manned by Russian paratroopers who had been shooting at every car. Then the victim and all other inhabitants evacuated in a car and safely passed one Russian checkpoint, where their cell phones were seized. The victim eventually fled to the Lviv Region, while Yu.Sh. and his family fled abroad.

2811. The second victim, V.O.T., born in 2013, was the first victim’s older daughter. She said that on the first day of the war her mother had taken her and sister L. to uncle Yu. (Yu.Sh.) in Buzova. During the first days of their stay, they had seen planes above the village and heard one of them being shot down. In the following days the electricity supply had been interrupted, and the fighting intensified. As they were hiding in a basement, they were found by Russian armed men wearing white ribbons. The men seized everyone’s phones and threw them in a waste disposal pit, where uncle Yu. later found them. The Russian soldiers asked for money and seized V.’s mother’s savings from a yellow plastic bag. After that V. and her family were told to hide in the basement, where they slept in their clothes on potato sacks. A few days later, the Russian soldiers allowed them to flee. On their way to Lviv, they stopped at a checkpoint, where soldiers checked their documents and seized everyone’s phones.

2812. The third victim, Y.O.T., born in 2014, was the first victim’s younger daughter. She corroborated the testimony of her mother and sister. She also added that the Russian-speaking armed men who had found them in the basement had taken uncle Yu. (Yu.Sh.) and his son, S., to a separate room, put them on the ground and pointed guns at them.

2813. On 17 November 2022 the Kyiv-Svyatoshynskyi District Court of the Kyiv Region convicted *in absentia* B.N.Sh. and P.A.A., both servicemen of the Russian Armed Forces, of violating the laws and customs of war in connection with their cruel treatment of Ukrainian civilians. The court established that around noon on 1 March 2022 Mr Sh., Mr A. and five other Russian servicemen had broken into a private house in the village of Buzova, beaten four male civilians sheltering there, and psychologically abused women and minor children. Mr Sh. and Mr A. had also searched the house and seized the victims’ savings of USD 60,000 and jewellery. Before leaving

the house, they had ordered the victims to stay in the basement and threatened to kill them. On 3 March 2022 the victims fled to the Lviv Region. Mr Sh. and Mr A. were sentenced to twelve years' imprisonment.

(d) Investigation into the shooting and ill-treatment of civilians in Bucha by Russian forces in March 2022 (criminal proceedings no. 42022112320000751 and no. 42022112320000998 initiated on 3 and 11 April 2022 respectively)

2814. This case file included two extracts from the URPI and a forensic psychological expert opinion with the use of a polygraph regarding V.A.L.

2815. According to the extracts from the URPI, on 18 March 2022, servicemen of the Armed Forces and other military formations of the Russian Federation had fatally shot four male civilians at Yaremchuka St. in Bucha. Mr L. was a witness to those events. Furthermore, on 29 March 2022 five servicemen of the Armed Forces of the Russian Federation had abducted V.A.L. from his house at Yaremchuka St. in Bucha and tortured him by cutting his hands with a knife, stroking his face with a knife handle, and imitating his execution. Mr L. also reported that a Russian serviceman had forced him to smell the body of a dead person.

2816. According to the forensic expert opinion, Mr L. had demonstrated psychological reactions consistent with the allegation that he had witnessed the shooting of four civilians on 18 March 2022 and that he had undergone ill-treatment on 29 March 2022.

(e) Investigation into the shooting of two civilians by Russian servicemen in Bucha on 19 March 2022 (criminal proceedings no. 42022112330001656 initiated on 10 May 2022)

2817. This case file included an extract from the URPI, three records of victim questioning, and a notification of suspicion against N.S.S. According to the extract from the URPI, at 2.10 p.m. on 19 March 2022 N.S.S., with other Russian servicemen, being between the gate and the building of a bicycle shop in Bucha, had fired at least twelve shots at the back and pelvis of civilians S.Y.M. and L.O.P. Mr M. died immediately after the shooting, and Mr P. died within a couple of hours.

2818. The victims were the wife, daughter and son-in-law of S.Y.M. His son-in-law, Y.V.A., reported that on 18 March 2022 S.Y.M. had called him and informed him that Russian servicemen had fired at the bicycle shop. On 19 March 2022 Mr A. called Mr M.'s phone number, but the phone was answered by Mr P., who told Y.V.A. that Mr M. had been killed by Russian soldiers.

2819. According to the notification of suspicion, Mr S., a Russian soldier, was a serviceman of military unit no. 46108 of the 5th Separate Guard Tank Brigade of the 2nd degree. At 2.10 p.m. on 19 March 2022, he fired at least twelve shots, killing two civilians.

(f) Investigation into the abduction and ill-treatment of a civilian by Russian soldiers in Bucha in March 2022 (criminal proceedings no. 42022112320001176 and no. 12022111050001741 initiated on 15 April and 31 May 2022 respectively)

2820. This case file included two extracts from the URPI, as well as records of questioning of two victims and one witness, all dated 16 April 2022. According to the extracts from the URPI, servicemen of the Armed Forces of the Russian Federation had violated the laws and customs of war by inflicting bodily harm on O.V.O. and unlawfully depriving him of his liberty in Bucha.

2821. As explained by the first victim, O.V.O., he had had a series of encounters with Russian servicemen, primarily led by a sergeant named N., whom the victim had later identified from open sources as a serviceman of the 64th motorised rifle brigade of the Russian Armed Forces. On 13 March 2022, Russian servicemen searched the victim's home and seized his phone after discovering his pro-Ukrainian text messages. The situation escalated, and N. contemplated killing the victim by placing him in a basement and throwing in a grenade. On 16 March 2022, when the victim had been at the house of his neighbour Yu.V.F., intoxicated Russian servicemen returned and beat the victim and Mr F. with their fists and a rifle butt.

2822. On 19 March 2022 six Russian servicemen returned to the house of Yu.V.F., blindfolded the victim, and took him to a basement, where N. interrogated him. The victim was held captive in that basement for several hours before being released later that day.

2823. The same sequence of events was confirmed by the victim's neighbour Yu.V.F. He additionally stated that the city of Bucha had been under Russian occupation from 10 until 31 March 2022.

2824. The witness L.P.F., the wife of Yu.V.F., testified that on 13 March 2022 six or seven armed Russian soldiers, wearing green military uniforms with white armbands and St George ribbons on their helmets, had attempted to enter their property in Bucha. They inspected her husband's phone, finding nothing of concern. On 16 March 2022, at around 5 p.m., Russian soldiers entered their home again and ordered Mr O. and Mr F. to leave, holding them at gunpoint. The soldiers, visibly intoxicated, collected phones from the household. On 19 March 2022 seven Russian soldiers came back, blindfolded Mr O., and took him away for interrogation. About three hours later, Mr O. returned and said that he had been detained in a basement.

(g) Investigation into theft and property damage by Russian servicemen in the village of Obukhovychi between 25 February and 31 March 2022 (criminal proceedings no. 22022101110000389 initiated on 4 October 2022)

2825. This case file included an extract from the URPI and a record of victim questioning of 20 October 2022. According to the extract from the URPI, between 25 February and 31 March 2022, Russian servicemen had

stolen property belonging to N.A.S. at 36 Shliakhova St. in the village of Obukhovychi in the Vyshhorod district.

2826. According to the record of victim questioning of 20 October 2022, from 24 February until 1 April 2022 the victim had resided with her sister at Shevchenka St. in Obukhovychi. Upon returning home to 36 Shliakhova St. on 1 April 2022, she was informed by her neighbour that Russian servicemen, including someone named V.A.N., had occupied her house. She discovered that several items had been stolen from her house, including household appliances, tools, medicines, seeds, and other valuables. Additionally, the Russian servicemen had vandalised her property by digging a trench in the yard, destroying her flower garden, damaging the house's interior, consuming food supplies, using the victim's firewood for heating, and smoking indoors. They had also vandalised the stove, walls and doors, causing extensive damage to the property.

(h) Investigation into shooting at civilians and civilian vehicles by Russian forces in Irpin of 5 and 6 March 2022 (criminal proceedings no. 1202200000000278 initiated on 6 April 2022)

2827. This piece of evidence was a letter from the National Police of Ukraine of 16 March 2023 addressed to the Agent of the Ukrainian Government before the European Court of Human Rights. According to the letter, on 5 and 6 March 2022 Russian servicemen had opened fire at ten civilian vehicles at Nezalezhnosti and O. Koshovoho St. in Irpin, killing nine civilians and injuring twelve others. Fire had been opened by the servicemen of the 173rd Separate Intelligence Battalion and the 137th Guards Airborne Regiment of the 106th Guards Airborne Division of the Russian Armed Forces. The National Police of Ukraine issued notices of suspicion of shooting civilians to three Russian servicemen: S.A.S., V.O.B. and G.A.B.

(i) Judgment of the Irpin City Court of the Kyiv Region of 12 May 2023 (criminal proceedings no. 42022112320001194 initiated on 17 April 2022)

2828. By this judgment, the Irpin City Court of the Kyiv Region convicted *in absentia* nine servicemen of the Russian Armed Forces: V.A.K., M.A.K., V.A.L., S.K.M., G.V.N., S.O.P., A.B.R., D.S.S., and A.S.B., of violating the laws and customs of war in connection with their cruel treatment of Ukrainian civilians.

2829. The court established that between 20 and 31 March 2022 those nine Russian servicemen had committed cruel, degrading and humiliating treatment, hostage-taking, intimidation, and failure to provide basic food to a civilian and unarmed Bucha resident, S.V.K. The accused Russian soldiers had blindfolded the victim, tightened his hands with plastic clamps and handcuffs and interrogated him about the positions of the Armed Forces of Ukraine, while threatening him with weapons. They had also inflicted blows to the victim's knees, chest and toes with rifle butts. At different times, the

victim was held hostage without food in apartments at 29-b Mykhailovskoho St. and 10 Malynovskoho St. in Bucha.

2830. Mr L., Mr N., Mr P. and Mr R. were sentenced to eleven years of imprisonment, Mr K., Mr K., Mr M. and Mr S. were sentenced to eleven years and six months' imprisonment, and Mr B. was sentenced to twelve years' imprisonment.

3. Investigation into the Russian occupation of the Chornobyl Nuclear Power Plant from 24 February to 30 March 2022 (criminal proceedings no. 42022112330000028 initiated on 27 February 2022)

2831. This case file included an extract from the URPI, two witness statements, and a notification of suspicion against S.D.B. According to the extract from the URPI, on 24 February 2022 the Russian Armed Forces had seized the territory and premises of the Chornobyl Nuclear Power Plant, as well as other critical infrastructure facilities in Vyshhorod in the Kyiv Region.

2832. The witnesses worked as guards at the CNPP. They reported hearing explosions at 4 a.m. on 24 February 2022. On the same day, at 11 a.m., the premises of the CNPP were seized by the Russian military. The witnesses continued to work until 20 March 2022. They further stated that they had not been allowed to leave the premises or walk freely around the territory. They had been under permanent stress and worked at gunpoint. The Russian military had provided neither food nor medical assistance.

2833. According to the notification of suspicion, S.D.B. served as the First Deputy Head of the Chief Department of Special Police Units of the Federal Guard of the Russian Federation. On 24 February 2022 S.D.B., with the use of heavily armoured military equipment and an unspecified number of Russian servicemen, had seized the premises of the CNPP. Between 24 February and 6 March 2022, Mr B. ordered his subordinates to arrange firing positions in the CNPP territory and outside. Moreover, he issued orders to his subordinates to deprive the CNPP personnel of the opportunity to move freely, eat and receive medical care. He also prevented the personnel from shift rotation, making the employees perform their duties around the clock without proper rest.

K. The Donetsk Region

1. Investigations into the detention and ill-treatment of Ukrainian POWs and a journalist in Donetsk and Snizhne in August-December 2014

(a) Record of questioning of the victim O.V.K. of 26 September 2014 (criminal proceedings no. 4201400000000457 initiated on 31 May 2014)

2834. The victim served with unit 3056 of the National Guard of Ukraine. He stated that while withdrawing from Amvrosiivka, Donetsk Region, on 24 August 2014, he had been captured with forty-seven other members of his

unit. They had been taken to a pre-trial detention facility in Snizhne. The victim said that persons with Russian accent and wearing Russian uniforms with white bands had applied physical and psychological violence to the captives. He testified that his brother, V.K., had been wounded in the left leg and another serviceman, M.B., had been killed after they had already been captured. The victim was released on 1 November 2014 as a result of a prisoner swap.

(b) Record of questioning of the victim M.B.T. of 21 January 2015 (criminal proceedings no. 2201400000000475 initiated on 13 October 2014)

2835. The victim served in the “Svitiaz” police squadron of the Ministry of Internal Affairs of Ukraine. He stated that on 29 August 2014 he had been captured by the Armed Forces of the Russian Federation near Ilovaisk, the Donetsk region. Their captors had no insignia on their uniforms, just white bandages and a “3 DSB” sign on their bullet vests, and spoke Russian with Kazakh or Chechen accents. The victim said that he and one hundred other captives had been kept for one night in a hollow of around twenty metres in diameter. On 30 August 2014 they had been taken to a former SBU building in Donetsk in KAMAZ trucks. Having spent around three hours there, they had then been taken to an unknown village and at night they had been handed over to a representative of the Armed Forces of Ukraine. The victim testified that while in captivity he had witnessed the killing of two injured Ukrainian servicemen as well as physical and psychological ill-treatment of the captives, including threats of execution.

(c) Record of questioning of the victim A.A.M. of 19 February 2015 (criminal proceedings no. 2201400000000475 initiated on 13 October 2014)

2836. The victim served in military unit 3027 of the “Donbas” volunteer battalion. He stated that on 30 August 2014 he and 200 other Ukrainian servicemen had been captured by the Armed Forces of the Russian Federation after a battle near the village of Chervonosil'ske.

2837. The Russian troops had then handed over around 110 members of the “Donbas” battalion to representatives of the “DPR”, who on 31 August 2014 took them to a former SBU building in Donetsk. The victim stated that their guards had occasionally ill-treated the captives, while the nutrition in detention had been very poor and the space very limited, as result of which the captives had had to sleep in turns. He was released on 26 December 2014, together with most members of the “Donbas” battalion, except for eleven servicemen who had been left detained at the SBU building.

(d) Record of questioning of the victim M.L.K. of 26 March 2015 (criminal proceedings no. 2201400000000475 initiated on 13 October 2014)

2838. The victim served with unit A2331 of the 51st mechanised brigade of the Armed Forces of Ukraine. He stated that between 24 and 26 August

2014 he had been engaged in a battle with the Armed Forces of the Russian Federation near the village of Dzerkalne, Donetsk Region. He had eventually been captured with his fellow servicemen on 26 August 2014. First, they had been taken to a field near Dzerkalne and kept there until 29 August 2014, and then to Snizhne, where the victim had been kept in a pre-trial detention facility and a garage. The last stage of his detention, from 28 September to 26 December 2014, he had spent at a former SBU building in Donetsk.

2839. The victim said that their captors from the Armed Forces of the Russian Federation had not ill-treated him or his fellow captives, while the “DPR” representatives in Snizhne and Donetsk had regularly beaten and verbally insulted them. One of the guards in Snizhne had torn the victim’s cap badge off and ordered him to eat it while pointing a gun at him. In Snizhne he had also witnessed a civilian man alleged by the “DPR” of looting being handcuffed to a car outside, beaten and deprived of food and water, leading to his death after one week. The victim also said that while in Snizhne he had been regularly forced to load and unload food and munitions for the “DPR”. He added that the nutrition in detention had been very poor and the space very limited, as a result of which the captives had slept in turns, while the “DPR” guards would also restrict the use of the toilet. He had been released on the night of 26 to 27 December 2014 together with sixty-three other captives.

(e) Records of questioning of the victim D.O.P. of 1 April 2015 (criminal proceedings no. 2201400000000475 initiated on 13 October 2014)

2840. The victim worked for a Canadian media outlet. On 6 August 2014 he took a train from Kyiv to Donetsk. In Donetsk he had been taking photos of a damaged hospital and “DPR” billboards until he was captured by “DPR” militants in front of the Liverpool Hotel on 7 August 2014. He said that he had immediately been put in a basement of the hotel and interrogated as to whether he was a corrector for the Armed Forces of Ukraine.

2841. On 8 August 2014 the victim had been transferred to the “Izolyatsiya” detention facility, where he had been subjected to forced labour in the form of unloading explosives and weapons. He stated that he had been interrogated on several occasions by “DPR” militants with the callsigns “Herman” and “Bahira” at “Izolyatsiya”, and by an FSB officer at a former SBU building in Donetsk. The victim said that he had not been beaten but that he had witnessed the beating of a Ukrainian policeman named Oleh. He also complained of “terrible” conditions of detention, as the captives had been sleeping on a basement floor, eating food of unsatisfactory quality twice a day, and using a five-litre bottle as a toilet.

(f) Records of questioning of the victim M.O.K. of 29 March 2016 (criminal proceedings no. 2201500000000234 initiated on 14 August 2015)

2842. The victim served as a squad commander of the National Guard of Ukraine. He stated that on 24 August 2014 his convoy had been shelled by

the Russian military near Novoivanivka, Donetsk Region. The victim had been taken prisoner together with other soldiers. He further noted that having been taken prisoner, he had seen approximately 100 persons wearing Russian military uniform and speaking with a pronounced Russian accent.

2843. The victim said that he had been personally beaten by a guard while in captivity. The reason was that he had washed his face instead of washing his hands only. For that fault, he had been beaten with a rubber hose on his legs, which left bruises. From time to time, prisoners had been threatened with execution and beating. In addition, they had been sent to compulsory labour – unloading humanitarian cargoes and cleaning up various premises in the city of Donetsk.

(g) Records of questioning of the victim T.I.T. of 16 May 2016 (criminal proceedings no. 2201500000000234 initiated on 14 August 2015)

2844. The victim served as a senior soldier in the military unit of the “Battalion Horyn”. On 21 August 2014 he was taken captive with other soldiers near the village of Petrivske, in the Shakhtarsk district of the Donetsk Region, while delivering ammunition to Ukrainian forces near Savur Mohyla and evacuating the wounded and killed. He said that a number of persons who had taken them prisoners had spoken with a Caucasian accent. The victim was kept until 13 September 2014.

2845. Describing his treatment while in captivity, the victim said that he had been put on his knees with his face to a wall and constantly beaten on different parts of his body, including the legs, arms and hands. He was threatened that his head would be cut off. After being transferred to Donetsk, prisoners were beaten several times, with hands and with rifles.

(h) Records of questioning of the victim O.A.M. of 30 December 2016 (criminal proceedings no. 12014060020003033 initiated on 13 June 2014)

2846. The victim served as a soldier in the Kryvbas 40th Battalion of territorial defence. On 6 January 2015 he headed to the camp of his army unit in Debaltseve, Donetsk Region. Their military unit was regularly shelled from Grad MLRSs. Several people were injured in January 2015. On 8 February 2015 the victim was captured by pro-Russian forces while departing from Debaltseve.

2847. The victim stated that while in captivity, he had been beaten with rifle butts against his head and body, as well as in his rib area. He had lost his balance many times but had been forced to get up, and the militants would continue hitting him and putting guns against his head, making idle discharges of the trigger. The victim also reported being involved in forced labour.

2. Investigations into filtration, detention and forced transfers from Mariupol to Russia or the “DPR” from February 2022 and onward

(a) Criminal proceedings no. 22022050000000080 initiated on 18 March 2022

2848. This case file consisted of a general information note and three records of victim questioning.

(i) General information note, undated

2849. According to the information note, since 24 February 2022 unidentified persons of the Armed Forces of the Russian Federation and the occupation administrations of the Russian Federation had been forcibly transferring and deporting residents of the occupied cities of the Donetsk Region, in particular Mariupol. Citizens of Ukraine were being transferred to the occupied territories of the Donetsk Region and directly to Russia.

2850. Prior to being transferred to Russia, Ukrainian citizens went through the so-called filtration in the occupied Ukrainian cities of Donetsk, Makiivka, Snizhne, Torez, Shakhtarsk, Khartsyzsk, Novoazovsk and Berdiansk, and the villages of Nikolske, Bezimenne and Yuriivka.

2851. The transferred Ukrainian citizens found themselves in Russian cities such as Rostov, Tula, Taganrog, Vladimir, Ryazan, Yaroslavl, Tomsk, Murmansk and Omsk. Some people eventually managed to get across the border to the Baltic States, including Estonia.

(ii) Record of questioning of the witness A.V.K. of 30 January 2023

2852. The witness was a resident of Mariupol and had served as the Head of the Mariupol District Prosecutor’s Office in the Donetsk Region since 2021. He provided a detailed account of the immediate impact of the armed conflict on the operations of the Mariupol District Prosecutor’s Office, the challenges faced by its employees in continuing their duties, and the actions taken to ensure their safety and the security of sensitive documents.

2853. According to the witness, on 24 February 2022 he had organised the removal and destruction of sensitive documents from the Prosecutor’s Office’s premises and communicated evacuation instructions to its employees. He had been directed to move to Kropyvnytskyi, from where he maintained contact with his colleagues through a cell phone and messengers.

2854. One of the witness’s colleagues, prosecutor O.M.B., decided to stay in Mariupol because of his seriously ill father. Despite the invasion, O.M.B. tried to continue his prosecutorial duties within Mariupol and remained in contact with the witness for some time.

2855. In April 2022 the witness was informed that Russian servicemen had forcibly taken O.M.B. and his parents to the occupied city of Novoazovsk in the Donetsk Region. Since that time, O.M.B.’s whereabouts had remained unknown. In early June 2022 O.M.B.’s former colleague N.V.K. informed

the witness that she had become aware that O.M.B. was in Russian captivity in the “DPR”.

2856. The Office of the Prosecutor General of Ukraine conducted an internal investigation into the security conditions and the departure of employees to the Ukraine-controlled territory.

(iii) Record of questioning of the victim O.A.B. of 13 June 2022

2857. The victim was a resident of Mariupol and a prosecutor for the Mariupol Left Bank District Prosecutor’s Office in the Donetsk Region. She testified that from 2 March 2022 the situation in Mariupol had deteriorated, including the loss of power and other utility services, intensified shelling, and the necessity to seek refuge in basements. On 4 March 2022 the basement where the victim had sheltered had been damaged, making her move to a different one, the population of which had risen to eighty people by 16 March 2022. That basement was located close to the heavily shelled Azovstal plant, so on 16 March 2022 the victim decided to move towards the city centre, hoping for evacuation. Between 16 and 23 March 2022 the victim sheltered in a private house. On 23 March 2022 she walked towards the city centre but was told to go back as the city centre had been blocked. The victim recounted seeing civilian columns and deciding to join them to evacuate by foot.

2858. On 23 March 2022 the evacuees reached a checkpoint in the Russia-controlled village of Vynohradne near Mariupol, and the following day they were transported to the village of Prymorske in the Donetsk Region by bus. The victim noted the presence of “DPR” soldiers at the checkpoint, identifiable by their patchy uniforms and white armbands. She also observed military equipment moving past the checkpoint and artillery fire coming from residential areas in the direction of Mariupol.

2859. The victim was placed in a school in Prymorske, where she stayed until 25 March 2022. The school provided the evacuees with food, but they were forced to sleep on the floor in a classroom, sharing limited facilities with other displaced people. The victim mentioned that employees of the school had compiled lists of new arrivals, a practice she believed to be common at various civilian filtration points, including Bezimenne, Novoazovsk and Manhush.

2860. Between 25 March and 14 April 2022, the victim stayed with her acquaintances in Russia-controlled Vedenske and Novoazovsk. She learned that to leave to the territory controlled by Ukraine, she would need to obtain a “filtration” certificate. In order to do that, on 14 April 2022 she went to the Novoazovsk police station, where the employees immediately found out that the victim had been a law-enforcement officer. They showed her a red sign on the computer screen that read “Warning! Traitor!” next to her name.

2861. The victim was immediately arrested without a record of arrest, and on the next day she was transferred to the “Department for Combating Organised Crime” in Donetsk. The victim was transported in the same car as

a former police officer, who explained that on 7 April 2022 he had been taken from his place of residence and had his ribs broken while at the “Department for Combating Organised Crime”.

2862. On 16 April 2022 the victim was placed in the Donetsk pre-trial detention centre, where she spent thirty days without ever being allowed to take a shower, have a walk, or receive a parcel. The victim was detained with a judge of the Illichivskiy District Court of Mariupol, Yu.O.M., and the investigator of the Investigation Unit of the Mariupol District Police Department, M.Ch. The victim had also heard about some other law-enforcement officers who were detained in Olenivka Prison, namely a prosecutor of the Mariupol District Prosecutor’s Office, O.M.B. At some point the victim was detained together with two women separated from their under-age children under the guise of “filtration”.

2863. Upon her release on or about 16 May 2022, the victim obtained a certificate of completion of “filtration” from the “Department for Combating Organised Crime” in Donetsk. She eventually returned to Ukraine-controlled territory.

2864. The victim provided additional information regarding the filtration points set up in the villages of Manhush, Bezimenne and Selidove. The victim was aware that Bezimenne had been the only village with a tent camp. People who found themselves in temporary shelters, such as schools, kindergartens, or tents, and who lacked family ties within the “DPR” or a permanent place to live, had been transported to the Russian Federation by bus. The victim pointed out that those people had been prevented from staying in the “DPR” or returning to Mariupol. According to the victim’s knowledge, those relocated had been offered refugee status upon their arrival in the Russian Federation.

(iv) Record of questioning of the victim I.V.T. of 4 May 2023

2865. The victim was a resident of Mariupol and served as the Director of the municipal institution Mariupol Residential Care Home for the Elderly and Persons with Disabilities no. 2. The facility had ninety-two residents.

2866. The residential care facility suffered significant damage as a result of active hostilities, including mine and shell impacts that caused severe damage to the property, leading to the complete destruction of one of the buildings by April 2022.

2867. Owing to the dire situation in Mariupol, the victim organised the evacuation of the residents of the institution in late March 2022. The goal was to evacuate them to the Russia-controlled village of Yuriivka in the Donetsk Region, and then to have evacuation buses take them to Ukraine-controlled Zaporizhzhya. The witness asked for the help of employees and volunteers and utilised service vehicles of the institution. By 27 March 2022 all or most residents had been evacuated from Mariupol.

2868. According to the victim, on 25 and 27 March 2022 the “DPR” military had escorted the residents of her institution to Donetsk without their choice or consent. Specifically, two armed men in military uniforms had placed the residents in a bus in the presence of the occupation authorities of Yuriivka. They had instructed the staff and volunteers not to ask questions or “everyone would be taken”. The victim reported that the residents had been forcibly taken to a residential care facility in Donetsk, emphasising that there had been no option to choose their destination and highlighting the coercive nature of their relocation.

2869. Although not personally present in Donetsk, the victim had received reports from employees about poor living conditions, the lack of medical care, and mistreatment of the residents who had been relocated there. The victim was aware of the deaths of some residents caused by the lack of proper and continuous care.

(b) Criminal proceedings no. 12022052770002889 initiated on 14 September 2022

2870. This piece of evidence was a record of questioning of the witness H.I.K. of 29 September 2022. The witness, an elderly resident of Selydove in the Donetsk Region, had evacuated to Dnipro on 8 April 2022 because of heavy Russian artillery shelling. She testified that her son, a resident of Mariupol and an officer of the Ukrainian customs service, had remained in Mariupol after the full-scale Russian invasion of Ukraine. The witness had been unable to reach her son between 28 February 2022 and late March 2022. Upon reaching her son by telephone at the end of March 2022, the witness had found out that his apartment in Mariupol had been hit and burned down, together with all his documents and personal belongings. Her son had suffered a shrapnel wound to his abdomen and a fracture to his right arm and remained in the attacked building for a few days before receiving medical aid in Mariupol. He then left Mariupol by foot and reached Novoazovsk, where despite his injuries he was forced to go through filtration. After that, he was taken by bus to Snizhne in the Donetsk Region, and then to the Russian cities of Taganrog and Tver. In Tver, he received no medical assistance until after a month. As of the time of her testimony, the witness’s son remained in the Russian Federation with no opportunity or means to return to Ukraine.

(c) Criminal proceedings no. 12022041790000094 initiated on 9 February 2022

2871. This piece of evidence was a record of questioning of the witness O.O.Shch. of 14 February 2023. The witness was a resident of Mariupol and had been a member of the UAF since 2019. When the full-scale Russian invasion of Ukraine had begun, the witness’s daughter O.Yu.Sh., born in 2010, had stayed in Mariupol with her father and grandparents, while the witness was on duty in the Donetsk region.

2872. Between 24 February and 25 March 2022 the witness had been unable to establish contact with her daughter. On 25 March 2022 her daughter had reported via Telegram that their house in Mariupol had been destroyed and that the military in Russian uniforms had forced them onto a bus after threatening them with weapons. O.'s grandfather was shot in the knee for not wanting to board the bus. The family were then taken to the village of Kachkary in Russia-controlled Novoazovsk district of the Donetsk Region.

2873. The next time the witness's daughter had called her from a Russian mobile number on 10 April 2022, she stated that her father had been taken off the bus and moved in an unknown direction while in Shakhtarsk of the Donetsk region. The rest of the family had been taken to the village of Bezenchuk in the Russian region of Samara. They were placed in a hostel for internally displaced persons. Despite being able to leave, O.'s grandmother had refused to do so and took custody of her. The witness expressed concern over her mother-in-law's negative influence on her daughter, including her claims discrediting Ukraine.

2874. Unable to bring the daughter back to Ukraine, the witness sought legal assistance and contacted the SBU and other Ukrainian authorities for help.

(d) Criminal proceedings no. 42022172030000117 initiated on 14 December 2022

2875. This piece of evidence was a record of questioning of the victim L.T.K. of 14 December 2022. The victim was a resident of Mariupol and the primary caregiver of her husband with limited mobility who had Parkinson's disease. On 24 February 2022 the victim and her family had sought refuge in a basement because of the shelling. One of the twelve people sheltering with the victim, her friend, had attempted to leave the basement but had been wounded and had later died from the injury.

2876. The situation had escalated on 14 March 2022 when the military of the so-called "DPR" had forcibly removed people from the basement and transported them to Staryi Krym, Donetsk Region, using tanks as transport – the victim and her family members had travelled on top of a tank.

2877. The victim, along with her daughter and grandson, were taken to various locations, including Russia-controlled Dokuchaievsk in the Donetsk Region and Taganrog in Russia, before being transferred to the Sakharezh camp in the Yaroslavl Region of Russia. There, they were issued with a "temporary residence permit" and had to live under controlled conditions with restricted movement and work opportunities.

2878. The victim's daughter and grandson eventually left for Estonia, while the victims managed to contact friends to retrieve important documents from her apartment in Mariupol to enable her to travel. The victim's husband, who had stayed behind in Mariupol, died in harsh living conditions with no gas, electricity, adequate food or water. The victim learned of her husband's

death through neighbours, and there was no information about his place of burial.

2879. In an attempt to escape Russia, the victim wrote a statement falsely claiming to have relatives in the Bryansk Region of Russia. She was eventually able to leave for Estonia to join her daughter and grandson. Later, the victim relocated to the Ukrainian city of Kremenchuk in the Poltava Region.

2880. The victim described the conditions in the Russian camp as satisfactory in terms of food but highlighted the lack of freedom and controlled movement. The victim emphasised that her transfer to the Russian Federation had been against her will, causing significant psychological damage and disrupting her life.

3. Investigations into long-distance attacks on Kramatorsk, Kostyantynivka, Svyatohirsk, Sloviansk and Bakhmut in March-July 2022 and on other unspecified dates

2881. This piece of evidence contained eight information notes providing details of a number of investigations into long-distance attacks on Kramatorsk, Kostyantynivka, Svyatohirsk, Sloviansk and Bakhmut in March-July 2022 and on other unspecified dates.

(a) Investigations into Russian shelling of Kramatorsk and Kostyantynivka in March-July 2022 (criminal proceedings no. 12022052390000489 initiated on 7 March 2022)

(i) Investigation into Russian artillery shelling of Kramatorsk on 6 March 2022

2882. According to the Office of the Prosecutor General of Ukraine, at 1.20 p.m. on 6 March 2022, in the area of buildings 18, 18-a, 21, and 24 on Kramatorskyi Boulevard in Kramatorsk, representatives of the Armed Forces and other armed formations of the Russian Federation had carried out an artillery shelling using an air-to-surface missile. The attack damaged five buildings, killed one civilian, and injured ten others.

(ii) Investigation into Russian shelling of Kramatorsk on 5 May 2022

2883. This information note stated that at approximately 4.30 a.m. on 5 May 2022 Russian forces had attacked Kramatorsk, damaging thirty-one buildings and injuring forty-five victims. The weapons used in the attack had not been identified as of the date this information note was drafted.

(iii) Investigation into Russian shelling of residential and other buildings in Kramatorsk on 7 July 2022

2884. According to this information note, at about 12.45 p.m. on 7 July 2022, Russian and/or “LPR”/“DPR” forces had shelled Kramatorsk, damaging seventeen buildings, including sixteen multi-storey residential

buildings. The attack had also killed one civilian and injured five more civilians and one serviceman. The weapons used in this attack had not been identified as of the date this information note was drafted.

(iv) Investigation into Russian shelling of business and other property in Kostyantynivka on 9 July 2022

2885. According to this information note, on 9 July 2022 Russian and/or “LPR”/“DPR” had conducted four shelling of Kostyantynivka, killing two civilians and injuring eighteen others, including one child. The shelling had also damaged sixteen buildings, one car, and the industrial premises of a private joint-stock company, Weighting Agents Plant. The weapons used in the attack had not been identified as of the date this information note was drafted.

(b) Investigations into attacks on religious, residential, and other property in Svyatohirsk and Sloviansk in March-July 2022 and on other unspecified dates

(i) Investigation into the shelling of the Svyatohirsk Lavra on 12 March 2022 (criminal proceedings no. 22022050000000051 initiated on 2 March 2022)

2886. According to this information note, on 12 March 2022 on the territory of the Svyatohirsk Lavra, a blast wave had damaged the premises of the 9th building, which had housed 529 adults and 200 children, as well as the premises of the 14th building, where the blast wave had damaged doors and windows. At the time of the explosion there had been 200 people in the building, about thirty of whom had sustained injuries.

(ii) Investigation into attacks on religious and other property in Svyatohirsk in May 2022 and on other unspecified dates (criminal proceedings no. 12022052420000085 initiated on 10 March 2022)

2887. This information note provided details of the following attacks on religious buildings, as well as other unspecified objects in Svyatohirsk.

- (a) On 3 May 2022 one civilian was wounded as a result of shelling near the Svyatohirsk Holy Dormition Lavra.
- (b) At around 12.40 p.m. on 9 May 2022, an air strike was carried out on Kobzarya St. in the village of Adamivka in the Svyatohirsk Territorial Community, destroying and damaging the premises of the Priory of St John of Shanghai of the Svyatohirsk Holy Dormition Lavra.
- (c) At about 8 a.m. on 9 May 2022, an air strike was carried out on the village of Dolyna in the Svyatohirsk Territorial Community, destroying the Priory of St George of the Svyatohirsk Lavra.
- (d) On 31 May 2022 Russian forces carried out an air strike on Y. Mudroho St. in Sloviansk, killing three civilians and injuring six others.

- (e) On 30 May 2022, during a Russian shelling, the premises of the Svyatohirsk Lavra at 1 Zarichna St. were damaged. Three civilians were killed by the shelling.
- (f) On 4, 5 and 6 October 2022 exhumations were conducted in Svyatohirsk, and the corpses of thirteen local residents with traces of mine-blast injuries were found. On 7 October 2022 in the city of Lyman, Kramatorskyi district, at the Nove Masliakivka cemetery, another corpse with traces of mine-blast injuries was found.

2888. The Ukrainian law-enforcement bodies established within those criminal proceedings that twenty-five civilians had been killed and seven injured, including the Dean of the Svyatohirsk Lavra, Archimandrite G.

(iii) Investigation into Russian shelling of residential and other buildings in Sloviansk on 5 July 2022 (criminal proceedings no. 12022052420000085 initiated on 10 March 2022)

2889. At about 1.30 p.m. on 5 July 2022, Russian forces shelled Sloviansk, killing one civilian, injuring seven others, and damaging three buildings, seventeen private houses and three residential buildings.

(c) Investigation into Russian shelling of residential, medical, and business property in Bakhmut on 17 May 2022 (criminal proceedings no. 12022052150000202 initiated on an unspecified date)

2890. According to this information note, on 17 May 2022 the Dispatch Centre of the Bakhmut District Police Department had received a report that at 6.30 a.m. that day Russian troops had shelled Bakhmut with rockets and bombs. A residential building at 113 P. Lumumba St. was destroyed, where four residents, including three children, were rescued from the rubble and taken to a hospital. Five more people, including a two-year-old child, were found dead under the rubble.

2891. The attack damaged residential buildings on P. Lumumba St., Nezalezhnosti St., Chernyakhovskoho St., Shyroka St., Kovalska St., as well as buildings and vehicles of Ukrelectromerezhbud LLC, Umwel Bahmut LLC, and the Bakhmut Children's Suburban Health and Recreation Centre "Vohnyk".

4. Investigation into shelling of residential, religious and medical buildings in March 2022 in the city of Mariupol and the Mariupol district (criminal proceedings no. 12022052640000023 initiated on 24 February 2022)

2892. According to the Office of the Prosecutor General of Ukraine, approximately 50,000 civilians had been killed in the city of Mariupol and Mariupol district; the exact number was being established. The information note specified that the total number of people who had left the Mariupol

district as IDPs was approximately 400,000. According to the information note, 90% of the city's infrastructure – almost 3,000 apartment buildings and about 50,000 private residential buildings – had been damaged, in more than 60% cases beyond repair.

2893. The document provided details of the following seven incidents of shelling of residential, religious and medical buildings.

- (a) At around 2 p.m. on 1 March 2022, illegal armed formations of the Russian Federation conducted a massive artillery shelling of Mariupol residential areas, including the area of Kirova Square.
- (b) Between 1-2 March 2022 a shell hit the building of Maternity Hospital no. 2 at 36 Pashkovskoho St. in Mariupol.
- (c) According to the Donetsk Regional State Administration, a man was hospitalised in intensive care on account of wounds received on 1 March 2022. He died from his wounds shortly thereafter.
- (d) An internet article stated that Russian forces had shelled Mariupol on 4 March 2022, resulting in a penetrating shrapnel wound to the skull of an 18-month-old boy.
- (e) On 8 March 2022 various media sources reported that Russian forces had continued to shell civilians and residential areas of Mariupol, destroying residential buildings. During the rubble removal, the body of a six-year-old girl, who had died of dehydration, was found.
- (f) On 2 March 2022 it was reported that the streets of the urban-type settlements of Manhush had been shelled by Russian artillery. The shelling reportedly killed three civilians, injured five more, and damaged buildings on Chkalova St. In addition, three civilians died during the shelling of highways located between the settlements of Starodubivka and Zakharivka in the Manhush district.
- (g) On 15 March 2022 the Mariupol City Council reported that Russian air strikes and bombings had destroyed the premises of the Administration of the Donetsk Diocese of the UOC at 22 Mitskevycha St. in Mariupol.

2894. Incident no. 12022052770000401 within the same criminal proceedings focused on the investigation of Russian air strikes on residential areas of Mariupol near the intersection of Metalurhiv Avenue and Universytetska St. The investigation established that the air strikes had taken place at approximately 3 p.m. on 9 March 2022 and destroyed hospital no. 3 located at 80 Myru Avenue, including its children's unit and women's consultation and maternity ward, as well as the Pryazovskyi State Technical University and the House of Communications. At least nine civilians were killed, including one child, and least sixty civilians suffered injuries of various degrees of severity and other grave consequences.

2895. Incident no. 22022050000000073 within the same criminal proceedings focused on the destruction of the Donetsk Academic Regional Drama Theatre at 1 Teatralna Square in Mariupol by Russian forces, most

likely with a high-power aerial bomb. The investigation established that the attack had taken place at approximately 10 a.m. on 16 March 2022 while the theatre had been housing approximately 1,000 civilians. Around 600 of them had been killed and 400 more sustained injuries of various degrees of severity and other grave consequences.

2896. On 24 July 2023 a notification of suspicion was served on the Commander of the 4th Army of the Armed Forces of the Russian Federation, Lieutenant General M.V.H., apparently regarding incidents no. 12022052770000401 and no. 22022050000000073. The document also provided a detailed composition of the 4th Army, the weapons and aircrafts at its disposal, as well as the list of military airfields from which it had conducted its operations.

5. Investigations into the destruction of the Mariupol Drama Theatre along with other objects of Mariupol infrastructure in late February-March 2022

(a) Criminal proceedings no. 22022000000000054 initiated on 24 February 2022

2897. This piece of evidence contained nine records of questioning of people who had survived, witnessed, or otherwise had information pertinent to the destruction of the Mariupol Drama Theatre of 16 March 2022, as well as other attacks on infrastructure objects in Mariupol.

(i) Record of questioning of the victim I.L.S. of 27 May 2022

2898. The victim, a resident of Mariupol, reported that on 24 February 2022 she had heard explosions outside. She stated that the Russian military had been shelling the city from all directions, with the intensity of the attacks increasing daily. She mentioned that her apartment, located at 95-a Myru Avenue, had been hit by rockets five times, causing damage. By 2 March 2022 essential services such as electricity, gas, and water had been cut off, forcing locals to collect water from sewage pipes and to cook outdoors on fires. Before 15 March 2022 the victim had seen a rocket hitting the ninth floor of a nearby building, resulting in casualties. Owing to the lack of functioning municipal services, the bodies had remained on the balcony. The victim reported that Russian aircraft had bombed the city daily, starting at around 4.30 a.m., and sometimes continuing throughout the entire day and night.

2899. The victim and her family had decided to evacuate on 15 March 2022. She said that the distance from her house to the car in peacetime would be a seven- or ten-minute walk, but since they had had to hide from bombs falling on them, “it felt like a lifetime”. The evacuation point had been near the City Drama Theatre, where the victim had seen the word “children” written in huge letters. As their convoy of cars had begun to move, Russian military planes started dropping missiles on them. Along the evacuation

route, the victim saw injuries and bodies along the road, as well as the destruction of civilian infrastructure, including the maternity hospital, the cinema, residential buildings, schools and churches, despite the absence of military targets nearby. The victim evacuated to the city of Urzuf, occupied by Russian forces. She noted that in Urzuf teachers had been compelled to adhere to the Russian curriculum.

2900. On 25 March 2022 the victim decided to evacuate to Zaporizhzhya, passing through Berdyansk, enduring over twenty-six Russian checkpoints where Russian soldiers checked documents and phones, and searched bags, as well as thoroughly inspecting men for tattoos. Beyond the town of Vasylivka, they encountered a “grey zone”, and because the road was mined, they had to traverse it on foot. When they had caught up with the evacuation convoy, they were cautioned that Russian military personnel often targeted convoys for amusement, which proved true when gunfire erupted from the direction of Vasylivka as their convoy began to move.

(ii) Record of questioning of the victim A.S.H. of 8 June 2022

2901. The victim resided in Mariupol. She stated that since 24 February 2022 she had heard explosions from the left bank of Mariupol and the sound of sirens. The victim stated that by the end of February and the beginning of March 2022 the city had been encircled by Russian troops. She and her parents experienced a gradual deterioration of living conditions, including the closure of shops, disruptions to utility services, and the constant threat of shelling. Despite attempts to evacuate, logistical challenges forced them to remain in the city. The victim had seen air strikes targeting civilian infrastructure. The victim stated that as a result of bombing on 16 March 2022 their yard had caught fire, and their apartment windows had been blown out. She also saw that the Drama Theatre had been directly hit by an air strike on the same day. She added that, according to survivors, about 1,000 people had been housing in the Drama Theatre’s bomb shelter.

2902. The victim stated that on 18 March 2022, at approximately 6 a.m., an explosion had occurred near her house, damaging the surrounding area. She further stated that their apartment had sustained significant damage, with shattered windows and the destruction of furniture and walls as a result of the blast wave. As a result of the attack her neighbour, Nadiia Larina, had died. The victim stated that although she had not seen the perpetrators directly, she strongly believed that the attack, originating from the direction of Berdyansk, had been carried out by Russian troops. After this attack she and her parents had sought refuge in the basement. She described the shelter as having been overcrowded and conditions as having been challenging, with limited sleeping arrangements. There were survivors of the Drama Theatre bombing who stated that they had not eaten or drunk anything for two days.

2903. The next day, there was another direct hit to the eleventh floor of their apartment building, which completely burnt down several apartments.

People in the basement were lacking food and water. The victim stated that on 18 March 2022 there had been a complete information blockade, which had caused panic. After a few days, a Russian soldier came to their basement and informed them that “Ukraine was gone, and Russia would be here now”. He also said that their house and the neighbouring one had been mined and that should anything go wrong, the Russian forces would blow it up. That night, amid heavy shooting, the victim observed the building sustaining further damage, with plaster falling off and everything shaking. Upon venturing out of the bomb shelter after 26 March 2022, she encountered Russian military vehicles bearing the “Z” symbol. She stated that the military had realised that there were civilians in the basement and pointed a gun at them.

2904. In early April 2022 the victim and others were able to leave the basement. They emerged to find the “DPR” military distributing humanitarian aid which consisted of water, food, and hygiene products. Russian military personnel informed residents about the possibility of leaving through the so-called “filters”, which meant a screening process involving document checks, fingerprinting, photographs and interviews. After “successfully” passing the screening, a person would be allowed to go to some specified destinations, for example Donetsk or Rostov. The victim stated that on 21-22 April 2022 Mariupol residents had been provided with SIM cards of a “DPR” mobile phone operator, “Phoenix”, to receive which people had to show their passports. The witness further stated that at the end of April 2022 armed people from the “military commandant’s office”, dressed in camouflage uniforms with the inscription “police”, had conducted a census of the population. In May 2022 the victim and her parents evacuated from Mariupol to Lviv.

(iii) Record of questioning of the witness I.P.K. of 23 May 2022

2905. The witness, a resident of Mariupol, stated that on 25 February 2022 the Kalmiyskyi district of Mariupol had been shelled by rocket artillery systems. He and his partner A.V.Sh. and two minor children had had to hide in the basement of their house until 28 February 2022. He further stated that since 26 February 2022 there had been no electricity, water or gas supply in the city. As the shelling intensified, he and his family moved to a bomb shelter of the Illich iron and steelworks, where they stayed till 8 March 2022. The witness noted that the plant had constantly been shelled with mortars, artillery, and other weapons. As it had been dangerous to remain on the factory premises, all people were transported by buses to the Donetsk Regional Academic Drama Theatre, located in the city centre.

2906. The witness reported that on 16 March 2022, at 11.20 a.m., while in the semi-basement of the theatre, he had experienced a powerful explosion that had propelled him upwards, causing plaster from the walls to fall onto him. He had promptly evacuated his children. Upon exiting, he observed the

walls and upper floors of the theatre had collapsed. His partner, A.V.Sh., died as a result of the attack. The witness noticed a substantial crater near the rear of the building. He encountered numerous dead people and heard multiple cries for assistance. Alongside other survivors, the witness helped the wounded people trapped within the building, amidst the ongoing shelling.

2907. Then, the witness with his children evacuated to Zaporizhzhya. The witness stated that at the checkpoint in the city of Tokmak, Zaporizhzhya Region, Russian soldiers had checked the car and his personal belongings, forced him to undress, and checked his tattoos. He also stated that Russian soldiers had taken two of his acquaintances and their children to an unknown destination.

(iv) Record of questioning of the witness N.I.M. of 6 May 2022

2908. The witness, who used to reside near the Donetsk Academic Regional Drama Theatre in Mariupol, reported hearing explosions for the first time on 27 February 2022. On that day, she had observed a plane flying towards the AS-2 bus station and bombing the area. She noted that from 2 March 2022 the entire city had lost power and water supply, and the gas supply had been cut off on 6 March 2022. Owing to those conditions, residents had resorted to cooking food outdoors on an open fire. Additionally, she highlighted the severe lack of drinking water, noting that since 3 March 2022 only three trucks had been supplying water to the entire city. Furthermore, she recounted an incident of 9 March 2022 when an aircraft had bombed the building of the Pryazovskyi State Technical University near her place of residence, despite the absence of military targets nearby. The attack had resulted in the destruction of the university building. The witness emphasised that air strikes had been systematic, occurring throughout the day and sometimes even at night. Moreover, she had witnessed an air bombing of a multi-storey building at the intersection of Myru Avenue and Metalurhiv Avenue between 9 and 13 March 2022. Additionally, the witness recalled two air bombardments on 13 March 2022, which had damaged her own apartment building.

2909. Between 10 a.m. and noon on 16 March 2022, as the witness had been near 35-a Arkhitektora Nilsena St. in Mariupol, she had observed a Russian aircraft bombing the Drama Theatre. The witness stated that, following the sound of the plane, she had heard two powerful explosions and then witnessed a cloud of dust and black smoke emanating from the Drama Theatre. She stated that fragments of a theatre wall had fallen onto a nearby field kitchen near the main entrance to the bomb shelter. Civilians had been cooking and eating there at the time of the explosion. She added that at the time, the theatre had served as a shelter accommodating approximately 1,000 civilians. The witness had observed wounded people near the theatre and seen the locals providing medical assistance to them. She stated that ambulances had arrived forty minutes after the attack. The witness further

stated that later that day, at approximately 8 p.m., there had been intense artillery shelling of her district, which had resulted in damage to her apartment building.

2910. On 17 March 2022 the witness departed from Mariupol. She stated that along the route to Zaporizhzhya, she had encountered numerous checkpoints, where Russian and “DPR” soldiers had inspected all vehicles, documents and personal belongings.

(v) Record of questioning of the victim L.I.V. of 22 March 2022

2911. The victim resided at 111 Pylypa Orlyka St. in Mariupol with her husband, a worker at the Illich iron and steelworks. Her daughter, son-in-law and elderly bedridden parents also resided in Mariupol.

2912. On 25 February 2022, while going to her job at Mariupol City Hospital no. 1, the victim heard explosions from the direction of Sartana. That day, her husband was advised not to report to work as the steelworks was closing, and he heard explosions from the direction of the Zaporizhzhya highway.

2913. From 26 February 2022 the victim and her husband heard increasing explosions from Staryi Krym, approximately 10 km away. Following the cutting-off of utilities on 27 February 2022, residents cooked outside, and the UAF provided instructions on safety. On or about 27 February 2022 a shell strike on a nearby well resulted in casualties, and the victim’s husband narrowly avoided injury while collecting water.

2914. During early March 2022 intensified shelling led the victim and her family to seek shelter in their building’s corridor. A direct shell hit on 8 March 2022 damaged their apartment building. The victim observed a man in a military uniform near their building but could not identify any insignia. As the shelling grew closer and more intense, the victim and others sought refuge in the basement, until another shell hit caused a fire in their building. The victim’s bedridden father had been in the apartment, and nothing could be done to take him out of the burning building.

2915. On 8 March 2022 the family, along with others, were evacuated by the Ukrainian police to the Drama Theatre, where approximately 600 people had been taking shelter, increasing to over 1,000 people by 15 March 2022.

2916. The theatre was cold because all the windows had been shattered. People blocked them with plywood, decorations and boards. There were no heating and no sleeping arrangements, so in order to lie down on the floor, which was cold, people tore the seats off the theatre chairs and spread them out on the floor. The theatre had no electricity or water. Every day, a truck with a water tank came to the theatre and people could go out and collect drinking water. The Ukrainian military provided people with a field kitchen. Every day people stood in line for two hours to get half a glass of soup. The victim described her daily ration as half a glass of hot water in the morning, half a glass of soup in the afternoon and a glass of hot water in the evening.

Sometimes they were given three to four pieces of biscuit in the evening. The same food was given to small children. The UAF delivered humanitarian aid, including diapers and soap.

2917. Throughout her stay, the victim experienced constant shelling and bombings, including a Russian aircraft targeting Mariupol. The victim left Mariupol on 15 March 2022, travelling to Urzuf, then Berdyansk, and finally Zaporizhzhya, and observing Russian military presence along the way.

2918. The victim reported significant psychological and material damage, including the destruction of her and her relatives' homes.

(vi) Record of questioning of the victim H.Y.K. of 1 April 2022

2919. The victim resided in Mariupol together with her daughters at 114 Budivelnkyiv Avenue. On 24 February 2022, the first explosions had been heard from the Skhidnyi neighbourhood and there had been reports of shelling from the "DPR"-controlled territory. The situation had deteriorated rapidly by late February 2022 with the AFRF launching indiscriminate air strikes on the city, including residential areas.

2920. A critical moment occurred on 10 March 2022, when a missile, believed to have been either a Grad or Smerch MLRS, struck the victim's residential building and the adjacent yard. The attack severely damaged her home, blowing out windows and damaging balconies, and killed two of the victim's neighbours. One was fatally wounded in the stairwell and died from shrapnel injuries, while another's body was found sitting against the wall outside, indicating that he had been moved *post mortem*. The victim reported that missiles had been fired from the direction of bus station no. 2, which was under the AFRF control.

2921. In the aftermath, the victim and her daughters sought shelter with a neighbour's family owing to the extensive damage to their own apartment and the cessation of utility services since early March 2022. On 16 March 2022 they attempted to find refuge at the Mariupol Drama Theatre, where a large number of civilians had gathered. On the same day, the theatre was hit by a powerful air strike while the victim had been inside. The air strike led to panic, casualties and a rushed evacuation from the burning building, but the victim and her daughters were not physically harmed.

2922. Later that day, the victim's family settled in the lobby of the Philharmonic. On 17 March 2022 artillery shelling began near the Philharmonic, and the victim stated that Russian bombs had been falling from above. "We got the impression that the Russians wanted to destroy all places of mass gathering of civilians", she added.

2923. They escaped Mariupol on 17 March 2022, travelling through Russian checkpoints, with stops in Melekine, Yalta and finally Berdyansk, from where they managed to join an evacuation convoy to Zaporizhzhya on 25 March 2022.

(vii) Record of questioning of the victim O.V.K. of 25 April 2022

2924. The victim resided in Mariupol with her partner as of 24 February 2022. The onset of the war prompted them to seek refuge at her mother and grandmother's residence at Budivelnkyiv Avenue, where they remained for three days under shelling, experiencing a severance of communication, water, heating, and gas supplies. On 4 March 2022, following a radio announcement of a green corridor from Mariupol, in an attempt to evacuate the victim, her partner, mother and grandmother headed to the Drama Theatre, where they found out that no such corridor existed. Owing to ongoing shelling, they were compelled to stay in the theatre until 16 March 2022. The theatre was hit by a rocket attack at 10 a.m. on 16 March 2022, causing significant destruction and injuries to the victim's mother and grandmother. Her partner's whereabouts became unknown post-attack. The steps to the theatre were destroyed, so the victim had to jump down to get out, while her mother was brought down on a broken door, as she had sustained very serious injuries and could not move.

2925. In the aftermath, amidst repeated shelling, the victim sought medical help for her injured family members by going to various hospitals, many of which had either been closed or were under attack. They were finally admitted to the "BSM hospital in the Novoselivka district", which was ill-equipped for comprehensive care, offering only amputation services. The next day, a Russian soldier came to the hospital and started demanding drugs while threatening the staff with a grenade.

2926. Subsequently, the victim and her family were transported by Russian soldiers to another hospital. In exchange, the victim was forced to hold two wounded Russian soldiers on the way. The hospital turned out to be the headquarters for the "DPR military", as was evidenced by uniform patches. It was also occupied by Chechen soldiers. Despite providing a plaster and other medical attention to the victim's mother, the soldiers instructed them to leave owing to the lack of beds. Throughout their stay in the hospital, the victim encountered armed individuals on each floor and witnessed the abduction and disappearance of local men at the hands of "DPR" and Chechen soldiers.

2927. Eventually, the victim and her mother departed for Berdyansk on 21 March 2022, where it also proved impossible for them to receive proper medical attention. On 23 March 2022 they arrived at Zaporizhzhya, where the victim's mother underwent necessary surgery.

(b) Criminal proceedings no. 2202208000000960 initiated on 20 June 2022

2928. This piece of evidence was the record of questioning of the victim I.V.K. of 21 June 2022. The victim and her husband, son, two granddaughters and daughter-in-law lived in Mariupol.

2929. During the AFRF's advancement on Mariupol and the ensuing hostilities, the family took refuge in the bomb shelter of the Drama Theatre from 11 March 2022 to 16 March 2022, along with other civilians. According to the victim, on 16 March 2022 an aerial bomb dropped by Russian troops had destroyed the Drama Theatre, causing the deaths of the victim's son, daughter-in-law and one granddaughter, who had been trapped under the debris.

2930. The victim's son had reportedly been outside cooking over a fire when the three floors of the theatre building collapsed on him. His wife and daughter had been on the second floor when the third floor collapsed on them. According to the victim, the building had additionally been targeted with Grad MLRSs following the destruction, igniting a severe fire in the room where the victim's granddaughter and daughter-in-law had been located.

2931. The victim, her husband and the other granddaughter were able to escape from the rubble. They were taken in by people from the town of Manhush until 21 March 2022, and later relocated to Zaporizhzhya.

2932. About a month later, the victim's son's body was excavated from the debris, recognised by a brother, and ultimately buried in a common pit without any formal identification or issuance of death documents by the Russian forces. The bodies of the daughter-in-law and the granddaughter were never recovered, and no further attempts were made by the Russian forces to locate the victims under the Drama Theatre building.

(c) Criminal proceedings no. 12022262060000249 initiated on 4 July 2022

2933. This piece of evidence was the record of questioning of the victim M.V.Ch. of 4 July 2022. The victim, her husband and their two sons had been sheltering in the basement of the Mariupol Drama Theatre at Myru Avenue since 5 March 2022. On the morning of 16 March 2022, the victim's husband went outside to assist in preparing food as a volunteer. Shortly afterwards, at around 10.30 a.m., an aerial attack targeted the back of the theatre, where he and approximately ten others had been located. All individuals near him were reported killed. The victim's husband's whereabouts were unknown, and it was unclear whether he had survived the attack.

2934. Following the incident, the victim and her sons relocated to the basement of a nearby dental clinic, where they stayed until 24 March 2022 before leaving for Zaporizhzhya. Eventually, the witness reached Myrnohrad, where she met with her husband's sister, who provided DNA samples for identification purposes. However, the victim's husband remained unaccounted for as of the day of her testimony. The victim's daughter and her husband remained in Mariupol and attempted to locate her father in the morgues but were unsuccessful.

6. Investigations into the destruction of medical facilities along with other infrastructure objects in Mariupol in late February-March 2022

2935. This set of evidence, consisting of twelve records of questioning of victims and witnesses, described the dire conditions of life in Mariupol and the significant destruction of the city's infrastructure, including medical facilities, in late February-March 2022.

(a) Criminal proceedings no. 22022050000000051 initiated on 2 March 2022

(i) Record of questioning of the victim D.O.S. of 19 April 2022

2936. The victim worked as a police officer in Mariupol. He stated that mass shelling and air strikes on residential buildings in the outskirts of Mariupol had begun on 24 February 2022. He further stated that from 2 March 2022 essential services such as electricity and water supply had become unavailable, and later, heating and gas supply had also been cut off, making it necessary to cook outdoors on bonfires. He added that because of the constant shelling and aerial bombing, cooking and accessing water had become perilous activities. Until 11 March 2022 the victim continued his duties, patrolling the city, preventing looting, and aiding civilians, including transporting the wounded. On 11 March 2022 the victim's commander informed him and his colleagues that they could leave the city because of the increasing danger. The victim left Mariupol on 16 March 2022. He stated that by that time nearly 90% of the city had been destroyed, including critical infrastructure such as gas pipelines, water pipes and power grids. The victim had personally seen the destruction of gas pipelines at Azovstal and at the Illich Steel and Iron Works. He had also witnessed the destruction of a school and a kindergarten on Sechenov St., and the maternity ward at hospital no. 3, where the victim had personally assisted with evacuations. Additionally, he had observed mass graves in residential courtyards and seen injuries among civilians as he patrolled the city and helped with evacuation efforts.

(ii) Record of questioning of the witness S.S.N. of 7 May 2022

2937. The witness and his family resided in Mariupol. He stated that the Russian Armed Forces had begun shelling the city on the morning of 24 February 2022. The witness and his family relocated to a bomb shelter near the Slavutych market, where they stayed until 15 March 2022. The witness stated that throughout February and March 2022, the Russian Armed Forces had inflicted extensive damage to food markets and shopping centres in Mariupol, rendering food procurement impossible. By 1 March 2022, approximately ninety energy substations in Mariupol had been rendered inoperable owing to shelling, resulting in a shortage of electricity, water and heating. Gas supply ceased on 5 March 2022. The witness stated that his wife had witnessed an air strike targeting City Hospital no. 3 along Myru Avenue, causing substantial casualties, particularly among women. Furthermore, on

10 March 2022 the witness had seen shelling near bus station no. 2 targeting a civilian car carrying four people, all of whom sustained injuries. On 15 March 2022 the witness and his family evacuated from Mariupol to Zaporizhzhya and subsequently to the west of Ukraine.

(iii) Record of questioning of the victim O.E.L of 4 April 2022

2938. The victim, employed as a doctor in a private clinic in Mariupol, reported that Russian forces had commenced artillery shelling of Mariupol on 24 February 2022. She recounted that on 2 March 2022, at 4 a.m., her apartment at 10 Morskyi Boulevard had been targeted with Grads, resulting in damage to walls, windows and the gas pipeline, causing a gas leak. Consequently, she and her husband relocated to their parents' private house. Basic utilities, including electricity, gas and water, ceased functioning on the same day, making it necessary to cook outdoors on a bonfire.

2939. On 9 March 2022 the victim was informed about an evacuation corridor from the city, but upon reaching the designated location near the Drama Theatre building, she discovered that no evacuation was taking place. En route, she witnessed significant damage to City Hospital no. 3, including collapsed walls, shattered windows, and a damaged roof. She learned from V.L.M., Head of the Children's Neurological Department of that hospital, that it had been struck by an aerial bomb, resulting in injuries to staff. Later that day, at around 10 p.m., the victim's parents' house at 14 Lavytskyi St. was shelled by Grads, causing damage while the family had been in the basement.

2940. The victim stated that her apartment at 10 Morskyi Boulevard had been destroyed, and her car had been burned as a result of artillery shelling. She also noted the destruction of almost all hospitals in Mariupol, with at least five doctors killed and one hospitalised in a serious condition. Additionally, she had observed numerous items of damaged Russian military equipment in Mariupol, including tanks, armoured personnel carriers and infantry fighting vehicles. On 16 March 2022 the witness evacuated from Mariupol.

(iv) Record of questioning of the victim A.I.S. of 4 April 2022

2941. The victim, a pensioner, resided in Mariupol. He stated that on 24 February 2022 Russian forces had started shelling the city, targeting its infrastructure. He had sought refuge in a basement with his relatives. He stated that on 2 March 2022 the gas, electricity and water supply had been cut off, compelling him to cook meals in the house courtyard. On 16 March 2022 the victim evacuated to the west of Ukraine. Leaving the city, the victim drove through Kuindzhi St., Metallurhiv Avenue, Prymorskyi Boulevard, Lunin Avenue and Haharin St. where he observed destroyed houses, pharmacies, and a significant amount of damaged Russian military equipment, including tanks, armoured personnel carriers and infantry fighting vehicles.

2942. The victim testified that his goddaughter, T.V.S., had been present at Maternity Hospital no. 3 during an air attack, which caused her minor injuries and psychological trauma. Additionally, the victim stated that his apartment at 8 Hrushevskiy St. had suffered multiple artillery strikes and been completely burned down.

(v) Record of questioning of the victim M.V.Z. of 15 July 2022

2943. The victim, a retired electrician of the State Enterprise Mariupol Sea Trade Port, resided in Mariupol with his wife. Following the full-scale Russian invasion on 24 February 2022, the victim and his family faced severe shortages of heating, gas, electricity, food and water, prompting their decision to evacuate. He provided a description of the escalating military actions, including witnessing the destruction of civilian infrastructure by Russian troops from as early as 2 March 2022. Key locations included the Shans and Fresh stores, the Prymorie shopping centre, school no. 15, kindergarten no. 153, as well as the maternity hospital and hospital no. 3, all of which had suffered extensive damage from shelling. The victim highlighted the indiscriminate nature of the attacks and indicated that civilian shelters had also been targeted.

2944. The victim and his wife decided to move to the territory controlled by Ukraine on 29 March 2022. The evacuation involved navigating through more than thirty Russian checkpoints, where he and others faced inspections, extortion and scrutiny. The victim observed a heavy Russian military presence characterised by white armbands on uniforms and “Z” markings on vehicles.

2945. The victim also provided detailed information about his properties in Mariupol, including an apartment, a garage and a country house, all of which had either been damaged or destroyed. He estimated his losses, including the property and belongings, at approximately USD 150,000.

(vi) Record of questioning of the victim I.M.Sh. of 8 April 2022

2946. The victim resided at 28 Lavytskoho St. in Mariupol and had been employed as a specialist at the DTEK energy company since November 2020. Owing to the escalating shelling and aerial attacks on Mariupol, she and her family sought refuge in their basement from 2 March 2022. On 9 March 2022 a Grad shell hit their residence, causing significant destruction, yet they remained in the basement in dire conditions without any utilities. By 16 March 2022, having witnessed the destruction of nearly 90% of Mariupol, they decided to evacuate to Berdyansk. The victim observed men being undressed and examined at a checkpoint in Manhush during their evacuation.

2947. The victim recounted seeing acts of Russian military aggression while in Mariupol, including extensive damage to critical infrastructure systems, gas pipelines, water pipelines, heating networks, residential

infrastructure and most grocery stores. She specifically mentioned the destroyed building of DTEK at 72 Bakhchivandzhi St. and the Mariupol Regional Electricity Company at 2 Voinycha St.

2948. Furthermore, the victim had observed the devastation of educational and healthcare facilities, including school no. 29, city hospital no. 3, and the Pryazovskyi State Technical University. The victim had also seen the consequences of Russian military aggression on civilians, including artillery shelling near a school on Zelinskoho St., which had killed two children and torn off the legs of the third child.

2949. The victim mentioned that her apartment at 144 Budivelnkyiv Avenue in Mariupol had been completely destroyed. She estimated the material damage to the property at no less than USD 25,000. Additionally, the victim mentioned her siblings and a close relative who had also suffered property losses in Mariupol.

(vii) Record of questioning of the victim I.A.K. and the witness V.V.Sh. of 27 May 2022

2950. The victim, I.A.K., resided at 21-a Mariupolska St. in Mariupol. On the morning of 8 March 2022, she was sheltering in the basement of her house with her three sons and other relatives. At around 10 a.m. on 8 March 2022 Russian forces shelled her street with mortars. At around 11.30 a.m. her two sons, born in 1989 and 1999, came out of the basement in civilian clothes to evaluate the damage. At that time there was another Russian mortar strike, which directly impacted the victim's residential building, leading to the death of her eldest son and severe leg injuries to her youngest son. Two neighbours of the victim were killed as well. The victim buried her eldest son in their garden because it was impossible to contact the municipal services for burial.

2951. The victim's youngest son was immediately taken to hospital no. 3 in Mariupol. On 13 March 2022 that hospital was heavily shelled, forcing the personnel to transfer the victim's son to hospital no. 2 in Mariupol with a view to amputating his leg there. On the same day, hospital no. 2 was captured by Russian troops. On 23 April 2022 Russian troops transferred the victim's son to Donetsk along with the other patients of that hospital. The victim testified that she had had no contact with her injured son as of the time of her testimony. She was aware that her son's leg had been amputated.

2952. On 8 March 2022 the victim also sustained small penetrating shrapnel wounds from fragments of bricks and asphalt on the left side of her body, including her wrist, chest, head, and both legs. She did not seek medical care and removed some fragments of shrapnel by herself. Other fragments remained in her body as of at the time of her testimony.

2953. The victim added that there had been a border guard detachment ten minutes away from her place of residence, but she personally had not observed military equipment there. The victim evacuated from Mariupol on 26 March 2022.

2954. The victim's middle son, V.V.Sh., questioned separately, provided the same account of events. He added that at 11 a.m. on 19 March 2022, as he had left the house to collect water and moved towards Kranova St., he had witnessed a Russian aerial attack on the infrastructure facilities of the Mariupol seaport.

(b) Criminal proceedings no. 22022000000000054 initiated on 24 February 2022

(i) Record of questioning of the victim H.O.Sh. of 18 May 2022

2955. The victim resided in Mariupol and worked as a neonatologist at the Mariupol City Maternity Hospital on Pashkovskoho St. In her statement she recalled a strong explosion early on 24 February 2022, which had marked the beginning of ongoing shelling and military actions in and around the city.

2956. On 25 February 2022 the victim went to work and heard explosions from the Vostochnyi neighbourhood all day long. At around 5 p.m. on that day, a shell exploded on Pashkovskoho St. near the maternity hospital. The hospital windows were blown out, and the administration evacuated everyone to the basement, in particular women in labour. All night long, the victim heard shelling landing on residential areas in the Vostochnyi neighbourhood.

2957. The victim recounted instances of heavy shelling lasting round the clock with brief pauses from around 2 to 5 a.m. Every day shelling kept approaching the victim's residential area. From 28 February to 1 March 2022 the witness reported intense shelling of private residential areas with Grad MLRSs, causing significant destruction and civilian casualties, in particular in the Vostochnyi neighbourhood and Leninhradskyi Avenue.

2958. On 2 March 2022 the victim saw a tank arriving from the side of the Vostochnyi neighbourhood along Morskyi Boulevard and military groups inspecting the area. The same day the electricity went off. On that day, a shell fragment entered the victim's apartment at 54 Morskyi Boulevard and became lodged in a wardrobe.

2959. Throughout her testimony, the victim highlighted the dire conditions faced by civilians, including shortages of essential supplies on account of the closure of stores and pharmacies, the spread of diseases, and the challenges in accessing medical care amidst the conflict. She detailed efforts to provide medical assistance to those in need, including a critically ill infant, and the civilians struggling to seek safety and medical attention.

2960. On 6 March 2022 the victim's family with the help of the UAF relocated to a bomb shelter located at a confectionery factory in the city centre, where around 300 people had been hiding, including fifty or sixty babies. The victim, being a doctor, set up a place to provide medical aid to people. She reported a lack of medicines, syringes and bandages. Intestinal and respiratory diseases began to spread, and several people died in the shelter. The victim stated that one of the patients treated by her had been at a bombed maternity hospital; however, she did not specify the name of the

hospital or the date of the bombing. She was told by the patient's mother that the blast "had killed a lot of women and children, ripped off the limbs, it was a very horrible picture".

2961. On 20 March 2022 the UAF warned people hiding in shelters not to come out for three days because of the "clearings" being carried out, after which everyone would be released. However, after three days servicemen in Russian uniforms came and started checking everyone in the basement.

2962. The victim also mentioned instances of looting, the presence of Russian snipers, and interactions with the Russian military, who imposed restrictions on civilians, including the requirement to wear white armbands. The Russian soldiers told the victim that Kyiv had been "taken", that it was impossible to get into Ukraine, and that Ukraine would fall soon. The victim secretly listened to the Ukrainian news on the radio.

2963. The testimony concluded with the victim's evacuation from Mariupol on 30 March 2022, the observation of widespread destruction and casualties, and the impact on civilian infrastructure and personal property, including her second apartment at 45 Zelinskoho St., which had been damaged.

(ii) Record of questioning of the witness T.O.I. of 13 May 2022

2964. The witness resided at Metalurhiv Avenue in Mariupol with her daughter and mother before the onset of the hostilities on 24 February 2022. On 26 February 2022, owing to the escalating danger, they moved to the basement of a territorial centre for elderly people located on Myru Avenue, where they stayed with sixty-two others until 15 March 2022.

2965. The witness reported seeing multiple instances of shelling in Mariupol, notably on 24 February 2022 and subsequent days, with tanks and Grad MLRSs targeting residential areas. On 5 March 2022 a shell from a Grad MLRS fell in the vicinity of the elderly centre and smashed its windows. On 9 March 2022 an aerial bomb hit the courtyard between the elderly centre and maternity hospital no. 3, partially destroying the centre and causing fire to nearby cars. Maternity hospital no. 3, which had been functioning at the time, was also heavily damaged. After the attack, the witness went to the hospital to help evacuate people. She helped women in labour leave the hospital. Many people were wounded. The witness said, "I was given a baby to hold, but it was no longer breathing". The shelling continued during the evacuation.

2966. The witness also recalled a specific incident on 7 March 2022, when an artillery shell had hit a bus stop at 66 Flotska St., causing a car and its driver to burn down.

2967. The witness had observed military equipment bearing the "Z" symbol and noted the presence of both AFRF and UAF near the elderly centre on 12 March 2022.

2968. The witness mentioned the continuous and varied sounds that had preceded the attacks. Significant damage was observed to various buildings,

including the House of Communications, Pryazovskyi State Technical University, residential buildings, and school no. 26, with windows, walls, and roofs damaged. Additionally, metal remnants of shells were found near her home, though their specific type was not identified. On 15 March 2022 the witness and her family fled towards Zaporizhzhya via Berdyansk.

(iii) Record of questioning of the victim Yu.V.S. of 26 April 2022

2969. The victim, a resident of 119 Peremohy Avenue in Mariupol, stated that at 5 a.m. on 24 February 2022 she had heard loud explosions. She stated that since 26 February 2022 she and her husband had been hiding from the explosions in the basement of their apartment building. On 1 March 2022, as a result of the shelling of a neighbouring building, the windows in the victim's apartment were shattered. On 8 March 2022 the victim and her husband had to relocate because of escalating explosions near their place of residence. They hid in the basement of the Medifast private clinic at 42 Myru Avenue until their evacuation from Mariupol on 18 March 2022. Later, a neighbour informed the victim of an air strike on 13 March 2022, which had resulted in nineteen casualties and severe damage to their apartment complex. On 11 April 2022 the victim learned of the complete destruction of the two apartments she had owned in Mariupol, located at 32/42 and 119 Peremohy Avenue, due to tank shelling.

2970. The victim also stated that she had seen the Mariupol Territorial Medical Association for Children's and Women's Health and Medical Aid Centre no. 3 being damaged by an air strike on 11 March 2022, both located at 80 Myru Avenue. Additionally, on around 11 March 2022, the victim saw an ambulance destroyed by a cluster shell at the intersection of Myru Avenue and Budivelnkyiv Avenue, and the Ukrtelecom communications building on Myru Avenue, which had been destroyed by two aerial bombs. The victim mentioned that she had seen many corpses of civilians. While leaving Mariupol on 18 March 2022, the victim had seen five Red Cross-marked buses moving towards Mariupol, halted by Russian military at a checkpoint in Vasylivka. During the evacuation, she had observed approximately fifteen Russian military checkpoints with military equipment marked with "Z". The victim stated that at those checkpoints, Russian soldiers of Chechen or Buryat appearance had inspected documents of evacuees and communicated in Russian. Eventually, the victim successfully evacuated to the Lviv Region.

(c) Criminal proceedings no. 12022100060001141 initiated on 6 September 2022

2971. This piece of evidence was a record of questioning of the victim S.F.M of 6 September 2022. The victim resided in Nikolske (formerly Volodarske), Donetsk Region, when the Russian invasion began. He reported that as a result of shelling, on 26 February 2022 his wife, who had just given birth, and their children had been moved from a perinatal centre in Mariupol

to maternity hospital no. 3 located on Myru Avenue. This transfer was necessary because the perinatal centre had lost access to the water supply, heating and electricity following artillery shelling.

2972. On 9 March 2022, at around 2.45 p.m., while at the maternity hospital, the victim sustained a perforating shrapnel wound to the anterior abdominal wall as a result of a mine explosion. He received initial medical treatment at maternity hospital no. 3 before being treated further at the Volodarske Central District Hospital of the Donetsk Region.

(d) Criminal proceedings no. 42022050000000057 initiated on 5 April 2022

2973. This piece of evidence was a record of questioning of the witness I.S.H. of 30 May 2022. The witness resided in Mariupol with his father. On 9 March 2022 the witness and his father visited the Donetsk Regional Prosecutor's Office in Mariupol to pick up documents and recharge their phones.

2974. Having left the Prosecutor's Office around 3 p.m., they headed towards the Priazovskyi State Technical University. The witness stated:

“When we crossed the intersection, we heard the noise of an aeroplane and after five seconds two explosions were heard very loudly; something fell on the maternity hospital. ... 10-20 seconds after the first explosion, I heard the noise of an aeroplane again, and in 2-3 seconds the bomb hit the building where the Syto-Piano restaurant was located. First, there was a yellow-red flash, then a very loud explosion. I was thrown further onto the porch by the blast wave ...”

2975. The witness saw that his father had heavy bleeding from his right buttock and attempted to provide aid. Realizing the severity of the injury, the witness sought help from security guards at the Prosecutor's Office and then approached a military vehicle for assistance in transporting his father to the hospital.

2976. Upon arrival at the oncology department of hospital no. 3, which had been converted into a temporary medical facility because of prior bombings, emergency medical treatment was administered to his father. Despite the efforts, the witness's father was pronounced dead half an hour later. The witness was informed that the military personnel would manage the transportation of the body owing to curfew constraints.

2977. In the following days, the witness endured further hardship, including heavy shelling of his apartment building at 5a Bakhchyvandzhy St. on 28 March 2022, leading to a decision to evacuate from Mariupol together with his neighbours. On 29 March 2022, during their departure, they encountered a checkpoint, where a thorough inspection was conducted. Ultimately, the witness relocated to Melekine, Berdyansk, and then to Zaporizhzhya.

7. Investigations into attacks on residential, educational and other property in Mariupol, as well as civilian casualties and injuries in the period of late February-April 2022

2978. This set of evidence consisted of seven records of questioning of victims and witnesses about attacks on residential, educational, cultural and other property in Mariupol, as well as civilian casualties and injuries in the period of late February-April 2022.

(a) Criminal proceedings no. 22022052640000023 initiated on 24 February 2022

2979. The victim, N.O.K., was questioned on 16 August 2022. She was a resident of Mariupol and an elderly person. She recounted that on 6 March 2022, while she was at her son's house at 31 Dorozhna St. in Mariupol, she had been struck on the head by part of a metal-plastic window frame dislodged by a shock wave from rocket shelling. The victim lost consciousness and suffered a haematoma. Her injury led to headaches and ongoing medical examinations for related health issues, including deteriorations in eyesight and hearing.

2980. The second incident occurred on 8 March 2022 near school no. 7 at 29 Mizykevycha St. in Mariupol. The victim was thrown against a fence by an explosion shock wave, resulting in impact injuries to her knee and shoulders. She identified the shelling as having originated from the east, north, and north-west of the city, describing the auditory prelude to the explosions as roaring sounds and whings lasting approximately five to eight seconds before the impact. The victim noted that the attacks had been continuous, with daily occurrences from early morning until late evening. Despite sustaining physical injuries from these incidents, the victim stated that she had not yet obtained the relevant medical documentation.

2981. Regarding the impact on infrastructure and property, the victim testified to widespread damage across Mariupol, affecting facilities of various ownership types, including private, State and municipal properties identifiable by their respective signboards. She asserted that there had been no military targets in the vicinity of the locations that had suffered damage, further describing the remnants of munitions as green and grey metal fragments found on the streets.

2982. The victim stated that her personal property, along with that of her neighbours, had been damaged by the attacks, with no military objects nearby that could have been perceived as legitimate targets. The victim noted that she had in her possession photographic and video evidence of the damage to both the city's infrastructure and her apartment.

(b) Criminal proceedings no. 22022050000000424 initiated on 29 April 2022

2983. The witness, O.I.F., was questioned on 8 June 2022. She was a private entrepreneur with a business in children's clothing and toys, and had

left Mariupol for Zaporizhzhya on 15 March 2022 with her children. She was aware of a number of civilian casualties in Mariupol caused by Russian shelling, including the following.

- (a) M.M.P., his wife and two children, died on 15 March 2022 because of an aerial bomb hitting his house and setting it on fire.
- (b) The F. family, including a child, died on 15 March 2022 from an aerial bomb.
- (c) A.K. and her daughter died in the Mariupol Drama Theatre from an aerial bomb.
- (d) O.K.R. died after being tortured by Kadyrov's troops on 3 March 2022.
- (e) A.G. and two friends died from mortar shelling on 12 March 2022.
- (f) N.S.Z. died under debris on 10 March 2022.
- (g) M.Z. and K.Z. died under debris on 23 March 2022.
- (h) A married couple along with their two-month-old daughter died under debris on 23 March 2022.
- (i) A.P. and her one-year-old child died under debris on 13 March 2022.
- (j) Y.M. and her daughter died on 4 March 2022 from a direct hit.
- (k) Y.H.S., nine months pregnant, died on 22 March 2022 from a bomb, which levelled the house to the ground.

2984. Because of the nature of her business, the witness knew many families where children had died from shelling.

- (a) Y.B., aged six, died during a mortar shelling when she and her parents had been trying to leave Mariupol.
- (b) V.O., aged three, died on 12 March 2022 during a mortar shelling by the Russian forces near the entrance to her house in Mariupol.
- (c) K.V., aged 14, died along with her mother when a shell directly hit their apartment in the Central district of Mariupol.
- (d) K., aged seven, died under debris from a house at Metalurhiyna St. in Mariupol.
- (e) M.M.Z., two or three months old, died with his parents on 23 March 2022 under debris at Metalurhiyna St. as a result of an aerial attack by the Russian forces.
- (f) I.P., aged 15, died as a result of shrapnel wounds received at Bohdana Khmelnytskoho St. in Mariupol on 2 March 2022.
- (g) K.D., aged 15, died on 12 March 2022 as a result of artillery shelling by the Russian forces.
- (h) M.H., aged 17, died on 22 March 2022 as a result of a direct shell hit by the Russian forces in Mariupol.
- (i) H.B., aged 11, died on 20 March 2022 as a result of the collapse of a house in Mariupol. His mother survived.

2985. The witness described the shelling as originating from the Novoazovskyi district and other specific locations in Mariupol, with Russian military equipment visibly present in the city. She had personally witnessed

tanks, armoured personnel carriers, and multiple launch rocket systems with white “Z” signs.

2986. The shelling lasted six to ten hours daily until the witness’s departure on 15 March 2022. She testified that 70% of civilian objects in Mariupol had been destroyed. She specifically noted the destruction of residential buildings on Budivelnkyiv St. and Zakhysnykiv St. and educational institutions, such as schools nos. 29, 36, 48, 14, 40, 15, and 68, that had been damaged or destroyed by aerial attacks and artillery shelling.

2987. The witness provided photographs and videos of the destruction and casualties, emphasising the targeting of civilian facilities with no military presence. However, she noted that the UAF had been stationed in school no. 48, which could have been perceived as a military target by the Russian forces.

2988. During her departure from Mariupol, the witness encountered numerous Russian checkpoints in the Donetsk and Zaporizhzhya Regions, where the Russian military took away telephone SIM cards, specifically at a checkpoint near Tokmak and in Kamyanske.

(c) Criminal proceedings no. 22022050000000051 initiated on 2 March 2022

2989. The victim, Y.V.Z., was questioned on 15 April 2022. He resided in Mariupol. He reported extensive destruction in the city, including residential buildings, shops, pharmacies and administrative buildings. While navigating Mariupol, he had observed numerous bodies of civilians on the roadsides and streets. He had also witnessed civilians being killed and injured during ongoing air bombings and artillery attacks in the city centre, where he had assisted in evacuating the wounded to safety for further medical attention. The victim’s apartment at 74 Myru Avenue sustained multiple hits from artillery shells and aerial bombs, resulting in severe damage to the walls, windows, and overall structure, rendering it uninhabitable. On 16 March 2022 he and his family evacuated towards the village of Urzuf.

(d) Criminal proceedings no. 22022000000000054 initiated on 24 February 2022

(i) Record of questioning of the victim O.I.L. of 15 June 2022

2990. The victim lived in central Mariupol with her two children, born in 2007 and 2013, and her husband. The massive shelling in the victim’s residential area started after 16 March 2022. On the same day a shock wave from an aeroplane bomb damaged the victim’s apartment at 24 Myru Avenue. On 20 March 2022, during intense Russian shelling, a mine hit their apartment, causing significant destruction and injuring the victim’s son with shrapnel. The apartment, which had not been near any military targets, suffered extensive damage estimated at USD 25,000.

2991. The victim described the shelling as coming from multiple directions, with the Russian military entering Mariupol from three sides early

in March 2022. The sounds of mortar fire, Grad MLRSs and aircrafts accompanied the attacks, which had intensified after 16 March 2022.

2992. After 20 March 2022 the victim had seen shelling setting on fire residential houses on Myru Avenue, the Molodizhnyi Palace of Culture, which had been a cultural heritage site, the Korolenko Central City Library, the Mariupol Local History Museum, the Arkhip Kuindzhi Museum, and secondary school no. 1. The victim stated that the above buildings had not housed any military targets and had had distinctive signs on them. After 2 April 2022 she had observed numerous remnants of shells and ammunition in the city.

2993. After the victim's apartment had been partially destroyed, the family continued living there as there was no way to leave. By 15 April 2022 it had become uninhabitable owing to the lack of electricity, water or sewerage, so the witness, her two sons and her mother-in-law left for Lviv.

(ii) Record of questioning of the witness Z.M.R. of 3 May 2022

2994. The witness, her husband and their minor son resided at Nakhimova Avenue in Mariupol. She stated that on 24 February 2022 there had been very powerful explosions and shelling of residential areas near her place of residence. The witness had hidden with her son in the basement. The witness further stated that on 2 March 2022 all utility and communication services had stopped operating, including the internet and the electricity, water and gas supply. The witness had resorted to cooking food over an open fire. The witness further stated that on 5 March 2022, despite the announced "green corridor" for evacuation from Mariupol, people had been unable to evacuate because of reported mining of the road to Zaporizhzhya. On 12 March 2022 an explosion shattered the windows of the witness's home, originating from a shell striking a nearby garage. The witness attested to continuous shelling of Mariupol from 24 February to 15 March 2022. She stated that she had frequently observed a grey fighter aircraft dropping shells on Mariupol residential areas. She had also seen a large crater from a shell explosion on the territory of the "Dzhereltse" kindergarten no. 63, located near Budivelnkyiv Avenue. Departing Mariupol on 15 March 2022 by car, the witness encountered shelling near the village of Vasylivka, apparently from Grad rocket launchers. She stated that missiles had been flying over their evacuee colony. The witness with her son eventually evacuated to the west of Ukraine. She also noted that until 2014 she had lived in Donetsk, so this was the second time she had been forced to leave her home.

(iii) Record of questioning of the victim Y.V.D. of 27 March 2022

2995. The victim, a resident of Mariupol, stated that at 5 a.m. on 24 February 2022 massive shelling of the city's infrastructure had begun. At about 11 a.m., the victim received a call from his mother, who resided at

46 Kyivska St. She informed him that her house had been hit by Grad multiple rocket launchers, which had resulted in the majority of her windows being smashed.

2996. The victim stated that he had observed extensive destruction in the Skhidnyi neighbourhood and central districts of Mariupol, including numerous destroyed buildings and large craters resulting from bombing. He stated that the aerial bombardment of Mariupol had commenced around 9 March 2022, with planes flying continuously from approximately 4 a.m., initially at intervals of about one hour, then transitioning to night-time bombings from around 12 March 2022. The bombings had persisted until the victim's evacuation on 15 March 2022, amidst ongoing attacks. Specifically, around 13-14 March 2022, the victim had personally seen an aircraft dropping two bombs near the Drama Theatre in the city centre, resulting in explosions heard in the Kirovskyi district. Additionally, the victim stated that on 12 March 2022 kindergarten no. 66 at Persha Slobodka St., which had served as a gathering place for city residents, had been shelled, resulting in casualties. He further stated that he had witnessed significant damage at the premises of Gipromet LLC at 68 Myru Avenue. Furthermore, the victim stated that during the evacuation on 15 March 2022, he had observed extensive destruction of private houses in the Moryakiv village area. Subsequently, the victim had encountered video evidence via a Telegram channel depicting his own house with destroyed windows.

(iv) Record of questioning of the witness S.A.Kh. of 14 May 2022

2997. The witness resided at 3 Soborna St. in Mariupol with his daughter. On 27 February 2022 the Russian forces had started shelling Mariupol's Kalmiushki district from the direction of Novoazovsk, Donetsk Region, leading the witness and his daughter to seek shelter in basements, and eventually the bomb shelter of the Illich iron and steelworks.

2998. Between 27 February and 18 March 2022, the witness observed significant damage to the city's infrastructure, including the attack on the power substation of 1 March 2022, which had led to a power outage, and the destruction of residential buildings, a school, and the "California" market between 4 and 5 March 2022. Rocket attacks had left visible marks on buildings and caused extensive damage, including to the ATB supermarket and a nearby residential building. The witness confirmed that the attacked residential areas had not hosted military targets and that the city had been shelled from its left bank.

2999. The witness described seeing continuous missile attacks and the destruction of the city landmarks, such as the Drama Theatre, the Central Department Store, and residential buildings. The apartment he and his daughter had lived in had its windows blown out on the night of 16-17 March 2022 while they had been sheltering in the basement of a nearby shop. As the shelling persisted, on 18 March 2022 he and his daughter decided to leave

Mariupol, observing widespread destruction and a direct attack by a Russian Su-34 on a residential building in the village of Moryakiv, destroying it completely.

3000. During their evacuation, the witness encountered a “DPR” checkpoint with armed soldiers conducting thorough inspections, questioning, and checks for tattoos and bruises. The witness saw eight young men being stripped down in cold temperatures. Despite being offered transportation to Russia by “DPR” military, the witness decided to reach Manhush on foot and eventually travelled to Lviv via Berdyansk and Zaporizhzhya.

8. Investigation into ill-treatment of Ukrainian POWs by a “DPR prison officer” at Olenivka Prison in April-September 2022 (criminal proceedings no. 42022000000000468 initiated on 15 April 2022)

3001. This piece of evidence was a notification of suspicion dated 26 July 2023. According to this document, Mr K.Sh., a Ukrainian citizen residing in Horlivka, was notified of a suspicion of “cruel treatment of prisoners of war committed by prior conspiracy of a group of persons” under Article 438 § 1 of the Criminal Code of Ukraine. Mr Sh. was a junior inspector at Olenivka Prison no. 120 in the Donetsk Region and took orders from the prison’s head, Mr S.V.Y. Mr Sh. was suspected of having participated in acts of physical, psychological and sexual violence of at least 100 servicemen of the Ukrainian Armed Forces detained there as POWs. The identities of the victims were concealed for their protection.

3002. In particular, on 27 July 2022 Mr Sh. took a Ukrainian POW, a junior lieutenant, to a disciplinary cell of the prison. Before entering the cell, he ordered the prisoner to strip down to his underwear, squat and walk in the squatting position. The prisoner, who had previously sustained leg injuries, responded that it was impossible for him to do so, following which Mr Sh. hit him three times on his chest, breaking two of his ribs. After this, an unidentified colleague joined Mr Sh. and they tied and beat the prisoner in the cell to force him testify. They tied a rope to the prisoner’s penis and periodically pulled it for forty minutes, causing him severe pain. Following this, they stuck a match between the prisoner’s buttocks and lit it, causing him burns, pain and psychological trauma. They also used a rubber truncheon of the PR-73 model to beat the soles of the prisoner’s feet, causing him severe pain and suffering.

3003. The second described incident took place at the end of August 2022. Mr Sh. and his two unidentified colleagues ill-treated a Ukrainian POW held in the prison’s cell no. 11. They used a field telephone of the TA-57 model – the so-called “Tapik” – as a torture device, connecting its wires to the prisoner’s penis and chest and then electrocuting him for two hours, causing the prisoner severe pain and suffering. Mr Sh. also repeatedly punched the victim.

3004. The third incident occurred around 21 April 2022 during the acceptance of new POWs to the prison. Mr Sh. hit them with a PR-73 truncheon on different parts of their bodies. Then he ordered one victim to do the splits and hit him on his legs with a truncheon. After receiving an order “to work on the prisoner” from an unidentified senior officer who had been present there, Mr Sh. kept hitting the prisoner on his knees and back, causing him severe pain and suffering.

3005. The fourth incident took place on an unidentified date no later than June 2022. Mr Sh. tied a prisoner up and used the “Tapik” device, connecting one wire to the prisoner’s finger and securing the other wire in the prisoner’s mouth with sticky tape. He then gave the prisoner electric shocks and punched him, causing severe pain and suffering.

3006. The last incident, also involving the “Tapik” device, occurred between 2 and 20 September 2022, with the exact date not established by the investigation. Mr Sh. and his unidentified colleague connected the “Tapik” wires to a prisoner’s toes and put sticky tape on his mouth so he could not scream. Following the “Tapik” ill-treatment with the use of electricity, Mr Sh. kept beating the prisoner with a PR-73 truncheon, following which he also beat the prisoner’s knees and elbows with a wooden hammer, causing him severe pain and suffering.

L. The Kharkiv Region

1. Investigations into deprivation of liberty and ill-treatment by Russian forces between March and September 2022

(a) Investigation into abductions of men by Russian forces in Ruski Tyshky, Tsyркuny, Borshchova, Lyptsi and Lukyantsi between 15 March and 16 April 2022 (criminal proceedings no. 12022221170000986 initiated on 26 March 2022)

3007. This case file included an extract from the URPI and records of questioning of victims and witnesses.

(i) Extract from the URPI and the record of questioning of the witness A.M.R. of 24 April 2023

3008. The extract from the URPI listed ten incidents of abductions involving a total of sixteen people in the period from 15 March to 16 April 2022 by Russian forces in the Kharkiv Region, namely in the villages of Ruski Tyshky, Tsyркuny, Borshchova, Lyptsi and Lukyantsi.

3009. One of those incidents concerned the abduction of V.A.N. by Russian forces from his home in the village of Ruski Tyshky on the evening of 17 March 2022. The extract from the URPI stated that V.A.N. had been taken to the village of Lyptsi, and then to Ruska Lozova, with no further information about his whereabouts.

3010. The witness, A.M.R., a Ukrainian serviceman, testified that on 24 February 2022 he, along with eighty-two other Ukrainian servicemen and two civilians, had been captured by Russian military on Zmiinyi Island. They were eventually transferred to Rzhevske village in the Kursk region of Russia, then to pre-trial detention centre no. 2 in Saryi Oskol, and finally to prison no. 6. in the city of Valuiky. In June 2022, while in Valuiky Prison, the witness met V.N.

3011. The witness stated that all inmates in prison no. 6 had been subjected to daily physical violence, including beatings and the use of special tools such as batons, stun guns, and pepper spray to the face. Violence was perpetrated by both the prison staff, special forces and individuals conducting interrogations. The witness mentioned that V.N. had also been subjected to violence during interrogations. During routine cell checks, guards would sometimes plant illegal objects in the cells or pockets of prisoners, providing a formal pretext for using violence against them. The conditions of detention were poor, with two to five minutes dedicated to meals and once-a-week baths restricted to two minutes. No medical assistance was available. The witness mentioned that for the first three months, Ukrainian POWs had only been given bread and no other food. The witness also mentioned being compelled to sign documents without having the opportunity to read them first. He added that there had been strong psychological and physical influence on civilians to force them to cooperate.

3012. According to the witness, starting from August 2022, everyone had been compelled to engage in forced labour, and those who refused had been subjected to physical violence. They were assigned tasks such as assembling paper folders, and some prisoners, including V.N., were sent to a sewing shop. Daily efficiency standards were established, and detainees faced physical violence for not meeting these standards. The witness stated that the mental state of V.N. had been poor at that time.

3013. On 15 September 2022 the witness, V.N., and some Ukrainian POWs were moved to prison no. 4 in Alekseyevka, in the Belgorod Region of Russia. The witness testified that V.N. had been beaten there a number of times, had been forced to engage in labour, had lost a lot of weight, and was depressed. Mr N. remained in prison no. 4 in Alekseyevka as of the date of the witness's release, which had occurred on an unspecified date between February and April 2023.

(ii) Record of questioning of the victim L.V.H. of 14 July 2023

3014. The victim, a civil servant of the State Border Guard Service of Ukraine, and her husband V.S.D., an auto mechanic, resided in Tsyrukun in the Kharkiv Region. The victim stated that around 5 a.m. on 24 February 2022 Russian military forces had entered Tsyrukun and were moving in the direction of Kharkiv. The victim saw military vehicles with a letter "Z" on them and servicemen with St George's ribbons and white armbands on their

left arms. The victim also stated that on approximately 13 March 2022, servicemen of the “LPR”/“DPR” had arrived in Tsyркunь, conducted searches of private houses, and seized people’s phones. At around 1 p.m. on 16 March 2022 two Russian soldiers had come to the victim’s house, checked documents and taken the victim and her husband to a neighbour’s house for interrogation, but had later released them. On 29 March 2022, while the victim and her husband were returning home, they had encountered a minibus with the letter “Z” and approximately ten servicemen in Russian uniform with weapons. They had also seen a local resident, shirtless and kneeling near the car. The Russian soldiers inspected the documents of the victim’s husband, ordered him to undress and remove his shoes, pulled his sweater over his head, covering his face, and secured it with a tape. The witness was told to move away and not look back under the threat of being shot. The Russian soldiers drove the victim’s husband in an unknown direction. While in captivity, the victim’s husband called her several times, informing her that he had been held in various locations in the Kharkiv region and had later been transferred to a pre-trial detention centre in Belgorod in the Russian Federation. He also mentioned that he and other detainees had been assigned various tasks such as cleaning, digging trenches, and preparing food for prisoners. Around 3 June 2022 he was released.

(iii) Record of questioning of the victim A.M.M. of 12 July 2023

3015. The victim, a nurse, resided in Tsyркunь with her husband Ye.M.M. She stated that Tsyркunь had been occupied by Russian forces on 24 February 2022. On that day she had witnessed military vehicles with “Z” marks on them. She also stated that Russian servicemen had organised their headquarters in the village and brought stolen cars there. At around 4-5 p.m. on 30 March 2022, while the victim and her husband had been at their relative’s house, around eight Russian servicemen came to the yard and ordered everyone to lie on the ground. Then, the soldiers tied everyone’s hands with plastic ties and ropes. The ties were so tight that people’s hands turned blue. Subsequently, the Russian soldiers fired shots in the air, placed bags over the men’s heads, and took four men, including the victim’s husband, out of the yard. The following day the victim was informed that her husband was undergoing filtering measures and would be released after verification. However, he was not released. The victim also mentioned that the Russian servicemen had stolen a computer from her house.

(iv) Record of questioning of the victim N.S.P. of 12 July 2023

3016. The victim resided in Tsyркunь with her family. She stated that between 24 February and 10 May 2022 Tsyркunь had been under the occupation of Russian forces. She further stated that her son D.S.P., a resident

of Lyptsi in the Kharkiv Region, had been captured by Russian soldiers and held in detention from 26 March to 7 April 2022.

3017. The victim stated that around 6 p.m. on 30 March 2022 about eight men dressed in military uniforms with St George's ribbons and balaclavas on their heads had arrived at her house. At that time, her husband and their friends, who had been assisting with rubble clean up after a shelling, were present at the house. The servicemen, using physical force, forced everyone onto the floor while searching for border guard officers and ATO servicemen. The victim's husband identified himself as a former border guard officer. Russian servicemen checked his military ID card and searched the house. Subsequently, they placed bags over the men's heads and blindfolded them. The victim's husband was struck in the chest with the butt of a machine gun. The servicemen confiscated mobile phones and destroyed SIM cards. Afterwards, they took the victim's husband and three other men in an unknown direction. The victim indicated that their whereabouts remained unknown, but one former prisoner had told her about seeing her husband detained in basements in the villages of Lyptsi or Strileche.

(v) Record of questioning of the witness O.S.M. of 17 July 2022

3018. The witness, a resident of Tsyркuny, stated that Russian forces had occupied the village on 24 February 2022. On 31 March 2022, at around 2 p.m., two Russian servicemen had entered her house. One of them discovered the ID of her husband, O.M.M., with a photograph of him wearing a border guard uniform. The servicemen searched both the house and the outbuildings in the yard. When the witness's husband entered the yard, the Russian servicemen, firing shots into the air, seized him, pulled him into the cellar, and interrogated him about his job. During the interrogation, a Russian serviceman with the callsign "Kaban" fired shots into the ground in the basement. Subsequently, the witness, her husband and her mother-in-law were all confined in the basement. She noted that her husband had sustained face injuries when he had been struck with the butt of a rifle. About ten minutes later, the soldiers took the witness's husband away, threatening to shoot if she followed them. At the time of the witness statement, her husband remained in captivity in the territory of the Russian Federation. The witness also mentioned that her car had been stolen by a Russian serviceman with the callsign "Orel".

(b) Investigation into a detention and ill-treatment of a person by Russian forces in Tsyркuny in March 2022 (criminal proceedings no. 12023220000000652 initiated on 5 June 2023)

3019. This piece of evidence was a record of victim questioning of 5 June 2023. The victim, M.V.S., was the head of the Tsyркuny city military organisation. He stated that Russian and "LPR"/"DPR" forces had occupied Tsyркuny on 24 February 2022. He further stated that "LPR"/"DPR" forces

had systematically looted houses, including his own house. Specifically, he noted that his computer and laptop had been stolen. On 3 March 2022 Russian servicemen took the victim along with the deputy mayor of the Tyshky district to the village council building, which had been extensively damaged. They demanded lists of ATO veterans and the village council head's seal. Subsequently, they drove the victim to the central headquarters of the Russian forces in the neighbouring village, Cherkasky Tyshky, and later released him.

3020. On 21 March 2022 at 7 a.m. the victim heard a gunshot in his house, and he saw a Russian soldier inside. There were four more Russian soldiers outside. They tied the victim's hands and took him to the cellar of a private house. The following day, with a bag over his head, he was taken to Lyptsi, where he was detained in a basement with ten local residents, including a woman. At around 2 p.m. the victim, blindfolded, with his hands tied, was moved to a different place of detention, which he believed to have been a prison or a police station. He spent about a day in that cell, which was very cold and had minimal light. On 23 or 24 March 2022 he was taken to Cherkasky Tyshky with another man in the car. The victim heard the servicemen saying to each other that they were going to "finish them off". The victim was placed in a room with about five others, was questioned multiple times, and underwent psychological pressure without physical violence. After several days, he was released. The victim also mentioned that he had been repeatedly urged to cooperate with the Russian forces.

(c) Investigations into detention and ill-treatment of civilians by Russian forces in Balakliya in April-June 2022

(i) Criminal proceedings no. 12022221080000632 initiated on 19 October 2022

3021. This case file included a record of an investigative experiment, a record of questioning of a witness, and a notification of suspicion. According to the case file, on 18 April 2022 I.O.K. was detained at a checkpoint by Russian servicemen and a representative of the "LPR" nicknamed "Bydon". He was blindfolded and taken to a basement. Later, he was taken to the Balakliya District Police Station and interrogated. He was beaten by Russian servicemen all over his body. Subsequently, I.O.K. was transferred to several places of detention in Balakliya, where he was interrogated by a representative of the Russian FSB. The victim stated that during the interrogation Russian servicemen had beaten him with a rubber truncheon on his back, legs and head, and with a stun gun on his side. He also stated that that while being transported between locations in a car, he had been given a shovel and told that it was for him to dig his own grave. On 28 April 2022 he was released.

3022. The investigation established that Russian forces had detained another civilian, R.V.V., in Balakliya on 18 May 2022. He was held in the premises of the Balakliya Police Department until 6 June 2022 in poor conditions. During his time in captivity, he was interrogated by an FSB

representative, while Russian servicemen beat him with a rubber stick all over his body and applied a stun gun to his back and neck.

3023. On 30 March 2023 P.P.K., an employee of the Federal Security Service of the Russian Federation, was notified of a suspicion of giving an order to detain and ill-treat two civilians, I.O.K. and R.V.V., in Balakliya.

(ii) Notification of suspicion in criminal proceedings no. 22023220000000308 initiated on 6 March 2023

3024. This piece of evidence was a notification of suspicion of 13 May 2023. According to this document, V.S.B., a serviceman of the Russian army, was suspected of having ill-treated the civilian population of the city of Balakliya and the Balakliya district whilst the area had been under Russian control. It was established that Mr B., while being in the position of the military commandant of the city of Balakliya, had signed a number of orders and instructions that allowed servicemen of the Russian Federation to detain civilians.

3025. The notification of suspicion described two particular cases of psychological pressure and threats with weapons committed by V.B. against civilians. On 23 April 2022 Russian servicemen abducted S.V.Zh., a resident of Volokhiv Yar in the Balakliya district. They held him in captivity for twenty-one days on the premises of the Balakliya District Police Office in “humiliating conditions”. He was beaten in the face by a Russian soldier. Around 13 May 2022 S.V.Zh. was interrogated by V.B., who placed a weapon on the table, pointed it at him, and ordered him to provide information about his brothers. At the end of the interrogation, V.B. asked S.V.Zh. about his last will. Subsequently, S.V.Zh. was released.

3026. On 22 June 2022 M.V.K., a civilian, was detained in Balakliya by a Russian serviceman and then interrogated by V.B. During the interrogation, V.B. put his gun on the table in front of M.V.K. and ordered him to provide information about local police officers, ATO veterans, and pro-Ukrainian people. V.B. also threatened M.V.K. with physical violence and detention of his family members. M.V.K. was released after the interrogation.

(d) Investigation into the detention and forced labour of a minor by Russian forces in the Kupyansk district in August-September 2022 (criminal proceedings no. 12022221100001182 initiated on 4 November 2022)

3027. This piece of evidence was a record of questioning of the victim A.A.K. of 5 June 2023. The victim, born in 2006, was a resident of Osynove in the Kupyansk district. He stated that at 10 p.m. on 15 August 2022 a military car had stopped by and a group of men wearing Russian military uniforms had told him he had violated the curfew. They took the victim to the district police station where the Russian military had been stationed at the time.

3028. The victim stated that he had been taken to a room with four soldiers and interrogated, which had involved kicking and several soldiers beating him up. They made him do 500 squats and kicked his legs every ten squats, asking him to “tell [them] everything”. The victim did not understand what to say since he had nothing to tell. The soldiers then put a gas mask on his head and punched him in the chest. After two hours, the victim collapsed from pain and exhaustion.

3029. Following the interrogation, the victim was taken to a small cell, where he lay on a brick floor for a very long time. He spent sixteen days in that cell and was given 1.5 litres of water per day, a handful of pasta, and two small pieces of bread. His relatives were not allowed to visit, and their parcels were not given to him. There was no water to wash himself and one toilet in the yard.

3030. When the victim had been released after sixteen days, he was told that he needed to come back every day and work for those days he had spent in custody. For fourteen days, he did so for fear that his family might be punished if he disobeyed this order. From 8 a.m. to 5 p.m. daily, he loaded wood onto trucks, cleaned, swept, and washed cars. He stated that the work had been very hard, but he had been told that if he missed a day, he would owe five more days for each day missed. He worked until the Ukrainian Armed Forces began to enter the territory.

3031. The victim stated that following his beatings, his legs had started to hurt a lot and he had developed an abscess on his stomach owing to a cold. However, he could not go to a doctor for medical aid since active hostilities were ongoing at the place of his residence.

(e) Investigation into the detention of a civilian by Russian forces in Dvorichna in May and July 2022 (criminal proceedings no. 1202322000000453 initiated on 27 April 2023)

3032. This piece of evidence was a record of questioning of the victim H.H.T. of 26 April 2023. The victim served as the head of the Dvorichna village administration in the Kupyansk district. She reported that Russian forces had occupied Dvorichna on 24 February 2022. The victim had twice been detained by Russian soldiers. During her initial capture on 11 May 2022, eight Russian servicemen wearing balaclavas entered her workplace without introducing themselves. They conducted a search and seized a computer, work notebooks, documents and the witness’s mobile phone. Subsequently, they blindfolded her and transported her to the police department in the city of Kupyansk. During her captivity, the victim was interrogated about her collaboration with Ukrainian law-enforcement agencies. She was placed in a cell with another woman. Ten days later one more woman, the principal of a boarding school in Kupyansk, was also placed in the same cell. The victim was released on 13 June 2022.

3033. Following her release, the victim attempted to return to her workplace in the village administration, but an armed man named Dan in a military uniform prevented her from resuming work. On 21 July 2022 approximately six Russian servicemen wearing balaclavas came to the victim's place of residence. They conducted a search and confiscated documents, the village council's seal, and employment records. Subsequently, the victim was blindfolded and transported once again to the Kupyansk police department. She was placed with five other detainees in a cell designed for two people. While in custody, the victim underwent interrogation regarding her support for the Ukrainian authorities. She noted that the nutrition had been poor, and detainees had not been permitted to go outside. Although the victim did not sustain physical injuries during her detention, she experienced psychological pressure. She did not specify the date of her release.

(f) Investigation into abductions and ill-treatment of civilians in Kozacha Lopan by Russian forces in March-May 2022 (criminal proceedings no. 1202217053000140 initiated on an unspecified date)

3034. This case file included records of questioning of a victim, R.V.M., and a witness, N.V.M., both dated 26 March 2022.

3035. The victim was a resident of Kozacha Lopan. He stated that around 3.30 p.m. on 17 March 2022 five armed men wearing green military-looking uniform with "Z" patches and St. George's ribbons had broken into his house. In the presence of his wife, they had put the victim on the ground and started questioning him about the address of his twin brother, Ruslan. The victim, under duress, agreed to show them his brother's house, but when he and the armed men reached it, they found out that Ruslan had already escaped. The victim was then blindfolded and taken by car to an unknown location, where four other men had already been detained. The victim said that he had been beaten by his guards on the first and second days of his detention and questioned about his alleged cooperation with the SBU and NATO. He said that the guards had been from the "DPR". In the afternoon of the second day, the victim was released but was told that his and his brother's cars had been seized. He was also ordered to leave his phone for an "inspection". When he came home at 6 p.m. on 18 March 2022, his wife told him that during his absence ten armed men had seized his car with his documents and keys. Shortly after that the victim and his wife fled to Kremenchuk in the Poltava Region.

3036. The victim's wife, N.V.M., questioned separately, corroborated his account.

(g) Investigation into the abduction and ill-treatment of a civilian in Kupyansk by Russian forces in June-July 2022 (criminal proceedings no. 12022221240000235 initiated on 25 March 2022)

3037. The victim, O.O.Ch., was questioned on 18 July 2023. He testified that he had been a coach at the Dynamo sport school and resided in Kharkiv. He stated that on 26 February 2022 “LPR/DPR formations” had entered the territory of Kupyansk and the Kupyansk district and settled in administrative buildings.

3038. The victim stated that on 12 June 2022 he had been taken by the Russian military to the temporary detention facility at the Kupyansk police station. He stated that he had been tortured and physically abused there. The Russian forces had also seized his mobile phone and documents. The victim stated that from June to July 2022, a man named Ye.V., possibly an “LPR representative”, had entered the detainees’ cells without any reason, assaulting them with a rubber stick. The victim also stated that he had met other “LPR representatives” and people from the so-called “Cherepa” brigade at the temporary detention facility. According to the victim, they were interrogating and torturing the detainees, who had primarily been ATO servicemen. The victim did not specify the date of his release.

3039. The victim also mentioned the people who had collaborated with the occupation authorities and whom he had met at the temporary detention facility. He provided a list of people, which included the following:

- (a) Ye.V.M., the head of the temporary detention facility;
- (b) V., a nurse of the temporary detention facility;
- (c) S.S.M., D.H. and Yu.L., guards of the temporary detention facility;
- (d) O.A.B., who worked at the Kupyansk District Police Department;
- (e) S.A., who worked at the temporary detention facility and brought detainees in for interrogation;
- (f) A.S., who worked at the temporary detention facility and conducted inspections of detainees; and
- (g) S.V. and V.Sh., who worked at the temporary detention facility and supervised the guards.

(h) Investigation into ill-treatment of a civilian in Vovchansk by Russian forces between 5 June and 10 September 2022 (criminal proceedings no. 22022220000000889 initiated on 25 April 2022)

3040. This piece of evidence was a notification of suspicion of 10 August 2023 issued against A.P., a Russian citizen residing in Luhansk and serving as “a senior investigator of the drug enforcement unit of the LPR Ministry of Internal Affairs”. The document stated that between 5 June and 10 September 2022 Mr P. had participated in interrogations and ill-treatment of a Ukrainian civilian whose identity was concealed for protection. According to the notification of suspicion, the victim had been detained by Russian forces at the Vovchansk aggregate plant at 2 Pushkina St. During the interrogation,

Mr P. had tied the victim's arms and legs to a chair and given him at least eight electric shocks per hour by attaching an unidentified electrical device to the victim's fingers, toes, or ears. Mr P. also beat the victim with a rubber truncheon and verbally abused him on the grounds of the victim's Ukrainian nationality. According to the notification of suspicion, the victim had been released on 10 September 2022 after the liberation of Vovchansk by the Ukrainian Armed Forces.

(i) Investigations into deprivation of liberty and ill-treatment of people with a previous military background by Russian forces in Kozacha Lopan and Borova in April-September 2022

3041. This piece of evidence included six records of questioning of victims with a military background who had been deprived of their liberty and ill-treated by Russian forces in Kozacha Lopan and Borova in April-September 2022.

(i) Criminal proceedings no. 1202122123 initiated on an unspecified date

3042. The victim, V.V.O., was questioned on an unspecified date in 2022. He was a resident of Kozacha Lopan, in the Kharkiv district, and in 2017-2020 he had served as a master sergeant in the Ukrainian Armed Forces and fought in the east of Ukraine. He stated that on 22 April 2022 four armed "LPR militants" had broken into his house. He had been put on the ground, blindfolded and taken away in a car. The "LPR militants" took V. to a railway station, threw him on the ground, and started beating and kicking him, eventually breaking his ribs. He was beaten for around twenty minutes outside the station and then taken inside. There he was stripped naked and tortured with electrical wires attached to his genitals. During his ill-treatment Vitalii was questioned about his military service and participation in the ATO. He said that he had been kept at the station for five days with thirty other Ukrainian servicemen and tortured every two to three hours. After five days of detention the victim had been taken to the Hontiv checkpoint near the front line, where his ill-treatment had continued. There he had also been forced to cook for and clean after people whom the victim described as Russian military wearing "LPR police" patches. On 17 May 2022 a senior officer with the callsign "Ministr" released V. and another detainee, O., ordered them to go to their village, and warned that they would be killed should they tell anyone about their detention.

(ii) Criminal proceedings no. 12022221070000723, initiated on 5 October 2022

(α) Records of questioning of the victims O.V.K. and O.Yu.N. of 5 October 2022

3043. The first victim, O.V.K., was a war veteran and had served in the Armed Forces of Ukraine as a driver in the ATO zone from 2014 to 2015. He resided in Borova in the Iziium district.

3044. On 1 September 2022, at about 9.30 a.m., the victim was near the local police department in Borova when Russian soldiers arrived. They placed a bag over the victim's head, tied his hands with plastic ties, and instructed him to enter a white pickup truck. The victim complied and was taken to an unknown location. Upon arrival, he was removed from the car and led along a path. He realised that he had been at the Svitlo Shakhtarya recreational area. He was ordered into a pit, which was then covered with a metal grate. The victim spent the night there and was transferred to another one the next day. On 2 September 2022, two other men whom the victim knew, O.Yu.N. and O.K., were brought to the same pit in the evening.

3045. On the morning of 3 September 2022, the Russian soldiers extracted O.K. and O.Yu.N. from the pit, handcuffed them with metal cuffs, and took them for interrogation, which lasted approximately thirty minutes before they were returned to the pit. During their interrogation, the victim could hear them being beaten. Upon their arrival, they remained silent, refusing to answer questions about the interrogation. The victim was also taken for interrogation and questioned about the whereabouts of ATO servicemen and territorial defence members. He was threatened that should he not tell the truth, he would be skinned, tortured, never allowed to return home, and forced to remain in the pit forever. After the interrogation, the Russian soldiers provided shovels and a bucket to the victim and the two other detainees, instructing them to dig three more pits. After completion of that task, they were confined to the pits for three more hours before being ordered to memorise the Russian national anthem. Subsequently, they were blindfolded, handcuffed and transported in a black pickup truck to an unknown location. Upon being dropped off, the victim removed the blindfold and recognised the area near the bridge close to the Borova hospital. Following this, he had no further contact with the Russian forces.

3046. The second victim O.Yu.N., was a resident of Borova. He was a war veteran and had served in the Armed Forces of Ukraine as a machine gunner in the ATO zone from 2014 to 2015.

3047. The second victim reported that on 4 May 2022 masked Russian soldiers had arrived at his house, claiming knowledge of his service in the ATO. They placed a bag over his head and took him to an unknown location, where he was questioned about his military service. The second victim recounted being physically assaulted with a rifle butt and a taser before being taken to another unknown location. He was instructed to count to 100 before removing the bag from his head. He realised that he was back home.

3048. The second victim further stated that members of the Russian armed forces had returned on 17 or 18 May 2022 in order to ask him about other ATO servicemen living in Borova. They returned again on 2 September 2022 and took him with them. According to the victim, the members of the Russian armed forces had placed a bag over his head, tied his hands with plastic ties, and instructed him to enter a white pickup truck. Upon arrival, he was

removed from the car and led along a path. He was ordered into a pit which was then covered with a metal grate. He was there with two other men.

3049. The second victim further corroborated the testimony of the first victim. He was released on 3 September 2022 under similar circumstances

(β) Record of questioning of the victim O.A.R. of 6 October 2022

3050. The victim was a resident of Borova and had served in the Armed Forces of Ukraine as a machine gunner in the ATO from 2015 to 2018.

3051. The victim described how on 28 August 2022 a white Mitsubishi pickup truck had arrived at his house in Borova, from which six armed and masked servicemen of the Russian Federation had emerged. They pointed machine guns at the victim and ordered him to kneel, asking if he had weapons or ammunition. The victim denied having any weapons and disclosed his service in the ATO. Subsequently, he was blindfolded, handcuffed and transported to an unknown location, seemingly a forest. The victim was escorted out of a car, walked some distance, and was placed on a bench near a table. The victim described being interrogated by a middle-aged man with the callsign “Serb”, who did not speak Ukrainian. The man became agitated upon learning of the victim’s service in the ATO and began questioning him aggressively. He brandished a knife, threatening to harm the victim, who remained silent. The interrogation continued with enquiries about the victim’s feelings towards Russia, contacts within the Ukrainian Armed Forces, and his service details. The victim reported being struck forcefully on the head by another soldier who had been standing behind him the entire time.

3052. After the interrogation, he was violently thrown into a pit, where he was later joined by his partner O.S.Kh., who had her hands tied. She was apparently released on 30 August 2022, whereas the victim remained in captivity.

3053. Between 28 August 2022 and 8 September 2022, the victim was subjected to physical abuse at the hands of the Russian soldiers. His hands were secured with plastic ties, causing severe swelling and discoloration. Throughout his captivity, he was deprived of basic necessities, such as access to toilet facilities. He was instructed “to urinate on men who had been with him in the pit”. This degrading treatment exacerbated his physical discomfort and mental anguish.

3054. On the morning of 31 August 2022, a serviceman of the Russian Armed Forces moved the victim to a basement, where he was threatened with execution and imprisonment. The basement was two metres wide and four metres long. There were bright lights on all the time. The victim saw blood on the walls and blood-stained clothes on the floor. Interrogations conducted by masked individuals involved aggressive questioning about the victim’s military affiliations, especially his service in the Donbas battalion, with threats of murder for non-compliance. The psychological toll of his prolonged

captivity, combined with the physical pain inflicted upon him, left lasting scars on the victim. He was released on 8 September 2022.

(γ) Record of questioning of the victim S.Yu.S. of 7 October 2022

3055. The victim was a resident of Borova and had served in the Armed Forces of Ukraine as a machine gunner in the ATO from 2015 to 2016.

3056. On 7 August 2022, as the victim and his partner had been sheltering in the house of their friend in Borova, the victim was approached by three Russian servicemen wearing “DPR” and “LPR” chevrons on their uniforms. They sought information about individuals associated with the Ukrainian Armed Forces, and enquired about O.A.R.

3057. On 8 August 2022 the Russian soldiers returned to the same house, detained the victim, took him to the Kupyansk police station, and interrogated him. During the interrogation, the victim was electrocuted, including in the groin area, causing intense pain and a loss of consciousness. Subsequently, the victim was confined to a cell with twelve former soldiers of the Ukrainian Armed Forces, where they endured further mistreatment and deprivation. The victim described receiving meagre rations and limited medical care, and being held in overcrowded conditions in the cell. Additionally, the victim recounted being further interrogated by individuals who had inflicted physical harm on them, including cutting their legs. The victim remained imprisoned until escaping on 7 September 2022 after the Russian troops had withdrawn from Borova.

(iii) *Criminal proceedings no. 12022221070000765 initiated on an unspecified date*

3058. Kh.I.A. was questioned on 14 October 2022. She was the wife of S.O.A., who had served in the Armed Forces of Ukraine and ATO in 2014. Since the onset of hostilities on 24 February 2022, S.O.A. had resided in Borova with his family. In April 2022 Borova fell under Russian occupation.

3059. According to the victim, at around 5 p.m. on 9 September 2022, two vehicles arrived at the family’s home and two armed men without insignia entered the yard, demanding S.O.A.’s presence. S.O.A. was then taken away without any explanation. The victim was told that her husband would return home the same day.

3060. The victim’s initial efforts to locate S.O.A. proved fruitless. On 14 September 2022 the victim, accompanied by a relative, discovered the lifeless body of her husband at the Svitlo Shakhtarya recreational area. He was found in a dugout next to the administrative building. The dugout was about two metres deep, and on top of it there were logs with handfuls of earth thrown on top. The victim stated that the body had the same clothes on as when S.O.A. had been abducted from his home.

(j) Investigation into ill-treatment of civilians with a previous military background in Borova by Russian forces between 1 and 5 September 2022 (criminal proceedings no. 2202222000003129 initiated on 10 October 2022)

3061. This case file included a letter from the Main Investigation Department of the SBU of 28 November 2022 addressed to the Ministry of Justice of Ukraine and a bill of indictment of December 2022.

3062. By the bill of indictment, the Prosecutor's Office of the City of Kharkiv indicted R.V.K., M.V.I., M.V.V. and V.Yu.B., Russian nationals and members of the Russian Armed Forces, for violating the laws and customs of war in connection with their common criminal intent aimed at the illegal detention and torture of civilians in order to obtain testimony. The document stated that between 1 and 5 September 2022 the indictees had unlawfully deprived of their liberty the civilians V.V.P., A.A.M. and A.S.S., who had previously served in the ATO. They had restrained the victims' hands with plastic ties and placed bag over their heads. Subsequently, they had placed the victims in a pre-prepared earthen pit, where they held them against their will without sufficient food and water. They threatened to cut off the victims' fingers with a knife, causing them emotional distress, and interrogated them to extract information about other local residents who had participated in the ATO.

2. Investigation into the killing of a civilian in Izium by a Russian military officer on 7 May 2022 (criminal proceedings no. 1202222107000597 initiated on 8 September 2022)

3063. This case file included an extract from the URPI, records of witness questioning, a record of the inspection of files belonging to the Russian occupation administration in the Izium district, statements of two Russian servicemen and one witness collected by the Russian military commandant's office in Izium, and a notification of suspicion.

3064. The victim, F.H.Z., born in 1951, was a forensic medical expert of the Izium department of the Kharkiv Regional Bureau of Forensic Medicine. On 7 May 2022 he and three colleagues, V.M.B., V.I.B. and S.V.M., were at their workplace at the Izium Central City Hospital. According to the witnesses, at around 1 p.m., a Russian serviceman of Caucasian appearance named A., dressed in Russian camouflage and armed with an assault rifle, entered the pathology and anatomy department. He demanded the car parked outside that belonged to F.H.Z. Two witnesses stated that the Russian soldier and F.H.Z. had talked for some time, leading to the soldier becoming aggressive, striking F.H.Z. several times on the head and back, and then firing several shots into the ceiling.

3065. The witness S.V.M stated that F.H.Z. had begun to apologise to the serviceman, begged him not to touch him any more, and offered the car keys. The serviceman continued to beat F.H.Z., striking him with his fists and kicking him on the face and body. He also hit the witness S.V.M. several

times in the face with both fists. Then, the witnesses heard several shots, and the Russian soldier left the room. The witnesses then saw the body of F.H.Z. lying on the floor with a bullet hole in his back and blood on his clothes. Later, the Russian military commandant's office representatives arrived, inspected the scene, and questioned the witnesses. The witnesses V.M.B. and V.I.B. also stated that the Russian military had later taken the body of F.H.Z. to Belgorod, Russia, purportedly for a forensic examination.

3066. According to the record of the inspection of files belonging to the Russian occupation administration in the Iziium district, on 27 February 2023 the Ukrainian investigation body inspected two hard drives containing electronic files of the Russian military commandant's office in Iziium dated 7 May 2022. Those files included statements of Russian servicemen and witnesses, records of inspection of the crime scene and the assault rifle, and photographs of the crime scene and the corpse of F.H.Z. The Russian serviceman A.Kh.D., a resident of the Republic of Dagestan, Russia, in his statement confirmed that on 7 May 2022 he had beaten and killed F.H.Z.

3067. On 28 March 2023 the Ukrainian law-enforcement bodies issued a notification of suspicion against A.Kh.D., a contract serviceman of military unit no. 61899, for cruel treatment of civilians combined with premeditated murder.

3. Investigations into collaborationism in implementing Russian educational standards in the Iziium, Kupyansk and Vovchansk districts in June-September 2022

(a) Criminal proceedings no. 12022221070001132 initiated on 11 November 2022

3068. This case concerned alleged collaborationism by A.V.L., the "acting principal of the Bohuslavka Comprehensive School" in the Iziium district during the Russian occupation in July-September 2022. The case file included an extract from the URPI, records of witness questioning, and a record of inspection of a DVD disk containing materials from the Russian occupation authorities.

3069. A witness, L.I.B., a teacher of foreign literature and Russian language at the Bohuslavka School, stated that the Russian occupying authorities had announced that Russian teachers would come to teach at the school. She had also heard some unofficial information that Ukrainian school officials and teachers would be sent for requalification courses to learn Russian educational standards. The witness confirmed that Russian textbooks had been introduced at the school, and Ukrainian symbols had been removed from the school building. Additionally, she mentioned that school enrolment forms had been issued in Russian, and parents were informed about the switch to Russian-language education.

3070. According to the inspection record of a DVD provided by the witness N.V.T., the disk contained material created by the occupation

authorities, including State educational standards of the Russian Federation, sample documents, documentation from the “LPR”, and sample forms for organising and implementing the educational process in the Kharkiv Region according to Russian standards.

(b) Criminal proceedings no. 22022220000002080 and no. 12022221100000742 initiated on 25 June 2022 and 8 October 2022 respectively

3071. This case concerned alleged collaborationism by V.O.H., the principal of Kupyansk Lyceum no. 1, during the Russian occupation in August-September 2022. The case file included an extract from the URPI, a record of inspection of the scene, records of witness questioning, and a bill of indictment against V.O.H..

3072. On 18 November 2022 an inspection of the premises of Kupyansk Lyceum no. 1, located at 24 Pershoho Travnnya St. in Kupyansk, discovered a number of Russian textbooks on various subjects designed for secondary school students, as well as organisational and labour records of the lyceum employees.

3073. The witness T.V.O., a history teacher at Kupyansk Lyceum no. 1, stated that on 27 February 2022 the city of Kupyansk had fallen under occupation by Russian forces. She stated that no teaching had taken place at the lyceum until September 2022. She further stated that in September 2022 the lyceum’s principal, V.O.H., had informed all teachers that the lyceum was transitioning to the educational standards of the Russian Federation. As a result, the teachers were instructed to use Russian textbooks in their curricula. The witness confirmed that Russian textbooks had been provided by the Russian authorities to the lyceum. Additionally, the principal informed the staff that every teacher would have to undergo professional development courses in Russia as a mandatory condition for their continued employment at the lyceum. Starting on 28 August 2022 the witness, along with teachers from other schools, attended seven-day professional development courses in Kursk, Russia, where they were taught the educational standards of the Russian Federation. She also added that in August and September 2022 education workers in Kupyansk had been paid in Russian roubles.

3074. Another witness, V.O.K., a mathematics teacher at Kupyansk Lyceum no. 1, stated that the Russian forces had occupied Kupyansk at the end of February 2022. As a result, the lyceum announced a two-week holiday, followed by remote teaching. The witness mentioned that in August 2022 the flag of the Russian Federation had been displayed on the facade of the central entrance to the lyceum. Additionally, she stated that Russian textbooks had been delivered to the lyceum in August or early September 2022. Furthermore, the witness reported that the lyceum’s principal, V.O.H., had instructed teachers to teach in Russian. According to the witness, in August 2022 the lyceum’s teachers had undergone professional development courses aimed at implementing the educational standards of the Russian Federation

at the lyceum. She also added that in August and September 2022 the lyceum teachers had been paid in Russian roubles.

3075. The third witness, O.A.L., questioned separately, corroborated the statements of the other two witnesses.

3076. On 30 November 2022 V.O.H. was indicted for a criminal offence under Article 111-1 §3 of the Criminal Code of Ukraine, “implementing the education standards of an aggressor State in an educational institution”. During the pre-trial investigation it was established that starting from the end of March 2022 V.O.H., a citizen of Ukraine, had intended to cooperate with the Russian forces in implementing educational standards of the Russian Federation in Kupyansk Lyceum no. 1. She had informed the teachers that Russian was now the language of instruction and collected lists of teachers who had agreed to work under the leadership of the occupation authorities. Thus, from the beginning of the 2022 academic year Russian textbooks were brought to the lyceum and the education standards of the Russian Federation were introduced.

(c) Criminal proceedings no. 22022220000002965 and no. 22022220000003328 initiated on 22 September 2022 and 8 November 2022 respectively

3077. These criminal proceedings were initiated against representatives of the Russian occupation authorities, as well as Ukrainian citizens who had allegedly collaborated in implementing Russian educational standards in the Kupyansk and Vovchansk districts and parts of the Izium, Chuhuiv and Kharkiv districts in June-September 2022. The case file included an inspection report, witness questioning records, and several documents by the Russian authorities found during the investigation.

(i) Documents issued by Russian authorities and related evidence

3078. On 8 November 2022 the Ukrainian law-enforcement authorities inspected the principal’s office at the education department of Izium. The principal, O.V.B., also took part in the inspection. He explained that after returning to his office upon the liberation of Izium from Russian forces, he had discovered two boxes of Russian documents there. During the inspection, which lasted from 12.09 p.m. to 5.38 p.m., a total of 108 documents were discovered, photographed and seized by the Ukrainian law-enforcement authorities. Among them were decrees and orders of the head of the Russian “military-civil administration of the Kharkiv Region”, minutes of meetings, letters, internal notes, memoranda, financial records, Russian educational certificates and diplomas, lists of local schools and pupils, employment records, ID cards, and entry permits.

3079. A witness, A.V.K., the head of the Ukrainian military administration of the Kupyansk district, testified that after returning to his office in September-October 2022 upon the liberation of Kupyansk, he and his staff had discovered certain documents and items which had been used by

the Russian “military-civil administration of the Kupyansk district”. Those documents included four decrees signed by V.K.G. as the head of the Russian “temporary civil administration of the Kharkiv Region” and two lists of schools and vocational schools of the Kharkiv Region.

3080. The first of the Russian documents included in the case file was the record of a meeting at the Ministry of Education of the Russian Federation on 28 June 2022. The meeting was dedicated to the issues of “support for and development of the educational system of the Kharkiv Region”. The meeting was attended by N.S., P.B. and A.I., officials of the Ministry of Education of the Russian Federation, A.K. and N.K., officials of the Russian education regulation body Rosobrnadzor, I.S., an assistant to a Russian MP, and V.S., the head of the Russian “administration of Izium”.

3081. One of the topics discussed at the meeting was issuing Russian diplomas, printed in Belgorod, to Ukrainian school graduates so they could continue their studies at the universities or vocational schools of the Belgorod region. Another topic was seconding Russian teachers to the Kharkiv Region, with a “special emphasis on historians and teachers of literature”, but also managers and methodologists who were ready to move to Ukraine. The participants then discussed plans to send Ukrainian students to summer resorts in Crimea or various Russian regions for “ten-day patriotic studies”. Finally, they also discussed repair works at schools and the supply of Russian textbooks and manuals for educational purposes on the territory of Ukraine.

3082. The remaining three documents were orders of the head of the Russian “temporary civil administration of the Kharkiv Region”, all dated 27 August 2022. The first order approved temporary regulations for education in the region. It established, in particular, that education should be carried out in the Russian language, while parents could apply for “native languages” as long as their school was able to provide such instruction. The regulations also concerned pre-school and secondary education, establishing the rules of enrolment and graduation, schedules, vacations, and so on. The second order “established” educational institutions of the Kupyansk and Vovchansk districts by renaming them in accordance with Russian standards, often converting their Ukrainian names to Russian ones. A total of fifty-six schools, twenty-seven kindergartens, two social centres, and five centres of additional education were thus “established” in the Kupyansk district, with eighteen schools, nine kindergartens, and one social centre in the Vovchansk district. Lastly, the third order in the same manner “established” vocational schools in the region: three in Kupyansk, two in Vovchansk, and one in Shevchenkove.

(ii) *Witness questioning records*

(α) Record of questioning of the witness L.V.Zh. of 17 November 2022

3083. The witness was a mathematics teacher at Kupyansk Lyceum no. 4. She stated that while Kupyansk had been under Russian occupation from February to September 2022, the Russian forces had appointed R.V.D. as “Head of the Education Department of the Military-Civilian Administration of the Kupyansk District”. She further stated that R.V.D. had instructed local educational institutions to send teachers to training courses in Kursk, Russia, in order to learn and implement Russian educational standards. The witness also claimed that educational institutions in the Kupyansk district had received Russian textbooks and that the confiscated Ukrainian-language textbooks had been transported to a garage on the premises of Kupyansk Lyceum no. 4. Lastly, she pointed out that pursuant to the orders of R.V.D. and the Russia-appointed “Head of the Kupyansk District” V.K.G., Ukrainian symbols had been taken out of the lyceum.

(β) Record of questioning of the witnesses O.M.I. and S.M.K. of 27 and 28 November 2022 respectively

3084. The witness O.M.I. was a history teacher at Kupyansk Lyceum no. 9. The other witness, S.M.K., was the deputy principal of Kupyansk Lyceum no. 1. The witnesses provided testimony similar to those of L.V.Zh. O.M.I. also added that T.O.K. – the Russia-appointed deputy of R.V.D. – had promoted Russian educational standards during staff meetings and encouraged cooperation with the Russian Federation.

(γ) Record of questioning of the witness I.A.O. of 27 November 2022

3085. The witness was the director of the Kupyansk Local History Museum. She stated that since 2 August 2022 she had had to perform the duties of a specialist in the “Department of Culture, Sports and Youth of the Military-Civilian Administration of the Kharkiv Region”. She further stated that a stable hierarchical structure had been formed within the education department of the “Military-Civilian Administration of the Kharkiv Region” by its head V.K.G. and his deputy V.V.M. The witness also provided the names of people who had been under the direct control and/or supervision of V.K.G. and V.V.M., which included

- (a) Yu.L.B., the head of the “Kharkiv Military-Civilian Administration”, who had implemented Russian educational programmes in the occupied Kharkiv Region;
- (b) R.V.D., the head of the “Department of Education of the Kupyansk District Military-Civilian Administration” and his deputy T.O.K.;
- (c) V.M.S., the head of the “Department of Education of the Vovchansk District Military-Civilian Administration”;

- (d) Y.V.B., the head of the “Education Department of Iziium Military-Civilian Administration”;
- (e) O.Ye., the head of the “Balakliya Territorial Department”; and
- (f) V.V., the head of the “Borova Territorial Department”.

3086. The above-mentioned persons, according to the witness, had organised and implemented Russian educational standards in the occupied territories of the Kharkiv Region. The witness lastly stated that as soon as such standards had been introduced, Ukrainian textbooks and literature in the Ukrainian language published after 1991 had been seized from school libraries. The witness added that Kupyansk had been liberated by the Ukrainian army on 10 September 2022.

(δ) Record of questioning of the witness S.M.P. of 27 November 2022

3087. The witness was the head of the Department of Education, Culture, Youth and Sports of the Kindrashivka Village Council. At the beginning of June 2022, the witness had learned from the media that the so-called “temporary civil administration of the Kharkiv Region” and “the temporary civil administration of the Kupyansk district of Kharkiv Region” had been established in Kupyansk. She also found out that V.K.G. and M.A.G. had become the heads of the above-mentioned “administrations”. The witness added that V.V.M. had become the deputy head of the “Kharkiv Regional Administration” responsible for education, culture, youth and sports.

3088. The witness recounted that in June 2022, during a meeting at the Kupyansk City Council, where the “temporary civil administration of the Kharkiv region” had been functioning, V.V.M. had announced the establishment of “education departments” to manage all education-related issues. The witness further said that V.V.M. had emphasised the need “to end the school year and to issue relevant documents to children”. During the meeting R.V.D. had been appointed the “head of the Education Department of the Kupyansk District”.

3089. Furthermore, the witness recounted attending a meeting where R.V.D. had offered guidance on organising resources for the upcoming school year. She said that in early July 2022 a meeting had been convened with S.S.K., who announced that accreditation would be based on Russian educational standards and presented Russian-curriculum textbooks.

3090. Lastly, the witness stated that the educational process had constantly been monitored by FSB officers who had introduced themselves as V. “Grach”, D. “Lotos”, and R. “Chekh”. Via these officers, the witness had received samples of Russian educational standards along with organisational instructions. According to the witness, the schooling had begun on 1 September 2022 and lasted until 5 September 2022, after which the Ukrainian Armed Forces regained control of Kupyansk.

(ε) Record of questioning of the witness R.S.Z. of 19 October 2022

3091. The witness was the Chief Specialist of the Education Department of the Iziium City Council. In July 2022 she learned from a newspaper that Y.V.B. had become the “head of the Education Department of Iziium” tasked with promoting “patriotic education”. In August 2022 the victim had learned from the newspaper *Kharkov Z* that the students at School no. 11 had been awarded certificates of completion of secondary education in accordance with Russian standards. Ms B. and L.G., who was the newly appointed principal of the School no. 11, had presented those certificates.

(στ) Record of questioning of the witness T.V.S. of 20 October 2022

3092. The witness was a mathematics teacher at Iziium Lyceum no. 3. She stated that at the end of April 2022 she had been invited to a meeting organised by “the self-proclaimed mayor of Iziium”, V.V.S. She recalled that during the meeting Y.V.B., the “head of the Education Department of Iziium”, and V.O.M., the “deputy education chief of Iziium”, had been tasked with inviting teachers to join the new educational institutions established by the occupation authorities of Iziium.

(ζ) Record of questioning of the witness O.A.Ya. of 10 December 2022

3093. The witness was a consultant at the Education Department of the Balakliya City Council in the Kharkiv Region. On 3 June 2022 she had encountered Yu.Sh. in the presence of two Russian soldiers. Mr Sh. threatened her, stating that since “he knew everything about her”, she would have to oversee education in the Balakliya district under the Russian administration. He instructed her to attend a meeting on 4 June 2022, where he declared himself “the head of the Temporary Civil Administration of Balakliya” and appointed the witness to oversee education.

3094. Following Mr Sh.’s directives, the witness reported to work daily at the Balakliya City Administration, receiving instructions on educational matters. Later, the witness was directed to Kupyansk to organise education according to Russian standards.

3095. In Kupyansk, the witness received instructions from R.V.D. and O.M.K. on the Russian educational standards and curriculum. They, in turn, reported to Yu.V.B., who relayed instructions from V.V.M. and Yu.L.B.

3096. The witness stated that in late August 2022, a pedagogical conference had been held in Kupyansk, attended by officials who praised the adoption of Russian education standards. However, Russian textbooks and equipment had not yet been delivered to the Balakliya and Iziium districts by early September 2022. The witness noted that when the Ukrainian forces had regained control over Kupyansk in early September 2022, the individuals involved in the Russia-imposed administration had “vanished”.

(d) Criminal proceedings no. 22022220000003377 and no. 22022220000003413 initiated on 16 and 22 November 2022 respectively

(i) Record of questioning of the witness L.L.P. of 29 November 2022

3097. The witness was the Deputy Director for Educational Affairs at the Mariia Shkarletova Kupyansk Medical Professional College. She recalled that at the end of June 2022 V.V.M. had instructed her to remove all Ukrainian symbols from the college and to dispose of all Ukrainian curriculum textbooks. He had also organised the distribution of Russian textbooks. The witness also recalled that V.V.M. had employed threats of physical violence and leveraged his connections with the FSB officers V. “Grach” and D. “Lotos”, in order to exert pressure on people and force them to cooperate.

(ii) Record of questioning of the witness N.A.A. of 29 November 2022

3098. The witness was the Deputy Director for Academic Affairs of the Kupyansk Lyceum no. 1. She stated that Yu.L.B. had instructed her to remove all textbooks in the Ukrainian language and all national symbols, and to import Russian textbooks. She further stated that primary school teachers had been sent to Kursk, Russia, for advanced training courses. Lastly, she claimed that her lyceum had been visited on several occasions by an FSB officer named D. and the “deputy head of the Military-Civilian Administration” for humanitarian issues, V.M., both of whom had been tasked with aligning education with Russian standards.

(iii) Record of questioning of the witness I.V.K. of 29 November 2022

3099. The witness was a chief specialist at the Kupyansk Local History Museum. Since 3 August 2022 she had worked at the “Department of Culture, Sports and Youth of the Military-Civilian Administration of the Kharkiv Region”. The witness corroborated the testimonies of other witnesses about the responsibilities of V.V.M. in the sphere of education. The witness stated that Mr M. reported to the “Head of the Department of Education” Y.B., who, in turn, received instructions from and acted in the interests of “the aggressor State”.

4. Investigations into long-distance shelling of Kharkiv and the Kharkiv Region in February-August 2022

(a) Investigations into shelling of civilian objects in Izium by the Russian forces between 24 February and 8 May 2022

(i) Criminal proceedings no. 22023220000000800 initiated on 16 June 2023

3100. This case file included an extract from the URPI, records of questioning of witnesses and victims, and multiple corpse identification cards. The investigation established that as a result of the Russian forces’

shelling of Iziium, forty-four people had been killed, including seven children, and a number of civilian objects had been damaged, namely the Sim Vitriv tourist complex, a pedestrian bridge, the city centre, residential buildings at 2 Pershotravneva St., 16 Soborna St. and 26 Pokrovska St., and other residential buildings at unspecified addresses.

3101. The witness S.S.B. was a rescue worker in Iziium. He testified that on 24 February 2022 the Russian forces had initiated extensive shelling of the city utilising various types of weapons, including artillery, aerial bombs, rockets and others. Furthermore, he stated that in the period from 24 February 2022 to 11 September 2022 he had responded to an average of five emergency calls per day. He added that from 7 March 2022 mobile communication within Iziium had become disrupted, consequently limiting his fire and rescue squad's ability to receive notifications, which had had to be relayed verbally instead. The witness recounted that on 3 March 2022 the Russian forces had conducted air strikes targeting the local military enlistment office, the central gas pipeline, the local oil base, the Iziium instrument-making plant, and school no. 4. On 9 March 2022 air strikes were directed at two multi-storey residential buildings located at 2 Pershotravneva St. and 3 Khlibozavodska St. The witness further stated that until 30 March 2022 Russian servicemen had prohibited the fire and rescue department personnel from accessing the sites of destruction. Subsequently, between 30 March 2022 and 3 May 2022, the witness had participated in the clearance of debris and the retrieval of bodies from under the rubble of residential buildings at 2 Pershotravneva St. and 3 Khlibozavodska St. The witness reported that there had been forty-seven casualties, including children, at 2 Pershotravneva St., and four casualties, consisting of two Ukrainian servicemen and two women, at 3 Khlibozavodska St. He further asserted that there had been no military targets in close proximity to the area subjected to shelling. The killed people were interred near the cemetery located at Shakespeare St.

3102. The witness A.V.M. was a fire rescue worker in Iziium. He corroborated the testimony of S.S.B., with whom he had cleared the rubble at 2 Pershotravneva St. The witness also reported that he had learned from D.P.B., a radio telephone operator at the State Fire and Rescue Unit, that she had been subjected to a sexual assault by Russian military personnel. Additionally, the witness reported seeing Russian military personnel removing solar panels installed along the Kyiv-Kharkiv-Dovzhanska highway near the turn-off to the village of Vesele.

3103. The witness H.O.Zh., a resident of Iziium, stated that on 9 March 2022 eight of her family members, including three minors, had been killed as a result of the air strike at 2 Pershotravneva St. Among those killed were her son O.I.Zh., born in 1973, her daughter-in-law T.Ye.Zh., born in 1973, her two granddaughters, O.O.S., born in 1991, and M.O.Zh., born in 2009, two great-granddaughters, O.D.S., born in 2016, and O.A.P., born in 2013, her son-in-law D.S.S., born in 1988, and the mother of her daughter-in-law

L.S.S., born in 1953. The case file contained two corpse identification cards belonging to O.O.S. and O.D.S.

3104. The witness V.V.K., a resident of Izium, reported that her father V.I.K., born in 1965, her grandmother A.S.K., born in 1938, and her aunt S.I.P., born in 1963, had been killed on 9 March 2022 as a result of a Russian air strike on a residential building at 3 Volodymyr Monomakh St. in Izium. According to the forensic medical report on the body of the witness's father, contained in the case file, he had died from injuries on the day following the attack. The witness also stated that her other aunt, V.I.B., born in 1953, had been killed on 6 March 2022 by Russian shelling at 3 Zakuznechna St. in Izium.

3105. The witness O.V.K. stated that his mother O.V.K., born in 1975, and his sister O.V.K., born in 2008, had been residing in Izium at 2 Pershotravneva St. He had lost connection with them on 9 March 2022 when their residence had been hit by a Russian air bomb. According to the corpse identification cards contained in the case file, the bodies of the witness's mother and sister were found in a forest near the cemetery at Shakespeare St. in Izium in September 2022.

3106. The witness O.I.B. stated that seven of his family members, including two minors, had been killed as a result of a Russian air bombing on the night of 2-3 March 2022 in Izium. Among those killed were his sister I.I.P., born in 1981, his brother-in-law O.M.P., born in 1980, his niece A.O.P., born in 2012, his nephew M.O.P., born in 2018, as well as the daughter, brother and mother of his brother-in-law, V.M.P.. According to the corpse identification cards, the bodies of three of the witness's family members were found in a forest near the cemetery at Shakespeare St. in Izium in September 2022.

3107. The witness Ye.A.Ch. stated that her father A.V.Ch., born in 1972, her mother H.A.Ch., born in 1970, and her brother A.A.Ch., born in 2007, had been killed on 9 March 2022 as a result of the Russian air bombing at 2 Pershotravneva St. They were among the bodies discovered in a forest near the cemetery on Shakespeare St. after the deoccupation of Izium in September 2022.

3108. The witness A.Yu.Ya. stated that her mother S.S.Ya., born in 1973, her father Yu.V.Ya., born in 1974, and her grandmother P.V.Z., born in 1953, had been killed on 9 March 2022 as a result of the Russian air strike at 2 Pershotravneva St. Their bodies were recovered from the forested area near the cemetery on Shakespeare St. in Izium in September 2022.

(ii) Criminal proceedings no. 12022221070000624 initiated on 15 September 2022

3109. This case file included an extract from the URPI, a record of witness questioning of 28 September 2022, and a corpse identification card. According to the extract from the URPI, on unspecified dates armed formations of the Russian Federation had shelled Izium with unspecified

weapons, killing local residents. It was stated that 441 graves had been found in a forest near the cemetery at Shakespeare St. in Izium.

3110. The witness K.O.N. stated that in early March 2022 Russian forces had entered Izium. This led to shortages in essential provisions, including food and medication, alongside disruptions in gas, water, and electricity supply. On 8 May 2022 the witness was informed that her father O.Yu.I. had been killed by shelling from an unknown weapon. After 11 September 2022, when Izium had been deoccupied by the Armed Forces of Ukraine, an impromptu cemetery was discovered at Shakespeare St. The witness's father was buried under no. 289. According to his corpse identification card, he was killed on 8 May 2022 by an artillery shelling.

(b) Investigation into a Russian attack on cultural property in Skovorodynivka on 7 May 2022 (criminal proceedings no. 2202220000001131 initiated on 7 May 2022)

3111. This case file included an extract from the URPI, a report to the head of the Bohodukhiv District Police Department of 7 May 2022, photographs of damaged property, and a record of inspection of the scene of 12 May 2022. The investigation established that on 7 May 2022 Russian military personnel or other Russian entities had conducted an artillery strike using long-range projectiles of an unspecified calibre. One person, A.V.M. was injured and the National Literary and Memorial Museum of H.S. Skovoroda located at 3 Pryozerna St. in Skovorodynivka, in the Bohodukhiv district, was completely destroyed. During the inspection of the scene, it was recorded that the museum had sustained extensive damage, both externally and internally, as a result of an unidentified projectile fired by Russian forces, probably from long-range weaponry.

(c) Investigations into multiple shellings of Kharkiv and the Kharkiv Region in March-August 2022

(i) Criminal proceedings no. 12022170420000262 initiated on 3 March 2022

3112. This case concerned a missile strike against the Kharkiv Regional State Administration carried out at around 8 a.m. on 1 March 2022. The case file included a record of witness questioning of 3 May 2022 and five extracts from the URPI with the entries of victims' complaints and investigators' initial assessment of deaths, injuries and destruction that had allegedly been caused by the strike. Three of the extracts concerned thirty-two deaths and sixteen injuries identified by the investigators, the destruction of the Kharkiv Regional State Administration building, and damage to other buildings in close proximity. The remaining two extracts concerned two civilian cars which their owners claimed had also been destroyed by the strike.

3113. The witness, S.M.P., was a resident of Kharkiv. In February 2022 he and his family had fled to the nearby village of Yakovlivka to his wife's parents' house. The witness said that on 2 March 2022 at around 10.30 p.m.

he had been in the house and heard the sound of a plane. Following this, his family gathered in a corridor trying to cover children with their bodies. Then there were three explosions, and the house started falling on them. The family escaped the house to a nearby forest. As the witness was approaching the forest, he saw a plane returning to the village two times and bombing it. At that moment he lost sight of his family and fell into a bomb crater. While in the crater, the witness heard his neighbour, O.S., screaming that his wife had been killed. When he had got out of the crater, the witness saw O.S. and F.N. dragging out of the rubble the wounded parents of their neighbour, I.P.. The witness stated that I.P.'s mother had died soon afterwards. The witness stressed that there had been no military objects near the places that had been shelled.

(ii) Criminal proceedings no. 22022220000000475 initiated on 3 March 2022

3114. The evidence at hand was the extract from the URPI of 7 July 2022. The investigators opened this case after receiving, on 3 April, 14 and 18 May 2022, eighteen sets of materials from the local police concerning the alleged shelling of various buildings in the Slobidskyi district of Kharkiv on 3 April 2022. It was reported that a number of residential and commercial buildings, a kindergarten, a trolley bus depot and private cars had been damaged or destroyed by the attack. Thirty persons had reportedly been injured and five killed.

(iii) Criminal proceedings no. 12022221190000605 initiated on 28 June 2022

3115. This case concerned the shelling of the Nemyshlyanskyi district of Kharkiv that had occurred at around 5.30 p.m. on 27 June 2022. The case file included an extract from the URPI of 29 June 2022 and one record of victim questioning of 3 February 2023. The case was opened by the local police on the basis of various sets of materials about the shelling. It was reported that a number of apartment buildings and private cars had been damaged by the attack. Twenty-five persons, five of them children, had reportedly been injured and five persons killed.

3116. The victim, H.S.S., a Ukrainian national, worked at a local court in Kharkiv. She stated that on 27 June 2022 she and her minor son had been at the children's playground at 40 Rybalko St. in Kharkiv. At around 5.30 p.m. she had heard the sounds of three launch-like explosions. The shelling had lasted for a couple of minutes. When her son was running towards her, she had seen a cluster munition exploding near him and causing him a chest wound. Ten minutes later they had been taken to a local hospital. After having received initial treatment in Kharkiv, on 3 July 2022 they had been sent to Lviv to continue treatment, as her son required arm surgery. The victim stressed that she had not seen any military objects or servicemen around her during the shelling.

(iv) Criminal proceedings no. 22022220000000628 initiated on 12 April 2022

3117. This case concerned the shelling of a house located at 254 Saltivske Highway in Kharkiv on 11 April 2022 at around 5.30 p.m. The case file included an extract from the URPI of 18 May 2022 and one record of victim questioning of 3 June 2022. It was reported that a one-year-old child had been injured, while another child, two years of age, had been killed. The house in question sustained damage.

3118. The victim, Yu.I.M., a Ukrainian national, was the mother of the child who had been killed. She stated that at 7 p.m. on 11 April 2022 her son and mother had been outside. At around 7.04 p.m. the victim heard loud explosions and immediately ran outside with her husband. She found her mother at a children's playground with her legs torn off by the explosion, and an unknown man carrying her wounded two-year-old son. They were taken to a hospital, where her son had surgery. He died the next day. Answering the investigator's question, the victim said that she had not seen military objects around the shelled area.

(v) Criminal proceedings no. 22022220000000687 initiated on 15 April 2022

3119. This case concerned the shelling of the Industrialnyi district of Kharkiv on 15 April 2022 from around 4.36 to 4.50 p.m. The case file included an extract from the URPI and five records of witness and victim questioning. According to the extract from the URPI, the case was initiated on the basis of various sets of police materials about the shelling. It was claimed that the shelling had been carried out by a Russian Uragan MLRS. It was reported that many residential buildings, a kindergarten and several private cars had been damaged by the attack. Forty-nine persons, seven of them children, were reportedly injured and fourteen persons killed.

3120. The witness, O.V.S., was a resident of Kharkiv. She said that on 15 April 2022 her fifteen-year-old daughter K. had been with her friends at Zelenyi Hai Park located at 61 Biblika St. in Kharkiv. Around 4.30 p.m. the witness heard explosions and immediately ran to the park with her husband. They found their daughter on the ground with two other children, all wounded. Her daughter had received multiple shrapnel injuries to her chest, left hip, left foot, right shoulder and spine. She was taken by an ambulance to a hospital in Kharkiv, where she stayed until 17 May 2022 and had several surgeries, including removal of a shrapnel fragment from her body. Later she continued her treatment in Germany. The witness was told that one of the other wounded children, Eduard, had died after ten days in hospital. She was also told by rescue workers that the park had been shelled with cluster munitions.

3121. The first victim questioned within those proceedings, M.S.Ya., was born in 2006. She said that on 15 April 2022 she had been at the Zelenyi Hai Park with her friends K., V., and E., all between 15 and 18 years of age. At

around 4.30 p.m. she heard loud sounds and saw something falling on the ground and breaking into pieces like mud. The children started running away, but something fell near them, making them all fall to the ground. When the victim tried to stand up, she felt pain in her chest and saw that she was bleeding in that area. She said that V. had managed to hide and had been unharmed, while K. and E. were lying on the ground. The former had blood coming out of her abdomen, and the latter had blood on his head. The victim said that K. and E. had been taken to hospital by an ambulance, while she had been taken there by her stepfather's car. On the next day, 16 April 2022, she was discharged from hospital.

3122. The second victim, L.O.U., was born in 2006. She said that on 15 April 2022 after 2 p.m. she and two other under-age girls had been at the Mayakovskiy Park located at 20-23 Myru St. in Kharkiv. L. said that after 3.50 p.m. she had heard explosions in the direction of Maselskoho metro station and had seen sparks resembling fireworks there. She ran towards another metro station, Traktornyi Zavod. When she realised that she would not make it to the station, she had knelt on the ground and covered her head with her hands. Then she felt something hitting her left elbow, and she fell down. A couple of minutes later, after several explosions five or six metres away from her, L. saw a seven-year-old boy, A.R., lying on the ground in front of her, wounded, and calling for his mother. She saw A.'s family and other families calling for help, with many people wounded. Then she ran to the metro station holding her left arm with her clothes covered in blood. At the station she received first aid and was taken to a hospital, where she was diagnosed with explosive trauma to her left elbow. From 16 to 19 April 2022 she received treatment in Kharkiv, and from 25 April 2022 stayed in a hospital in Kremenchuk. Answering the investigator's question, the victim said that she had not seen any military objects or soldiers around the shelled area.

3123. The third victim, A.V.K., was a resident of Kharkiv. He said that on the afternoon of 15 April 2022 he and his daughter M., born in 2013, had been at a playground at 3 Myru Lane. Between 4 and 4.10 p.m. the victim heard whistling sounds followed by explosions. He saw flying shrapnel fragments and believed that the shelling had likely been carried out with Uragan or Grad MRLSs from the direction of Staryi Saltiv, which at the time had been controlled by Russian forces. He grabbed his daughter and hid behind a tree. He said that the explosions had lasted between thirty and sixty seconds. After they had ended, he ran home, where he found out that M.'s leg had been injured. She had surgery at a local hospital on the same day. Answering the investigator's question, the victim said that he had not seen any military objects around the shelled area.

3124. The fourth victim, O.O.U. (B.), was a resident of Kharkiv. She said that on 15 April 2022 at around 2 p.m. she had gone for a walk with her son, M., born in 2021, and her partner N. As they had been heading towards the

Posad store at 20 Myru St., she heard sounds resembling fireworks and saw approximately seven clouds of smoke in the sky followed by whistling sounds. After that O. saw her partner falling to the ground. She turned around the pushchair with her son in it and ran to a nearby apartment building at 17 Biblika St. There, she picked M. up from the pushchair and seen a small wound on his left shoulder covered in blood. He was losing consciousness and did not react to her. A man from the ground floor let them into his apartment and helped call an ambulance. They were picked up in about three minutes and arrived at a hospital ten minutes later. Upon arrival, M. was taken to an admission ward, but very soon a doctor told O. that her son was dead. M. was buried on 19 April 2022 after a forensic medical examination had confirmed the cause of his death to be a shrapnel wound and explosive trauma.

(vi) Criminal proceedings no. 22022220000001550 initiated on 26 May 2022

3125. This case concerned the shelling of the Shevchenivskyi district of Kharkiv, which had taken place from 2.30 to 3.15 p.m. on 26 May 2022. The case file included an extract from the URPI and one record of victim questioning. According to the extract from the URPI, many residential buildings, a kiosk, a supermarket and a private car were damaged by the attack. Sixteen persons were reportedly injured and ten killed, including one child.

3126. The victim, O.Ye.K., worked at a beauty salon at 9-a Otakara Yarosha St. in Kharkiv. On 26 May 2022 O. was at her workplace. After 1 p.m. her husband M. came by car to pick her up and was waiting outside with their son M., born in 2021. At 2.30 p.m. O. heard an explosion. She ran outside with a client and saw her husband and son hiding under a balcony of a nearby building. The client ran to hide with them, but then O. heard another explosion, after which she fell down, covered in glass and bricks. When she stood up, she saw M. on the ground: his body was black from burns, and he had no clothes or shoes on. The client was also on the ground without any signs of life. O. then turned her husband's body on his back and saw blood coming out of his mouth. She tried to take his pulse and realised that he was dead. She was trying to find her son when two men forced her to hide in a nearby basement. She continued searching for her son after the shelling was over. Eventually, his body was found later that day.

(vii) Criminal proceedings no. 12022221170002611 initiated on 17 August 2022

3127. This case concerned the shelling of residential buildings in Kharkiv on 17 August 2022 by Russian forces. The case file included an extract from the URPI, a record of victim questioning, a record of inspection of the scene with photographs showing destruction, corpses and fragments of an explosive device, and a certificate of an explosive hazard category.

3128. According to the case file, at approximately 9.10 p.m. on 17 August 2022 Russian forces attacked the residential building at 4-a Akhiezeriv St. in Kharkiv using an Iskander-type missile. As a result, eight civilians were killed, and seventeen civilians were injured. The three-storey residential building was destroyed, along with three nearby buildings and six cars. There were no military objects near the place of the attack.

(viii) Criminal proceedings no. 22022220000000020 and no. 220222200000001246 initiated on 24 February and 12 May 2022 respectively

3129. These two cases concerned the indiscriminate shelling of Kozacha Lopan and Veteryarne in the Kharkiv Region on 24 February 2022. The case file no. 22022220000000020 included a record of questioning of a Russian soldier and a judgment convicting him and his colleague of violating the laws and customs of war.

3130. The Russian soldier, A.A.I., was questioned as a witness in this case on 31 March 2022. He served in the Russian military unit no. 08275 in Murmansk with the rank of *yefreytor* and was a gunner of the BM-21 Grad MLRS. He stated that at the beginning of February 2022 his unit had gone for a military drill to Kursk in Russia. On 20 February 2022 they relocated from Kursk to the village of Novo-Aleksandrovo in the Belgorod Region of Russia. Upon arrival, they loaded their Grad MLRSs with forty missiles each. Then, on 23 February 2022, by order of the battery commander, Senior Lieutenant S.D. with the callsign “Topaz”, Mr I.’s battery moved for combat duty to Malinovka, five kilometres from the Ukrainian border. At around 3-4 a.m. on 24 February 2022 “Topaz” ordered Mr I. to aim at a target in Ukraine, twelve kilometres from them, which he complied with. Mr I. said that he had not known what that target was. Then, at 6 a.m. their Grad fired a round of missiles by order of the squad commander, Senior Lieutenant V.S., with the callsign “Aksiy”. Later, at 11 a.m., they fired a round of three missiles, presumably against a Ukrainian bridge fifteen kilometres away.

3131. According to Mr I., at 5 p.m. on 24 February 2022 their battery had crossed the Ukrainian border pursuant to an order of “Topaz”. Their overall task was the capture of Kharkiv. In Ukraine they joined a large column of Russian military vehicles marked with a square “Z” sign. Mr I. said that they had been ordered to draw those signs on 19 February 2022, before moving towards Belgorod. After more than thirty kilometres into Ukrainian territory, their column was attacked by a Ukrainian armoured vehicle. Mr I. and his colleagues left their Grad and hid in a forest. From 2 a.m. on 25 February 2022 they walked towards Belgorod through a forest. At around 6-7 p.m. they crossed a village road, where they saw another Grad with a group of soldiers, who turned out to be Ukrainian troops. They captured Mr I., while his colleagues escaped.

3132. On 31 May 2022 the Kotelva District Court of the Poltava Region convicted Mr I. and A.V.B., a driver-loader of another Grad from Mr I.’s

battery, of indiscriminate shelling of the Kharkiv Region. The court established that the defendants had participated in the indiscriminate attack against the villages of Kozacha Lopan and Veterynarne, causing damage to civilian objects, including residential buildings, an electrical substation and a vocational school. The defendants pleaded guilty during the trial and were each sentenced to eleven years and six months' imprisonment.

3133. The case file in criminal proceedings no. 22022220000001246 consisted of two bills of indictment of 14 May 2022 against two Russian soldiers who were commanders of BM-21 Grad MLRS vehicles – V.S., a junior sergeant, and A.M., a sergeant. The indictees had also served in the military unit no. 08275 in Murmansk under the command of Senior Lieutenant S.D., among other commanders.

3134. According to the bill of indictment in respect of Mr S., from 5 a.m. on 24 February 2022 he had fired three barrages against Ukraine's territory, with twenty and three missiles, respectively, in the first two barrages, and an unspecified number in the third one. According to the bill of indictment in respect of Mr M., during the same time he had also fired three barrages against Ukraine's territory, with thirty-eight and three missiles, respectively, in the first two barrages, and an unspecified number in the third one. Both bills of indictment stated that the indictees' actions had constituted indiscriminate shelling resulting in damage to civilian objects in Kozacha Lopan and Veterynarne, including residential buildings, an electrical substation, and a vocational school.

(ix) Judgment of the Dzerzhynskyi District Court of Kharkiv of 2 March 2023 (criminal proceedings no. 22023000000000059 initiated on 20 January 2023)

3135. By this judgment M.S.K., a lieutenant colonel of the Russian Air Force and a SU-34 fighter-bomber pilot, was convicted of violating the laws and customs of war in connection with his bombardment of the Kharkiv radio-television tower, a civilian object. According to the judgement, the defendant had received an order to attack the tower and launched eight FAB-500 bombs at it at 6.09 p.m. on 6 March 2022. One minute later, he had been shot down by the Ukrainian air defence and ejected from the aircraft, and had been found and captured at around 2 a.m. on 7 March 2022. The defendant pleaded guilty during the trial and was sentenced to twelve years' imprisonment.

M. Letters from the Office of the Prosecutor General of Ukraine

1. Letter of 14 September 2023

3136. This letter, with 106 pages of annexes, was addressed to the Ministry of Justice of Ukraine and set out information and documents in support of Ukraine's position before the Court. The letter described four sets

of criminal proceedings supervised by the Department of War Crimes at the Office of the Prosecutor General of Ukraine. Each set of proceedings concerned multiple incidents and related to actions allegedly committed by the Russian military from March to September 2022.

3137. The first criminal proceedings, initiated under no. 42022112330000083 on 21 March 2022, concerned the town of Dymer, in the Kyiv Region, during its occupation by Russian forces in March 2022. The investigation established that industrial premises of the Alphaland company, located at 22-b Vyshneva St. in Dymer, had been used to detain and torture at least twenty-two civilians. They were “detained there for a long time and under inhumane conditions” – in a 30 sq. m room without ventilation, natural or artificial light, beds, chairs or toilets, with poor nutrition and low temperatures. During their detention the civilians were interrogated and tortured in an attempt to make them reveal the positions of the UAF and the Dymer residents aiding the UAF.

3138. The letter then described the second set of criminal proceedings, initiated under no. 22022220000000889 on 25 April 2022, concerning Vovchansk, Kharkiv Region. These proceedings are also described in the section above concerning the Kharkiv Region. According to the letter, during Vovchansk’s occupation by Russian forces between April and September 2022, the Vovchansk aggregate plant had been used to detain and torture at least forty-six Ukrainian civilians. In most cases they were detained in basements or other non-residential premises which had no ventilation, toilets or beds. The detainees did not have access to water, adequate nutrition or medical assistance. It was also established that they had been beaten and tortured with electricity during interrogations. In connection with those circumstances, on 12 August 2023 the Russian citizen A.O.P. was indicted for “group ill-treatment of civilians during the armed conflict”.

3139. The letter then described the third set of criminal proceedings, initiated under no. 42022000000000468 on 15 April 2022, concerning the ill-treatment of Ukrainian POWs and detained civilians. These proceedings are also described above in the sections concerning the Donetsk and Zaporizhzhya Regions. Without indicating the date range, the letter stated that physical and psychological violence had been applied against Ukrainian POWs and detained civilians by Russian forces on the occupied territories of Ukraine, in Russia and in Belarus. Ukrainian law-enforcement authorities had questioned more than 1,500 Ukrainian servicemen who had been detained by Russian forces at different points in time. The investigation identified thirty-one places of detention, of which eighteen had been in the occupied territory of Ukraine. In most cases the detainees had been held in basements or other premises, punched, kicked, beaten with rifle butts, rubber truncheons and metal or wooden sticks, and threatened with execution. There were also reports of shooting in the legs, administration of electric shocks, and non-provision of medical assistance. A serviceman, L., whose identity was

protected, testified that during his detention in Sevastopol a Russian guard wearing a “Z” chevron had stuck a knife into L.’s hand during an interrogation, causing him a deep cut. The same guard had also ill-treated L. by applying an electric shock to him. Another Ukrainian serviceman, U., who had been detained in Kherson, testified that he had been given an electric shock, with cords attached to his ears, and had been beaten on the head. A senior sergeant, B., testified that following his capture he had been tied to a tree, beaten, and threatened with execution, with a gun barrel put into his mouth on many occasions. Another captured serviceman, S., had had his leg and bladder shot at with a gun. There were also testimonies from female captives. A servicewoman, L., said that she had been beaten on her head and electrocuted. Another woman, K., testified that while being detained in Taganrog, Russia, she had been beaten with a rubber truncheon. She also said that a Russian prosecutor had burned her palms with cigarettes during her interrogation. On 27 July 2023 S.V.Ye. and K.V.Sh. were indicted for “cruel treatment of prisoners of war committed by prior conspiracy of a group of persons”.

3140. The fourth set of criminal proceedings, initiated under no. 22022050000002725 on 29 July 2022, concerned the deaths and injuries caused by the explosion of 28 July 2022 at Olenivka Prison no. 120 in the Donetsk Region. The letter stated that on 11 October 2022 Ukraine had received from Russia the remains of fifty-seven captives from Olenivka. Subsequently, two more bodies had been returned. Ukraine had been able to identify fifty-four of the victims by means of a forensic DNA examination. Identification of the last five bodies continued.

3141. Lastly, the letter provided information about an investigation led by a juvenile prosecutor of the Office of the Prosecutor General of Ukraine. Those criminal proceedings, initiated under no. 12022221100001182 on 4 November 2022, concerned Kupyansk, in the Kharkiv Region. The proceedings are also described above in the section concerning the Kharkiv Region. The investigation established that on 8 August 2022 a minor, A.A.K., had been detained and interrogated at the Kupyansk police department.

2. Letter of 7 September 2023

3142. This letter was addressed to the Agent of the Ukrainian Government before the European Court of Human Rights and set out information in support of Ukraine’s position before the Court. It provided an overview of criminal proceedings no. 42022000000000383, initiated on an unspecified date, in relation to the alleged abduction of Ukrainian children. The letter explained that proceedings no. 42022000000000383 served as an umbrella encompassing over 150 sets of smaller proceedings. The letter stated that as of 4 September 2023, 19,546 Ukrainian children had been unlawfully deported by the Russian military to Russia, Belarus and the occupied territories of Ukraine. The letter also stated that 386 of those

children had since been returned to Ukraine. Parents of the returned children testified that Russian authorities had brainwashed their children with propaganda and threatened them with separation from their siblings. The letter referred to an OSCE report of 7 May 2023 and an OHCHR report of 16 March 2023 as evidence of the violations committed by Russia. It also mentioned the cooperation of the Office of the Prosecutor General of Ukraine with the ICC. Lastly, the letter stated that records of questioning of children could not be provided for the avoidance of any prejudice to the ongoing investigation.

3. Letter of 15 August 2023

3143. This letter, addressed to the Ministry of Justice, stated that since 24 February 2022 the law-enforcement agencies of Ukraine had conducted pre-trial investigations in twelve sets of criminal proceedings in relation to extrajudicial executions of Ukrainian detainees, both civilian and military. The investigation had identified fifteen victims. Two bills of indictment had been submitted to the courts.

IX. WITNESS STATEMENTS

3144. The statements below were obtained by the Agent of the Ukrainian Government before the European Court of Human Rights specifically for the purposes of the proceedings in the present case.

A. Events before 24 February 2022

1. Civilians

(a) Witness statement of A.O.D. of 11 October 2017

3145. The witness was editor of the regional newspaper *Realna Hazeta* and head of the project “Donbas. The Realities” at the Radio Svoboda news outlet. He stated that until mid-July 2014 he had almost always been in Luhansk. His newspaper was doing everything possible to objectively cover the events taking place in the city. He stated that in March 2014 Russian journalists had arrived in Luhansk, and their number had only increased during that time.

3146. In April-May 2014 the witness was forced to meet with Russian representatives after the so-called “LPR forces” had seized authority in the region. Conversations with editors of local newspapers were carried out by people from Russia. Editors and journalists were forced to listen to “clarifying conversations” about how they should cover the events, and strongly encouraged to characterise the government of Ukraine in a negative manner. The conversations were carried out by representatives of the so-called “LPR” in the presence of Russian representatives. On one occasion, talks were held

by P.K., a citizen of the Russian Federation and a political adviser to V.B. – a leader of the so-called “LPR”. In late May or early June 2014 the witness was invited to such a conversation but refused to participate.

(b) Witness statement of M.V.T. of 12 October 2017

3147. The witness was a journalist and a human rights activist. In April 2014 she worked for the “Centre for Civil Liberties” NGO and volunteered for the civil initiative “Euromaidan SOS”.

3148. On 27 April 2014 the witness arrived alone in the city of Donetsk. She stayed in a hotel recommended by other activists, since the area was considered dangerous. According to the witness, on 13 March 2014, during a large rally in support of Ukraine’s territorial integrity, its participants had been attacked by pro-Russian activists. A Donetsk activist, D.Ch., was killed during the attack. After that, journalists and people taking an active civil position moved out from Donetsk because staying there had become dangerous.

3149. On 28 April 2014 the witness participated in marches in support of the territorial integrity of Ukraine in Donetsk. The protesters were brutally attacked. The attackers used wooden and iron sticks, bats and rebar, and fired gunshots; explosions were heard. The group of attackers caught some participants, pushed them to the ground and carried out a brutal mass assault. The attackers chanted “Russia!” and trampled on a Ukrainian flag.

3150. During the dispersal, the witness noticed a correspondent of the LifeNews channel accompanied and guarded by some individuals among the attackers. When the witness had seen Russian television coverage of the events of that day, she was shocked, since the situation had been described in the opposite way. A video of the attack on pro-Ukrainian protesters was described as though representatives of the pro-Ukrainian movement had attacked a peaceful pro-Russian procession.

(c) Witness statement of V.V.D. of 19 October 2017

3151. The witness was a civilian and chairman of a public organisation called “Nobody but us” that focused on promoting a healthy lifestyle among children. On 1 June 2014 he was abducted from his home in the city of Rubizhne, Luhansk Region, by ten armed men wearing Russian military uniforms. He was brought to a building that had previously belonged to the State authorities of Ukraine. The witness was then interrogated, severely beaten and tortured over the course of several weeks. Stripped to the waist and bound, he was physically assaulted, first with a thick book and then with a rope, which was used to hang him until he began to choke. The ill-treatment continued with the forced wearing of a gas mask, through which he was deprived of oxygen and then exposed to unknown gases, all the while enduring further beatings. As the interrogation persisted, its brutality

intensified. The victim's left arm was set on fire, his left ear was scratched, and he was stabbed in the left thigh with a hunting knife. During the interrogation he was accused of training children "to participate in subversive activities".

3152. The witness had initially been kept in a cell but was later transferred to a basement and kept with twenty other detainees. He explained that the detainees had not been fed properly, and that the conditions in the basement had been poor. He and other detainees were forced to clean the basement, carry boxes, clean guns and carry dead bodies. He was held incommunicado for twenty-one days until his release on 21 June 2014.

(d) Witness statement of N.V.S. of 13 October 2017

3153. The victim was a pro-Ukrainian activist and a participant in pro-Ukrainian rallies in Donetsk. She said that at around 10 a.m. on 21 August 2014 armed militants had forcibly entered her family's yard. Some of them were Caucasian and spoke with a very strong Caucasian accent. One of the leaders of the group put a gun to her husband's head, and then to his mouth. Then the armed group searched the house and seized mobile phones.

3154. The victim, her husband and their son were taken to the basement of the building of the so-called "Union of veterans of 'Berkut'", located next to the Donetsk Regional State Administration. The militants severely pressured the victim by constantly shouting and threatening her. She had her arms twisted and was led to another box, where she was stabbed twice in the head and solar plexus. The captors put the victim on a chair and continued to beat and kick her.

3155. She stated that her husband had been forced to get up and had been hit, and whenever he fell, the captors would kick him to get up. Their son was beaten in the same way. The captors did not untie his eyes and hands. Without giving any confession, the victim's family was suddenly released, but the perpetrators organised their surveillance. On 24 August 2014, with the help of friends, the family managed to leave the city.

(e) Witness statement of I.V.D. of 17 October 2017

3156. The witness had been a volunteer since the outbreak of the hostilities in Donbas in 2014. She was forcibly taken from her home in Yasynuvata, Donetsk Region, in late August 2014. She had initially been held by the pro-Russian "Vostok" battalion but was later handed over to an Ossetian battalion. She reported being severely tortured by the Ossetian battalion, including being shot near her ear, forced to do Nazi salutes, threatened with rape, and coerced into revealing sensitive information such as PIN numbers. She also described an incident where she had been publicly humiliated in Donetsk, labelled a fascist, and threatened with violence. Eventually, she was returned to the "Vostok" battalion, where she was

chained, tortured, and interrogated about her property. She was released after approximately five days in detention.

2. Members of the Ukrainian Armed Forces, other militias or volunteer corps

Witness statement of D.O.K. of 17 October 2017

3157. The witness served in the “Donbas” battalion in 2014. In his statement, he provided a detailed account of his experiences during his captivity in the conflict zone, particularly highlighting the inadequate medical care and brutal treatment he had endured at the hands of Russian military personnel.

3158. According to the statement, on 20 July 2014 the witness had participated in his battalion’s efforts to liberate the city of Popasna. After encountering an ambush set by Russian military personnel, he was captured. Throughout his thirty-day captivity, he suffered severe physical and psychological trauma, including torture, beatings and starvation. He was kept in a room with 114 other detainees with no proper ventilation. His captivity also involved constant threats of execution, further compromising his health and well-being. Despite the severity of his injuries, including broken bones and haematomas from beatings, he received minimal medical attention, exacerbating his condition and prolonging his suffering. He was subjected to further brutality and intimidation during interrogations by Russian special services. Following his release, he required hospitalisation for an extended period because of the extensive injuries and trauma he had endured. The lack of adequate medical care during his captivity had a profound impact on his recovery and long-term well-being.

B. Events after 24 February 2022

1. Civilians

(a) Witness statement of S.M.Ch. of 15 November 2022

3159. The witness was a priest of the Ukrainian Orthodox Church of the Kyiv Patriarchate in Kherson. He stated that since 24 February 2022 his church had served as a social hub and a centre for distributing humanitarian aid. During the Russian forces’ occupation of Kherson, the witness continued his service as a priest. On 2 March 2022 he conducted the burial of sixty-eight members of the Territorial Defence of Kherson who had been killed by Russian tanks and heavy weapons. The witness attached photographs of the bodies to the statement.

3160. He mentioned that because of his pro-Ukrainian position and professional activities, Russian Telegram channels had publicly accused him of oppressing Russian-speaking citizens. On 30 March 2022 people wearing

balaclavas, who identified themselves as the “new police of Kherson”, came to the church, blindfolded and detained the witness. They took him to the Main Police Department of the Kherson Region for interrogation. The Russian military offered to record a video of him and “Russian representatives” jointly distributing humanitarian aid, but he refused. Subsequently, they placed the witness in a basement without a toilet, heating, light or water. The following day, the witness was taken for another interrogation. He was blindfolded and undressed, and his hands were tied. He was beaten with a stick on the knees and in the heart area, strangled, and otherwise physically abused. The interrogators forced him to his knees, pinned his head down with a foot, and inserted a stick into his anus. The witness specified that he had been subjected to moral humiliation and insulted on the basis of his religious views. After the interrogation, the witness was forced to sign a form giving consent to cooperate with the Russian forces. He was released on 31 March 2022 and later left the occupied territory of Ukraine. The witness stated that the events described had caused him acute health consequences and severe mental anguish.

3161. The witness also added that the Russian “authorities” in Kherson had done everything possible to prevent the church from functioning properly. They had extinguished public activities, intimidated the population and created conditions under which maintaining the previous level of religious services had become impossible.

(b) Witness statement of M.L. of 27 September 2023

3162. The witness, a Ukrainian national, was a resident of Kharkiv. Her statement may be summarised as follows. On 2 March 2022 she, together with two women, N. and K., were evacuating from Kharkiv in her car. The vehicle was not marked, and its windows were not tinted. On the way out of the village of Mala Rogan, their car was suddenly shot at many times. As a result, the car doors, windows and windscreen were damaged by bullets. The witness immediately stopped her car, and all the passengers demonstrated that they were unarmed by showing their hands. They stayed in the car. Next, four or five servicemen approached the car and forced all the passengers to step out. The soldiers were armed with machine guns, dressed in uniforms with black and orange ribbons (St George’s ribbons), and had a Russian accent. The witness stated that when N. had opened the door of the car, the soldiers had shot again and wounded N. in both legs. The witness then heard the shots from the opposite side, and after that, the Russian servicemen returned to their positions. After that, the witness drove back towards Kharkiv. On the way back, she stopped at a Ukrainian military checkpoint, where Ukrainian servicemen provided medical aid to N. The witness attached to her statement photographs of her damaged car with gunshot marks.

(c) Witness statement of S.S.A. of 9 October 2023

3163. The witness was a civilian resident of Mariupol. She stated that on 2 March 2022 her house had been shelled and her family had had to relocate to the Kalmiyskyi district of Mariupol. The witness indicated that their house had also been subsequently looted and their television stolen, as on 26 March 2022 her husband had seen on his personal online account that someone had connected the television on the territory of Donetsk.

3164. The witness stated that she, her husband and their younger son had unsuccessfully tried to evacuate from Mariupol several times. The first time, they heard the Ukrainian authorities' announcement of an evacuation on the radio. They went to the evacuation point and waited for four hours, but the evacuation buses never arrived. The next time, they arrived at the meeting point only to find out that the evacuation convoy had left earlier than planned, and the shelling had already begun. The witness and her family finally evacuated on 18 March 2022 to the city of Zaporizhzhya. They had to pass through the "filtration" at multiple Russian checkpoints. The witness added that, according to her knowledge, Russian troops had blocked an evacuation convoy from Berdyansk and thus prevented a "green corridor" from Mariupol that had been negotiated between the Ukrainian and Russian authorities. She had also heard from local residents that humanitarian cargo for Mariupol had been blocked by the Russian military in occupied Berdyansk.

3165. The witness's elder son, V.S.A., was a serviceman of the "Azov" Special Operations Detachment of the National Guard of Ukraine and served in Mariupol. On 19 May 2022 he surrendered to the Russian forces as a POW. He was subsequently transferred to penal colony no. 120 in Olenivka, Donetsk Region. In August 2022 an interview with him was published on a Russian Telegram channel; he said that he had been injured as a result of an explosion that had occurred at the Olenivka colony during the night of 28 to 29 July 2022. One of the released POWs informed the witness that he had been held together with her son in detention centre no. 2 in Taganrog, Russian Federation.

3166. The witness also stated that her elder son's common-law wife M.V. Ch. had worked as an investigator at the Mariupol police department. The Russian forces detained her on 1 May 2022 during an evacuation of civilians from Azovstal. During the "filtration" process she was separated from her minor sister A.V.Ch., aged fifteen. Referring to eyewitnesses, the witness stated that M.V.Ch. had been held for about two months in a detention centre in Donetsk and then transferred to the Olenivka colony. She was later transported to Russia and held in Taganrog, Rostov Region, and Kamyshyn, Volgograd Region. The witness added that at the time of her testimony, M.V.Ch. had been held in a colony in Mariupol.

(d) Witness statement of I.O.Sh. of 20 February 2023

3167. The witness, a Ukrainian national, was the director of Solar Capital LLC, which owned and operated two solar power plants located on the right bank of Dnipro in the Kherson Region. He stated that his company had lost the ability to fully control its production facilities and provide a stable source of energy as a result of the full-scale invasion.

3168. The witness stated that he had been regularly informed by an external contractor of his company about the situation on the ground. He was told that from 2 to 5 March 2022 the power plants had sustained damage as a result of the hostilities ongoing near the site at the time. In particular, five photovoltaic modules, twenty-five video surveillance cameras, two doors and fences had been damaged, and two power supply devices and computers with servers had been plundered or destroyed.

3169. In November-December 2022 and January 2023 the witness was additionally informed about shelling and destruction that had occurred after the retreat of the Russian forces from Kherson. He claimed that as of the end of November 2022 approximately 300 photovoltaic modules, forty video surveillance cameras, gates and fences had been damaged beyond repair, with a further six impact sites, a solar inverter and 1,500 photovoltaic modules and tables attached to them sustaining repairable damage.

3170. With shelling and destruction continuing through January 2023, the witness concluded that as of the date of his statement, a total of 3,000 photovoltaic modules had been damaged, and the video surveillance system had been completely destroyed. Taking into account those actual losses and the profit lost throughout this period, the witness assessed the damage caused to his company to amount to at least EUR 764,408.41.

3171. The witness attached to his statement various documents, including the company's title deeds to its power plants, photos of the damage as of 6 March and 23 November 2022, media articles and updates from the General Staff of the Ukrainian Armed Forces regarding the shelling, Ukrainian legislative instruments, and the calculation of the losses and damage incurred by the company.

(e) Witness statement of A.K. of 30 September 2023

3172. The witness, a Ukrainian national, resided in Bucha and was a civil aviation pilot. He testified that on 3 March 2022 he had been delivering humanitarian aid around Bucha by bicycle together with Mr S.M. Once they had turned from Gagarina St. to Yablunska St. and had cycled for about one hundred metres, Russian soldiers started firing at them with automatic weapons. The witness stated that he and Mr M. had been unarmed and had worn civilian clothes. The witness stated that they had tried to hide and return to Gagarina St. when a sniper had shot at them twice. The witness pointed out that he and Mr M. had survived by pure chance.

3173. The witness testified that he and Mr M. had hidden at 300 Yablunska St. until 7 March 2022. The Russian soldiers had set up their headquarters at 298 Yablunska St. The witness stated that on 5 March 2022 Russian soldiers wearing St George ribbons and white armbands had inspected the house where the witness had been hiding; one of those soldiers had had the call sign “Grib”. The witness testified seeing a large group of Russian soldiers and military equipment marked with a letter Z in the backyard of 300 Yablunska St.

3174. On 7 March 2022 the witness and Mr M., expecting a “green corridor”, attempted to go back to their houses in Bucha. The witness reported seeing destroyed houses and civilian vehicles crushed by a tank as he had walked down Yablunska St. in the direction of Vokzalna St. The witness stated that he and Mr M. had been stopped and detained by Russian soldiers near the crossroads between Yablunska St. and Vodoprovodna St. The witness saw military equipment marked with a letter Z and more than fifteen Russian soldiers there. He reported being stripped naked, forced to kneel, and searched at gunpoint. He was interrogated for about forty minutes about the positions of Ukrainian “nationalist battalions” and beaten on his head by a pistol grip. The witness stated that he had then been blindfolded and threatened with being set on fire and strangled. He was taken to the Russian headquarters and subjected to a mock execution on the way. There, the Russian soldiers threw him on the ground, seriously injuring his leg, soaked him with petroleum, and kicked and beat him on various parts of his body while continuing to threaten him with various forms of killing.

3175. The witness was then ordered to wear a Russian military uniform with a St George ribbon and white armbands. He was told to climb onto a Russian infantry combat vehicle between Yablunska St. and Vokzalna St. to provoke a Ukrainian sniper to shoot and thus reveal the sniper’s position. The witness was ordered to do this three times while a Russian gunman was holding the witness at gunpoint to prevent him from running away. After that, the senior person among the Russian soldiers, who had the call sign “Uspekh”, set the witness free. Another soldier, Artem, escorted the witness and told him that Mr M. “would not come back”.

3176. The witness testified that, as he had been walking down Vokzalna St. in the direction of the Buchanske Kiltse, he had seen destroyed civilian houses and wrecked Russian military equipment. He reported seeing a dead body in brown clothes between the houses. The witness returned to his home in Bucha.

3177. The witness stated that on 9 March 2022 he had escaped to Kyiv by car. Exiting Bucha, he saw streets full of shelled and destroyed civilian vehicles, ambulances, and trucks that had been delivering humanitarian aid.

3178. The witness stated that after the events described above, he had had to seek psychological help. He also underwent two surgical hip joint replacements as a result of the leg trauma described above. The witness was

recognised as having a permanent disability and became unfit to work as a pilot.

(f) Witness statement of I.V.M. of 19 September 2023

3179. The witness was a civilian residing in Mykolaiv. He worked in the city of Kherson as the head of security at Kherson Machine Building Plant LLC, and had remained there since 24 February 2022. He stated that on 3 March 2022 Russian forces had occupied Kherson. The witness stated that the Russian military had set up road checkpoints around the city and examined men's belongings and tattoos. Some men were detained, blindfolded and transported to unknown locations. Women were also taken away occasionally, albeit less frequently. Russian forces inspected mobile phones and detained people if they found anti-Russian statements or Ukrainian symbols. The witness also stated that Russian forces had violently dispersed peaceful protests of Kherson residents with tear gas and rubber bullets. They also detained pro-Ukrainian activists. The witness also mentioned that employees of local administrations had been under constant pressure. He had witnessed the detention and ill-treatment of a people's deputy from the Chornobaivka village council after he had refused to cooperate with the Russian forces.

3180. The witness explained that in order to leave Kherson one would have had to navigate through dozens of Russian checkpoints and undergo a thorough inspection at each of them. He further stated that medical care had gradually decreased as the occupation continued. He also described pervasive propaganda efforts by the occupying forces, which had been facilitated through the radio, newspapers and television, while broadcasting of Ukrainian television had been discontinued.

3181. The witness stated that in mid-March 2022 representatives of the Rosgvardiya had searched Kherson Machine-Building Plant LLC for weapons and equipment. They stole vehicles, tools, first aid kits, and even toilet paper. The witness further stated that the Russian forces had detained a boy of 16 or 17 years of age. They checked his mobile phone, beat him, pulled a hat over his eyes and took him to an unknown destination.

3182. The witness stated that on 4 June 2022 he had been detained by the Russians forces. They beat him, blindfolded him and transported him to a pre-trial detention centre in Kherson. The cell was constantly filled with detainees who had signs of having been beaten. The detainees were fed once a day, and the food they received was minimal. The witness was interrogated almost every day. He was struck with a rubber baton and subjected to electric shocks until he lost consciousness. The witness was ordered to provide information about Ukrainian forces. He was constantly threatened with imprisonment in a Russian prison and was told that he would not get out of there alive. The witness heard other detainees scream as they were ill-treated; some of them were women and young men. No medical aid was provided. The detainees

were not able to communicate with their relatives or inform them about their whereabouts. The witness was released on 20 June 2022.

(g) Witness statement of V.L. of 31 August 2023

3183. The witness, a Ukrainian national, was a resident of the town of Irpin. He stated that on 5 March 2022 he, his father, D.L., and his mother, L.L. had tried to evacuate from Irpin by car. They followed a car of their neighbour that had “CHILDREN” signs on its bonnet in Ukrainian and Russian.

3184. According to the witness, while they were approaching a petrol station in the village of Zabuchchya near the town of Bucha, he heard the sound of gunfire, and D.L. told him to lie down in the car. Then their car crashed into a stand at the petrol station. The witness then felt as though he had been shot in the back. He saw D.L. lying still with his head injured and with many other injuries to his torso. Russian soldiers who had the St George’s ribbons on them approached the car, took the witness out of the car and asked him if he wanted to live.

3185. The witness then saw that L.L. had also been taken out of the car. She had wounds on her legs and abdomen. He said that the Russian soldiers had then stopped another civilian car to take him and L.L. to a hospital. He also said that although D.L. had still been trying to breathe, the Russian soldiers had only allowed the witness and L.L. to leave for the hospital.

3186. The witness and L.L. eventually fled to Germany after receiving medical treatment for their injuries at the hospital in the town of Boyarka. According to the death certificate annexed to the witness statement, D.L. had died on 5 March 2022. Enclosed with the witness’s statement was a photograph of their car with at least twelve gunshot marks on its windscreen.

(h) Witness statement of M.Ya. of 7 September 2023

3187. The witness, a Ukrainian national, was a resident of the town of Irpin. She stated that on 6 March 2022 she and her family had attempted to flee Irpin. They were supposed to drive in their car with a convoy of twelve civilian cars. However, they could not leave on time and only departed fifteen minutes after the convoy had left. On the road they saw six cars from the convoy driving back to their apartment block and waving to the witness to make a U-turn and drive back. They later told the witness that the convoy had been ambushed by Russian soldiers with a tank, machine guns and grenades. Only six cars were able to escape to Irpin. The witness was told that five people from the convoy had been killed and seven more had been seriously injured, including two children.

3188. The witness further stated that on that day, 6 March 2022, her apartment in Irpin had been damaged by bullets and shrapnel smashing the windows, the balcony and the indoor air-conditioning unit. She was told by

her neighbours that the damage had been caused by Russian soldiers at around 11 a.m. that day. Enclosed with her statement were photographs of the windows with bullet and shrapnel holes. She also stated that her daughter's apartment in Irpin had been seriously damaged by an explosion caused by shelling. Two outside walls of the apartment facing the town of Bucha had been destroyed, which led the applicant to assume that the shelling had come from Russian soldiers stationed there at that time. Enclosed with her statement was a photograph of the apartment block with a big hole in the wall.

3189. The witness also stated that on the evening of 6 March 2022 she and her family had been sitting in her daughter's apartment in Irpin. At around 9 p.m. they heard a very loud explosion. It destroyed two outside walls of the apartment, leaving the witness's husband, M.Y., and son, S.Y., seriously injured. M.Y. died soon afterwards, as his skull had been indented after the explosion. The witness said that seeing her husband's death without being able to say goodbye had caused her mental suffering. The belly of S.Y. was entirely open with his organs visible on the surface. The witness stayed with him for a few minutes until he died. She said that her son had asked her to kill him as his pain had been so strong. The witness was devastated by those events as she had been unable to help her family. She believed that the apartment had been hit by a missile launched by Russian forces from nearby Bucha.

3190. The witness, her daughter and her grandson stayed alive and went down to hide in the building car park. On the next day, 7 March 2022, they fled Irpin by foot via the destroyed Romanivskyi bridge.

(i) Witness statement of N.V.Ch. of 14 November 2023

3191. The witness used to work as a crane operator at the Illich iron and steelworks in Mariupol. Soon after the beginning of the full-scale Russian invasion, the witness's residential building, located near an "Azov" military unit, was targeted and burned down. Seeking refuge, the witness and her family moved to the nearby City Palace of Culture, which was also shelled soon afterwards. The witness noted that many civilians from City Palace of Culture had been evacuated to Mariupol Drama Theatre, which had also suffered a direct strike from a Russian aerial bomb on 16 March 2022. The witness's family were lucky not to have been there.

3192. According to the witness, attempts to leave Mariupol were highly dangerous, as Russian forces indiscriminately targeted vehicles, at times shooting at any vehicle in sight. Despite the risks, which included passing through Russian checkpoints and undergoing "filtration", the witness and her husband were able to leave Mariupol for the occupied village of Bezimenne, Donetsk Region.

3193. The witness had two daughters. The elder one, M.V.Ch., worked as an investigator at the Mariupol police department and the younger one,

a.V.Ch., attended school. Since 25 March 2022 her daughters had been sheltering at Azovstal.

3194. On 1 May 2022 her daughters tried to evacuate from Azovstal through a mined “humanitarian corridor”. During the “filtration” the elder daughter, M.V.Ch., was detained and transported to Donetsk SIZO no. 2. The younger daughter, A.V.Ch., was released, and the witness was requested to pick her up immediately or else she would be taken to an orphanage in Siberia. The witness’s efforts to locate the elder daughter provoked threats from the Russian forces.

3195. Having spoken with released POWs who had at one point been detained together with her elder daughter, the witness became aware that after two months in Donetsk SIZO no. 2 M. had been transferred to Olenivka penal colony no. 120. On 7 August 2022 M. called her mother, cried intensively and repeatedly said, “I’m fine, we’re fed and they don’t insult us”.

3196. From Olenivka M. was transferred to SIZO no. 2 in Taganrog, Russian Federation. The witness was aware that at the Taganrog SIZO Maryana had been ill-treated by having to maintain a “swallow” stress position for several hours. M. had also lost a significant amount of weight and needed medical attention. The witness stated that at the time of her testimony, her daughter had likely been kept at Mariupol penal colony because in September 2023 the witness had received a letter her daughter had sent from that facility.

(j) Witness statement of O.P.T. of 2 June 2022

3197. The witness was a Ukrainian citizen and director of a factory engaged in the automated production of frozen bakery products. The factory’s production facilities were located in the village of Novi Petrivtsi in the Vyshhorod district of the Kyiv Region. The manufacturing premises occupied 7,082 sq. m and produced twenty-five tons of output a day.

3198. According to the witness, the factory was shelled by Russian forces at approximately 10.30 a.m. on 16 March 2022. The witness stated that the shelling coming from the direction of the Russian forces had been confirmed by footage from surveillance cameras. Two security guards had been present on the territory of the plant at the time of the shelling. One of the security guards called the witness at about 10.40 a.m. and informed her about the strike, and the witness immediately called the fire brigade.

3199. On 17 March 2022 one of the security guards reported to Ms T. that he had witnessed seven shells hitting the territory and premises of the factory from the direction of Russian positions. He said that those shells had partially destroyed the factory’s premises and started a fire.

3200. In addition to two security guards, three employees living nearby rushed to the factory to rescue the equipment and products in the immediate aftermath of the shelling. Two of them described to the witness that they had

heard explosions at the factory and had seen the aftermath of the shelling and the severe fire.

3201. The witness stated that to her and her other employees' knowledge, there had been no Ukrainian military positions in the vicinity of the factory; it had been a purely civilian facility.

3202. A commission was established in order to document the destruction to the factory. The commission concluded that the damage had been caused by the projectiles of a Grad multiple launch rocket system.

3203. The witness provided an independent report evaluating the damage to the factory. The report estimated the final amount of damage at UAH 222,305,868.77 (approximately EUR 5,632,667). The photographs provided by the witness show the destroyed and damaged premises and production facilities of the factory.

(k) Witness statement of A.D.G. of 20 February 2023

3204. The witness was a Ukrainian citizen and the director of a solar power plant in Maryivka, in the Bashtanskyi district of the Mykolaiv Region. The witness stated that he had been informed by the employees that intense active hostilities in the territory near the village of Maryivka had begun during the night of 18 to 19 March 2022, and had lasted until 23 March 2022. He stated that those hostilities had caused significant damage to electrical networks, which had led to the inability to provide a stable supply of energy.

3205. He further reported that Russian troops had been stationed approximately ten kilometres away from the premises of the power plant. He stated that he had been aware from media reports that the city of Kherson had been fully occupied at that time by Russian military troops.

3206. On 25 March 2022 an electrician conducted an inspection of the power plant and recorded significant damage to solar modules in various areas of the facility. According to the electrician, there had been 268 severely damaged solar modules, and another thirty had been partially damaged.

3207. In June 2022 an inspection by a commission was initiated. The commission concluded that the shelling had taken place from the city of Kherson, on the eastern side of the power plant.

3208. The witness calculated that the cost of replacing the modules would be approximately EUR 7,924.53. He estimated that the total amount of damage resulting from the disruption of a stable electricity supply was approximately EUR 764,457.12.

(l) Witness statement of B.S. of 27 September 2023

3209. The witness, a citizen of the United States of America, worked as director of the SITU research group. The staff of the SITU included specialists in architecture, art, design, engineering, fabrication, geography, programming, urbanism, visualisation, research and development. Using

video and image data analysis and 3D modelling, the SITU prepared digital platforms and reconstructions of events, usually connected with war crimes and human rights abuses. The witness stated that the results of the SITU's work had been used by the ICC while considering the cases of *The Prosecutor v. Ahmad Al Faqi Al Mahdi* and *The Prosecutor v. Al Hassan*.

3210. The witness stated that in collaboration with the Associated Press, Frontline PBS, and a Ukrainian research group, Jus Talionis, the SITU had produced a documentary *Crime Scene: Bucha*, addressing the events that had occurred during and after the month-long Russian occupation of the town of Bucha.

3211. In the course of that work the SITU processed over 200 hours of video and audio data, including *inter alia* drone data, geospatial imagery, surveillance camera videos, and phone calls of Russian servicemen. As a result, the SITU reconstructed a digital model of Bucha, which was then layered with a range of evidence. The witness stated that the SITU team had employed tools that had been developed for the gaming industry, which allowed virtual movement around the city while reproducing individual stories of victims. For example, the documentary *Crime Scene: Bucha* reconstructed the events referring to the testimonies of the witness N.V., whose husband and grandson had been killed by Russian forces, and the witness I.S., who had survived after being captured by Russian soldiers.

3212. The witness stated that the SITU had processed 70,000 pieces of video from CCTV cameras, which had then been chronologised and geolocated, allowing the investigators to reproduce the events in Bucha. He also stated that essential evidence had been collected from the particular group of cameras which had been placed near the Russian military's main headquarters at 144 Yablunska St., the place where mass killings, captures and torture of civilians had occurred.

3213. In collaboration with Human Rights Watch, SITU prepared an investigative report, "Death at the Station: Russian Cluster Munition Attack in Kramatorsk", which concerned the Kramatorsk railway station attack of 8 April 2022. The witness stated that the SITU team's contribution to the report included the creation of an integrated interactive platform and simulations that recreated the events of that day. The witness stated that the SITU had assessed videos taken on the day of the attack from various vantage points of the station. As a result of this work, the presence of over 500 civilians at the station attempting to evacuate was confirmed. The witness also stated that from the video evidence collected, it was clear that the Kramatorsk station had been an evacuation hub for thousands of civilians. Thus, the witness assumed that Russian officials ought to have known that civilians had been likely to be at the station on the day of the attack. The witness stated that the SITU team had illustrated the lethal consequences of the Tochka-U bomb explosion. They traced the pattern set off by fifty submunitions that had spread over an area about the size of a football field.

The witness stated that the video reconstruction proved that the weapon used should be considered indiscriminate and that it had had a devastating effect on civilians and buildings.

(m) Witness statement of A.I.Ch. of 2 November 2023

3214. The witness was a civilian and resided in the village of Novodmytrivka, Kherson Region. She worked as deputy director of an agricultural enterprise that had continued operating despite the Russian occupation, resisting pressures to align with Russian demands.

3215. The witness detailed the challenges faced by the enterprise and local residents as a result of the occupation, including widespread Russian military presence, frequent searches of private homes, and Russian soldiers looting enterprises and exerting pressure on local businesses to use Russian currency and operate under Russian legislation under the threat of “nationalisation”. The witness’s enterprise was forced to repaint a water tower to remove the colours of the Ukrainian flag under the threat of a mortar attack.

3216. On 24 June 2022 armed Russian soldiers, led by a person with the call sign 81, came to the witness’s house, put a plastic bag over her head, transported her to the Bilozerskyi District Court and detained her in a cell measuring 2 to 3 sq. m. Within two hours, she was blindfolded and taken for interrogation. Later that evening, a drunk man in camouflage entered her cell and attempted to force her to engage in sexual intercourse. When she resisted, he hit her on the face and ripped her clothes. The witness was released from detention the next day.

3217. For the second time the witness was detained in mid-July 2022 and kept in the building of the Russian “military administration” for over four hours.

3218. On 13 September 2022 she was detained for the third time. The witness was once again placed in a cell at the Bilozerskyi District Court, interrogated, and beaten at least ten times with a rubber baton for speaking Ukrainian. While she was kept in that cell, Russian soldiers forced her to watch them beat a man and then to wipe his blood off the floor.

3219. The next day, the soldiers told the witness that she was being taken for an “execution” and placed her in a vehicle. She reported having thought that she was about to be killed. Instead, the witness was taken to a custodial building in Kherson, which she later understood to be a police department. For the first four days, she received no food and little service water to drink. She was interrogated multiple times and faced various forms of intimidation and ill-treatment aimed at extracting information or coercing her into cooperation. The witness heard four men being executed next to her cell and then the bodies being placed in plastic bags.

3220. On 29 September 2022 two Russian soldiers came to the witness’s cell and attempted to coerce her to engage in sexual intercourse, but she was

able to talk them out of it, mentioning poor hygiene. On 30 September 2022 the Russian soldiers applied electric shocks to the witness three times during her interrogation. She was then forced to record a propaganda video of her saying that she would obtain a Russian passport, cooperate with “Russians” and “fight Nazism”.

3221. Throughout her testimony, the witness described having been detained in cold cells without basic necessities and with a poor level of nutrition. She also recounted her health issues resulting from her detention, including a serious gynaecological condition necessitating surgery, attributed to low temperatures in her cells and the lack of medical care.

3222. The witness was released on the evening of 30 September 2022.

(n) Witness statement of N.Yu. of 1 October 2023

3223. The witness, a Ukrainian national, resided in Kremenchuk in the Poltava Region and worked at the Amstor shopping mall (“the mall”). Her statement may be summarised as follows.

3224. The mall employed around 400 people in total. On 27 June 2022 there were many shoppers at the mall. Around 3 p.m. the witness heard an air raid siren, and five to eight minutes later she saw a big flash and heard a loud explosion. The lights in the building went off, and then the ceiling fell in, with the metal bars that had held the ceiling up sticking out. The witness received shell shock. She climbed out of the dust and rubble and left the mall through the emergency exit. A little girl who had been in the same store received severe cuts to her legs on the ceiling metal bars when she tried to climb out of the rubble.

3225. Once she came outside, she saw fire and smoke coming out of the mall. She saw people carrying the wounded out of the mall. The witness stated that one of her colleagues had died during the explosion and her body had burnt to ashes so that only her teeth and golden jewellery could be recovered from the scene.

3226. The witness pointed out that she had never seen any Ukrainian military groups at the mall. She testified that Ukrainian soldiers would at times come to the mall for shopping or leisure, but there had never been more than two soldiers at the mall at any given time. The witness specified that there had been no Ukrainian military personnel at the mall on 27 June 2022.

3227. The witness stated that she had suffered severe psychological trauma as a result of the attack on the mall. She reported having panic attacks and being haunted by the images of dead bodies and the burning mall for a long period of time.

(o) Witness statement of V.O.T. of 7 October 2023

3228. The witness, a civil servant and former deputy director of the Black Sea Biosphere Reserve of the National Academy of Sciences of Ukraine,

resided in Hola Prystan, in the Kherson Region. On 24 February 2022 Russian troops occupied Hola Prystan. The witness remained in the occupied town until 13 September 2022. He described the Russian military enforcing a regime of terror and intimidation, conducting searches, arrests and abductions, particularly targeting people associated with the UAF, administrative bodies, and local government.

3229. According to the witness, throughout the occupation, Hola Prystan endured continuous shelling by Russian forces, resulting in casualties and extensive damage to residential, educational and medical facilities and infrastructure. The witness reported that the Russian military had looted personal and institutional property, including vehicles, boats, documents and equipment belonging to the Black Sea Biosphere Reserve.

3230. On 13 September 2022 the witness was detained by armed Russian military personnel. He was held captive in deplorable conditions in a small basement cell for forty days, where he endured physical and psychological abuse, including torture and threats. According to the witness, other detainees were held in basements, subjected to torture, and denied access to medical care and communication with relatives. The detainees were interrogated and filmed for propaganda purposes. They were also coerced into signing false statements under duress. The witness described having seen the death of a fellow detainee who had undergone more than sixty-five days of mistreatment.

3231. The witness's release on 23 October 2022 coincided with the UAF's offensive in the Kherson Region. The Russian forces announced a "pardon" and released many detainees, including the witness. However, he did not receive his personal documents back upon release.

2. Members of the Ukrainian Armed Forces, other militias or volunteer corps

(a) Witness statement of A.Yu.B. of 2 October 2022

3232. The witness, a Ukrainian national, served in a territorial defence unit in the Brovary district, Kyiv Region. His statement may be summarised as follows.

3233. On 6 March 2022, together with a comrade, he went in his private vehicle to evacuate his comrade's family and ran into a Russian checkpoint in the village of Lukyanivka. Armed men of Buryat appearance in Russian military uniforms started shooting at his car. He was shot in the shoulder and captured, while his comrade managed to escape. For eight days, blindfolded and tied, he was transported between barns and cellars, where there were usually around ten to twenty captured people, mostly civilians. According to the witness, on several occasions during the interrogations he was fully undressed and searched for tattoos. He was beaten and interrogated with a grenade between his legs. He stated that the Russian soldiers on several

occasions had threatened to rape him with a bottle and attempted to do so, but had then stopped.

3234. According to the witness, the prisoners were placed in dark and small cells. They used one plastic bottle as a toilet, slept hugging each other to avoid freezing, and were given only two litres of water for twenty people. The witness went for days without food, and at one point, twelve prisoners were given one Russian dry ration to share. There was little to no airflow, and on one occasion the prisoners were on the point of suffocating, which the witness explained had been done on purpose. After the prisoners started to shout that they could not breathe, the basement lid was opened.

3235. The witness stated that the prisoners had been intimidated by a firing squad. The captured men were prohibited from communicating with each other under the threat of being shot. During his captivity, he witnessed one man having a heart attack and was told that several civilians and soldiers had been executed.

3236. On one occasion the witness was taken to a lake and made to kneel. He was told that he would be executed if he did not provide useful information. When he asked to call his mother, the Russian soldiers responded by firing their machine guns near him.

3237. The witness's bullet wound in the shoulder became infected and began to rot. He asked for help but was ignored for six days. He stated that when finally taken to a hospital, he was again interrogated and forced to read out anti-Ukrainian statements while being filmed on camera. Approximately twelve days after he had been captured, the witness was told that he would be exchanged. Prior to the exchange, he received treatment from a Russian doctor and his shoulder was properly bandaged. The witness was exchanged for the bodies of five Russian soldiers.

3238. After his release, the witness stated that he had suffered long-term psychological consequences, such as the fear of being left alone in a room and cognitive difficulties. After his wound healed, he went back to military service but was afraid to put on a military uniform owing to the fear of becoming a prisoner of war again.

(b) Witness statement of A.V.Z. of 20 September 2023

3239. The witness is the mother of a serviceman of the "Azov" Special Operations Detachment of the National Guard of Ukraine. As of 24 February 2022, her son had been on duty in Mariupol. He called her on 26 February 2022 and asked her not to worry. That was the last time she had heard from her son. On 31 March 2022 she learned from a relative of her son's colleague that he had been at an Azovstal hospital and had suffered a concussion. Later, her son's military unit informed her that since 17 May 2022 he had been held as a POW by Russian forces in penal colony no. 120 in Olenivka, Donetsk Region. The witness had no contact with her son during his captivity. She stated that during the night of 28 to 29 July 2022 Russian forces had attacked

the Olenivka colony where Ukrainian POWs were being held. The witness found her son's name on the list of people killed in the attack, which had been published unofficially on 29 July 2022. On 14 June 2023 her son's remains were identified through a DNA test.

(c) Witness statement of K.I.K. of 28 September 2023

3240. The witness was a servicewoman of the Ukrainian Armed Forces. On 24 February 2022 she was on duty in Mariupol and witnessed Russian forces attacking civilian and industrial facilities. Her family stayed in Mariupol and were sheltering in a basement without light, electricity or a mobile connection. By the end of March 2022, they had no food left. Around 22-24 March 2022 her mother and son tried to evacuate from Mariupol. They left the basement and ran under fire to the assembly point. The witness instructed her son not to look around and to run with his head down because everything around was destroyed and the streets were covered with dead bodies. She added that there had been two options for leaving the city: to evacuate to the occupied territory through the Russian "filtration camps" or to hire a taxi to Ukraine-controlled territory. Being a servicewoman and fearing for the safety of her family should they undergo "filtration", the witness chose the second option. After a few days, her mother and son arrived in Zaporizhzhya.

3241. From March to April 2022 the witness and her colleagues were positioned at the Illich iron and steelworks in Mariupol. They attempted to break out of the Russian encirclement several times but were unsuccessful. On 12 April 2022 their command ordered their surrender, and the witness was taken as a POW by Russian forces. The POWs were transferred to Sartana, in the Donetsk Region, where they had their phones and personal belongings taken away. The witness was placed in a cell with a concrete floor and bars instead of windows. It was cold. The witness stated that the POWs had regularly been subjected to psychological violence.

3242. On 14 April 2022 they were transferred to Olenivka, in the Donetsk Region. The witness and thirty-eight other women were placed in a cell designed for six persons. No basic hygiene products were provided. The toilet was in the cell, which resulted in a constant stench. Food was provided at a minimal level. The POWs received a very limited quantity of water, the quality of which was poor. They had their jewellery, belts and shoelaces taken away. The administration took the witness's earrings, which were precious to her.

3243. On 19 April 2022 they were transferred to detention centre no. 2 in Taganrog, in the Rostov Region of Russia, and held there for twenty-five days. When the witness arrived at the detention centre, its workers shouted at the POWs, insulted them and forced them to walk with their heads down. Every morning and evening the cells were checked by detention centre employees. The POWs had to run quickly out of the cells and stand against

the wall with their legs spaced widely apart. If anyone did not bend low enough, they were hit on the head or the back. Some of the workers hit the POWs on the legs with boots, pushed their backs against the wall, and hit their heads. The POWs were forced to learn the Russian national anthem, Russian songs, and the poem “Forgive Us, Fellow Russians”. The witness underwent three interrogations. During two of them, electric shocks were applied to her. The witness stated that the detention conditions in Taganrog had been poor; the cell was cold and humid, and the food was terrible and inedible. The POWs were fed semolina porridge cooked with water and sour cabbage. She mentioned that many POWs had developed ulcers because of such nutrition.

3244. Subsequently, the witness and other POWs were transferred, with bags over their heads, to women’s correctional colony no. 9 in Valuiky, in the Belgorod Region of Russia. There, the POWs were also interrogated and forced to sing the Russian national anthem. Mealtimes were restricted to five minutes during which the food, although very hot, had to be consumed rapidly, as eating was prohibited after the announcement that “the meal is over”. Lying on beds during the day was forbidden, and when the witness at one point placed her foot on a bed, the POWs were subjected to electric shocks.

3245. Around September 2022 the witness was transferred to women’s correctional colony no. 11 in Mala Loknia, in the Kursk Region of Russia. When the POWs arrived, they were forced to shout the Russian national anthem and march in step. Then they were forced to change their clothes, and when they were naked, male employees of the colony stared at them. The POWs were compelled to bend over while a female worker of the colony inspected their intimate areas for foreign objects. Every day the POWs had to learn Russian poems by heart while standing in a plank position, marching or squatting. They were interrogated and offered the opportunity to stay in the Russian Federation. The POWs were forced to listen to radio broadcasts of historical propaganda programmes about Ukrainian citizens, politicians and public figures.

3246. In October 2022 the witness, along with other POWs, was transferred back to detention centre no. 2 in Taganrog, which frightened them because of the ill-treatment they had suffered there before. The witness and five other women were placed in a cell designed for three persons, causing them to sleep on the floor. Two days later, on 17 October 2022, the POWs were blindfolded and transported by plane to an unknown location. They were then placed on Ural vehicles and driven to the Zaporizhzhya Region, where they were released. During the trip, they were not provided with food, and there were no stops to use the toilet. Following their release, the witness underwent rehabilitation and was diagnosed with post-traumatic stress disorder.

(d) Witness statement of O.S.K. of 5 December 2023

3247. The witness served with the State Border Guard Service of Ukraine and, as of 24 February 2022, was stationed at the Azovmash machine-building plant in Mariupol. The witness described the dire situation in Mariupol following the full-scale invasion, noting the lack of communication, Russian attacks on civilian infrastructure and increasing air strikes, and visible consequences such as corpses and mass graves in the city. She reported that the Mariupol drama theatre, bombed by Russian forces in March 2022, had been a purely civilian object and that she had never heard of any military people being there.

3248. After 11 April 2022 the witness had been sheltering at Azovstal. She described the lack of food and medical supplies for the wounded, adding that “many people’s wounds began to rot”. The witness emphasised that the encircling Russian forces had not allowed the evacuation of the wounded, who had been “dying without proper medical care”.

3249. On 17 May 2022 the witness surrendered to the Russian forces and was transported to Olenivka penal colony no. 120. She was stripped naked and had her jewellery taken away. Together with twenty-six other women, the witness was placed in a cell designed for six inmates. She received little food and lost weight. In order for the guards to allow her to wash her face, she had to say “Glory to the ‘DPR’!” She described constant light exposure in the cell and having been forced to work in the garden. She also stated that she had constantly heard the screams of male POWs who had been ill-treated and forced to stand in stress positions. One particular stress position was called “stretching”. It involved the POWs crouching lower and lower in a twine position, essentially so low that their genitals touched the floor. According to the witness, if a captured serviceman turned out to be a gunner or an artilleryman, he was simply killed. She was also aware of the guards having raped male POWs with rubber truncheons and forced them to wear women’s clothing to humiliate them. The witness was allowed to call her family twice on speakerphone, in presence of guards.

3250. The witness testified that she had been present in the Olenivka colony at the time of the explosion in one of the barracks during the night of 28 to 29 July 2022. She saw the roof of the exploded barracks being caved from the inside “in the shape of a rose”, indicating that the explosion had originated from the inside. She reported severe shortages of painkillers for the wounded.

3251. On 1 October 2022 the witness was transferred to Taganrog, in the Rostov Region of the Russian Federation. She detailed the journey and the poor conditions in various detention facilities. She was also subjected to propaganda, indoctrination and threats. She noted instances of psychological and physical abuse during interrogations and the forced signing of documents under duress.

3252. The witness's testimony concluded with the events leading up to her exchange and return to Ukraine on 17 October 2022.

(e) Witness statement of L.P.K. of 25 September 2023

3253. The witness was a servicewoman. On 24 February 2022 she was on duty in Mariupol and witnessed Russian forces shelling residential areas of the city. The witness mentioned the destruction of the Mariupol Drama Theatre, which had served as a shelter for the civilian population, mothers and children.

3254. On 12 April 2022 the witness was captured as a POW by Russian troops. Her documents and mobile phone were taken away. All POWs were transported to Sartana, Donetsk Region, were searched and had their personal belongings, jewellery and cigarettes taken away. Then the POWs were placed in hangars, where they had to lie on a concrete floor. Women were held together with wounded men. The windows in the cells had bars instead of glass. There was one bucket in the room, which served as a toilet for both women and men, with no privacy.

3255. During the night of 13 to 14 April 2022 the POWs were taken to a penal colony in Olenivka, in the Donetsk Region. There, the POWs were searched, and the witness had her wallet with money and golden jewellery taken away; she never received it back. The witness was detained in a cell of about 16-18 sq. m with forty other women. There was a lack of sleeping space, basic hygiene products and water. Food was provided twice a day and it mostly consisted of porridge and bread, and sometimes soup.

3256. On 9 April 2022 the witness, along with eighty other women, was transferred to detention centre no. 2 in Taganrog, in the Rostov Region of Russia. She recounted that upon arrival, the detention centre workers had told her that "she was nobody and did not have any rights". They loudly shouted at the POWs, insulted and compelled them to move with their heads down. Furthermore, female POWs were required to undress in the presence of male employees of the colony. Their intimate areas were searched for prohibited items. Subsequently, they had to take ice-cold showers.

3257. The witness was placed in a single cell that had been converted into a double cell and equipped with a metal bed, a small table and a wooden bench. The walls and ceiling were damp, rotten and covered with fungus. The toilet was in the cell with no partition installed, and the guards were constantly monitoring the cameras. The witness stated that in the morning and at noon the cells had been inspected by detention centre employees and special forces officers. The POWs were required to quickly exit their cells, stand against the wall with their arms and legs spaced widely apart and then return to the cell in a bent position, with their heads at knee level and arms behind their backs. A failure to bend low enough resulted in their being hit on the head or the back. The witness mentioned that there had been a female worker named K. who would often beat the women on their legs with her

boots, causing them to fall and humiliating them. The witness stated that the employees of the detention centre had consistently directed rude and obscene remarks at the POWs, many of which had been disgusting, indecent and sexually explicit. During nearly two months in detention, the POWs were only allowed to walk outside on three occasions, during which they were threatened with dogs. The witness testified that the POWs had received a minimal amount of food, which had an unpleasant taste and odour; she had constantly felt hungry. Additionally, she stated that the constant sounds of male POWs' screams had added to her emotional strain. Male POWs were subjected to severe beatings for having tattoos and endured mocking and humiliation of their dignity.

3258. The witness was interrogated once. During the interrogation she was ordered to perform push-ups of such intensity that she fell to the floor. She was hit on her buttocks with a wooden hammer and punched in the kidneys. Additionally, she was threatened with anal rape.

3259. Later the witness and other POWs were transported to a correctional colony in Valuiky, in the Belgorod Region of Russia. The witnesses stated that the colony workers had not applied physical force, but the representatives of the special forces had occasionally used electric shocks and forced prolonged standing as punishment. The witness stated that the POWs had been subjected to degrading conditions, such as being forced to eat very quickly and endure constant humiliation, for example having to recite Russian songs and poems. While in the colony, the witness was compelled to work at a sewing shop, where she suffered from intense heat and was exposed to pollution.

3260. On 16 September 2022 the witness and other POWs were transferred to a penal colony in the Kursk Region of Russia. On 14 October 2022 they were blindfolded, put onto a military plane, and transported to an unknown location. Throughout the flight, the POWs were subjected to harsh treatment, ordered to sit and bend forward, and guards repeatedly struck the witness on the head. The POWs were taken to detention centre no. 2 in Taganrog.

3261. On 17 October 2022 the POWs were transported to Crimea by plane and put in trucks. Throughout the trip, they were not given any breaks, received no drinking water and were not allowed to use a toilet. The witness was released on the same day along with 107 other female POWs.

(f) Witness statement of N.F.S. of 27 September 2023

3262. As of 24 February 2022, the witness was a servicewoman in the Ukrainian Armed Forces and was stationed in Mariupol. She witnessed continuous Russian artillery attacks, bombings of residential areas and targeting of civilian and industrial facilities.

3263. In April 2022 the witness's brigade was surrounded by Russian forces at the Illich iron and steelworks. Facing capture, the witness and her

colleagues chose to escape in small groups. In mid-April 2022, disguised as civilians, they navigated through an underground tunnel but were eventually captured by Russian forces. The witness was tied up, blindfolded with duct tape, beaten and humiliated.

3264. Between 14 and 19 April 2022, the witness was kept in penal colony no. 120 in Olenivka, Donetsk Region. She was detained in a cell measuring about 16-18 sq. m with thirty-nine other women. There were no hygiene products, no possibility of showers and food and water were very limited.

3265. The witness was held in detention centre no. 2 in Taganrog, Russian Federation, between 19 April and 24 May 2022. There, the witness endured physical and psychological abuse. Her head was hit against the wall, and she was kicked in the torso. It was always very cold and humid in the witness's cell. The walls and ceiling were damp, rotten and covered with mould. The food she received was "terrible and inedible".

3266. The witness was subsequently transferred to correctional colony no. 9 in Valuiky, Belgorod Region, and then to correctional colony no. 11, Mala Loknia, Kursk Region. Similar conditions persisted during her detention in those facilities.

3267. Throughout her captivity, the witness faced interrogations focused on extracting false confessions and information about alleged crimes committed by Ukrainian forces. During her interrogations, the witness was threatened with murder and subjected to electric shocks.

3268. On 17 October 2022 she and 107 other women were blindfolded, transported to Crimea and ultimately released to Ukraine. The witness also stated that before her release, she had been coerced into recording a video expressing satisfaction with her treatment, despite the harsh conditions she had endured in captivity.

(g) Witness statement of H.A.D. of 25 October 2023

3269. The witness served in the Ukrainian Armed Forces. As of 24 February 2022, she had been on duty in Mariupol. In April 2022 the witness's brigade was surrounded by Russian forces at the Illich iron and steelworks. Facing capture, the witness and her colleagues chose to escape in small groups. In mid-April 2022, disguised as civilians, they navigated through an underground tunnel but were eventually captured by Russian forces. The witness was tied up, blindfolded with duct tape, beaten and humiliated.

3270. Between 14 and 19 April 2022, the witness was detained in penal colony no. 120 in Olenivka, Donetsk Region. She was kept in a cell measuring about 16-18 sq. m with thirty-nine other women. There were no hygiene products, no possibility of showers and food and water were very limited.

3271. The witness was held in detention centre no. 2 in Taganrog, the Russian Federation, between 19 April and 24 May 2022. There, the witness

endured physical and psychological abuse. Her head was hit against the wall, and she was kicked in the torso. It was always very cold and humid in the witness's cell. The walls and ceiling were damp, rotten and covered with mould. The food she received was "terrible and inedible". No proper medical care was provided to her.

3272. The witness was subsequently transferred to correctional colony no. 9 in Valuiky, Belgorod Region, and then to correctional colony no. 11, Mala Loknia, Kursk Region. Similar conditions persisted during her detention in those facilities. In particular, she described the guards withholding access to toilet, playing very loud Russian music, and giving POWs very little time to eat and shower. The witness also stated that she had been forced to stand in a stress position with her head down for hours, which had caused her to lose consciousness. She was also forced to work in the kitchen and watch Russian propaganda on television.

3273. Throughout her captivity, the witness faced interrogations focused on extracting false confessions and information about alleged crimes committed by Ukrainian forces. During the interrogations, the guards threatened to kill the witness and her family.

3274. On 17 October 2022 the witness was blindfolded, transported to Crimea and ultimately released in a prisoner exchange.

(h) Witness statement of I.V.Ch. of 9 October 2023

3275. As of 24 February 2022, the witness served in the 23rd Marine Guard Detachment of the State Border Guard Service of Ukraine and was stationed in Mariupol. He observed the Rosgvardiya and "DPR" armed groups attacking civilian and critical infrastructure in Mariupol, including hospitals and residential areas. He was told by civilians that Russian forces had looted houses and stolen cars.

3276. Between 15 April and 15 May 2022, the witness was positioned at Azovstal. He surrendered as a POW on 15 May 2022 owing to the dire conditions and the lack of access to necessities. Between 16 May and 2 October 2022, he was detained in penal colony no. 120 in Olenivka, Donetsk Region. The witness described unsatisfactory detention conditions, including the inadequate quantity of food he had received.

3277. He recounted hearing a strong explosion at the barracks next to his during the night of 28 to 29 July 2022. The attacked barracks had housed around 200 captured "Azov" fighters. The witness saw a strong fire and heard cries for help. The manner in which the roof of the barracks had been destroyed led the witness to believe that the explosion had occurred from the inside. He also heard from other POWs that a week after the attack, shells from a M142 HIMARS rocket artillery system had been delivered in bags from the colony's checkpoint. The witness concluded that that had been done with the intention of implicating the Ukrainian forces.

3278. From 3 October to 6 December 2022 the witness was kept in a detention centre in Kamyshin, in the Volgograd Region of the Russian Federation. The witness detailed experiencing systematic torture and psychological violence during his captivity, including beatings, electric shocks and interrogations aimed at extracting information about Ukrainian security personnel.

3279. The witness was released on 6 December 2022 during a POW exchange.

(i) Witness statement of A.V.H. of 6 October 2023

3280. The witness was a civilian resident of Mariupol. Her husband, A.S.H., was a serviceman of the “Azov” Special Operations Detachment of the National Guard of Ukraine. She stated that since the beginning of the full-scale invasion Russian forces had continuously attacked civilian facilities in the city. The witness left Mariupol at the end of February 2022. On 16 May 2022 her husband, who had been positioned at Azovstal, surrendered to the Russian forces as a POW and was subsequently transferred to penal colony no.120 in Olenivka, Donetsk Region.

3281. The witness recognised her husband in a video published by Russian media and attached screenshots from the video to her statement. Quoting POWs who had been released, the witness stated that the conditions of detention in the Olenivka colony had been poor. On 18 June 2022 the witness received a call from her husband; he promised to return home by August 2022. The witness stated that at the end of July 2022, her husband had been moved to a separate barracks with other Ukrainian POWs. During the night of 28 to 29 July 2022 the Russian forces bombed the barracks, causing numerous casualties and injuries among the Ukrainian POWs.

3282. Although the witness’s husband survived, he sustained injuries classified as severe according to the lists published by the Ministry of Defence of the Russian Federation. The witness experienced severe distress upon learning about her husband’s condition. On 4 August 2022 he appeared on Russian television, filmed in a hospital in Donetsk, visibly emaciated and with his arm bandaged. Since then, the Russian Federation had provided no information about her husband’s whereabouts, state of health, or the treatment he had received following the explosion in the colony.

(j) Witness statement of O.M.Sh. of 26 September 2023

3283. The witness was a civilian and worked as a language instructor. She was engaged to Ye.S.H., a Ukrainian serviceman, who had been actively defending Mariupol since the beginning of the full-scale invasion. Following months of encirclement at Azovstal without access to medical care, food or water, and with Russian forces blocking evacuation efforts for the wounded,

the witness's fiancé and his comrades surrendered to the Russian forces as POWs on 16 May 2022.

3284. The witness's fiancé was held in penal colony no. 120 in Olenivka, Donetsk Region. Having spoken with some released POWs, the witness was aware that the conditions at the Olenivka colony had been "terrible". The ICRC did not have access to the detainees. Occasionally, the witness's fiancé managed to send her text messages, reporting that the "food was terrible and some guys lost consciousness from hunger".

3285. On 28 July 2022, her fiancé and 200 other members of the "Azov" Special Operations Detachment of the National Guard of Ukraine were moved to a separate barracks. During the night of 28 to 29 July 2022, the barracks was "blown up", killing her fiancé and causing many other casualties and injuries among the POWs. The witness attributed the attack to the Russian forces.

(k) Witness statement of Yu.M.H. of 27 November 2023

3286. The witness was a civilian residing in Kyiv with her child. As of 24 February 2022, her partner, B.Ye.H., a serviceman of the National Guard of Ukraine, had been on duty in Mariupol. During the Russian siege of Mariupol, the witness's partner worked as a combat medic. He was able to sporadically communicate with the witness and in May 2022 reported critical conditions at Azovstal, including the absence of essential medical supplies and food.

3287. On 17 May 2022, the witness's partner surrendered to the Russian forces as a POW and was transferred to a penal colony in Olenivka, Donetsk Region. The witness mentioned that her partner had been able to make two brief phone calls to his father in June 2022, during which he had confirmed his well-being and conveyed messages of love to his family. The witness stated that during the night of 28 to 29 July 2022, Russian forces had "blown up" the premises where her partner had been held. The attack resulted in numerous casualties, and the witness's partner was killed as well.

3288. Following this event, Russian sources published a list of the wounded and deceased. The name of the witness's partner was among the latter. His body was returned to Ukraine on 11 October 2022.

(l) Witness statement of N.O.B. of 6 October 2023

3289. The witness was a civilian. Her son, Ya.A.D., was a serviceman of the "Azov" Special Operations Detachment of the National Guard of Ukraine, on duty in Mariupol. On 17 May 2022 he surrendered to the Russian forces as a POW. He was transferred to penal colony no. 120 in Olenivka, Donetsk Region.

3290. Having spoken with released POWs who had at one point been detained together with her son, the witness became aware that the conditions

of his detention had been poor. She stated that the POWs had had no clean drinking water, no personal hygiene products and no possibility of showers; they lacked space and received minimal portions of food. The witness described an incident when a barrel of water had been brought to the barracks where the POWs had been held, but their attempt to access the water had been met by gunfire from the guards.

3291. The witness stated that in late July 2022 some Ukrainian POWs, including her son, had been selected and placed in a separate barracks. During the night of 28 to 29 July 2022 an explosion occurred in the barracks, resulting in casualties and numerous injuries of high severity. Released POWs told the witness that when the explosion had occurred, the detainees had screamed and been burned alive. However, those located closer to the exit managed to escape the barracks and began assisting the wounded. Despite their efforts, the guards prevented the POWs from leaving the barracks' vicinity and threatened to shoot them if they attempted to do so. No prompt medical assistance was provided. Hours after the explosion, the wounded POWs received minimal aid. Some wounded POWs died en route to hospital. The witness's son suffered multiple shrapnel wounds, amputation of his right lower limb and loss of vision in his left eye. He was transferred to a hospital in Donetsk, where he remained until 2 September 2022. An interview with him was published by Russian media demonstrating his dire condition and the severity of his injuries.

3292. Upon his discharge from hospital, the witness's son was transferred back to the Olenivka colony. Despite his condition, upon his return he was housed in a general barracks where no medical care or medication was provided. Throughout his detention, he was deprived of an opportunity to communicate with his family, via either phone calls or correspondence. As of the time of her testimony, the witness remained unaware of her son's exact whereabouts and state of health.

(m) Witness statement of V.Yu.H. of 20 September 2023

3293. The witness was a civilian resident of Mariupol. Her husband, O.I.H., was a chief sergeant of the "Azov" Special Operations Detachment of the National Guard of Ukraine. On 24 February 2022 the witness and her daughter fled from Mariupol to the village of Kinski Rozdory, Zaporizhzhya Region. On 28 February 2022 the village was occupied by Russian forces. The witness stated that since 1 March 2022 the village had been cut off from electricity, communications and the internet. Shops and pharmacies were closed, and the residents received no humanitarian aid. The witness also stated that Russian servicemen had entered houses, conducted searches and stolen civilian cars. On 21 March 2022 the witness left Kinski Rozdory with a civilian convoy and went to Zaporizhzhya. Their evacuation route passed through the town of Vasylivka, where the Russian military shelled the

convoy. The witness was able to escape and did not have any information about casualties.

3294. The witness stated that Russian forces had destroyed her house in Mariupol. She attached photographs of her destroyed house to the statement.

3295. The witness stated that on 18 May 2022 her husband, while being at Azovstal, had surrendered to the Russian forces as a POW. He was transferred to penal colony no. 120 in Olenivka, Donetsk Region. The witness had no contact with her husband after his surrender. The witness stated that during the night of 28 to 29 July 2022 her husband had been killed as a result of the Russian attack on the Olenivka colony where he had been held. She added that the bodies of the killed Ukrainian servicemen had been transferred to Ukraine on 21 October 2022, and the forensic examination had lasted at least five months. The witness buried her husband almost a year after the attack, on 14 June 2023.

(n) Witness statement of N.I.V. of 29 November 2023

3296. The witness was a civilian residing in the Czech Republic. As of 24 February 2022, her son, I.V.V., a serviceman of the “Azov” Special Operations Detachment of the National Guard of Ukraine, had been on duty in Mariupol. Her son had managed to maintain sporadic contact with her until the communications ceased. On 18 May 2022 he was captured as a POW at Azovstal by Russian forces. On 8 June 2022 the witness’s son called her from a Russian phone number, confirmed that he was in captivity and requested assistance in being exchanged. According to the witness, Russian authorities also confirmed through the ICRC that her son had been in their captivity.

3297. The witness stated that her son had been injured during the explosion at the Olenivka penal colony during the night of 28 to 29 July 2022, which she attributed to the Russian forces. Following the attack, her son was taken to hospital in Donetsk. There were also unverified reports of him having been transferred to Taganrog in the Russian Federation. As of the time of the witness’s testimony, her son had remained in captivity with no further information on his condition or exact whereabouts.

(o) Witness statement of N.A.K. of 15 November 2023

3298. The witness was a civilian residing in Kyiv. Her son, A.O.H., served with the “Azov” Special Operations Detachment of the National Guard of Ukraine. At the onset of the full-scale invasion by Russian forces on 24 February 2022, he was stationed in Mariupol. On 18 May 2022 he surrendered to the Russian forces as a POW and was transferred to Olenivka colony no. 120.

3299. In late July 2022 the witness’s son was moved to a separate barracks in the colony’s “industrial zone” and was held with around 190 other Ukrainian POWs. According to the witness, during the night of 28 to 29 July

2022 Russian forces had caused an explosion in the barracks, which was followed by an extensive fire. The attack resulted in numerous casualties and severe injuries among the Ukrainian POWs.

3300. The witness was informed on 21 September 2022 by the commander of her son's unit, who had been released from captivity, that her son had been present in the barracks during the explosion. Other released servicemen told the witness that her son had sustained multiple shrapnel wounds and a leg injury, which had caused him to limp. Along with up to thirty other injured POWs, her son was placed in a disciplinary cell on the premises of the Olenivka colony. The cell was overcrowded, and no medical assistance was provided to the wounded. They had to eat and use a toilet in their cell and were not allowed to walk in the fresh air. Those conditions further aggravated their mental trauma after the explosion in the barracks.

3301. By the end of September 2022, the witness's son, along with other POWs, was transported by the Russian military to an undisclosed location. She had been unaware of his whereabouts as of the time of her testimony.

(p) Witness statement of Yu.P.D. of 14 November 2023

3302. The witness was a civilian and resided in Vinnytsya. Her husband, O.Yu.S., a serviceman of the "Azov" Special Operations Detachment of the National Guard of Ukraine, was on duty in Mariupol. On 18 May 2022 he was captured as a POW at Azovstal by Russian forces.

3303. He was detained in the Olenivka penal colony, and on 27 July 2022 was transferred to a separate barracks referred to as an "industrial zone". According to the witness, during the night of 28 to 29 July 2022, the barracks had been deliberately destroyed by Russian forces in an explosion, which had caused her husband serious injuries.

3304. Following the attack, he had spent a month in hospital in Donetsk, although details regarding the care he had received were unknown. After having been discharged, he was returned to the Olenivka colony and later moved to the Donetsk SIZO.

3305. Media sources revealed that on 11 September 2023 the "Supreme Court of the DPR" had sentenced the witness's husband to twenty-five years in a high-security penal colony. According to the witness, his conviction was based on fabricated charges of killing two civilians. She stated that the available video and photo evidence from the "trial" showed him looking tired and exhausted, suggesting possible physical or psychological coercion.

(q) Witness statement of Z.I.R. of 5 October 2023

3306. As of 24 February 2022, the witness was a Master Sergeant of the State Transport Special Service of the Ministry of Defence of Ukraine stationed in Mariupol. She observed the Russian military targeting residential areas with artillery and bombs. She was also aware that Russian forces had

targeted civilian “green corridors” and forced civilians to undergo “filtration”. Those who “failed” the “filtration” were taken away and detained in unknown locations. According to the witness, hospitals were destroyed, leaving no access to proper medical care, and the city faced a blockade.

3307. On 18 May 2022 the witness, along with other Ukrainian servicemen, surrendered to the Russian forces as a POW. Between 18 May and 21 September 2022, she was detained in Olenivka penal colony no. 120.

3308. The witness described the conditions of her detention as inhumane. She was detained in a cell measuring 6 sq. m with twenty-seven other women. There was no place to sleep so, to fit everyone in, the women slept side by side on the concrete floor or torn and dirty mattresses. The toilet was in the cell. The lights were on around the clock. The witness was later transferred to a double cell and detained with fourteen other women. Food was served in dirty dishes three times a day, but “it was difficult to call it food”. There was also little water, and some days the detainees received no water at all. Hygiene products were scarce, and the detainees were allowed to shower infrequently, sometimes contingent on performing forced labour or shouting slogans in support of the “DPR” and “LPR”. The POWs suffered from mental and physical violence, misinformation, and coercion into expressing loyalty to the Russian Federation. Medical care was virtually non-existent, and any treatment or medication provided was insufficient. Because of the lack of food and fresh air, the witness’s head, teeth and stomach constantly ached and her blood pressure changed dramatically.

3309. Interrogations were conducted by individuals in balaclavas and focused on POWs’ personal data and military involvement. Lack of cooperation was punished with threats of lengthy imprisonment. According to the witness, captured “Azov” soldiers faced worse treatment, including torture and coercion into giving false confessions for propaganda purposes. The witness constantly heard the screams of male POWs who had been wrapped in duct tape and beaten. She stated that during interrogations, nude photographs of her had been taken, as well as fingerprints and saliva samples.

3310. Labour was initially voluntary but later became compulsory, with punishment for refusal. Work conditions were harsh, and compliance was often secured through threats.

3311. The witness was released on 21 September 2022 in a prisoner exchange. Before releasing her, the guards forced her to sign a leaflet stating that she had no complaints or comments about her detention.

(r) Witness statement of H.V.K. of 5 November 2023

3312. The witness was a civilian residing in Mariupol. Her son, O.O.K., was a serviceman of the “Azov” Special Operations Detachment of the National Guard of Ukraine.

3313. The witness recounted the early days of the full-scale invasion by Russia on 24 February 2022. She described continuous bombing of

residential areas by a Russian aircraft, which had resulted in civilian casualties and damage to property. The witness also provided an account of the death of her acquaintance due to shrapnel wounds and the lack of medical assistance.

3314. The witness stated that Russian soldiers had forcibly entered homes and apartments, confiscated personal belongings and caused damage to property. On 20 March 2022 she left Mariupol with her brother's family. On her way out of Mariupol, she witnessed constant shelling, numerous civilian casualties and damage within the city. She also described thorough inspections that men had been subjected to at Russian checkpoints.

3315. The witness stated that on 18 May 2022 her son had been captured as a POW at Azovstal by Russian forces. He was subsequently transferred to penal colony no. 120 in Olenivka, Donetsk Region. The witness was aware that her son had received minimal sustenance and had "always been hungry".

3316. On 27 July 2022 the witness's son and other "Azov" servicemen were transferred to a separate hangar at the Olenivka colony. During the night of 28 to 29 July 2022, Russian forces "blew up" the premises where he had been held. The attack resulted in numerous casualties. However, the witness's son survived and, despite severe head and leg injuries, remained conscious for the first few hours after the attack. His comrades tried to stop the bleeding, but there was no medical aid available. The witness stated that the guards had not allowed medical personnel to help the wounded soldiers for more than five hours. She said that after a while, her son had lost consciousness and died of blood loss. She was told by eyewitnesses that if her son had received immediate medical assistance he could have survived. The body of the witness's son was repatriated to Ukraine on 21 September 2022.

(s) Witness statement of O.P.B. of 6 October 2023

3317. The witness's husband, V.S.B., was a serviceman of the "Azov" Special Operations Detachment of the National Guard of Ukraine and had defended Mariupol since 24 February 2022. On 20 May 2022 he, along with many other Azovstal defenders, surrendered to the Russian forces as a POW. He was detained in penal colony no. 120 in Olenivka, Donetsk Region. The witness stated that Ukrainian POWs had been held in poor conditions without proper hygiene and nutrition. She said that POWs had been prohibited from communicating with relatives in any form, including correspondence; however, her husband had called her secretly from time to time. The witness stated that during the night of 28 to 29 July 2022 her husband had been killed as a result of the Russian attack on the Olenivka colony where he had been held.

(t) Witness statement of S.L.F. of 25 June 2023

3318. The witness, a Mariupol resident, provided a testimony concerning the detention of her husband, O.L., who had enlisted for military service on 24 February 2022. On 30 March 2022 the witness received a call from him and learned that he was stationed in the Mariupol port area. The next time they spoke was during the night of 19 to 20 May 2022. That was when the witness learned that her husband had been captured as a POW. The last time the witness spoke with her husband was on 26 June 2022. The conversation lasted a little over one minute. He said that he was poorly fed and being given little water but still holding on.

3319. Following this, the witness lost all contact with her husband. On 29 July 2022 she learned about the attack on the Olenivka prison and subsequently found her husband's name listed among the victims. On 21 September 2022 she was informed by a recently released POW that her husband was alive but seriously injured. He was reported to have been in hospital in Donetsk.

3320. In December 2022 the witness saw a video of her husband being carried on a gurney. The video had been posted by the Telegram channel "Russia 1". She stated that there had also been a photo of him posted by Russian authorities. The witness remained uncertain as to the fate and whereabouts of her husband as of the time of her testimony.

3. Military medical personnel

(a) Witness statement of K.Ye.S. of 2 October 2023

3321. As of 24 February 2022, the witness was the deputy commander of a military hospital in Mariupol, Donetsk Region. She stated that Russian and "DPR" forces had been expanding their control of Mariupol since 24 February 2022. She noted illegal seizures of property by Russian forces, including from her own home. Civilians were prevented from leaving the city, as Russian forces targeted evacuation convoys. Access to medical care was severely limited owing to constant Russian bombardments.

3322. At around 11 a.m. on 15 March 2022 the military hospital where the witness worked was shelled by Russian forces with mortar. On 16 March 2022 a Russian air strike targeted the hospital, destroying one of its buildings. The witness was hit on the head by the debris. On 17 March 2022 the witness, along with other hospital personnel, was sent to the Illich iron and steelworks of Mariupol to "perform assigned tasks". The witness stated that the steelworks had also been sheltering wounded soldiers and civilians, yet it had repeatedly been shelled by Russian forces.

3323. On 12 April 2022 Russian soldiers captured the hospital personnel and "other units" sheltering at the steelworks and transported them to the Russian-controlled village of Sartana, Donetsk Region. The witness was among the captured medical personnel. She stated that the detainees' personal

items had been confiscated and documents destroyed or discarded in front of them. The witness was then transported to a women's colony in Mariupol, where she was kept in a cell with no glass on the windows. She had to sleep on a concrete floor and use a bucket as a toilet. She received no proper medical care and was involved in forced labour. During that time, the witness underwent threats, as well as physical and psychological ill-treatment. She said that Russian investigators had opened eight criminal cases against her.

3324. During the night of 13 to 14 April 2022 the witness was transported to penal colony no. 120 in Olenivka, Donetsk Region. Upon arrival, she witnessed captured Ukrainian servicemen being put on their knees and ordered to raise their hands behind their heads. Then, dogs were set on them. The dogs dug their teeth into the servicemen's bodies and tore their limbs and flesh in front of the witness. She also saw Ukrainian servicemen being beaten with rubber batons, perforating the skin on their heads.

3325. On 19 April 2022 the witness was transferred to detention centre no. 2 in Taganrog, in the Rostov Region of the Russian Federation. She was stripped naked, beaten, and had her hair and nails cut off. During her captivity, the witness was subjected to electric shocks and a stun gun and had cigarette butts extinguished against her skin. She was also hit with palms on her head and ears and beaten with a metal and plastic pipe and a rubber baton on her head and body. She stated that she still had scars and traces of ill-treatment on her skin. The witness was repeatedly stripped naked and forced to learn the symbols and the national anthem of the Russian Federation. Her face was forcibly held over a hot stove, and dogs were set on her. She was forbidden to squat and was forced to stand on her feet for more than fifteen hours a day.

3326. Between 24 May and 16 September 2022, the witness was detained in correctional colony no. 9 in Valuiky, in the Belgorod Region of Russia. She was humiliated by guards by having to run with her head down while the guards put batons in front of her to make her fall. The guards pulled her hair, withheld access to toilet facilities and gave her only 170 seconds for a meal. She was denied basic necessities, subjected to electric shocks and beaten with truncheons. As a result of the ill-treatment, on 28 August 2022 the witness sustained a closed craniocerebral injury and lost consciousness. She started suffering from headaches, nausea, vomiting, dizziness, leg cramps, memory impairment, loss of consciousness and numbness, but received no proper medical care.

3327. The witness underwent similar types of ill-treatment during her detention in Mala Loknia, in the Kursk Region of Russia, between 16 September and 5 December 2022. She was released in a prisoner exchange on 6 December 2022 after having been forced to sign documents and record videos demanded by representatives of the Russian Federation.

(b) Witness statement of N.H.Ya. of 16 November 2023

3328. As of 24 February 2022, the witness had been a chief nurse at a military unit stationed in Mariupol. She provided medical care at Azovstal until Ukrainian forces, including herself, surrendered on 18 May 2022 to save the lives of severely wounded comrades. Following the surrender, the witness was transferred to Olenivka penal colony no. 120, controlled by the Russian Federation. Upon arrival, she was kept in a bus for more than a day with no food or water. Along with nineteen other female POWs, she was placed in a cell designed for six people. The witness described unsanitary conditions of detention, the terrible toilet stench in the cell, and the lack of adequate food, water and medical care. At one point the witness had a severe stomach infection, but she received no medical attention. The witness also recounted the sounds of torture endured by captured Ukrainian soldiers.

3329. During the night of 28 to 29 July 2022, when there had been an attack on one of the Olenivka barracks, the witness heard the screams of wounded men begging for help. On 29 July 2022, over twenty wounded men were placed in one cell. The witness described them as “crippled, burned, dirty, exhausted and desperate”. According to the witness, they received no proper medical care. “Their wounds were rotting, there was unbearable heat, unsanitary conditions and flies”, the witness added.

3330. On 14 October 2022 the witness was blindfolded, had her hands tied, and was transported to Taganrog, Russia. There were no stops to use the toilet during the trip. The witness described the conditions of detention in Taganrog as follows:

“There was psychological pressure, humiliation, we were forced to bend forward very low so that you could not see where you were going. If you fall, you get kicked ... Fingerprints and DNA samples were taken. We were photographed naked from all sides. They forced us to squat and did a finger examination of the vagina and the anus”.

3331. Throughout her detention in Taganrog, the witness was forced to learn the Russian national anthem and Soviet-era songs and poems under threat of punishment.

3332. On 17 October 2022 the witness and some other POWs were blindfolded and transported to Crimea without any food or stops to use the toilet. Some POWs had to relieve themselves on the go on towels or in jars. The journey to the exchange point was marked by uncertainty. The witness’s release from captivity occurred during a prisoner exchange on 17 October 2022.

(c) Witness statement of A.A.Z. of 27 September 2023

3333. As of 24 February 2022, the witness was a servicewoman stationed in Mariupol, where she was engaged in providing medical care at a military hospital. According to the witness, by 26 February 2022 Mariupol was encircled by Russian troops, leading to the complete blockade of the city.

According to the witness, the homes of military personnel associated with the Mariupol military hospital were unlawfully seized by Russian or “DPR” forces.

3334. On 12 April 2022 the witness was captured as a POW by Russian troops. She was kept in a hangar in the village of Sartana, Donetsk Region. On 14 April 2022 she was transferred to Olenivka penal colony no. 120. Subsequently, between 19 April and 24 May 2022 she was detained in SIZO no. 2 in Taganrog, and then in penal colony no. 11 in Valuiki, Belgorod Region, until 16 September 2022. The witness was then transferred to penal colony no. 2 in Mala Loknia, Kursk Region, where she remained until 15 October 2022.

3335. The witness described the conditions of her detention as dire. She was kept with twelve other women in a cell designed for two people. The food was “terrible, spoiled and in minimal quantities”. The POWs slept on bunks, and the linens were dirty and old. Some prisoners did not have a toilet in the cell, so they were taken to a shared toilet twice a day.

3336. The witness stated that “Ukrainian servicemen had been bullied, tortured and humiliated”. She was subjected to beatings and electric shocks to extract a confession. She also underwent psychological violence in the form of threats and obscene language. She was interrogated by the Investigative Committee of the Russian Federation and the FSB. According to the witness, the interrogation techniques ranged from “good conversations to torture” aimed at forcing POWs to testify against each other. The witness was forced to sign a paper in which she agreed to cooperate with the authorities of the Russian Federation.

3337. On 15 October 2022 the witness was transferred to SIZO no. 2 in Taganrog. On 17 October 2022 she was abruptly informed of her imminent release and coerced into recording a statement indicating that she had no complaints about the conditions of her detention. She was transferred to Crimea by plane and then to the Zaporizhzhya Region by land. The witness’s release from captivity occurred during a prisoner exchange on 17 October 2022.

(d) Witness statement of A.A.R. of 9 October 2023

3338. The witness worked as a military anaesthesiologist at military hospital no. 555 in Mariupol. The witness stated that the hospital had continued to operate after the full-scale invasion of the Russian Federation. The witness also mentioned that the Russian forces had continuously attacked civilian and critical infrastructure in Mariupol. On 16 March 2022 the Russian troops launched an air attack on the Neptune swimming pool complex, located next to hospital no. 555. About five minutes later, a Russian plane dropped an aerial bomb on the military hospital, which caused significant damage to the building. The witness, along with other medical personnel,

moved to Azovstal, controlled by Ukrainian troops, which also served as a civilian shelter, mostly for women and children.

3339. On 18 May 2022 the witness surrendered and was captured as a POW by Russian troops. He and other Ukrainian servicemen were transferred to colony no. 120 in Olenivka, in the Donetsk Region. The witness described the conditions of his detention as terrible. He reported having been kept with 450 other people in one barracks with no windows. The portions of food he received were minimal.

3340. Subsequently, the witness was transferred twice: first to a correctional colony in Taganrog, and then to another one in Kursk, both located in the Russian Federation. The witness stated that he had been systematically subjected to torture and psychological violence during interrogations in both the Taganrog and Kursk colonies. He was threatened with criminal prosecution and a sentence of twenty years' imprisonment. He stated that he had been forced to sign a written testimony against Ukrainian servicemen. The witness often heard the screams of Ukrainian POWs who were being tortured. In the Kursk colony the witness was interrogated by the FSB and FSIN. He was hit with a rubber mallet and a wooden hammer and threatened with being burned alive, shot and hanged. The witness also experienced kidney pain due to the low temperature in his cell. When he asked for medical assistance, he was physically assaulted in response. Subsequently, he received an injection that only worsened his pain. On 24 November 2022 the witness was released in a POW exchange.

X. MEDIA REPORTS

The following summaries of media reports are organised thematically and then chronologically within each theme. Certain reports are relevant across several themes even if they grouped under a particular heading.

A. Media reports concerning general developments

1. *"Russia deploys 10,000 troops near Ukraine border", The Guardian, 14 March 2014*

3341. According to this article, Russian troop deployments had been spotted along the Ukrainian border, but Russia initially refused to confirm their presence. The Russian Defence Minister announced (in mid-March 2014) that 8,500 troops, along with armoured vehicles, helicopters, and artillery, had been ordered to several border regions of Russia. In addition, 1,500 paratroopers were to be dropped into the Rostov Region near the Ukrainian border.

2. *“Pro-Russian demonstrators burn books, storm buildings in eastern Ukraine”, Reuters, 16 March 2014*

3342. According to this article, on 16 March 2014 orchestrated “mass actions” had taken place in Donetsk. These events involved multiple marches, supposedly expressing solidarity with Crimea, which coincided with the unauthorised referendum in Crimea to secede from Ukraine and join Russia. Allegedly, pro-Russian demonstrators forcibly entered public buildings and set fire to books written in Ukrainian.

3. *“Moscow moves to destabilise eastern Ukraine”, Der Spiegel International, 18 March 2014*

3343. According to this article, during the (March 2014) protests in Kharkiv and Donetsk, voices of firebrands shouting “Russia! Russia!” could be heard from people who had been bussed in from neighbouring regions in Russia. The watches they wore showed the time in Moscow, not that in Kyiv.

4. *“Moscow says NATO inventing Russian threat over Ukraine” and “NATO’s Rasmussen says Russia must pull back troops if it wants dialogue”, Reuters, 10 April 2014*

3344. According to these articles, NATO Secretary-General Anders Fogh Rasmussen had accused Moscow of amassing 40,000 combat-ready troops near Ukraine’s border. Russia was reported to be stirring up ethnic tensions in eastern Ukraine and provoking unrest. The articles also stated that Russia had been using its military might to dictate that Ukraine should become a federal, neutral State.

5. *“UN ambassador: Ukraine unrest has ‘tell-tale signs of Moscow’s involvement’”, The Guardian, 13 April 2014*

3345. According to this article, the US Ambassador Samantha Power had issued the following statement about the events in the east of Ukraine:

“It’s professional, it’s co-ordinated, there is nothing grass-roots-seeming about it. ... The forces are doing, in each of the six or seven cities they’ve been active in, exactly the same thing. Certainly it bears the tell-tale signs of Moscow’s involvement.”

6. *“Transcript: Vladimir Putin’s April 17 Q&A”, The Washington Post, 17 April 2014*

3346. According to this article, on 17 April 2014 President Putin had called the Ukrainian territories comprising Donetsk and Luhansk by the term “Novorossiya”. He also mentioned that those territories had been illegally annexed to the Ukrainian Soviet Republic by the Bolsheviks.

7. *“Ukraine admits it’s losing control in east”, VOA News, 30 April 2014*

3347. According to this article, the President of Ukraine had announced the loss of control over parts of eastern Ukraine.

8. *“In Torez supporters of DPR crushed the office of the newspaper ‘Hornyak’ (photo)”, Donbass.ua, 5 May 2014*

3348. This news item from the local Donetsk news site Donbass.ua reported on the attack on the office of the newspaper *Hornyak* (“Miner”) in Torez. It stated that the attack had taken place on the evening of 4 May 2014, when about two dozen young people had broken into the office and crushed furniture and equipment, as depicted in the photographs in the article. The newspaper’s editor, Anatolii Postnov, explained that a “DPR” representative had previously threatened him because of a critical publication on the forthcoming “referendum”. He also said that he had reported the incident to the police, prosecutors and the SBU.

9. *“Ukraine crisis: Troops abandon Luhansk airport after clashes”, BBC, 1 September 2014*

3349. According to this article, “Ukraine’s security council confirmed on Monday that its troops had withdrawn from Luhansk airport ‘in an organised manner’.... Security officials said the Ukrainian troops had come under attack from a column of Russian tanks.”

10. *“Ukraine crisis: ‘Last chance’ for peace says Hollande”, BBC, 7 February 2015*

3350. The article described a peace plan drawn up by France and Germany, which the then French President François Hollande had reportedly called “one of the last chances” to end the conflict in east Ukraine. According to the article, President Hollande said that the plan would include a demilitarised zone of 50-70 km around the then front line. The plan was thought to be an attempt to revive the “failed ceasefire deal” signed in Minsk, in Belarus, in September 2014.

11. *“U.S. Faults Russia as Combat Spikes in East Ukraine”, New York Times, 13 February 2015*

3351. Describing the fighting around Debaltseve, Donetsk Region, in early February 2015, the article read as follows:

“Artillery shelling and gunfire reverberated in the area around Debaltseve, a strategic rail hub where rebels were said to have severed the last land route into town, leaving government forces surrounded. At least 18 people were reported to have died there.... Some of the heaviest fighting broke out along a poorly defended, 31-mile Ukrainian supply route into Debaltseve within hours of the signing of the peace agreement.”

3352. The article described the allegations of Russian involvement in that fighting in the following way:

“In Washington, the State Department spokeswoman, Jen Psaki, called the involvement of Russian troops in the attack on Debaltseve a violation of the spirit of the cease-fire agreement. ‘The Russian military has deployed a large amount of artillery and multiple rocket launcher systems around Debaltseve, where it is shelling Ukrainian positions,’ Ms. Psaki said, reading a prepared statement. ‘We are confident that these are Russian military, not separatist systems.’

...

Ms. Psaki said that the Russian military had moved air defense units near the town, and that the United States had reliable reports that Russia was preparing a large shipment of supplies to pro-Russian forces.

The Russians have insisted they are not assisting the separatists, and there were no firsthand reports of Russian troops engaged in battle. But in a proxy war, NATO and Western analysts say, Russian troops have consistently operated in the background, supplying, training and guiding the rebels”.

12. “Russia-Ukraine border: NATO warning over military build-up”, BBC, 15 November 2021

3353. Quoting the NATO Secretary-General Jens Stoltenberg, the article reported that NATO saw an unusual concentration of troops on its border with Ukraine and that Russia had been willing to use these military capabilities before to conduct aggressive actions against Ukraine.

13. “Russia-Ukraine border: Why Moscow is stocking tensions”, BBC, 21 November 2021

3354. This article reported that in recent weeks the Russian tanks had been moving west towards Ukraine once again, prompting fresh warnings from the US intelligence that a cross-border offensive could be forthcoming. The article referred to the Ukrainian Chief of the Defence Intelligence, according to whom around 90,000 Russian troops were deployed in the vicinity of Ukraine at that time.

14. “U.S. Intelligence Sees Russian Plan for Possible Ukraine Invasion”, The New York Times, 5 December 2021

3355. This article reported that according to the U.S. intelligence, Moscow had drawn up plans for a military offensive against Ukraine involving an estimated 175,000 troops in early 2022. According to the article, an unclassified U.S. intelligence document detailed some of the intelligence findings, including the positioning of what officials said could eventually be 100 battalion tactical groups, as well as heavy armor, artillery and other equipment.

15. *“US: Up to 190,000 Russian troops now along Ukraine border”, The Hill, 18 February 2022*

3356. This article reported on the increase of the Russian troops along the Ukrainian border according to the U.S. envoy to the OSCE. It read as follows:

“Ambassador Michael Carpenter said the OSCE has found evidence that 169,000 to 190,000 Russian troops are now at the border, compared to the around 100,000 thought to be in the region on Jan. 30.

The numbers come from troops counted in Belarus and Crimea as well as the Russian National Guard and Russian-backed separatists in Ukraine, among other security units.”

16. *“Ukraine: Russia plans biggest war in Europe since 1945 – Boris Johnson”, BBC, 20 February 2022*

3357. According to this article, Boris Johnson told the BBC that all the signs were that Russia’s plan to launch the biggest war in Europe since 1945 had already in some sense begun. The article read:

“The latest estimates by the US government suggests that between 169,000 and 190,000 Russian troops are stationed along Ukraine’s border, both in Russia and neighbouring Belarus - but this figure also includes Russian-backed rebels in eastern Ukraine.”

17. *“Luhansk TPP operation stopped due to shelling. Power, water supplies cut off in Shchastia town”, Ukrinform, 21 February 2022*

3358. This article reported on 21 February 2022 that the Luhansk Thermal Power Plant had been stopped, as all power lines running from and to it had been damaged. The article also stated that Russian forces had launched four attacks on a water-intake facility. Shelling was also ongoing in the area of the district electric power system. According to the article, workers of the Luhansk Power Association had left their workplaces due to the direct threat to life. The collector of the heat distribution network in the area of the Luhansk TPP was reportedly broken. Electricity and gas supplied to the village of Vrubivka was cut off.

18. *“Ukrainian president drafts reservists but rules out general mobilisation for now”, Reuters, 22 February 2022*

3359. On 22 February 2022, after Russia had announced moving troops into eastern Ukraine, the Ukrainian President Zelenskyy had said that he would be introducing the conscription of reservists for a special period, but ruled out a general mobilisation.

19. *“Ukraine’s Parliament approves state of emergency”, Reuters, 23 February 2022*

3360. This article reported that on 23 February 2022 the Ukrainian Parliament had approved the declaration of a state of emergency in the entire country, except the two eastern regions where it had already been in place since 2014. The state of emergency came into force at midnight. It was expected to last thirty days with the possibility of being extended for another thirty days.

20. *“Operation in Ukraine proceeds as planned, first stage goals complete”, TASS, 25 March 2022*

3361. The article reported that the Ukrainian Armed Forces had sustained serious losses, including the near destruction of their aviation, air defence and navy, along with the loss of organised reserves. Furthermore, it was stated that Russian forces had effectively blockaded major Ukrainian cities and had gained control over regions such as Kherson and Zaporizhzhya. Additionally, the article reported that during the first month of the operation, Russian casualties had totalled 1,351 servicemen killed and 3,825 injured, while Ukrainian losses had been substantial, with over 14,000 irrecoverable casualties and significant damage to military equipment and infrastructure.

21. *“Ukrainian President Says Retreating Russian Troops Are Leaving Mines”, Reuters, 2 April 2022*

3362. The news item stated that according to Ukrainian officials, Russian soldiers had installed mines and set booby traps in homes and residences as they retreated from certain areas.

22. *“Ukraine war: NATO fears Russia may be deliberately targeting civilians as Kyiv says 38 children have been killed”, Sky News, 8 March 2022*

3363. This article reported that NATO Secretary-General Jens Stoltenberg had condemned the actions of the Russian armed forces in Ukraine, accusing them of potentially targeting civilians and committing war crimes. Mr Stoltenberg emphasised the urgent need for secure humanitarian against the conflict spreading beyond Ukraine’s borders. The corridors and warned article also noted that Ukrainian Defence Minister Oleksiy Reznikov had presented sobering statistics documenting the loss of thirty-eight children’s lives and injuries to more than seventy others as a result of the Russian invasion. Additionally, Mr Reznikov had outlined extensive infrastructural damage, including the destruction of numerous schools, hospitals and residential structures. He had also drawn attention to the dire situation faced by foreign students trapped within the conflict zone, alongside

instances of targeted attacks on journalists. The article also noted that despite efforts to establish humanitarian corridors for civilian evacuation in Ukraine, Russian forces had been allegedly obstructing those efforts and targeting civilian infrastructure, leading to casualties and hindering relief efforts.

23. *“Borodianka razed: Zelenskiy says situation ‘more dreadful’ than Bucha”, Reuters, 8 April 2022*

3364. This article reported on the damage inflicted on Borodyanka in the Kyiv Region by Russian forces. It stated that families were searching for relatives while watching diggers sift through the rubble of an apartment block. The article referred to Ukraine’s Prosecutor General, Iryna Venediktova, who stated that authorities had found “650 dead bodies in the Kyiv Region, with 40 of them being children”. The President of Ukraine claimed that the situation in Borodyanka was “significantly more dreadful” than in nearby Bucha.

24. *“Russia’s invasion of Ukraine: List of key events on day 47”, Al Jazeera, 11 April 2022*

3365. The article reported that according to the Office of the UN High Commissioner for Human Rights 1,793 civilians had been killed and 2,439 wounded since 24 February 2022. Additionally, Ukraine’s Ombudsperson for Human Rights, Liudmyla Denisova, said that 183 children had been confirmed to have died in that time.

25. *“Russia has begun ‘Battle for Donbas’ in Ukraine’s east: Zelenskyy”, Al Jazeera, 19 April 2022*

3366. The article reported that Russia had launched a full-scale ground offensive to take control of Ukraine’s east with explosions reported all along the front lines. Quoting President Zelenskyy, the article said that the “Battle for Donbas” had begun on 18 April 2022 with “a very large part of the entire Russian army ... focused on this offensive”.

26. *“Russia says ‘another phase’ of its Ukraine invasion has begun”, CBS News, 19 April 2022*

3367. Quoting Russia’s Minister of Foreign Affairs in a television interview seen in India on 19 April 2022, the article reported that “another phase” of Russia’s invasion of Ukraine “was starting”. Its goal, according to Sergei Lavrov, was the “full liberation of the Donetsk and Luhansk republics.” According to the article, Mr Lavrov’s comments came hours after President Zelenskyy’s announcement of the start of Russia’s offensive in the east of the country.

27. *“Ukraine’s Zelenskyy says Russia rejected Easter truce”, Al Jazeera, 22 April 2022*

3368. The article reported on a statement by President Zelenskyy, according to whom Russia had rejected a Ukrainian proposal to establish an Easter truce. It added that Antonio Guterres, the UN Secretary-General, had also been calling for a four-day truce; however, the Russian envoy to the UN said that he was “sceptical” about the idea. The head of Ukraine’s Orthodox Church, meanwhile, had urged Ukrainians to forgo night-time Easter services, fearing Russian bombardment. Moreover, according to Iryna Vereshchuk, Ukraine’s Deputy Prime Minister, an evacuation to Dnipro planned for 21 April 2022 had been cancelled owing to constant shelling from Russian forces.

28. *“Air attacks hit near UN chief as Antonio Guterres visits Ukraine”, Al Jazeera, 28 April 2022*

3369. The article reported on a Russian missile attack on Kyiv on 28 April 2022 during an official visit to the city by the UN Secretary-General, Antonio Guterres. According to President Zelenskyy, quoted in the article, Russia had launched five missiles on Ukraine’s capital on that day.

29. *“Civilian toll in Ukraine conflict passes 5,000 mark, UN says”, Reuters, 12 July 2022*

3370. This article reported on a statement by the UN Office of the High Commissioner on Human Rights, according to which 5,024 civilians in Ukraine had been killed and 6,520 others injured since the invasion in February 2022, with the real toll likely to be much higher.

30. *“Ukraine war making 40 million people go hungry, Africa to bear brunt, says U.S.”, Reuters, 6 August 2022*

3371. It was reported that the US ambassador to the United Nations had stated that the Russian invasion was likely to drive 40 million people into food insecurity, with Russian forces “spoiling fields with mines and bombs” across Ukraine.

31. *“Russia to Hold ‘Show Trial’ of Azovstal Prisoners on Independence Day”, KyivPost, 19 August 2022*

3372. On 19 August 2022 the Main Intelligence Directorate (“the MID”) of the Ministry of Defence of Ukraine announced that the Russian forces were planning to hold a “show trial” of the captured defenders of the Azovstal steelworks in temporarily occupied Mariupol. For that purpose, the surviving premises of the Mariupol Chamber Philharmonic were being urgently remodelled. On the stage of the philharmonic hall, iron cages were being

installed, and several new temporary structures were being built next to the premises. The MID also reported that Russian representatives were preparing specially trained “witnesses” and bringing in representatives of the Russian propaganda media.

32. *“UN rights office ‘very concerned’ about planned trials of Ukrainian POWs”, Reuters, 23 August 2022*

3373. The UN human rights office had expressed concern about plans by Russian-backed authorities to try Ukrainian POWs in Mariupol, possibly within days, saying that such a process could itself amount to a war crime. OHCHR’s spokesperson Ms Shamdasani noted that OHCHR, which had dozens of monitors in Ukraine, had not been granted access to the prisoners.

33. *“Ukrainians with disabilities remain trapped in conflict zones, UN committee says”, Reuters, 9 September 2022*

3374. The UN had said that people with disabilities in residential institutions were at “severe risk” and urged both Ukraine and Russia to evacuate them immediately. “Their access to basic rights such as food and acceptable standard of living, including access to heating in the upcoming winter months, are jeopardized.”

3375. The European Disability Forum said that 143,600 people with disabilities were registered as displaced (as of June) and that 13% of families who had fled Ukraine included people with disabilities (as of July), according to official data.

34. *“Some 140,000 buildings destroyed in Ukraine since invasion - Vereshchuk”, Ukrinform, 9 September 2022*

3376. Iryna Vereshchuk, Ukraine’s Deputy Prime Minister and Minister for Reintegration of Temporarily Occupied Territories, said on 9 September that 140,000 residential buildings had been destroyed in Ukraine since the Russian invasion had started.

35. *“Russia moves to formally annex swathes of Ukraine”, Reuters, 22 September 2022*

3377. Russia had initiated steps towards the formal annexation of significant portions of Ukrainian territory, signalling a potential escalation in the ongoing conflict. Russian-backed officials in territories comprising about 15% of Ukraine, including the “DPR”, “LPR” and the Kherson and Zaporizhzhya Regions, had proposed referendums to join Russia. These referendums, planned for 23 to 27 September, represented a direct challenge to Ukraine and the West, with Russian President Putin potentially using annexation to dare Western powers into a military confrontation. The Russian

Foreign Minister Sergei Lavrov emphasised the right of these regions' populations to determine their own fate, aligning with Russia's initial stance on the conflict. Dmitry Medvedev and Vyacheslav Volodin, high-ranking Russian officials, had expressed strong support for the referendums, viewing them as irreversible steps that solidified Russian control and defended against perceived encroachments. Ukraine, dismissing the referendums as blackmail, maintained its sovereignty over and right to reclaim the occupied territories, calling for increased Western support.

36. *"Putin annexes four regions of Ukraine in major escalation of Russia's war", The Guardian, 30 September 2022*

3378. Vladimir Putin had formalised the annexation of four Ukrainian regions – Kherson, Zaporizhzhia, Luhansk, and Donetsk – via "accession treaties", marking a significant escalation in the conflict and the largest territorial seizure in Europe since the Second World War. The move followed Kremlin-directed referendums in the occupied areas, widely denounced as illegitimate. During a ceremony attended by Russian elites, President Putin had delivered a speech promising to defend the annexed territories with all available means, including nuclear options, asserting that the decision reflected the will of the people in those regions.

37. *"Putin ordered Russian army's deterrent forces onto high alert", Tass, 27 February 2023*

3379. According to this article, on 27 February 2022 President Putin had ordered the Minister of Defence and the Chief of the General Staff of the Russian Armed Forces to put the deterrent forces of the Russian army on high alert in response to aggressive statements towards Russia by the top officials of leading NATO countries.

38. *"Russia and Belarus agreed on the stationing of Russian tactical nuclear weapons", TASS, 25 March 2023*

3380. According to this article, on 25 March 2023 President Putin had stated that Russia would station its tactical nuclear weapons in Belarus at the latter's request. According to Mr Putin, there was nothing unusual in that decision, and it mirrored the United States' practice of stationing its tactical weapons in its ally countries for decades.

39. *"Ryabkov: Russia to change its military doctrine based on the analysis of Western actions in connection with the special military operation", TASS, 1 September 2024*

3381. According to this article, the Deputy Head of the Russian Ministry of Foreign Affairs Sergei Ryabkov stated on 1 September 2024 that Russia

would change its military doctrine in the light of an analysis of recent conflicts, including “escalation by Russia’s Western enemies” in connection with the “special military operation”. Mr Ryabkov quoted President Putin, stating that Russian nuclear doctrine was a living instrument that could be amended if necessary, and added that the work was at an advanced stage, but the time frame of its completion was a rather difficult question.

3382. According to the existing nuclear doctrine entitled “Basic Principles of State Policy on Nuclear Deterrence” set out in a 2020 presidential decree, Russia could use nuclear weapons in the event of the use by an enemy of this or other types of weapons of mass destruction against Russia and its allies, the receipt of reliable information about the launch of ballistic missiles to attack Russia and its allies, and an aggression against Russia by means of conventional weapons when the very existence of Russia was threatened.

B. Media reports concerning military attacks

1. *“Russia-Ukraine: What’s happening in Mariupol?”*, *Al Jazeera*, 24 February 2022

3383. This article reported that Russian forces had attacked Ukraine after President Vladimir Putin’s announcement that he had authorised a “special military operation” in the east of Ukraine on Thursday. The Mariupol mayor Vadym Boychenko said that three people had been killed and six others, including a child, had been injured by Russian shelling in a Mariupol suburb. He added that the Russian forces had also attacked the airport and a nearby village.

2. *“Battles flare across Ukraine after Putin declares war”*, *Politico*, 24 February 2022

3384. This article reported that on 24 February 2022 the Russian President Vladimir Putin had launched an all-out assault on Ukraine with missiles, warplanes, and tanks. After his declaration of war just before 6 a.m. Moscow time, the Ukrainian government reported air strikes at military facilities in the cities of Kyiv, Kharkiv and Dnipro, as well as artillery fire on the border. The Ukrainian authorities reported a pincer movement attack on their troops from Belarus to the north, potentially attempting an encirclement of Kyiv, and from Crimea to the south.

3. *“Port city of Mariupol comes under fire after Russia invades Ukraine”*, *Reuters*, 24 February 2022

3385. This article reported that a residential area of Mariupol had been hit by shelling on 24 February 2022, with residents worrying that Russian forces would try to take the strategic port city. Local authorities said that twenty-six

people had been treated for wounds in a hospital after an eastern district of Mariupol had been shelled and “an attempt by Russian troops to break through” into the city had been thwarted.

4. *“Russian forces capture Chernobyl Nuclear Power Plant, says Ukrainian PM”, Radio Free Europe/Radio Liberty, 24 February 2022*

3386. Quoting the Ukrainian Prime Minister Denys Shmyhal, this article reported that on 24 February 2022 the Chornobyl Nuclear Power Plant and the exclusion zone around it had been captured by Russian forces.

5. *“Zelenskiy says Ukraine has suffered ‘serious losses’ after Russian air strikes pound dozens of targets”, Radio Free Europe/Radio Liberty, 24 February 2022*

3387. According to this article, President Volodymyr Zelenskyy had stated that Ukraine had suffered “serious losses” in the initial stage of Russia’s attack on 24 February 2022. The attack began in the early hours with explosions and sirens being heard in Kyiv and at its Boryspil airport, and witnesses reporting missile blasts in many other cities, including Kharkiv, Kramatorsk, Dnipro, Mariupol, Odesa and Zaporizhzhya. An adviser to the Ukrainian President stated that at least forty people had been killed.

6. *“Airstrikes at dawn as Russia begins ‘war of aggression’ with Ukraine”, The Guardian, 24 February 2022*

3388. This article reported that on 24 February 2022, an hour before dawn, air strikes and missiles had begun raining down on military bases, airfields, border posts and cities across Ukraine. Russian tanks and troops began rolling across the border, and columns of soldiers started pouring into the eastern regions of Chernihiv, Kharkiv and Luhansk. The article mentioned video footage showing Russian rockets hitting populated areas in major cities, despite Moscow’s claims that it had been only targeting military infrastructure. Pictures from Kharkiv showed the tail section of an unexploded rocket sticking out of a pavement close to an Orthodox church.

7. *“White House condemns Russia over report of hostage-taking at Chernobyl nuclear site”, Politico, 24 February 2022*

3389. According to this article, on 24 February 2022 the White House had condemned “credible” reports that Russian soldiers had been holding the staff of the Chornobyl nuclear waste storage facility hostage. The White House press secretary said that this unlawful and dangerous hostage taking, which could end the routine civil service efforts required to maintain and protect the nuclear waste facilities, had been incredibly alarming and greatly concerning.

8. *“Ukraine slams ‘horrific’ strikes on Kyiv amid Russian advance”, Al Jazeera, 25 February 2022*

3390. This article reported that Russian forces had been pressing deep into Ukraine and that deadly battles had been reaching the outskirts of Kyiv. Al Jazeera’s correspondent, reporting from Kyiv, said that the situation in the capital was “horrific and horrendous” with a “litany of air raids overnight”, and that at least one person had been killed when a downed aircraft crashed in a residential area.

9. *“Ukraine conflict: Kyiv braces for Russian assault”, BBC News, 25 February 2022*

3391. This article reported on 25 February 2022 that Russian tanks had been filmed entering Kyiv for the first time. Overnight, Kyiv had been hit by blasts, with at least one block of flats damaged and several civilians injured.

10. *“Russia says it’s not hitting Ukraine’s civilian infrastructure. Evidence suggests otherwise”, CNN, 25 February 2022*

3392. This article reported that throughout Ukraine, apartment buildings and kindergartens had been shelled, civilians killed, and rockets found in residential streets despite the Russian Minister of Foreign Affairs denying attacks on civilian objects. CNN found some examples – a kindergarten in Okhtyrka, in the Sumy region, an orphanage in Vorzel, in the Kyiv region, and an apartment building in Chuhuiv, in the Kharkiv region.

3393. A video circulating on social media, which CNN geolocated to the kindergarten in Okhtyrka, showed injured people covered in blood on the ground near the front entrance. Liudmyla Denisova, Ukraine’s Ombudsperson, said that because of the heavy armour shelling of an orphanage in Vorzel, the life and health of fifty-one children, including fifteen infants and three children with severe health problems, had been at risk. Two of the orphanage buildings sustained damage.

11. *“Kyiv residential tower hit by missile as fighting rages: Mayor”, Al Jazeera, 26 February 2022*

3394. This article reported an attack on a multi-storey apartment building in Kyiv that had taken place “on the third day of Russia’s invasion”. The article provided a photo of the damaged building located on the southwestern suburb near Zhuliany Airport.

12. *“Street fighting erupts in battle for Ukraine’s capital Kyiv”, Al Jazeera, 26 February 2022*

3395. This article reported street fighting in Kyiv as Russian forces had advanced on the city. Ukrainian officials urged residents to take shelter. Al

Jazeera's correspondent, reporting from Kyiv, said that it had been an "extraordinarily awful night" with "missiles just raining down on Kyiv, ballistic missiles shuddering the city and relentless bombardments by the air force of the Russian Federation".

13. *"Ukraine invasion: Missiles hit Kyiv as fight for capital looms", BBC News, 26 February 2022*

3396. This article quoted the Ukrainian military as saying that they had fought off several Russian attacks on Kyiv with fierce resistance. Fighting also continued near several other Ukrainian cities. Viktor Lyashko, Ukraine's Health Minister, said that a total of 198 Ukrainians, including three children, had been killed since Russia's full-scale invasion. The mayor of Kyiv stated that a missile had hit a block of flats in Kyiv, posting a picture on Facebook showing at least four apartments destroyed.

14. *"Russia hits Ukrainian oil and gas facilities in wave of attacks", Al Jazeera, 27 February 2022*

3397. This article stated that Russia had unleashed a wave of attacks on Ukraine, targeting fuel facilities and airfields "in what appeared to be the next phase of an invasion". The article reported on a fire at an oil depot near an airbase in Vasylkiv, close to Kyiv, where there had been intense fighting. President Volodymyr Zelenskyy's office also reported an explosion at the civilian Zhuliany Airport and a Russian strike on a pipeline in Kharkiv, prompting the government to warn people to protect themselves from the smoke.

15. *"Russia's invasion of Ukraine kills 352 civilians, including 14 children", Reuters, 27 February 2022*

3398. This article cited Ukraine's Health Ministry stating that 352 civilians, including fourteen children, had been killed since the beginning of Russia's full-scale invasion of Ukraine. It also stated that 1,684 people, including 116 children, had been wounded.

16. *"'Horrendous' rocket attack kills civilians in Kharkiv as Moscow 'adapts its tactics'", The Guardian, 28 February 2022*

3399. This article reported that at least nine people had been killed and thirty-seven injured after Russian forces had launched multiple rocket strikes on Kharkiv. According to the article, video footage showed dozens of Grad missiles targeting the centre of Kharkiv and landing among residential building. The article provided photographs of a destroyed school not far from the city centre and vehicles burning in a residential area. Other video footage

showed a series of Russian missiles, which the article attributed to a MLRS, landing in the centre of Kharkiv.

17. *“Deadly blast at Kyiv TV tower as Russia warns Ukrainian capital”, Al Jazeera, 1 March 2022*

3400. This article reported at least five deaths after the Russian forces had attacked the main television tower in Kyiv and the city’s main Holocaust memorial. A television control room and a power substation had been hit, and at least some Ukrainian channels had briefly stopped broadcasting, according to Ukrainian officials. The article provided a photograph showing a blast in the television tower.

18. *“10 people killed in Kharkiv after airstrike on five-storey building (updated)”, LB.ua, 1 March 2022*

3401. This article quoted the State Emergency Service of Ukraine saying that ten people had been killed in Kharkiv after an air strike on a five-storey building. In addition, six people were injured, and thirty-eight people were rescued.

19. *“Ukraine conflict: Russia bombs Kharkiv’s Freedom Square and opera house”, BBC News, 1 March 2022*

3402. This article reported that Russian missiles and rockets had hit an opera house, a concert hall and government offices in Kharkiv’s Freedom Square. Local authorities said that at least ten people had been killed and thirty-five more had been injured. Video footage showed a missile hitting the local government building and exploding, causing a massive fireball and blowing out windows of surrounding buildings.

20. *“Ukraine invasion: Three children among nine dead as footage shows Kharkiv apartment block being rocked by series of blasts”, Sky News, 1 March 2022*

3403. This article reported that three children had been among the nine people killed when Russian forces had shelled parts of Kharkiv. Two videos showing a series of explosions outside an apartment building had been geolocated to northeast Kharkiv. The article quoted a military expert stating that the shelling had appeared to be a classic pattern of cluster munitions.

21. *“Dozens killed in Russian strikes on Zhytomyr and Kharkiv as invading forces increase bombing of Ukrainian cities”, ABC News, 2 March 2022*

3404. This article reported that a Russian cruise missile, apparently aimed at a nearby air base, had targeted homes in Zhytomyr and killed four people.

It also stated that in Kharkiv twenty-one people had been killed and 112 wounded by Russian shelling “during the past 24 hours”, according to the governor of Kharkiv.

22. *“Four dead in Russian strike on Ukrainian city of Zhytomyr – adviser to interior minister”, Reuters, 2 March 2022*

3405. This article reported that on 1 March 2022 a Russian cruise missile had hit homes in Zhytomyr, killing four people. Anton Gerashchenko, adviser to the Ukrainian Interior Minister, stated that the missile had apparently been aimed at a nearby air base.

23. *“Ukrainian city of Mariupol ‘near to humanitarian catastrophe’ after bombardment”, BBC News, 2 March 2022*

3406. This article reported that Mariupol had been near a humanitarian catastrophe on 2 March 2022, after more than fifteen hours of continuous bombardment by Russian forces. Serhiy Orlov, the city’s deputy mayor, said that Russian forces had been several kilometres from the city on all sides, launching strikes on key infrastructure and cutting the water and power supply to parts of the city. One densely populated residential district on Mariupol’s left bank was “nearly totally destroyed”. Mr Orlov further noted that the authorities had not been able to count the victims there, but believed that at least hundreds of people had been killed.

24. *“Russia’s bombardment of Ukraine’s second largest city Kharkiv leaves 21 dead”, ITV News, 2 March 2022*

3407. This article quoted Ukrainian authorities stating that Russia’s bombardment of Kharkiv had killed twenty-one people and injured 112 more. The Kharkiv National University had also been severely damaged by a powerful blast, and footage showed the building in flames. Emergency services reported at least four deaths from that missile strike.

25. *“Mariupol in Ukrainian hands, Russia shelling civilians – local authorities”, Reuters, 2 March 2022*

3408. Relying on information from the Mariupol city council, this article reported that as of 2 March 2022 Mariupol had been under Ukrainian control but locked in battles with Russian troops. According to the council, Russian forces were shelling civilian sites, including residential blocks, hospitals and dormitories housing people displaced by fighting.

26. *“Mariupol mayor reports mass casualties from nonstop Russian attack”, Reuters, 2 March 2022*

3409. Quoting the mayor of Mariupol, this article reported that Mariupol had been suffering mass casualties and a water outage as it defended itself from the nonstop Russian offensive. The mayor added that Russian forces had done everything to block the exit of civilians from the city where half a million people had lived.

27. *“Russian advances on Ukrainian cities stall”, Reuters, 2 March 2022*

3410. This article reported that, according to Moscow, on 2 March 2022 Kherson had been captured by Russian forces. The regional governor of Kherson said that the city had been surrounded and fired at, and Russian troops had been looting shops and pharmacies.

28. *“Russia bombs Ukrainian maternity hospital as mothers and children ‘flee to basement’”, The Independent, 2 March 2022*

3411. This article reported that on 1 March 2022 a Russian air strike had hit a residential area in Zhytomyr, killing at least two people. The article stated that the strike had been carried out with a cruise missile, which had landed on an apartment building near a functioning maternity hospital. The strike had damaged the hospital, breaking the windows, and burned three homes.

29. *“Babyn Yar: Anger as Kyiv’s Holocaust memorial is damaged”, BBC News, 3 March 2022*

3412. This article reported that Jewish groups had condemned the missile attack near the Holocaust memorial park in Kyiv. The chair of Babyn Yar’s advisory board, Natan Sharansky, said it had been symbolic that the Russian President had started attacking Kyiv by bombing the site of Babyn Yar, the biggest Nazi massacre. Mr Sharansky added that the Russian leader had sought to distort and manipulate the Holocaust to justify an illegal invasion of a sovereign democratic country.

30. *“Drone footage shows the horrific aftermath of a Russian attack on a town north of Kyiv”, Insider, 3 March 2022*

3413. This article reported that drone footage had showed Russian forces attacking civilian infrastructure in Borodyanka, in the Kyiv region. The footage, recorded by Reuters, showed widespread destruction of residential buildings. A resident of Borodyanka claimed that a Russian tank and armoured personnel carrier had directly attacked civilians.

31. *“Ukraine war day 7: Russia blows up Kyiv central railway station, US bands Belarus”*, DNA India, 3 March 2022

3414. This article reported that Russian army had attacked Kyiv’s central train station on 2 March 2022. A video posted online showed a damaged train platform and a damaged building, which the article identified as a ticket office. Hundreds of refugees attempting to flee the conflict had been at the central train station in Kyiv.

32. *“Correspondent captures aftermath of attack on Borodyanka”*, Radio Free Europe/Radio Liberty, 3 March 2022

3415. This article reported that a journalist, Maryan Kushnir, had witnessed the immediate aftermath of an attack on the town of Borodyanka, northwest of Kyiv. His footage from 2 March 2022 showed heavy damage in residential areas, with some buildings in flames.

33. *“The bombardment of Chernihiv, Ukraine, on Thursday”*, The New York Times, 3 March 2022

3416. According to this tweet, a video verified by *New York Times* showed the bombardment of Chernihiv of 3 March 2022, with bombs landing near apartments, pharmacies and a hospital.

34. *“Russia sends a message to all of Ukraine by hitting these civilian areas in this city”*, CNN, 3 March 2022

3417. This article reported that CNN had geolocated and verified thirteen incidents involving civilians in Kharkiv “over the past three days”. Most of the attacks took place in the north-eastern part of Kharkiv in the residential area of Saltivka. At least three schools in Kharkiv were hit by Russian strikes, according to videos and photographs posted to social media. Two apartment buildings were directly hit just outside Kharkiv municipal hospital no 3. A video showed a fire at a damaged apartment complex just across the street from the hospital.

35. *“Ukraine nuclear plant: Russia in control after shelling”*, BBC News, 4 March 2022

3418. This article reported that Russia had taken control of the Zaporizhzhya Nuclear Power Plant after it had been hit by shelling. Ukrainian officials said that a fire had started at the ZNPP after it had been shelled by Russian troops. A video feed from the ZNPP showed blasts and plumes of smoke. As explained by the head of the IAEA, Rafael Grossi, a building within the ZNPP site, which had not been part of the reactors, was set on fire by a projectile.

36. *“Irpın shelling leaves families to salvage belongings as they flee burning homes”*, iNews, 4 March 2022

3419. This article reported that on 4 March 2022 a residential area in Irpin, in the Kyiv region, had been shelled and had caught fire. The article provided pictures of burning houses and fleeing people.

37. *“Death toll from Russian air strikes on Chernihiv city rises to 47, local authorities say”*, Reuters, 4 March 2022

3420. This article reported that on 3 March 2022 forty-seven people had been killed in Russian air strikes on a residential district of Chernihiv. Local emergency services said that the rescue work had to be suspended because of heavy shelling.

38. *“Hundreds of students trapped in Ukraine’s Sumy amid shelling”*, Al Jazeera, 5 March 2022

3421. This article reported that at least 1,700 foreign students had been trapped in Sumy as shelling from the Russian army continued for a tenth day. The train station junction in Konotop, in the Sumy region, which connected all trains going to and from Sumy, had been damaged and occupied by the Russian army, and humanitarian corridors had failed to materialise.

39. *“Ukraine invasion: Russian forces continue ‘ruthless’ attacks in Mariupol and other key cities as terrified citizens flee burning homes”*, Sky News, 5 March 2022

3422. This article reported that Russia had continued its advance on Ukraine, with overnight attacks on key northern cities, “as terrified citizens tried to flee their burning homes”. Footage verified by Sky News showed the continued shelling of Ukraine’s key cities including Kyiv and Mariupol, while a massive blast had been caught on a television camera in Irpin. Médecins sans Frontières staff were sheltering in Mariupol and reporting dire conditions in the city. Multiple supermarkets had been destroyed by missiles and the remaining items had been taken by “people in desperate need”.

40. *“Ukraine war: Mariupol evacuation halted again as Russia ‘regroups forces’*, Sky News, 6 March 2022

3423. Relying on the information provided by the Mariupol city council, this article reported a second failed attempt at evacuating civilians from Mariupol after Russia had begun to regroup their forces and continued heavy shelling. It was reported that only a few hundred people had managed to escape the besieged Mariupol, while the city council had aimed to evacuate more than 200,000 people.

41. *“Russian navy using civilian ships as human shields, Ukraine claims”, The Jerusalem Post, 6 March 2022*

3424. This article reported that the Armed Forces of Ukraine had accused the Russian Black Sea Fleet of using civilian vessels as human shields. The Ukrainian military claimed that on 2 March 2022 the Russian Navy had made the Panamanian flagged general cargo ship *Helt* enter a dangerous zone in the Black Sea so that it could use the civilian vessel as a shield to cover the movement of Russian warships.

42. *“Russia’s war crimes: the occupiers shelled residential areas of Kramatorsk, there are killed”, Ukraine Crisis Media Centre, 6 March 2022*

3425. Quoting the press service of the Joint Forces Operation of Ukraine, this article reported that at least two people had been killed and many wounded as Russian forces fired at residential neighbourhoods in Kramatorsk, in the Donetsk region. The article provided pictures of the destroyed and damaged residential buildings.

43. *“Church in Ukrainian village of Zavorychi on fire after alleged military strike”, CNN, 7 March 2022*

3426. This article reported that the St George Church in Zavorychi, the Kyiv region, had caught fire on 7 March 2022 after an alleged Russian military strike. Videos showed the green roof of the blue-walled church on fire. The rector of the St George Church, archpriest Petro Kotyuk, said in a statement posted on the Ukrainian Orthodox Church website that a shell had hit the church’s dome and that Russian troops had shot at houses.

44. *“Two oil depots in Zhytomyr oblast in fire after air strikes”, Kyiv Independent, 7 March 2022*

3427. This article referred to the State Emergency Service of Ukraine reporting that oil depots located in Zhytomyr and Chernyakhiv had been targeted. The fire had been extinguished at both sites.

45. *“At least 13 civilians killed in air strike on Ukrainian bread factory – emergency services”, Reuters, 7 March 2022*

3428. Quoting the local emergency services, this article reported that the bodies of thirteen civilians had been recovered from the rubble after an air strike on a bread factory in Makariv, in the Kyiv region, on 7 March 2022.

46. *“Dashcam captures moment airstrike hits Ukraine block of flats killing 47 people”, The Independent, 7 March 2022*

3429. According to this article, a dashcam had captured the moment Russia had dropped multiple bombs on a residential area and killed scores of Ukrainian people in Chernihiv. At least six missiles fell on a block of flats in a footage recorded in a car travelling towards the neighbourhood on the afternoon of 3 March 2022. According to the emergency services, forty-seven civilians, including nine women, were killed, and at least eighteen more sustained injuries.

47. *“Enemy launches airstrikes on Zhytomyr and its suburbs”, Ukrinform, 7 March 2022*

3430. This article reported that Russia had launched air strikes at Zhytomyr and two villages, as a result of which an oil depot had caught fire. The Zhytomyr mayor Serhiy Sukhomlyn confirmed that the air strike had targeted the Okko oil depot.

48. *“Crisis deepens, Ukraine accuses Moscow of ‘medieval’ tactics”, AP News, 8 March 2022*

3431. This article reported that in Horenka, in the Kyiv region, shelling had reduced one area to ashes and shards of glass. A rescue worker, Vasyl Oksak, said that two little children and two elderly people had lived there.

49. *“Russian air strike kills 21 civilians in Ukraine’s Sumy city, say local authorities”, Reuters, 8 March 2022, and “Two children among at least 21 killed in Sumy airstrikes, officials say”, The Guardian, 8 March 2022*

3432. Quoting the Sumy regional prosecutor’s office, this article reported that at least twenty-one civilians, including two children, had been killed in a Russian air strike on a residential street in Sumy late on 7 March 2022. The prosecutor’s office said that the bodies had been recovered by emergency services, and search operations were continuing.

50. *“Photos: Russian bombing destroys hospital in Ukraine’s Mariupol”, Al Jazeera, 9 March 2022*

3433. Quoting Ukrainian officials, this article reported that a Russian air strike had targeted a children’s hospital with a maternity ward in the besieged Mariupol, wounding at least seventeen people. The article provided photos of a car burning in the yard of the hospital and a woman outside the hospital.

51. *“Five people killed in airstrike on Zhytomyr region”, Ukrinform, 9 March 2022*

3434. Quoting the State Emergency Service of Ukraine, this article reported that at 8.50 p.m. on 8 March 2022 there had been an air strike on Vokzalna St. in Malyn, the Zhytomyr region. As a result, seven private one-storey residential buildings had been destroyed and five people, including two children born in 2021, had been killed.

52. *“Ukraine war: Three dead as maternity hospital hit by Russian air strike”, BBC, 10 March 2022*

3435. In a Russian military strike on a maternity and children’s hospital in Mariupol, three individuals, including one child, were reported to have been killed and seventeen people injured, comprising both staff and patients.

53. *“Hell’ in Ukraine’s Mariupol as Russians ‘attack every 30 mins’”, Al Jazeera, 11 March 2022*

3436. Quoting a local official, this article reported that civilians trapped in Mariupol had gone through “two days of hell” with Russian attacks “every 30 minutes” scuppering any evacuation attempts. According to Petro Andrushenko, an adviser to the mayor of Mariupol, Russian forces wanted to stop any evacuation.

54. *“Russia widens attack on Ukraine’s cities, striking western airfield and Dnipro”, CNN, 11 March 2022*

3437. This article reported that Russian forces had launched multiple missile attacks on a wide range of targets across Ukraine in the early hours of 11 March 2022. Three Russian air strikes had caused serious damage in and around Dnipro, killing one person, according to the State Emergency Service of Ukraine.

55. *“Enemy shells nursing home in Kreminna, killing 56”, Ukrinform, 11 March 2022*

3438. This article reported that on 11 March 2022 Russian forces had opened fire on a nursing home in Kreminna, killing fifty-six people. Fifteen

people had been abducted by the Russian troops and taken to the occupied territory, according to Serhiy Haidai, head of the Luhansk regional military administration.

56. *“Church destroyed in Volnovakha”, Kharkiv Tribunal, 12 March 2022*

3439. This article reported that Russian troops had shelled the Church of St Nicholas in Volnovakha, in the Donetsk Region, on 12 March 2022. The dome of the church had been destroyed, and the walls had sustained serious damage.

57. *“Russia intensifies strikes around Kyiv as it warns US against arming Kyiv”, BCC, 13 March 2022*

3440. This article reported that a large swath of Makariv, in the Kyiv Region, had sustained significant damage from apparent Russian air strikes. CNN had geolocated and verified the authenticity of photographs posted to social media, which showed major damage to apartment complexes, schools, and a medical facility. One of the starkest images from Makariv showed a large hole in the northern wall of an apartment building from a military strike. The article stated that damage on northern facades of many buildings proved that it had been caused by Russian troops.

58. *“Shelling damages a revered monastery, and injures some seeking shelter there”, The New York Times, 13 March 2022*

3441. This article reported that on 12 March 2022 artillery shells had struck a residential building at the Holy Dormition Svyatohirsk Lavra, a sixteenth-century monastery and cave complex in the Donetsk region, wounding people who had sought refuge there from the Russian invasion. The church’s statement said that almost all windows had been broken and church buildings had been destroyed to varying degrees.

59. *“Ukraine: Evacuation train comes under fire in Donetsk region, say reports”, The Independent, 13 March 2022, and “Passenger train with civilians fleeing eastern Ukraine comes under fire”, UPI, 13 March 2022*

3442. This article reported that a passenger evacuation train had come under Russian shelling in the Donetsk region, killing one man and injuring one woman. According to Ukrainian Railways, the train had been hit by debris near Brusyn station, in the Donetsk Region, on its way to the city of Lyman. One of its conductors had died from the injuries sustained, and another had been injured and taken to a hospital in Sloviansk.

60. *“Russian airstrike near Poland’s border fuels NATO’s fear of expanded war”, The New York Times, 13 March 2022*

3443. This article reported that in the east of Ukraine, Russian forces had fired at a train carrying Ukrainian civilians, including more than 100 children, attempting to flee the hostilities. The train’s conductor had been killed, and Ukraine’s national railroad had sent a new train to evacuate the surviving crew and passengers.

61. *“House destroyed, casualties reported in Russian airstrike on Chernihiv”, Ukrinform, 13 March 2022*

3444. Quoting the head of the Chernihiv Regional Military Administration, this article reported that a nine-storey apartment block on Myru Avenue in Chernihiv had been destroyed in a Russian air strike, entailing at least one death.

62. *“Nine people killed as Russian air strike hits Mykolaiv”, Ukrinform, 13 March 2022*

3445. This article reported that nine people had been killed in a Russian bombing of Mykolaiv, according to the head of the Mykolaiv regional administration.

63. *“Ukraine war: Pub dedicated to Hemingway destroyed in Kharkiv”, BBC News, 14 March 2022*

3446. This article reported that the iconic pub Old Hem in Kharkiv had been destroyed in a Russian shelling on 14 March 2022. The Kharkiv prosecutor’s office stated that two people had died in the attack. The bar’s owner, Kostyantyn Kuts, told the BBC that no staff had been in the bar at the time of the strike, and those who died had been in apartments above the pub.

64. *“Ukraine’s largest steel firm says shells hit Avdiivka coke plant”, Euronews, 14 March 2022*

3447. Ukraine’s largest steel company Metinvest stated that on 13 March 2022 shells had hit the territory of its Avdiivka coke plant in the Donetsk Region, damaging some of its facilities. The Office of the Prosecutor General of Ukraine had earlier reported five rocket strikes at the plant, which had already suspended operations in the wake of Russia’s invasion of Ukraine.

65. *“Ukraine war: Pregnant woman and baby die after hospital shelled”, BBC News, 14 March 2022*

3448. This article reported that a pregnant woman wounded in the Russian bombing of a maternity hospital in Mariupol had died along with her baby.

The surgeon, Timur Marin, told the Associated Press that the woman's pelvis had been crushed.

66. *"15-year-old boy killed in the shelling of kindergarten in Chuhuyiv, investigation launched – prosecutor's office", Interfax, 14 March 2022*

3449. This article reported that on 14 March 2022 Russian troops had shelled a kindergarten in Chuhuyiv, in the Kharkiv Region. The press service of the Kharkiv regional prosecutor's office stated that a fifteen-year-old boy had been killed by shell fragments. A number of private houses were also damaged.

67. *"Russia strikes Kyiv apartment block as talks end with little progress made", ITV News, 14 March 2022*

3450. This article reported that on 14 March 2022 one person had been killed and three hospitalised after a Russian attack at a nine-storey residential building in Kyiv.

68. *"Russian rocket attack on TV tower in western Ukraine kills at least 19, officials say", CBS News, 15 March 2022*

3451. Quoting local authorities, this article reported that on 14 March 2022 Russian forces had hit a television tower in Antopil, in the Rivne Region, killing at least nineteen people and injuring others. The head of the regional administration stated that two rockets had hit the building and that work had been under way to free people trapped under the rubble. He posted pictures of firefighters using cranes to lift sections of shattered walls and carrying a stretcher.

69. *"Russian bombardment of Kyiv kills four, curfew called", Reuters, 15 March 2022*

3452. Quoting local authorities, this article reported that Russian air strikes and shelling had hit Kyiv on 15 March 2022, killing at least four people. As the Russian forces tightened their grip on Kyiv, its mayor announced a thirty-five-hour curfew starting at 8 p.m. Reuters witnesses had seen a burning high-rise apartment block that had been struck by artillery.

70. *"Russian rockets destroy runway of Dnipro regional airport, says governor", Reuters, 15 March 2022*

3453. This article reported that Russian forces had fired rockets at the main civilian airport in the Dnipropetrovsk Region overnight on 15 March 2022, destroying its runway and damaging the terminal building, according to the regional governor Valentyn Reznichenko.

71. *“Russia’s shelling of hospital, residential care facility, and 3 schools in Rubizhne: 4 killed”, Ukrayinska Pravda, 15 March 2022*

3454. Citing the head of the Luhansk Regional Military Administration, this article reported that Russian forces had destroyed a residential care facility for children with sight impairments, a municipal hospital and three schools in Rubizhne, in the Luhansk Region. Four people had been reported killed by the shelling.

72. *“Russian troops shelled evacuation convoy from Hostomel, killing one woman”, Ukrayinska Pravda, 15 March 2022, and “Russian invaders shell civilian evacuating from Hostomel, one woman killed”, Ukrinform, 15 March 2022*

3455. Quoting the National Police of Ukraine, this article reported that the Russian troops had opened mortar fire on a convoy of evacuees from Hostomel, in the Kyiv Region, killing one woman and wounding one or two other people. On 14 March 2022, in cooperation with local self-government authorities, the Bucha District Police Department had helped to evacuate 500 civilians from Dmytrivka and Nemishaieve, in the Kyiv Region. The evacuation from Hostomel had been in two stages. The first convoy of ten buses, mostly women with children and elderly and disabled people, reached its destination successfully. However, the Russian troops opened mortar fire on the second convoy of four buses.

73. *“Izium under siege for two weeks, the situation not better than in Mariupol”, Ukrinform, 15 March 2022*

3456. This article quoted the Izium deputy mayor Volodymyr Matsokin reporting that Izium had been under siege for two weeks with no water, electricity, heating, food, medical supplies or communication. According to Mr Matsokin, those who had survived under shelling were dying from diseases and the lack of medicines.

74. *“At least 4 killed as Russian artillery hits apartment buildings in Kyiv”, CBS News, 15 March 2022*

3457. This article reported that Russian artillery had hit a fifteen-storey apartment building in Kyiv on 15 March 2022, killing at least four people and trapping more people under the rubble. Shockwaves from the explosion had also damaged the entry to a downtown metro station that had been used as a bomb shelter. The article also provided a photograph of rescuers working next to a residential building damaged by the Russian shelling.

75. *“AP evidence points to 600 dead in Mariupol theatre airstrike”, Associated Press, 16 March 2022*

3458. This article reported that the Russian bombing of the Donetsk Academic Regional Drama Theatre in Mariupol of 16 March 2022 had stood out as the single deadliest known attack against civilians to that date. An Associated Press investigation found evidence that the attack had killed around 600 people who had been inside and outside the building. The AP investigation recreated the events inside the theatre on 16 March 2022 from accounts of twenty-three survivors, rescuers, and people intimately familiar with the theatre’s new life as a bomb shelter.

3459. Many survivors estimated that around 1,000 people had been inside at the time of the air strike. They also stated that the rooms and hallways inside the building had been packed, with about one person per every 3 sq. m of free space. All witnesses stated that at the time of the attack, at least 100 people had been at the field kitchen just outside, none of whom had survived. The AP investigation also refuted the Russian claims that the theatre had been demolished by Ukrainian forces or served as a Ukrainian military base. None of the witnesses had seen Ukrainian soldiers operating inside the building.

76. *“Ukraine accuses Russia of firing rockets at convoy of Mariupol evacuees, wounding child”, Reuters, 16 March 2022*

3460. This article reported that the Ukrainian authorities had accused Russian forces of firing artillery at a convoy of civilians fleeing Mariupol towards Zaporizhzhya on 16 March 2022. It was reported that the shelling had wounded at least five people, including a child. The governor of the Zaporizhzhya region shared photos and videos of the aftermath of the alleged attack showing “the blackened shell of a white car”.

77. *“Kyiv mayor says private homes and gas line damaged in latest shelling”, Reuters, 16 March 2022*

3461. This article reported that shelling by Russian forces had caused a fire and damaged private homes and a gas line in Kyiv’s Podilsky district on 16 March 2022.

78. *“Five bodies, including three of children, retrieved from rubble after Chernihiv dorm bombed by Russians”, Ukrinform, 16 March 2022*

3462. This article reported that the State Emergency Service in Chernihiv had recovered the bodies of two adults and three children from under the rubble of a dormitory which had been destroyed in a Russian shelling.

79. *"Russia-Ukraine news", CNN, 17 March 2022*

3463. In the besieged Mariupol, people were emerging alive from a bombed theatre where hundreds of civilians had been sheltering before it had been hit by heavy strikes.

80. *"At least 21 people killed by Russian airstrike that destroyed school near Kharkiv", ITV News, 17 March 2022*

3464. Quoting officials, this article reported that at least twenty-one people had been killed after a Russian air strike had hit a school and a community centre in Merefá, Kharkiv Region. Merefá's mayor Veniamin Sitov stated that the attack had occurred in the early morning of 17 March 2022.

81. *"21 people killed in shelling of Merefá town, Kharkiv region", Ukrinform, 17 March 2022*

3465. This article reported that twenty-one people had been killed and twenty-five others had suffered injuries as a result of an overnight Russian artillery shelling of the town of Merefá, Kharkiv Region. The Prosecutor's Office of the Kharkiv Region stated that the shelling had occurred around 3.30 a.m. on 17 March 2022 and had destroyed a school and a community centre.

82. *"Mariupol: Russia accused of bombing theatre and swimming pool sheltering civilians", ITV News, 17 March 2022*

3466. This article reported that Ukrainian officials had accused the Russian forces of new atrocities in the besieged city of Mariupol, including an air strike on a theatre and a swimming pool, where pregnant women and young children had gathered. The Russian forces were also accused of having shelled a convoy of civilian cars that had been fleeing the city.

83. *"Russians shell Novi Petrivtsi: child killed, four other people injured, multi-storey building destroyed", Ukrayinska Pravda, 17 March 2022*

3467. This article reported that according to police, on 17 March 2022 the Russian forces had shelled residential houses in Novi Petrivtsi, Kyiv Region. A two-year-old child was killed and four people suffered multiple injuries as a result of the shelling.

84. *"53 civilians killed in Chernihiv on 16 March", Ukrinform, 17 March 2022*

3468. Quoting the head of the Chernihiv regional state administration, this article reported that fifty-three civilians had been killed as a result of a

Russian shelling of Chernihiv on 16 March 2022. According to the article, the Russian forces had subjected the city to systematic artillery and air strikes and destroyed civilian infrastructure. The bodies of fifty-three victims were brought to a morgue over 24 hours.

85. *“Ukraine war: videos show apocalyptic destruction in Mariupol as Russia says it is ‘tightening its encirclement’”, Sky News, 18 March 2022*

3469. This article described footage of Mariupol posted online that showed civilian areas unrecognisable after three weeks of Russian shelling and siege. According to officials, more than 350,000 people were sheltering in the besieged city with no access to food or water. Ukrainian authorities were reported to have stated that about 90% of buildings had been damaged or destroyed.

86. *“2 killed, 20 buildings destroyed in Russian attack on Luhansk region at night”, Ukrinform, 18 March 2022*

3470. The article reported a Russian attack on the Luhansk Region that had occurred during the night of 18 to 19 March 2022. According to the article, Russian artillery and MLRSs targeted Sievierodonetsk and Rubizhne, resulting in the destruction of over twenty buildings and the loss of two lives. It was also reported that Sievierodonetsk had sustained damage to its infrastructure and residential areas, with some houses losing essential services such as gas and water. In Rubizhne, fires had broken out, causing additional damage and injuries.

87. *“Missile strike on Kyiv: one killed, 19 injured, six houses, kindergarten, school damaged”, Ukrinform, 18 March 2022*

3471. The article reported that on 18 March 2022 a missile strike had targeted Kyiv, resulting in one fatality and nineteen people sustaining injuries, including four children. According to the article, the strike damaged six houses, a kindergarten and a school. “The enemy continues to attack the capital”, Kyiv mayor Vitali Klitschko stated describing the shelling of a residential area in the Podilskyi district.

88. *“Russian invaders shell Kharkiv, leaving one person killed, 11 people injured”, Ukrinform, 18 March 2022*

3472. The article reported that on 18 March 2022 one person had been killed by a Russian shelling of Kharkiv. Another victim had been trapped under debris and eleven more people suffered injuries. The shelling also severely damaged a six-storey building of a higher educational institution along with two neighbouring houses.

89. *“Warehouses in Sumy on fire due to enemy shelling”, Ukrinform, 18 March 2022*

3473. The article reported that on 18 March 2022 warehouses in Sumy had been set aflame by a Russian shelling. According to the article, a one-storey warehouse that had been housing paints and varnishes caught fire engulfing an area exceeding 6,000 sq. m. Explosions were also reported in a residential area within the city, adding to the distress of local residents.

90. *“Occupants shelled Rubizhne. Two children and one woman died”, LB.UA, 19 March 2022*

3474. The article reported that on 19 March 2022 shelling had damaged a civilian building in Rubizhne, trapping people underneath. According to the report, despite rescue efforts, two children had been found dead. The article also reported that the shelling of Sievierodonetsk, Rubizhne, Pryvillya and Kreminna had damaged fifty-four buildings, highlighting the ongoing suffering of innocent civilians.

91. *“Shelling kills nine in outskirts of Zaporizhzhia, deputy mayor says”, Reuters, 19 March 2022*

3475. The article reported that on 19 March 2022 nine people had been killed and seventeen wounded in the shelling of the suburbs of the city of Zaporizhzhya in southern Ukraine.

92. *“School where hundreds were believed to be sheltering is bombed in Mariupol as fighting rages for key port city”, CNN, 20 March 2022*

3476. The report outlined that civilians had been forcibly taken to Russian territories. The Mariupol City Council alleged that thousands of residents had been taken against their will, with uncertainty surrounding their fate.

93. *“One of Europe’s biggest iron and steel plants was damaged during Russia’s Mariupol siege”, Quartz, 20 March 2022*

3477. The news outlet reported that on 20 March 2022 the Azovstal plant, owned by the Ukrainian steel and mining group Metinvest, had suffered significant damage from Russian shelling in the besieged port city of Mariupol. It was stated that Metinvest had temporarily ceased production at Azovstal when Russia first invaded Ukraine on 24 February 2022, marking its first shutdown since 1941.

94. *“Mariupol, under heavy bombardment, buries its dead by roadside”, Reuters, 20 March 2022*

3478. The news outlet conveyed that over 400,000 people remained trapped in the city of Mariupol, lacking basic necessities and facing uncertainty about their futures.

95. *“Russian forces bomb art school in Mariupol housing 400 refugees, city council says”, Reuters, 20 March 2022*

3479. In the news piece it was mentioned that on 20 March 2022 Russian forces had targeted an art school in the city of Mariupol, where about 400 residents had taken refuge. The city council stated that the structure had been demolished and people were trapped beneath the debris.

96. *“Zhytomyr Region: Russian air strike damaged 13 buildings, some people injured”, Ukrayinska Pravda, 20 March 2022*

3480. The news outlet reported that on 20 March 2022 an air strike by the Russian Federation in the Korosten district of the Zhytomyr region had resulted in three injuries and the destruction of thirteen buildings.

97. *“Photos: Deadly shelling in Ukraine’s Kyiv flattens shopping mall”, Al Jazeera, 21 March 2022*

3481. The news outlet reported that on 20 March 2022 a Russian strike had hit a shopping centre in Kyiv, killing eight people and damaging nearby cars and buildings. It was stated that the force of the explosion at the Retroville shopping mall had shattered all the windows in the high-rise building next door and twisted their metal frames. According to Mr Klitschko, nearby schools and kindergartens had also sustained damage.

98. *“War in Ukraine: Kyiv shopping centre hit by Russian missile”, BBC News, 21 March 2022*

3482. The news recounted an incident in which a shopping centre in Kyiv had been struck by a missile launched by Russian forces on 21 March 2022.

99. *“In the ruins of Retroville: blast rips shopping mall to shreds as war closes in on Kyiv”, The Guardian, 22 March 2022.*

3483. The article reported that on 21 March 2022, the Retroville shopping centre in the Podilskyi district had been hit by a Russian missile, with the resulting explosion causing further damage to nearby office buildings, schools, and kindergartens. Eight people were reported to have been killed.

100. *“Russian attack on Kharkiv kills Holocaust survivor, 96”, The Guardian, 21 March 2022*

3484. The article conveyed the tragic death of a 96-year-old man, Boris Romanchenko, who had survived Nazi concentration camps but had been killed by an explosion during the Russian assault on Kharkiv, Ukraine. As per the account, regional emergency services stated that over 500 people had died in Kharkiv since Russia launched its invasion of Ukraine on 24 February 2022.

101. *“Ukrainian town told to shelter after shelling causes ammonia leak at chemical factory”, The Guardian, 21 March 2022*

3485. The article reported that on 21 March 2022 the Sumykhimprom chemical fertiliser plant in the town of Novoselytsya (Sumy region) had been shelled, causing an ammonia leak threatening the health of nearby residents and injuring an employee.

102. *“Russians Pound Ukrainian Cities, as Biden Rallies Anti-Kremlin Alliance”, The New York Times, 21 March 2022*

3486. The article recounted that strikes across Ukraine on 21 March 2022, including an explosion that had razed a bustling Kyiv shopping centre, marking one of the most powerful blasts since Russia’s invasion. The account also described the destruction in Kyiv, exemplifying Russian forces targeting both civilian and military sites and resorting to long-range missiles after setbacks. The article further reported that in Kherson Russian troops had escalated violence against protesters and a missile strike on the Retroville shopping centre in Kyiv had killed at least eight people, with extensive damage.

103. *“Four people killed in fire caused by shelling of Kyiv’s Podilskyi district”, Ukrinform, 21 March 2022*

3487. The news outlet stated that on 21 March 2022 in the Podilskyi district of Kyiv, a fire triggered by enemy bombardment had led to the deaths of four individuals. The report also indicated that explosions had been heard late on the evening of 20 March 2022 in the Podilskyi district of Kyiv, resulting in vehicles in the car park and the third and fourth floors of a shopping centre catching fire due to enemy shelling.

104. *“Klitschko: mall on fire in Kyiv, one reportedly dead in Russian strike”, Ukrinform, 21 March 2022*

3488. The news outlet stated that on 21 March 2022 a shopping centre in Kyiv’s Podilskyi district had caught fire, with one individual reported deceased at the scene.

105. *“Russian aircraft hit Avdiivka and its outskirts, killing one, injuring two”, Ukrinform, 21 March 2022*

3489. The article reported that on 21 March 2022 there had been attacks on the city of Avdiivka (Donetsk Region). It was reported that one civilian had been killed and two others had sustained injuries following Russian aircraft and artillery strikes targeting the city of Avdiivka and its surroundings.

106. *“Three people killed in Russian shelling of filling station in Mykolaiv”, Ukrinform, 21 March 2022*

3490. The article reported that on 21 March 2022 three individuals had lost their lives in the Russian shelling of a filling station in Mykolaiv. The report also stated that after enemy shelling, firefighters had extinguished a fire at a filling station, with three men killed and one woman injured. Lastly, it was reported that Russian shelling on the same day had destroyed a psychiatric hospital and a hotel in Mykolaiv.

107. *“Ukraine rejects Russian demand to surrender besieged Mariupol”, Al Jazeera, 21 March 2022*

3491. This article reported that Russian forces had bombed an art school in Mariupol that was sheltering hundreds of people.

108. *“A bomb hit this theatre hiding hundreds – here’s how one woman survived”, BBC, 22 March 2022*

3492. In March 2022, the port city of Mariupol had witnessed a grave violation when a theatre, refuge to hundreds of civilians, predominantly women and children, had been deliberately bombed. It had been destroyed, causing unknown casualties. Survivor accounts and analysis, including from McKenzie Intelligence Services, indicated the use of a precision-guided bomb, likely the KAB-500L, suggesting intentional targeting. Despite visible markings indicating “children” on the theatre’s premises, Russia had denied targeting the site, in contradiction to documented evidence of its attacks on civilian structures in Mariupol and across Ukraine. The assault on the theatre, part of a broader offensive against Mariupol, had trapped around 100,000 people under siege-like conditions, lacking basic utilities.

109. *“One dead in drone attack on Kyiv science institute: AFP”, Al Arabiya, 22 March 2022*

3493. The article indicated that on 22 March 2022 at least one individual had been killed when drones had attacked a scientific institute in the Ukrainian capital Kyiv. The report stated that smoke had emanated from the white seven-storey building at the Institute for Superhard Materials in

north-western Kyiv, a component of the National Academy of Science of Ukraine. Observers at the scene had pointed out a winged vehicle about a metre long, smashed into two large pieces, which they had recognised as a Russian drone. A Defence Ministry intelligence official mentioned at the scene that three people had died, but there had been no other confirmation of the toll.

110. “Ukraine defends Mariupol against ongoing Russian attacks with ‘only ruins’ of city left”, ITV News, 22 March 2022

3494. The news item highlighted the ongoing destruction in Mariupol and indicated that thousands had fled as relentless bombardment severed vital services, with over 2,300 casualties reported on 15 March 2022.

111. “Rockets destroy rail station, kill one person in Ukraine’s Dnipro region, says governor”, Reuters, 22 March 2022

3495. The article reported that on 22 March 2022 rocket strikes had destroyed a railway station in Ukraine’s central-eastern Dnipropetrovsk Region. It also reported that the attack occurred in the town of Pavlohrad, about 60 km east of the regional capital Dnipro, resulting in one fatality and significant damage to the railway tracks, rendering train passage impossible indefinitely.

112. “Russian shelling has reduced Mariupol to ‘ashes of a dead land’, Ukraine says”, The Guardian, 22 March 2022

3496. News outlets recounted on 22 March 2022 that Russian forces continued to assault Mariupol and shell residential areas of the city. Media sources relayed Governor Pavlo Kyrylenko’s accusation of Russian forces’ indiscriminate attacks on civilian areas, amid efforts to rescue thousands of civilians trapped in basements. According to reports, President Zelenskyy had spoken about the dire situation, mentioning that bus drivers and emergency personnel had been taken prisoner during rescue missions. Sources detailed his description of the conditions in Mariupol as inhumane, emphasising the lack of basic necessities such as food, water and medicine.

113. “1 killed, 3 injured in airstrike on Kyiv”, Ukrinform, 22 March 2022

3497. The news outlet relayed that one individual had been killed and three others had sustained injuries in a Russian strike on Kyiv’s Obolonskyi district. It was stated that two buildings and a truck had caught fire, and a Smerch missile had fallen into the Dnipro River without causing injuries. According to reports, over twenty-seven days of resistance by Ukraine, significant damage had been inflicted on Kyiv, with seventy-two high-rise buildings, six private houses, eleven schools and five kindergartens affected.

114. Pavlohrad railway station destroyed in Russian missile strikes, one reported dead, Ukrinform, 22 March 2022

3498. The article reported that on 22 March 2022 a local railway station in Pavlohrad, Dnipropetrovsk Region, had been destroyed by a series of missile strikes from Russian invaders. The statement indicated significant damage, including the destruction of the Pavlograd-2 railway station, railway tracks and a bridge, with fifteen freight cars derailed, resulting in one fatality.

115. “Russian invaders fire on grocery store in Severodonetsk, killing and injuring people”, Ukrinform, 22 March 2022

3499. The article reported that on 22 March 2022 in Sievierodonetsk, Luhansk Region, Russian armed forces had fired on a queue at a grocery store, resulting in casualties.

116. “Ukraine war: Russian journalist Oksana Baulina killed in Kyiv shelling”, BBC News, 23 March 2022

3500. The news outlet reported that on 23 March 2022 a Russian journalist had been killed during shelling by Russian forces in Kyiv, where she had been documenting damage in the Podil district. Ms Baulina, who had previously worked for Alexei Navalny’s anti-corruption foundation, had left Russia after the foundation had been banned. Alongside Ms Baulina, one other person had reportedly been killed and two injured in the shelling. Ms Baulina had contributed several reports from Kyiv and Lviv before her death, according to *The Insider*. The publication extended its condolences to her family and friends, while investigative journalist Alexey Kovalyov had paid tribute to her. It was stated that Ms Baulina’s death had added to the toll of journalists killed during the conflict, including Ukrainian journalist Shakirov Shukurovych, camera operator Yevhenii Sakun, investigative journalist Viktor Gradar, US journalist Brent Renaud, and Fox News journalists Pierre Zakrzewski and Oleksandra Kuvshinova.

117. “Chernihiv rations drinking water as Russia accused of taking city hostage”, The Guardian, 23 March 2022

3501. The article reported that Russian forces had been accused of having taken hostage the people of the besieged Ukrainian city of Chernihiv, where desperate local officials had imposed drinking water rationing on trapped civilians. Approximately 150,000 individuals had found themselves stuck in the northern city with little hope of aid after Russia had severed their connection to the capital, Kyiv, by bombing a road bridge across the Desna River. It was stated that Chernihiv, which had become the focal point of intense fighting resulting in tens of deaths daily, had already experienced days without power, with widespread looting and the city descending into chaos.

Officials had disclosed that drinkable water supplies had depleted, hinting at a humanitarian catastrophe akin to that of Mariupol in the south-east, where 100,000 people had struggled to escape. Also, Liudmyla Denisova, Ukraine's Human Rights Ombudsperson, had asserted that the population had been taken hostage, with the Ukrainian government fearing that the Kremlin had aimed to press its "maximalist" demands in current peace negotiations by escalating attacks on civilians.

3502. Additionally, Vladyslav Atroshenko, Chernihiv's mayor, reported that Russia had directed its fire towards the city's hospitals, intentionally demolishing civilian infrastructure. He had observed an increase in daily funerals and had noted that a significant portion of the population had fled the city owing to indiscriminate shelling. Refugees from Chernihiv arriving in the Polish city of Przemyśl had shared accounts of destroyed schools and bread queues being bombed, and had expressed anguish over the destruction and loss of life. Oleksiy Arestovych, an adviser to the head of the Ukrainian President's office, had indicated that Russia had begun applying similar tactics to those used in Mariupol but had suggested that humanitarian aid could still be delivered to Chernihiv.

3503. Lastly, an 11-year-old gymnast's name had been added to the death toll in Mariupol, with reports of intensified Russian attacks using artillery, long-range missiles, and naval ships in the Sea of Azov.

118. "2 killed, 44 injured in shelling of Mykolayiv region", Ukrinform, 23 March 2022

3504. The news outlet conveyed that on 22 March 2022 two people had been killed and forty-four others had been injured in Russian attacks on towns and villages in the Mykolaiv Region. The report mentioned that in general, as of that morning, 311 people had stayed in Mykolaiv hospitals, having suffered from attacks of Russian aggressors. It was reported that on the evening of 22 March 2022, the Russian troops had fired on residential neighbourhoods of Mykolaiv, resulting in an apartment block having been destroyed.

119. "Russian forces shell two districts in Kyiv", Ukrinform, 22 March 2022

3505. The article reported that a shopping centre, private homes and a high-rise building had come under fire on 22 March 2022, resulting in damage to the premises of the shopping centre and two private houses in the Svyatoshynskyi and Shevchenkivskyi districts in Kyiv.

120. *“Russian invaders killed three civilians, including a 14-year-old boy”, Ukrinform, 23 March 2022*

3506. The article reported that on 22 March 2022, three civilians, including a 14-year-old boy, had been killed by Russian invaders in Donetsk region. An infographic indicated that excluding victims in Mariupol and Volnovakha, 118 people had been killed and 483 injured in the region.

121. *“Two more children killed in enemy shelling of Rubizhne”, Ukrinform, 23 March 2022*

3507. The article reported that on 23 March 2022, two more children had been killed in the Russian Army shelling of the city of Rubizhne, Luhansk Region. According to the head of the Luhansk Regional Military Administration, Serhiy Haidai, the Russian armed forces were using various weapons, including Grad systems and phosphorus bombs, in their attacks on civilians. Additionally, it was stated in the article that on 22 March 2022 a Russian shell had hit a high-rise building in the city Rubizhne, resulting in the deaths of three people, including two children. Lastly, the Prosecutor General’s Office reported that as of the morning of 23 March 2022 Russian troops had killed 121 children and wounded over 167 in Ukraine.

122. *“Enemy shelling of Chernihiv intensifies, ammonia pipeline damaged”, Ukrinform, 24 March 2022*

3508. The news outlet reported that on 24 March 2022, marking a month into Russia’s full-scale invasion of Ukraine, the Russian army had sharply increased the number of strikes on residential and industrial areas of Chernihiv, damaging an ammonia pipeline at one of the city’s largest food industry factories. The report indicated that according to a general update on the situation in the regions as of 8 a.m. on 24 March 2022, the Russian armed forces’ shelling of Chernihiv had been especially intense in the evening hours on 23 March 2022, when an ammonia pipeline had been damaged at one of the largest food industry enterprises in the city.

3509. It was also stated that Irpin, Hostomel, the Iziurm district, the village of Yasnohorodka, Kotsiubynske in the Bucha district, Sieverodonetsk, Lysychansk, Rubizhne, Kreminna, Novodruzhesk, Voevodivka, Avdiyivka, Ocheretyn and Bakhmut had been under constant artillery shelling. Additionally, the Russian missile had hit an industrial facility in the Novograd-Volynsk district.

3510. The news outlet also disclosed that the number of long-range strikes by Russian troops on Kharkiv had increased overnight and Russians had fired on Stryi Saltiv, where casualties had been reported.

3511. Furthermore, on the outskirts of Rubizhne, the aggressor had dropped phosphorous munitions. Four people had been killed, including two children, and six had been injured.

3512. Lastly, on 23 March 2023, the Russian armed forces had released from captivity Oleksandr Knyha, the director of the Kherson Regional Music and Drama Theatre and founder of the Tavria Melpomene festival, who had also been a deputy of the Kherson regional council.

123. “March 25, 2022 Russia-Ukraine news”, CNN, 25 March 2022

3513. The article reported that on 25 March 2022 the city of Izium in eastern Ukraine had faced intense clashes, resulting in extensive destruction, according to city officials and satellite images. Russian troops had gained control of sectors on the northern bank of the Seversky Donets River, while Ukrainian forces had maintained control on the southern bank.

124. “Russia’s War on Ukraine”, Forbes, 25 March 2022

3514. Russia’s war on Ukraine had killed 135 children and injured another 184 in Ukraine since the beginning of the invasion, according to the Prosecutor General’s Office. A confirmed total of 1,081 civilians had died and 1,707 had been injured in Ukraine since 24 February, according to the OHCHR. The real toll was expected to be significantly higher.

125. “Rocket attacks hit Lviv in western Ukraine as Biden visits Poland”, Al Jazeera, 26 March 2022

3515. The article reported that on 25 March 2022 the city of Lviv had endured a fierce attack when four Russian rockets had struck the city. According to the article, the first two rockets had hit a fuel depot on the eastern outskirts, injuring five people, followed by two more rockets that had struck a military factory.

126. “Russian forces damage Drobitsky Yar Holocaust memorial site, Ukraine says”, NBC News, 26 March 2022

3516. The news piece stated that on 26 March 2022 Russian forces had damaged the Drobitsky Yar memorial near Kharkiv. It mentioned that the memorial site, where an estimated 15,000 Jews had been killed during the Second World War, had been hit by Russian forces, while also noting ongoing shelling around the city.

127. “Multiple rockets hit Lviv city in Western Ukraine”, Reuters, 26 March 2022

3517. The article reported that on 26 March 2022 four rockets had struck Lviv, marking the most significant attack on the city since the war with Russia had begun. According to Governor Maksym Kozysky, five people had been wounded in the attacks, with two rockets hitting a fuel depot and two hitting a military factory. Lastly, it was mentioned that Lviv, previously home to

around 717,000 people, had become a refuge for families fleeing conflict zones or a transit hub for those leaving Ukraine.

128. *“Russian forces take control of Chernobyl workers’ town, three dead, Interfax Ukraine reports”, Reuters, 26 March 2022*

3518. The article reported that on 26 March 2022 Russian forces had seized control of Slavutych, Ukraine, where Chornobyl nuclear plant workers resided, resulting in three casualties.

129. *“Russian missile hits oil depot in Rivne region”, Ukrinform, 26 March 2022*

3519. The article reported that on 26 March 2022 a Russian missile had hit an oil depot in the city of Dubno, in the Rivne Region.

130. *“Lviv, western Ukrainian city until now spared from Russian assault, rocked by powerful explosions”, CNN, 27 March 2022*

3520. The article reported that on 26 March 2022 Lviv had experienced multiple strikes, including one on a fuel storage facility. The attack had caused significant damage to infrastructure.

131. *“As Ukraine War Moves Into 2nd Month, Fears Grow of Mariupol’s Fall to Russia”, The New York Times, 27 March 2022*

3521. The article reported that by 27 March 2022 Russian forces had intensified their attacks across Ukraine, with fierce fighting around Kyiv and Mariupol, which was nearing collapse. Despite earlier claims of shifting focus, heavy artillery attacks persisted, including in Chernihiv. Casualties and damage had mounted, including tragic deaths in Kharkiv and strikes on a fuel depot, disrupting supply lines.

132. *“Rivne administration oil depot in Dubno razed to the ground after missile strike”, Ukrayinska Pravda, 27 March 2022*

3522. This news item reported on a Russian missile attack on the oil depot in the city of Dubno in the Rivne Region.

133. *“Lutsk missile strike: Head of Volyn region shares details”, Ukrayinska Pravda, 28 March 2022*

3523. The article reported that on the evening of 27 March 2022, powerful explosions had been heard in Lutsk, Kyiv, Rivne, Kharkiv and Zhytomyr during air raids on those cities. It further reported that a Russian missile launched on Lutsk from Belarus had struck an oil depot on the outskirts of

the city in north-western Ukraine, causing one oil tank to explode, and the fire was still being extinguished.

134. “Kyiv mayor says more than 100 war deaths in city, including 4 children”, Reuters, 28 March 2022

3524. The article reported that since Russia’s invasion of Ukraine, there had been over 100 deaths in Kyiv. Mr Klitschko had addressed the Florence City Council, noting that more than twenty corpses could not be identified, with four being children, and that sixteen injured children had been hospitalised. Mr Klitschko also mentioned that Kyiv had witnessed numerous battles, resulting in destruction and loss of life.

135. “Ukraine claims to retake Kyiv suburb Irpin from Russian control”, Al Jazeera, 29 March 2022

3525. The article reported that Ukrainian forces had retaken the key suburb of Irpin west of Kyiv from Russian control after weeks of fierce fighting, as negotiators from both sides had met for peace talks in Istanbul on 28 March 2022. According to AFP journalists, continued heavy shelling had been witnessed in the area, with thousands of residents fleeing and describing harrowing scenes of devastation. The article further reported that the loss of Irpin had been deemed a significant setback for the Russian forces, who were still trying to regroup after failing to encircle the capital in their initial attempt. Additionally, the prospects for a peaceful resolution to the conflict remained bleak, with renewed negotiations overshadowed by allegations of poisoning of delegates. Moreover, the article highlighted that Russian attacks near Kyiv persisted, cutting power to tens of thousands of homes, while the southern port city of Mariupol continued to suffer indiscriminate bombardment, trapping thousands with little access to essentials. Lastly, amid calls for mass evacuations and evidence of war crimes, the humanitarian crisis in Ukraine had deepened as the conflict entered its second month.

136. “Twelve dead in strike on Mykolaiv governor’s office”, BBC News, 29 March 2022

3526. The article reported that on 29 March 2022 a Russian strike on a government building in the Ukrainian city of Mykolaiv had killed twelve people and injured more than twenty others. It stated that a rocket had torn a hole through the nine-storey building. The attack had destroyed the office of the regional governor, Vitaliy Kim, who had not been there at the time. The building had also housed the offices of the Mykolaiv regional state government. Emergency services had reported that at least twenty-two people had also been wounded.

137. *“Ukraine food supplies ‘deliberately destroyed’ in warehouse attack”, Euronews, 30 March 2022*

3527. The article reported that on 29 March 2022 one of Europe’s largest food storage facilities in Brovary, Ukraine, had been destroyed by Russian shelling. Mayor Iho Saposhko asserted that the attack had been deliberate, targeting 50,000 tonnes of food intended for the whole country.

138. *“Red Cross confirms strike on Mariupol warehouse, unable to deliver aid since March 15”, Al Arabiya, 31 March 2022*

3528. The article reported that the ICRC’s warehouse in Mariupol, Ukraine, had been targeted in a Russian strike. It also reported that because of the intensity of the fighting in Mariupol, aid delivery had not been possible.

139. *“Photos show Russian attacks on Ukraine grain storage - U.S. official”, Reuters, 31 March 2022*

3529. The article stated that US officials had reported that in eastern Ukraine, “as of late March, at least six grain storage facilities had been damaged as a result of three attacks” by Russians.

140. *“Russian shelling shatters Kharkiv’s Jewish heritage”, The Jewish Chronicle, 31 March 2022*

3530. The article reported that on 15 March 2022 a Russian missile had struck a shopping centre in Kharkiv, shattering the windows and blasting off the doors of the nearby Choral synagogue (in which 100 Jewish refugees had been sheltering). It was also reported that Russian shelling had directly hit the Chebotarskaia Synagogue in Kharkiv, injuring two.

141. *“Russians drop phosphorus bombs in Donetsk region, children among injured in attack”, Ukrinform, 31 March 2022*

3531. It was reported that on 31 March 2022 Russian forces had struck Mariinka, Krasnohorivka and Novomykhailivka with phosphorus bombs, wounding eleven (including four children).

142. *“Ukrainians have retaken Irpin from the Russian invaders. But it’s a city that now lies in ruins”, CNN, 1 April 2022*

3532. The news outlet reported that Russian forces had carried out intense and indiscriminate bombardment of the town of Irpin’s residential areas. It was also reported that CNN had observed that most buildings in Irpin had either been destroyed or damaged beyond repair.

143. *“Aid convoy nears besieged Mariupol but needs guarantees – Red Cross”, Reuters, 1 April 2022*

3533. The Red Cross had announced on 31 March 2022 that a convoy of buses had been set out for the besieged southern Ukrainian city of Mariupol to try to deliver humanitarian supplies and bring out civilians. It was stated that forty-five buses were on their way to Mariupol after the ICRC had confirmed that Russia had agreed to open a safe corridor.

144. *“At least 53 culturally important sites damaged in Ukraine-Unesco”, The Guardian, 1 April 2022*

3534. On 1 April 2022 the article reported that the UN’s cultural agency UNESCO had confirmed that at least fifty-three historical sites, religious buildings and museums had sustained damage during Russia’s invasion of Ukraine. Additionally, it highlighted that overall, twenty-nine religious sites, sixteen historic buildings, four museums and four monuments had been confirmed to have been damaged. Finally, it reported that Ukraine’s culture ministry had recorded 135 instances of Russian troops committing crimes against Ukraine’s cultural heritage since the war had started, including destroying a local history museum in the Kyiv region, bombing a theatre in Mariupol, and damaging a Holocaust memorial in Kharkiv.

145. *“Five civilians killed, 22 injured by Russian shelling in Donetsk region over past day”, Ukrinform, 1 April 2022*

3535. It was reported that on 31 March 2022 Russian shelling in the Donetsk region had killed five people and injured twenty-two (including four children).

146. *“In Luhansk region, Russian troops fire Grad missiles on Hirske, wounding woman”, Ukrinform, 1 April 2022*

3536. It was reported that on 1 April 2022 Russian forces had bombarded residential areas of Hirske (Luhansk Region) with Grad multiple missile launcher systems, destroying several houses and injuring one person.

147. *“Seven people killed in enemy shelling of Donetsk region”, Ukrinform, 1 April 2022*

3537. It was reported that on 1 April 2022 Russian shelling in the Donetsk region had killed seven civilians and injured six others (including three children).

148. *“Two people killed in Russian shelling of Severodonetsk”, Ukrinform, 1 April 2022*

3538. It was reported that on 1 April 2022 Russian shelling in Sievierodonetsk had killed people, wounded two, and damaged nine apartment buildings and nine private houses.

149. *“Russian missiles strike several Ukrainian cities, local officials says”, Reuters, 2 April 2022*

3539. It was reported that on 2 April 2022 a Russian rocket had struck a railway line in Dnipro, badly damaging tracks, suspending train traffic, and wounding two people.

150. *“Death toll from attack on Mykolaiv Regional State Administration rises to 36”, Ukrinform, 2 April 2022*

3540. It was reported that on 29 March 2022 a Russian missile had struck the office of Mykolaiv regional governor Vitaliy Kim, killing thirty-six people and injuring thirty-four others.

151. *“Dnipropetrovsk Region hit with Russian missile strikes, two people injured”, Ukrinform, 2 April 2022*

3541. It was reported that on 2 April 2022 Russian missiles had struck infrastructure elsewhere in Dnipro, injuring two people and causing serious destruction.

152. *“Shelling of Mykolayiv region: 14 people wounded over past day”, Ukrinform, 2 April 2022*

3542. It was reported that Russian shelling in Mykolaiv had wounded fourteen people.

153. *“Civilians Near Kharkiv Are Discovering Timed Land Mines”, The New York Times, 3 April 2022*

3543. On 3 April 2022 at 10 a.m., scatterable PTM-1S land mines had destroyed the property of residents in Bezruky, north-west of Kharkiv.

154. *“Russian troops shell Kharkiv, injuring at least 23 people”, Ukrinform, 3 April 2022*

3544. It was stated that on 3 April 2022 seven civilians had been killed and more than thirty had been injured following the explosion of cluster munitions on Heroiv Stalinhrada Avenue in Kharkiv in the early evening of 3 April 2022.

155. *“In Mykolaiv, Russia continues pattern of shelling hospitals”, The Washington Post, 4 April 2022*

3545. The article reported that on 4 April 2022 Russian forces had shelled a children’s hospital in Mykolaiv. An MSF team visiting the hospital had provided eyewitness testimony of injuries and at least one dead body, as well as destruction of property arising out of the attack. Subsequent reports had noted that two adults had been killed with a further seven adults injured and two children left in a critical condition. Additionally, a children’s hospital in Mykolaiv had been shelled on 4 April 2022.

156. *“At least 200 feared dead in apartments hit by Russia, officials say”, The New York Times, 5 April 2022*

3546. *New York Times* journalists who had reached the town of Borodyanka, Kyiv Region, for the first time after Russian troops had withdrawn, reported that there had been evidence of indiscriminate shelling of civilian buildings. The acting mayor of Borodyanka, Georgii Yerko, reported that dozens of people who had taken shelter in basements or apartments were missing and presumed dead under the rubble. He estimated that over 200 people had died, although he acknowledged that this number was an assumption.

157. *“Russian troops hit nitric acid tank in Rubizhne”, Ukrinform, 5 April 2022*

3547. This news item, referring to the statement of the head of the Luhansk Regional Military Administration, reported that Russian troops had hit a nitric acid tank in the city of Rubizhne, in the Luhansk region. It noted that nitric acid posed risks if inhaled, swallowed, or in contact with skin or mucous membranes.

158. *“ITV News dispatch from Odesa as city rocked by explosions and ‘war planes heard overhead’”, ITV News, 6 April 2022*

3548. This news item reported on explosions in Odesa. According to the local authorities, the target had been an oil depot in an industrial area of the city. It added that the Russian Defence Ministry had announced that on that day high-precision sea and air-launched missiles had destroyed an oil refinery and three storage facilities for fuel and lubricants.

159. *“Mariupol’s dead put at 5,000 as Ukraine braces in the east”, Politico, 6 April 2022*

3549. The article stated that according to the mayor of Mariupol, Vadym Boichenko, more than 5,000 civilians had been killed during weeks of Russian bombardment and street fighting, including 210 children. He added

that Russian forces had bombed hospitals, including one where fifty people had burned to death. Mr Boichenko said that more than 90% of the city's infrastructure had been destroyed. He stated that the attacks had caused the city's supply of food, water, fuel and medicine to be cut off. The article referred to a statement by British defence officials that 160,000 people remained trapped in the city, which had had a pre-war population of 430,000. It was also noted that a humanitarian relief convoy accompanied by the Red Cross had been trying for days without success to get into the city.

160. "Ukraine says four civilians killed at aid distribution point, east under heavy fire", Reuters, 6 April 2022

3550. This news item reported that Russian artillery shelling had hit a humanitarian aid distribution point in Vuhledar, resulting in the deaths of at least four people and injuring four others.

161. "Shelling in Ukraine's Kharkiv kills one person, wounds 14, says governor", Yahoo News, 7 April 2022

3551. This news item reported that Russian forces had shelled the Kulinichi bread factory in Kharkiv, causing the death of one person and injuries to fourteen others.

162. "U.S. believes Russia used short-range ballistic missile in railway station strike - U.S. official", Reuters, 8 April 2022

3552. This article reported on a Russian missile attack on a railway station in the city of Kramatorsk which had resulted in killing at least fifty people and leaving many more wounded. The words "for the children" were written in Russian on the missile's side. The article mentioned that the United States believed that Russia had used a short-range ballistic missile to strike a railway station.

163. "Ukraine says dozens killed in missile strike on railway station used by evacuees", Reuters, 8 April 2022

3553. Ukrainian authorities reported that at least thirty-nine people had been killed and eighty-seven wounded in a missile strike on a railway station in Kramatorsk that had been packed with women, children and elderly people trying to flee the fighting. The mayor of Kramatorsk Oleksander Honcharenko estimated that about 4,000 people had been at the station at the time of the attack. He added that at least four of those killed were children.

164. *“Russia accused of ‘monstrous’ war crime in Kramatorsk station attack”, The Guardian, 8 April 2022*

3554. The article stated that five children were among at least fifty people killed when a Russian missile had hit Kramatorsk railway station on 8 April 2022. It reported that a powerful Tochka-U rocket had landed outside the main station building where 4,000 people had been waiting to be evacuated. Pavlo Kyrylenko, the governor of the Donetsk Region, stated that at least eighty-seven people had been wounded in the strike; many had lost limbs.

165. *“Luhansk region: Russian troops once again struck a tank of dangerous nitric acid”, Ukrayinska Pravda, 9 April 2022; “Invaders again hit nitric acid tank near Rubizhne”, Ukrinform, 9 April 2022*

3555. These two news items reported that Russian troops had struck a tank containing nitric acid near Rubizhne in the Luhansk Region once again. The population had been advised not to leave the shelters as nitric acid was dangerous for humans.

166. *“Russian invaders attack Myrhorod, casualties reported”, Ukrinform, 9 April 2022*

3556. This news item reported on a Russian missile strike at an infrastructure facility in Myrhorod in the Poltava Region which had resulted in significant damage and injuries to two people.

167. *“177 children killed, 336 injured since start of Russia’s war against Ukraine”, Ukrinform, 10 April 2022*

3557. The article stated that according to the Prosecutor General’s Office of Ukraine, as of 10 April 2022, the Russian Federation’s armed invasion of Ukraine had affected more than 513 children. Among them, there were 177 cases of killings and more than 336 cases of injuries. The statistics by region were as follows: the Donetsk Region had the most affected children with 108, followed by the Kyiv Region with 93, the Kharkiv Region with 76, the Chernihiv Region with 51, the Mykolayiv Region with 40, the Luhansk Region with 35, the Zaporizhzhya Region with 22, the Kherson Region with 29, Kyiv city with 16, the Sumy Region with 16 and the Zhytomyr Region with 15.

3558. The article further reported on several cases of killing and injuring of children. On 4 March 2022, in a village in the Chernihiv Region, a fourteen-year-old boy and his brother had witnessed Russian soldiers robbing a store. As they tried to flee, the soldiers had shot them in the back. The fourteen-year-old boy had died instantly, while his brother had sustained injuries. On 8 April 2022 near the village of Karyerne in the Beryslav district of the Kherson Region, three children had been wounded when a civilian

vehicle came under shelling. That same day, in a village in the Dnipropetrovsk Region, a three-year-old child had been injured by a mine during shelling by Russian forces. Additionally, on 9 April 2022, a nine-year-old child had been injured during artillery shelling in a residential area of Vuhledar in the Donetsk Region.

3559. It was also stated that according to the Prosecutor General's Office of Ukraine, 938 educational institutions had been damaged, of which 87 had been completely destroyed as a result of daily bombings and shelling.

168. "Russian rockets destroy airport in Ukrainian city of Dnipro", Al Jazeera, 10 April 2022

3560. This news item reported that Russian forces had launched another missile strike on Dnipro International Airport, destroying nearby airport facilities and infrastructure and injuring five emergency workers.

169. "Enemy firing on three regions, battles ongoing in Luhansk, Donetsk regions – regional administrations' report", Ukrinform, 10 April 2022; "Russian troops tried to enter Severodonetsk but were repulsed", Ukrinform, 10 April 2022; "Russians fire on school, two high-rise buildings in Sievierodonetsk", Ukrinform, 10 April 2022

3561. These news items reported on Russian shelling of residential areas and a high school building in Sievierodonetsk, in the Luhansk Region, causing the killing of one person and injuring four others in the attack.

170. "Six emergency workers injured in air strike on Dnipro Airport – update", Ukrinform, 10 April 2022

3562. This news item stated that on 10 March 2022 the Russian forces had launched a targeted missile strike on Dnipro International Airport, destroying nearby airport facilities and infrastructure and injuring six emergency workers.

171. "Russian military again strikes Dnipro airport", Ukrinform, 10 April 2022

3563. This news item provided information about a missile attack on the airport in Dnipro by Russian forces, resulting in the destruction of the facility and infrastructure adjacent to it.

172. "Russian troops already damage more than 1,600 high-rise buildings in Kharkiv", Ukrinform, 11 April 2022

3564. This news item reported that more than 1,600 high-rise apartment buildings had been destroyed or damaged in Kharkiv as a result of Russian attacks.

173. *“Over 10,000 Mariupol residents have died, Mayor says - And death toll could double”, Forbes, 11 April 2022*

3565. This news item referring to a statement by the Mariupol mayor Vadym Boychenko reported that over 10,000 civilians had been killed in the city. He added that this number could eventually double.

174. *“Multiple casualties after shelling of Ukraine’s Kharkiv, mayor tells TV”, Reuters, 11 April 2022; “Kharkiv region: 8 people, including 1 child, died as a result of Russian shelling”, Ukrayinska Pravda, 11 April 2022; “Kharkiv Region shelled by Russian troops 66 times over past day”, Ukrinform, 11 April 2022*

3566. These news items reported on Russian bombardments in Kharkiv. As a result of shelling eight people had died, including a thirteen-year-old child, and nineteen people had been injured, including two children aged four and nine. It was also noted that the Kharkiv Region had been shelled with Russian artillery, mortar and MRLSs sixty-six times over the past day.

175. *“At least 3 people wounded as Russians launch second attack on Lysychansk in a day”, Ukrinform, 11 April 2022*

3567. This piece reported on Russian bombardment on Lysychansk, in the Luhansk Region, causing the destruction of four houses and injuries to at least three people.

176. *“Enemy missile hits mill in Dnipropetrovsk region”, Ukrinform, 12 April 2022*

3568. This news item reported that a Russian rocket had damaged a mill in the Synelnykivskiy district, on the border of the Zaporizhzhya and Donetsk Regions.

177. *“Russian invaders used phosphorus bombs in Zaporizhzhia region”, Ukrinform, 12 April 2022*

3569. This news item reported that Russian forces had launched phosphorus bombs in the village of Novoyakovlivka in the Zaporizhzhya Region, damaging houses.

178. *“Twelve houses destroyed in Luhansk region over past day, casualties reported”, Ukrinform, 12 April 2022*

3570. This news item reported that one person had been killed and three others had been injured by Russian attacks on residential neighbourhoods in Lysychansk.

179. *“New images show burned bodies at ruined nursing home in Luhansk region”, The Washington Post, 13 April 2022*

3571. This article reported on the destruction of a nursing home located near the cities of Rubizhne and Kreminna in the Luhansk Region, resulting in the killing of civilians. It stated that several burned bodies were visible in videos and photographs of a nursing home that had been taken by a correspondent for Russian State television and published by a pro-Russian Telegram account. Ukrainian authorities stated that dozens had been killed in the disaster. The *Washington Post* authenticated the location of the footage and images by cross-referencing them with pre-war archive material from the nursing home. Serhiy Haidai, the region’s Ukrainian governor, confirmed on 12 March 2022 that the nursing home had been among several local buildings shelled by Russian forces and pro-Russian separatists the previous day. Mr Haidai further stated that a Russian tank had deliberately targeted the nursing home, resulting in the deaths of fifty-six individuals. He added that fifteen survivors had subsequently been captured by Russian forces and transported approximately 40 miles north to the Russian-held city of Svatove.

180. *“Ukraine war: what weapon killed 50 people in station attack?”, BBC News, 13 April 2022*

3572. This article, written by Manisha Ganguly and Joe Inwood, stated that a BBC investigation had found clear evidence that a cluster bomb, banned by many countries under international law, had been used in an attack on Kramatorsk railway station. The article further stated that BBC journalists who had visited the Kramatorsk station after the attack had observed evidence suggesting the use of cluster-munitions warheads. Patterns on the ground, including a spray pattern outside the station concourse, indicated the potential use of cluster munitions. Such weapons scattered fragments around the main impact site, leaving distinct pockmark indentations. Additionally, nearby buildings showed similar scatter patterns, raising concerns about the indiscriminate harm caused by these weapons, particularly to civilians in conflict zones. Cluster munitions had drawn criticism from human-rights groups due to their destructive capabilities, including the potential for high civilian casualties in densely populated areas.

181. *“Enemy fired missiles at Zhytomyr, Poltava regions last night – report”, Ukrinform, 13 April 2022*

3573. According to a report issued by regional military administrations, as of 8 a.m. on 13 April 2022 Russian forces had fired at the Lysychansk, Rubizhne, Sievierodonetsk, Kreminna and Novodruzhesk districts within the Luhansk Region. As a result of that attack, one person had been killed and ten buildings had been damaged. This news item also reported on Russian shelling of Kharkiv and the Zhytomyr and Poltava Regions.

182. *“Russian troops shell residential quarter in Rubizhne, nearly all houses burnt down”, Ukrinform, 13 April 2022*

3574. This news item reported that Russian shelling had razed an entire residential quarter in Rubizhne, in the Luhansk region.

183. *“Russians launch missile strike on village in Zhytomyr region”, Ukrinform, 13 April 2022*

3575. This news item reported that a Russian missile had struck a village in Zhytomyr, damaging private houses and high-rise buildings.

184. *“Ukrainian officials: Russians continue build-up in eastern Ukraine with widespread shelling reported Thursday”, CNN, 14 April 2022*

3576. According to the article, the general staff of the Ukrainian Armed Forces had stated that Russian forces continued to launch missile and bomb attacks on infrastructure facilities and residential areas of cities and villages.

185. *“Russian shelling in Donetsk region: three people killed, seven wounded”, Ukrinform, 14 April 2022*

3577. This news item reported that on 14 April 2022 three people had been killed and seven had been injured in Russian shelling in the Donetsk Region. This information had been reported by the head of the Donetsk Regional Military Administration, Pavlo Kyrylenko. According to him, in the morning the Russian forces had launched three air strikes on Velyka Novosilka, injuring at least two people and damaging civilian infrastructure. He added that one of the bombs had hit an apartment building, but all its residents had been evacuated. In addition, Mr Kyrylenko said that Zarichne, Vuhledar, and Bohorodychne had come under fire. One person had been killed and two had been injured in Zarichne, one person had been killed and three injured in Vuhledar, and one person had been killed in Bohorodychne.

186. *“Ukraine says five killed in shelling in city of Mykolaiv”, Reuters, 15 April 2022*

3578. This news item reported that according to Vitaliy Kim, the governor of the Mykolaiv Region, five civilians had been killed by Russian cluster munitions in Mykolaiv.

187. *“7 killed, 34 injured in enemy shelling of Kharkiv”, Ukrinform, 15 April 2022*

3579. This news item reported that seven people had been killed, including a seven-month-old child, and thirty-four more had been injured, including three children, as a result of Russian shelling of residential areas of

the city of Kharkiv. This information was reported by the Head of the Kharkiv Regional Military Administration Oleh Synehubov.

188. *“Russia renews strikes on Ukraine capital, hits other cities”, Associated Press, 16 April 2022*

3580. This news item reported that a Russian missile had struck an outdoor market in Kharkiv, killing one person and injuring eighteen.

189. *“Missile hits humanitarian kitchen in Ukraine, José Andrés Says”, NBC News, 16 April 2022*

3581. This news item reported on a Russian missile attack on a residential area in the northeast of Kharkiv that had killed a fifteen-year-old boy and at least eight other people and destroyed a community kitchen.

190. *“The harrowing scale of destruction in Ukraine’s shattered town of Borodyanka”, The Globe and Mail, 16 April 2022*

3582. This article, authored by Mark Mackinnon, details the extensive destruction of a residential area in Borodyanka, resulting in numerous casualties. It recounts the story of Yulia Prudius, who lost five relatives when a nine-storey apartment block at 357 Centralna Street collapsed. She mentioned that her relatives had been trapped in the building’s basement shelter, which had failed to protect them from a direct Russian air strike. Rescuers had recovered twenty bodies from beneath the rubble of that building. According to residents, on 28 February 2022 a column of Russian-armoured vehicles drove down Centralna Street, firing indiscriminately into homes, most of which were empty because residents had taken refuge in their basement shelters since the arrival of Russian troops. Air strikes targeting apartment blocks occurred on 1 and 2 March 2022, as Russian forces escalated their shelling of civilian areas across Ukraine. Mr Makienko, speaking to the correspondent, reported that Russian soldiers had looted his house and were evidently residing there. The article also noted that approximately 800 local residents had sought refuge in a psychiatric care home on Centralna Street. Later, the care home had been seized by a Russian unit comprised of fighters from Chechnya, worsening conditions for the civilians. The article indicated that Russian servicemen controlled the food and water supplies, providing only a trickle to the civilians and prohibiting anyone from leaving. Alla Kryvoshenko, the care home’s deputy director, described their situation as that of hostages. The article also mentioned that on 26 February 2022, six people had been killed by either an air strike or an artillery shell hitting a house at 30 Centralna Street. Another witness, whose home was riddled with bullets, claimed that the Russians were firing indiscriminately. The witness Natalya Lytvyn recounted how her flat in a building at 371 Centralna Street had been struck by an airstrike on 3 March

2022. She had witnessed a warplane firing three missiles, demolishing much of the residential building and resulting in the deaths of twenty-three of her neighbours.

191. *“One killed, 18 wounded in missile strike on Ukraine’s Kharkiv region, governor says”, Reuters, 16 April 2022*

3583. The article reported that one person had been killed and eighteen more injured following a Russian missile strike on one of the central districts of Kharkiv on 16 April 2022.

192. *“Russian missile hit idle poultry factory in Dnipropetrovsk region”, Ukrinform, 16 April 2022*

3584. The article reported that two missiles launched by Russian forces had hit a disused poultry factory in the Dnipropetrovsk Region. According to the region’s governor, Valentyn Riznychenko, quoted in the article, there had been no people around at the time of the strike. Three photographs in this article depicted a destroyed industrial building with traces of fire.

193. *“Ukrainian defenders in Mariupol defy surrender-or-die demand”, Associated Press, 17 April 2022*

3585. This article by Adam Schreck and Mstyslav Chernov reported on the siege of the Azovstal iron and steelworks in Mariupol, where, according to Russian estimations, “2,500 Ukrainian troops and 400 foreign mercenaries” had stationed themselves. According to the head of Mariupol’s police, Mikhail Vershinin, many Mariupol civilians, including children, had also been seeking shelter at the Azovstal works. The article stated that the Russians had given the Ukrainian defenders a midday deadline to surrender on 17 April 2022, which the latter had defied.

3586. The article also referred to Ukrainian estimations of casualties and destruction, with at least 21,000 people believed to have been killed during bombardments and a further 100,000, down from the pre-war population of 450,000, trapped in the city without food, water and heating.

194. *“Ukraine round-up: Ukraine defies Mariupol deadline as Kharkiv shelled”, BBC News, 17 April 2022*

3587. The article reported on Ukraine’s rejection of the Russian deadline for Mariupol defenders to surrender. It also covered the personal story of Rayisa Horislavets, a 59-year-old resident of Serhiivka, who had been left behind with 300 other locals, compared with the village’s pre-war population of 1,500.

195. *“Russian Missile Strikes Kill 5 in Ukraine’s Kharkiv”, Agence France-Presse, 17 April 2022*

3588. The article reported on a series of Russian missile strikes on residential areas of Kharkiv on 17 April 2022. According to Maksym Khaustov, the head of the regional health department quoted in the article, the strikes had left at least five people dead and a further thirteen injured.

196. *“Luhansk region governor says shelling kills two, injures four in eastern town of Zolote”, Reuters, 17 April 2022*

3589. The article reported on an unverified statement by Serhii Haidai, the governor of the Luhansk Region, according to whom a Russian shelling of Zolote on 17 April 2022 had left at least two people dead and a further four injured.

197. *“Russian troops shell Zolote, killing at least two people”, Ukrinform, 17 April 2022*

3590. The article reported on a social media post by Serhii Haidai, governor of the Luhansk Region, according to whom a Russian shelling of Zolote on 17 April 2022 had destroyed two floors of a residential building, killing at least two people and leaving a further four injured.

198. *“Ukraine round-up: Lviv counts civilian dead and credible sinking warship video”, BBC News, 18 April 2022*

3591. This news item reported on a Russian missile strike in Lviv, causing at least seven casualties.

199. *“Ukraine Says Russia Begins Assault in the East After Raining Missiles Nationwide”, The New York Times, 18 April 2022*

3592. This article by Jane Arraf, Ivan Nechepurenko and Mark Landler reported on a series of 300 Russian missile and artillery strikes throughout Ukraine on 18 April 2022, marking the beginning of the Russian ground assault in the east. In particular, it stated that for the first time since the beginning of war the missiles had reached Lviv, killing at least seven people and injuring eleven. According to Maksym Kozytskyi, governor of the Lviv Region, three missiles had hit empty warehouses while the fourth had destroyed a garage. According to the Ministry of Defence of the Russian Federation, quoted in the article, the strikes had targeted “fuel depots, warehouses, and other infrastructure”. At the same time, the article stated that a building in Lviv which had been hit was a long concrete garage with “car wash” and “tyre replacement” advertising signs outside. The article also reported on an artillery strike on a residential area in Kharkiv, which had

killed one person. Finally, it was confirmed that Russian forces had occupied a town of Kreminna in the Luhansk Region.

200. *“Lviv sees first wartime deaths amid strikes, Ukrainian officials say”, The Washington Post, 18 April 2022*

3593. This article by Hannah Allam, Annabelle Timsit, and David L. Stern reported on a Russian missile strike on Lviv on 18 April 2022, which had left seven people dead and eleven more, including a child, injured. According to Maksym Kozytskyi, governor of the Lviv Region, a preliminary assessment showed that the missiles had been launched from airplanes above the Caspian Sea. The article stated that the strikes had hit a military warehouse and a commercial carwash and tyre replacement station, Autochance. It also quoted local residents who claimed that the car station had been a “fully civilian” target, which was also confirmed by the governor. Apart from Autochance, the strike had damaged a wall and windows of nearby hotel with eighty people, many of them refugees from the eastern regions, hiding inside.

201. *“Russians shell a hospital in Mykolaiv region”, Ukrayinska Pravda, 19 April 2022*

3594. The article reported statement by Hanna Zamazieieva, the head of Mykolaiv Regional Council, according to whom Russians had shelled a hospital in Bashtanka, Mykolaiv Region, destroying the reception area and the dialysis department and injuring people.

202. *“Russian shelling of Mykolaiv region: Ten civilian injured over past day”, Ukrinform, 19 April 2022*

3595. The article reported a social media post by Hanna Zamazieieva, the head of Mykolaiv Regional Council, according to whom on 18 April 2022 the town of Ochakiv had been shelled with cluster munitions, while Mykolaiv had been chaotically shelled across different districts. She added that ten people had suffered injuries as a result.

203. *“Russian forces shell hospital in Bashtanka”, PBS, 20 April 2022*

3596. The article reported that an “unspecified amount of people” had been injured when Russian forces had shelled a hospital in Bashtanka, Mykolaiv Region, destroying the reception area and the dialysis department.

204. *“7 Killed, 21 Injured in Russian Shelling in Ukraine’s Kharkiv”, Agence France-Presse, 20 April 2022*

3597. The article reported on a Russian shelling of Kharkiv on 19 April 2022, which had killed three people and injured twenty-one others in four

different residential areas of the city, according to the governor of the Kharkiv Region, Oleh Syniehubov. The article also quoted Pavlo Kyrylenko, the governor of the Donetsk Region, according to whom three civilians had been killed by shelling from the Russian forces on 19 April 2022 in Kramatorsk, Avdiivka and Blahodatne.

205. *“Kharkiv tragedy: Ukrainian man, 79, killed while out to buy bread”, Reuters, 21 April 2022*

3598. The article reported on the personal story of Victor Gubarev, a 79-year-old resident of Kharkiv, who had been killed by Russian shelling in front of his apartment block on 18 April 2022. The article stated that his death had been at least the third among civilians who had been killed in Kharkiv on that day.

206. *“Missile Strikes Hit Odesa, Killing at Least Eight, Officials Say”, The New York Times, 23 April 2022*

3599. This article by Michael Schwartz reported on a strike by two cruise missiles on a residential area on the outskirts of Odesa on 23 April 2022, killing at least eight civilians according to Ukrainian officials. Andriy Yermak, the head of the presidential administration, said that there had been eighteen other people wounded, while a three-month-old baby had been among the dead. The Ukrainian air forces confirmed there had been six missiles fired by a Russian strategic bomber: two had hit military targets and two had hit residential homes, while the two remaining ones had been intercepted by the Ukrainian air defence. The Russian Ministry of Defence stated that the Russian forces had fired “high-precision long-range missiles” at a logistics terminal at a military airfield near Odesa, allegedly targeting weapons supplied by the US and European countries.

207. *“Odessa missile attack: ‘My world was destroyed by a Russian missile’”, BBC News, 24 April 2022*

3600. This news item reported about a Russian missile attack on a residential building in Odesa that had caused the deaths of two women and a three-month-old baby.

208. *“Eight people, including three-month-old baby, killed in Odesa missile strike, Zelenskyy confirms”, ITV News, 24 April 2022*

3601. The article reported on a Russian missile strike on Odesa on 23 April 2022. It quoted President Zelenskyy, who had stated in his press conference that eight people had been killed in this attack, including a three-month-old baby, with eighteen to twenty more injured.

209. *“Missile strikes in Vinnytsia region: 5 dead, many wounded”, Ukrayinska Pravda, 25 April 2022*

3602. The article reported on a series of Russian missile strikes on railway infrastructure near the towns of Zhmerynka and Koziatyn in the Vinnytsya Region on 25 April 2022. According to the prosecutor’s office in the region, five persons had been killed and eighteen others injured. The investigation had been carried out by the SBU.

210. *“Under Fire, a Ukrainian Town Braces for a Russian Onslaught”, The New York Times, 26 April 2022*

3603. This article by Michael Schwartz and Lynsey Addario reported on the situation in Orikhiv, Zaporizhzhya Region, which had been three miles from the frontline at the time. It described the consequences of shelling of the town’s residential areas and included photos of many damaged houses and holes in the ground that had resulted from explosions. The article claimed that shelling in this area had intensified at the end of April compared with the previous months. According to the town’s mayor, only 30% of Orikhiv’s pre-war population of 20,000 had stayed in the town. At the same time, despite the continuous shelling the town had suffered no casualties during the time, he added. Finally, the article mentioned that on 19 April 2022 the Russian forces had launched a rocket attack on Zaporizhzhya, narrowly missing the nuclear power plant in the nearby town of Enerhodar.

211. *“In Luhansk region, Russian forces shell hospital, killing woman”, Ukrinform, 27 April 2022*

3604. The article reported a statement by Serhii Haidai, the governor of the Luhansk Region, who stated that Russians had shelled a hospital in Sievierodonetsk, killing one woman.

212. *“Moscow confirms attack on Kyiv during UN chief’s visit”, The Guardian, 29 April 2022*

3605. This news item reported about a Russian air strike on Kyiv during a visit by the UN Secretary General, Antonio Guterres. According to the mayor of Kyiv, Vitali Klitschko, a twenty-five-storey residential building in the Shevchenkivskyi district had been hit in the strike. He added that one body had been recovered.

213. *“Kyiv: Journalist killed in rocket attack on 28 April”, Ukrayinska Pravda, 29 April 2022*

3606. The article reported on a Russian missile attack on Kyiv on 28 April 2022. According to Vitali Klitschko, the city’s mayor, one of the missiles had killed a producer of the Ukrainian bureau of Radio Svoboda, Vira Gyrych, at

her home in the Shevchenkovskyi district. Her body had been found on 29 April 2022 under the rubble.

214. *“Zelenskyi urges ‘strong response’ after Russia strikes Kyiv during UN Ukraine visit”, The Guardian, 29 April 2022*

3607. This article by Julian Borger reported on a Russian missile attack on Kyiv on 28 April 2022 during an official visit to the city by the UN Secretary-General, Antonio Guterres. Vitali Klitschko, the city’s mayor, stated that at least ten people had been injured as one of the missiles hit a residential building in the Shevchenkovskyi district; three of them had been hospitalised.

215. *“Civilians Keep Arriving at Besieged Steel Complex in Mariupol, Fighters Say”, The New York Times, 29 April 2022*

3608. This article by Christiaan Triebert and Aleksandra Koroleva reported on the siege of the Azovstal iron and steelworks in Mariupol. It quoted Serhii Volynia, the acting commander of a Ukrainian Marine unit defending the plant, who stated that various shelters throughout Mariupol had been destroyed and civilians had been seeking refuge at the plant alongside thousands of Ukrainian troops trapped there during the siege.

216. *“Russian troops storm Rubizhne and Popasna, shell volunteers’ car and police bus”, Ukrayinska Pravda, 30 April 2022*

3609. The article reported on a statement by Serhii Haidai, the governor of the Luhansk Region. He stated that on 29 April 2022 two schools in Sievierodonetsk had been damaged by shelling, while twenty other buildings had suffered damage from shelling in Hirske, Orikhove, Rubizhne and Novodruzhesk. The governor also reported on two rescuers who had been injured while working in Lysychansk and a 70-year-old man who had died in Loskutivka. He added that a car with volunteers had been shelled on its way to Popasna, while a police bus and a private car had been shelled with mortars on their way to Sievierodonetsk trying to deliver medicines and medical aid.

217. *“Eight dead after Russian strikes in eastern Ukraine: Governors”, Al Arabiya English, 1 May 2022*

3610. This article reported on three shelling incidents on 1 May 2022 occurring in the Donetsk and Kharkiv Regions. According to Pavlo Kyrylenko, the governor of the Donetsk Region, four civilians had been killed by shelling in Lyman with eleven more injured, while another person had died of injuries in a town near Lyman. The governor of the Kharkiv Region, Oleg Syniehubov, meanwhile, stated that three persons had been killed during shelling of residential areas around Kharkiv.

218. *“Russia-Ukraine war: Odesa airport runway ‘destroyed’”, Al Jazeera, 1 May 2022*

3611. This article reported on a Russian missile attack on Odesa Airport. It cited President Zelenskyy, who had stated in his video address on 30 April 2022 that the runway of the airport had been destroyed. According to regional officials, the missile had been launched from Crimea.

219. *“Russian Strike Kills Civilians in Odessa”, The Wall Street Journal, 2 May 2022*

3612. This article by Yaroslav Trofimov reported on a Russian missile attack on Odesa on 2 May 2022. According to the local authorities, an afternoon strike had hit an Orthodox church and had killed a “number” of civilians, including a 13-year-old girl.

220. *“Ukraine war: Zelensky plea as Russians seek Mariupol endgame”, BBC News, 4 May 2022*

3613. The article indicated that analysis suggested that as many as 600 people had been killed when Russia had bombed a theatre in Mariupol. It noted that this Russian attack was believed to have caused the worst known loss of life in a single strike since the invasion had begun.

221. *“Avdiivka coke plant hit by Russian strike: at least 10 killed, 15 wounded – region’s chief”, Ukrinform, 3 May 2022*

3614. This article reported a statement by Pavlo Kyrylenko, the governor of the Donetsk Region. He stated that Russian forces had shelled a bus stop of a coke plant in Avdiivka while workers were waiting for a bus, killing at least ten people and injuring fifteen others.

222. *“One teenager dead, one wounded as missile hits Ukraine’s Odesa – Zelenskiy”, Reuters, 3 May 2022*

3615. This article reported on a Russian missile attack on Odesa on 2 May 2022. The article cited President Zelenskyy, who stated that a 14-year-old boy had been killed and a 17-year-old girl had been wounded when a missile strike hit a dormitory. The authors of the article added that they were not able to verify this information.

223. *“Investigation suggests 600 died in Russian attack on Mariupol theatre”, CBC, 5 May 2022*

3616. This article reported that a Russian air strike on Mariupol’s Drama Theatre on 16 March 2022, had resulted in casualties ranging from 300 to 600. It was noted that the theatre had been serving as the city’s primary bomb

shelter for the past week, accommodating approximately 1,000 people at the time of the strike. Furthermore, the word “Children” had been written in Russian on both sides of the theatre, in letters large enough to be clearly visible from the air.

224. *“Russian missile strike on Kramatorsk: 25 wounded”, Ukrayinska Pravda, 5 May 2022*

3617. This article by Olena Roshchina reported statements by Oleksandr Honcharenko, the mayor of Kramatorsk, and Pavlo Kyrylenko, the governor of the Donetsk Region. According to the former, on the night of 4-5 May 2022 Russian forces had shelled a residential neighbourhood in Kramatorsk, injuring twenty-five civilians with six of them being hospitalised. He added that the attack had damaged at least three residential buildings, a school and a kindergarten. The governor then added that nine residential buildings in Kramatorsk had been damaged in total by the strike carried out by the Russian air forces.

225. *“Two killed as Russian troops shell households, petrol station, and Azot plant in Sievierodonetsk”, Ukrinform, 6 May 2022*

3618. This article reported a social media post by the Luhansk regional administration, which stated that on 5 May 2022 Russian forces had shelled Sievierodonetsk sixteen times, damaging twelve households, an electric substation and commercial buildings, as well as killing two people. It was also reported that one of the last petrol stations in the town had been hit on that day at around 6 p.m., while seven other households had been shelled and damaged in Rubizhne, and two in Novodruzhesk.

226. *“Governor: Russians dropped powerful bomb on school where 90 people hid”, The Kyiv Independent, 7 May 2022*

3619. This article reported a statement by Serhii Haidai, the governor of the Luhansk Region. He stated that the Russians had dropped a bomb on a school in the village of Bilohorivka, where he said that “almost the whole village was hiding”. The governor added that about thirty people had been rescued.

227. *“Bombing of school in Ukraine kills two, dozens more feared dead, governor says”, Reuters, 8 May 2022*

3620. This article reported a social media post by Serhii Haidai, the governor of the Luhansk Region. He stated that in the afternoon of 7 May 2022 Russian forces had dropped a bomb on a school in Bilohorivka, where about ninety people had been sheltering. The governor said that thirty people had been rescued and two dead bodies had been recovered from the rubble,

but added that the remaining sixty people had likely died under the rubble. The authors of the article added that they were not able to immediately verify these reports and there had been no reaction from Russia.

228. *“Some 390 buildings damaged in Kyiv during war, cost of their restoration to be about EUR 70 mln – Klitschko”, Interfax, 10 May 2022*

3621. The news item referred to a statement by the mayor of Kyiv, Vitali Klitschko, who reported that as of 5 May 2022 over 390 buildings in the city had been damaged by Russian attacks, of which 222 were apartment buildings.

229. *“Ukraine war: Bodies of 44 civilians found as battle for Izyum rages”, BBC News, 10 May 2022*

3622. In this article Sophie Williams and Olga Pona interviewed the mayor of Izyum, Valeriy Marchenko. He stated, in particular, that a five-storey building in Izyum had collapsed during the fighting in March as its residents had hidden in a basement from Russian shelling. The mayor then confirmed that rescuers had only been able to reach that building and clear the rubble in May and had found forty-four bodies of civilians under the rubble. The town had remained occupied by Russian forces since 1 April 2022.

230. *“Forty-five civilian buildings destroyed in Donetsk region over past day”, Ukrinform, 10 May 2022*

3623. This article reported a press release by the National Police of Ukraine, which claimed that on 9 May 2022 Russian forces had attacked five towns in the Donetsk Region: Kostiantynivka, Mariupol, Avdiivka, Siversk and Bakhmut. Forty-five buildings, including administrative, commercial, residential and critical infrastructure buildings, had reportedly been destroyed. According to the National Police of Ukraine, Russian forces had fired from aircraft, tanks and heavy artillery, and had even used phosphorous munitions in the area of Svitlodarsk at night.

231. *“Shelling of Mykolaiv Region: 9 people were wounded”, Ukrayinska Pravda, 11 May 2022*

3624. The article reported a social media post by Hanna Zamazieieva, the head of Mykolaiv Regional Council, according to whom nine civilians in the Mykolaiv area had been injured by during 10-11 May 2022 shelling.

232. *“Three killed as Russia deliberately bombs schools in Ukraine’s Novhorod-Siverskyi – First Lady”, Ukrinform, 12 May 2022*

3625. This article reported a social media post by Olena Zelenska, Ukraine’s First Lady. She stated that on the night of 11-12 May 2022 a Russian warplane had fired missiles at secondary and boarding schools in Novhorod-Siverskyi in the Chernihiv Region. The First Lady added that the strike had killed three people and had injured a further twelve.

233. *“Ukrainian town copes with aftermath of Russian strike on community center/aid base”, Reuters, 13 May 2022*

3626. This article reported on a Russian missile strike on a community centre (“Palace of Culture”) in Derhachi, Kharkiv Region, which also served as a humanitarian and distribution base. According to Vyacheslav Zadorenko, the town’s mayor, a missile had hit the building at 2.20 a.m. on 13 May 2022, slightly injuring one person. He added that a day earlier, another missile had pierced the roof and three floors but had failed to explode. The strike on 13 May 2022 had destroyed stocks of humanitarian aid that had been used to support around 7,000 residents of the town.

234. *“Russian missiles hit Kremenchuk CHPP, again”, Ukrinform, 14 May 2022*

3627. This article reported on a Russian missile attack against a combined heat and power plant (“CHPP”) and an oil refinery in Kremenchuk, Poltava Region. During his media briefing, Dmytro Lunin, the governor of the Poltava Region, had stated that twelve high precision Russian missiles had been launched at Kremenchuk, most of them hitting the oil refinery (which had already been hit before) and one hitting the local CHPP. The governor added that attacks on the latter risked leaving 180,000 Kremenchuk residents without heating.

235. *“Sievierodonetsk hospital damaged in Russia’s shelling”, Ukrinform, 15 May 2022*

3628. This article reported on a social media post by Serhii Haidai, the governor of the Luhansk Region. He stated that on 14 May 2022 Russian forces had been shelling Sievierodonetsk eleven times, hitting residential houses, a chemical plant, a vocational school and a hospital. There had been nine people injured during the shelling incidents, the governor added.

236. *“Ukrainian farmer injured after Russian missile hits tractor”, Farmers Weekly, 16 May 2022*

3629. This article by Philip Case reported on a statement by Serhii Bolvinov, the head of the police investigation department in the Kharkiv

Region, who stated that on 11 May 2022 an unnamed Ukrainian tractor driver had been hit by a missile fired from a Russian plane while working in a field. He added that the victim had survived but had received serious leg injuries and burns and had been taken to hospital.

237. *“Ukraine says 20 civilians killed in shelling in Luhansk, Donetsk regions”, Reuters, 16 May 2022*

3630. This article reported a statement by Ukraine’s Joint Forces Task Force, which stated that on 16 May 2022 twenty-five communities in Luhansk and Donetsk regions had been shelled by Russian forces, killing twenty civilians, including a child, and damaging forty-two residential buildings and a school. The journalists had not been able to independently verify the report and there had been no reaction from Russia.

238. *“Mariupol: key moments in the siege of the city”, BBC News, 17 May 2022*

3631. The article referred to the statement of the office of the mayor of Mariupol, Mr Boichenko, who estimated that as of 28 March 2022 nearly 5,000 people had been killed in Mariupol since the start of the siege. It also said 90% of buildings had been damaged and 40% destroyed. The estimated number of people who were thought to be trapped numbered about 170,000.

239. *“Gas pipeline, furniture shop and houses damaged in Russia’s shelling of Mykolaiv”, Ukrinform, 16 May 2022*

3632. This article reported on a social media post by Oleksandr Sienkevych, the mayor of Mykolaiv. He stated that Russian forces had shelled the city on the morning of 16 May 2022, setting a furniture shop and a private car on fire, as well as damaging residential houses and a gas pipeline.

240. *“Two adults and a child injured in Russia’s missile strike on Odesa Region”, Ukrinform, 16 May 2022*

3633. This article reported on a social media post by the South Operational Command of the Armed Forces of Ukraine. It was stated that on the morning of 16 May 2022 Russian air forces had launched a missile attack on Odesa, hitting and setting on fire a resort facility and injuring a child.

241. *“Donetsk Oblast: Five die in an airstrike on Bakhmut, including a two-year-old”, Ukrayinska Pravda, 18 May 2022*

3634. This article reported on a statement by the prosecutor’s office of the Donetsk Region, which said that 17 May 2022 a five-storey apartment building in Bakhmut had been destroyed by Russian air forces, killing at least

five residents, including a two-year-old child, and injuring four others, including three children aged nine, twelve and seventeen.

242. *“Number of people killed in air strike on the village of Desna rises to 11”, Ukrayinska Pravda, 18 May 2022*

3635. This article by Roman Petrenko reported on a media comment by the State Emergency Service, according to which the death and injury toll following a Russian strike on Desna in the morning of 17 May 2022 had risen to eleven and fourteen respectively. The same authority had previously reported eight dead and twelve injured as a result of the strike.

243. *“Missile strikes on Dnipro: Woman injured, transport infrastructure object destroyed”, Ukrinform, 18 May 2022*

3636. This article reported on a social media post by Valentyn Reznichenko, the governor of the Dnipropetrovsk Region. He stated that in the night of 17-18 May 2022 Russia had launched a missile attack on Dnipro. One of the missiles had been shot down by Ukrainian air defence, falling on two private houses and injuring a woman. Another missile had hit and destroyed an object of transport infrastructure, the governor concluded.

244. *“Russia’s missile strike on Mykolaiv causes fire, one person injured”, Ukrinform, 18 May 2022*

3637. This article reported on a social media post by the department of the State Emergency Service in the Mykolaiv Region. It stated that a Russian missile strike on the morning of 18 May 2022 had hit a residential area of Mykolaiv, causing fire and injuring one woman.

245. *“Russian invaders open fire on 46 settlements in JFO area, killing at least 15 civilians”, Ukrinform, 18 May 2022*

3638. This article reported on a social media statement by Ukraine’s Joint Forces Task Force, which stated that during 17 May 2022 Russian forces had shelled forty-six settlements in the Donetsk and Luhansk Regions with combat aviation, artillery, tanks and mortars, damaging and destroying sixty-eight buildings, including forty-three residential houses, four educational facilities, a community centre and a railway station. The statement said that at least fifteen civilians had been killed as a result, including two families with their under-age children, and a further seven persons had been injured.

246. *“2 men killed by Russian mine in Kyiv Oblast field”, Ukrayinska Pravda, 19 May 2022*

3639. This article by Olena Roshchyna reported on a statement by the police of the Kyiv Region, according to which two men, aged 52 and 48, had

been killed by an OZM-72 anti-personnel mine in a field between the villages of Lypivka and Korolivka. The police suspected that the mine had been planted by Russian forces before their retreat from the region.

247. *“Donetsk region: Russians killed 5 and injured 6 civilians over the past 24 hours”, Ukrayinska Pravda, 19 May 2022*

3640. This article by Kateryna Tyshchenko reported on a social media post by Pavlo Kyrylenko, the governor of the Donetsk Region. He stated that on 19 May 2022 Russian forces had killed five civilians throughout the region: two in Bakhmut and one each in Krasnohorivka, Avdiivka and Khrestyshche; six other persons had been injured. The governor did not clarify the nature of these attacks.

248. *“Kyiv region: near Makarov, a tractor driver was blown up by an enemy mine, but survived”, Ukrayinska Pravda, 19 May 2022*

3641. This article reported on a statement by the police of the Kyiv region, according to which an unnamed 37-year-old tractor driver had driven over a mine while working in a field in the village of Andriivka, near Makariv. The statement added that a driver had not been seriously injured.

249. *“Russians again attack Bakhmut: people pulled from the rubble”, Ukrayinska Pravda, 19 May 2022*

3642. This article by Roman Petrenko reported a statement by Pavlo Kyrylenko, the governor of the Donetsk Region. The latter stated that a Russian airstrike in Bakhmut had hit a private house, a five-storey apartment building and an administrative building. He added that six people, all alive, had been pulled from the rubble of a destroyed house by rescuers.

250. *“12 civilians killed, over 40 injured by Russia’s shelling of Sievierodonetsk”, Ukrinform, 19 May 2022*

3643. This article reported on a statement by Serhii Haidai, the governor of the Luhansk Region. He stated that on 19 May 2022 twelve civilians had been killed and forty others injured amidst indiscriminate Russian shelling of the centre of Sievierodonetsk. The governor added that those figures were still being clarified, as it was not possible to inspect the area under fire.

251. *“Russian troops fire on two villages in Kherson region, casualties reported”, Ukrinform, 19 May 2022*

3644. This article reported on a statement by the prosecutor’s office in the Kherson Region, which stated that on 18 May 2022 Russian forces had shelled the village of Chornobaivka, killing one local resident and injuring

five others. Two more people had reportedly been injured in the village of Pravdyne after a Russian shell had hit their household.

252. *“Without electricity, water, mobile communication: Almost 50,000 people stay in Luhansk region”, Ukrinform, 19 May 2022*

3645. This article reported on a social media post by the press service of the Luhansk Regional Military Administration. It stated that on 18 May 2022 Russian forces had destroyed the last working electrical substation in Lysychansk, leaving the town and the rest of the government-controlled territory of the Luhansk Region without electricity. Photographs in the article depicted local residents cooking food on a bonfire, queuing for water, and charging phones in a basement.

253. *“Ukraine’s Zelenskiy says Donbas region has been completely destroyed”, Reuters, 19 May 2022*

3646. This article reported on a statement by President Zelenskyy, who in a video address had stated that on 19 May 2022 twelve people had been killed in a “brutal and absolutely senseless” bombardment of Sievierodonetsk. He added that there had also been constant strikes on Odesa and the cities in central Ukraine, while the Donbas region had been completely destroyed.

254. *“Huge Russian missile strike destroys historical building in Lozova, Kharkiv”, The Euro Weekly News, 20 May 2022*

3647. This article reported on a Russian missile strike at a community centre (“Palace of Culture”) in Lozova, Kharkiv Region. Referring to videos circulating online, the article stated that on 20 May 2022 Russian strikes had completely destroyed that building, located in the central part of the town. It was reported that at least seven people had been injured, including an eleven-year-old child.

255. *“Ukraine says it repels Russian attack as war grinds in east”, PBS, 20 May 2022*

3648. This article reported on the situation in eastern Ukraine after Russian forces had captured Mariupol. Referring to a social media post by Serhii Haidai, the governor of the Luhansk Region, it stated that on 20 May 2022 Russian forces had attacked Lysychansk and Sievierodonetsk, killing twelve people and destroying more than sixty houses across the region.

256. *“At least three killed as Russian forces shell school in Sievierodonetsk”, Ukrinform, 20 May 2022*

3649. This article reported on a statement by Serhii Haidai, the governor of the Luhansk Region. He stated that on the morning of 20 May 2022

Russian forces had shelled with artillery a school in Sievierodonetsk where two hundred people, including children, had been sheltering. He said that three adults had been killed as a result.

257. Social media post by the Operational Command “South”, Facebook, 20 May 2022

3650. In this social media post the Operational Command “South” of the Armed Forces of Ukraine stated that on 20 May 2022 a Russian strategic aircraft had fired a long-range missile at Odesa region, hitting a fertiliser production facility and destroying several buildings.

258. “Russian invaders again destroy bridge between Sievierodonetsk and Lysychansk”, Ukrinform, 21 May 2022

3651. This article reported on a social media post by Serhii Haidai, the governor of the Luhansk Region. He stated that on 21 May 2022 Russian forces had destroyed a bridge connecting Sievierodonetsk and Lysychansk. According to the governor, it had initially been destroyed in 2014 by the retreating separatist forces, then renovated in 2016, and now had been destroyed by Russians again.

259. “Seven civilians killed in Russian shelling across Donetsk region”, Ukrinform, 21 May 2022

3652. This article reported on a social media post by Pavlo Kyrylenko, the governor of the Donetsk Region. He stated that during 21 May 2022 Russian forces had killed seven civilians in the region: three in Lyman, two in Mykolaivka, and one each in Avdiivka and Sviatohirsk. According to the governor, ten more people in the region had been injured by Russian shelling.

260. “Five civilians killed, 11 injured in Russia’s shelling of Donetsk Region”, Ukrinform, 22 May 2022

3653. This article reported on a social media post by Ukraine’s Joint Forces Task Force. It stated that during 21 May 2022 Russian forces had shelled forty-five settlements in the Donetsk and Luhansk Regions, damaging and destroying a total of 116 civilian buildings, including 106 residential houses. At least seven civilians were claimed to have been killed in the Donetsk Region, with a further eight persons injured as a result of the shelling. No data were available on casualties in the Luhansk Region at the time of the post.

261. *“Three civilians killed with Russia’s cluster munitions in Bilozerka”, Ukrinform, 22 May 2022*

3654. This article reported on a statement by the Kherson Regional Military Administration, according to which on 21 May 2022 Russian forces had shelled the village of Bilozerka with cluster munitions, leaving three civilians dead and damaging ten residential houses.

262. *“Dnipropetrovsk region: railway infrastructure damaged by 4 missile strikes”, Ukrayinska Pravda, 23 May 2022*

3655. This article by Kateryna Tyshchenko reported on a social media post by Valentyn Reznichenko, the governor of the Dnipropetrovsk Region. He stated that in the evening of 23 May 2022 four Russian missiles had hit railway infrastructure in the Pavlohrad and Synelnykove districts, damaging rails and contact lines, as well as twelve residential houses.

263. *“Three civilians injured as Russians fire on Avdiivka”, Ukrinform, 23 May 2022*

3656. This article reported on a social media post by Pavlo Kyrylenko, the governor of the Donetsk Region. He stated that on the night of 22-23 May 2022 Russian forces had shelled Avdiivka, hitting and damaging twenty residential houses and a kindergarten. He reported that three civilians had been injured as a result.

264. *“Ukraine urges more world pressure, says it repels Russian attack on eastern city”, Reuters, 24 May 2022*

3657. This article reported on a speech by President Zelenskyy at the World Economic Forum in Davos. He had stated, *inter alia*, that Ukrainian forces had successfully held off Russian attacks on Sievierodonetsk. President Zelenskyy also admitted that on 17 May 2022 a Russian missile had hit barracks housing troops in Desna, Chernihiv Region, killing eighty-seven Ukrainian servicemen.

265. *“Enemy again fires on Azot chemical plant, killing five people”, Ukrinform, 24 May 2022*

3658. This article reported on a social media post by Serhii Haidai, the governor of the Luhansk Region. He stated that on the morning of 21 May 2022 Russian forces had shelled the Azot chemical plant in Sievierodonetsk, which housed several bomb shelters. The governor said that four people had been killed by the attack, while one other local resident had been seriously injured in another shelling of the central part of the town.

266. *“Lyman under heavy enemy shelling, multiple casualties reported”, Ukrinform, 24 May 2022*

3659. This article reported on an interview by Oleksandr Zhuravlyov, the mayor of Lyman. He said that the situation in the town was very difficult amid heavy shelling of its southern and northern parts, with no electricity, water or gas supply since March. The mayor estimated the number of people left in Lyman at between 7,000 and 8,000. Many of them wanted to flee, he said, but there had been no possibility of evacuating them. He added there had been many reports of people being killed and wounded.

267. *“Sievierodonetsk, Avdiivka, Lyman: Russians shell all over front line and kill civilians”, Ukrinform, 24 May 2022*

3660. This article reported on a consolidated statement by the Donetsk and Luhansk Regional Military Administrations, according to which on 23-24 May 2022 continuous Russian shelling had caused the destruction of six houses in Sievierodonetsk, four in Zolote, and three in Novodruzhesk. Four civilians were reported to have been killed, all in one house, and four more injured across the two regions.

268. *“Ukraine: 200 bodies found in basement in Mariupol’s ruins”, Associated Press, 25 May 2022*

3661. This article by Elena Becatoros, Oleksandr Stashevskiy and Ricardo Mazalan reported on a statement by Petro Andryushchenko, an adviser to the mayor of Mariupol. He claimed that workers who were clearing rubble in the occupied city had found an apartment building with 200 dead bodies in its basement. The article also referred to a statement by the governor of the Donetsk Region, who stated that twelve people had been killed by Russian shelling.

269. *“Ukraine: 6 civilians killed as Russia focuses fire in east”, Independent, 25 May 2022*

3662. This article reported on a statement by Serhii Haidai, the governor of the Luhansk Region. He stated that during 24-25 May 2022 at least six civilians in the region had been killed by Russian shelling. The governor added that a further eight people had been injured by shelling in Sievierodonetsk. He accused the Russian military of targeting shelters where civilians were hiding.

270. *“Enemies shell Donetsk region. Houses, railway station, hospital, factory destroyed”, Ukrinform, 25 May 2022*

3663. This article reported on a press release by the National Police of Ukraine, which stated that during 24 May 2022 Russian forces had shelled

the Donetsk Region twenty-five times, causing destruction and casualties in a number of settlements. It was reported that a total of forty-five civilian buildings, including residential buildings, a hospital, a railway station, a factory, and critical infrastructure facilities, had been destroyed. Also, twelve civilians were reported to have been killed by shelling throughout Donetsk region on that day and ten more injured. The press release was illustrated with photographs depicting a house with a destroyed roof, a completely destroyed apartment building, and a private house with a fence and a car damaged by shrapnel.

271. *“Invaders launch missile strike on Kramatorsk”, Ukrinform, 25 May 2022*

3664. The article reported on a social media post by Oleksandr Honcharenko, the mayor of Kramatorsk, who stated that during the night of 24-25 May 2022 a Russian air strike had hit the town’s residential area, damaging private houses. No casualties had been reported.

272. *“Russian aircraft attacks Sumy region, damages houses, power lines”, Ukrinform, 25 May 2022*

3665. The article reported on a social media post by Dmytro Zhyvytskyi, the governor of the Sumy Region. He stated that at around 1 a.m. on 25 May 2022 a Russian aircraft had fired missiles from Russian territory at the village of Krasnopillya. He added that around twenty houses and power lines had been damaged by the strike, leaving the village without electricity. No casualties had been reported.

273. *“‘Nowhere is safe’: Ukrainians describe horrors of Russia invasion”, Al Jazeera, 26 May 2022*

3666. This article by Assed Baig reported on the situation in Donbas in May 2022. It quoted Ukrainian military, according to whom on 25 May 2022 Russian forces had shelled more than forty settlements in Donbas, destroying or damaging forty-seven buildings, including thirty-eight houses and a school. Also, one of the witnesses quoted in the article said that he had fled his home in Sievierodonetsk with just one suitcase and had nowhere to go.

274. *“Death toll in Russia’s shelling of Kharkiv rises to seven”, Ukrinform, 26 May 2022*

3667. The article reported on a social media post by Oleh Syniehubov, the governor of the Kharkiv Region. He stated that on 26 May 2022 Russian forces had shelled at least three districts of Kharkiv, killing seven civilians and injuring seventeen more, including a nine-year-old child.

275. *“About 70 bodies found in former Oktiabr plant territory in Mariupol”, Ukrinform, 27 May 2022*

3668. The article reported on a social media post by Petro Andryushchenko, an adviser to the mayor of Mariupol. He claimed that workers of the Russian emergency services who were clearing the rubble on Kuyindhzi Street in occupied Mariupol had found around seventy bodies on the territory of the former Oktiabr plant. He believed that those people had been blocked by a collapsed building after shelling.

276. *“Kharkiv shelling update: Nine killed, including infant”, Ukrinform, 27 May 2022*

3669. The article reported on a media statement by Oleh Syniehubov, the governor of the Kharkiv Region. He stated that on 26 May 2022 Russian forces had shelled residential areas of Kharkiv with Smerch, Tornado MRLSs and artillery, killing nine civilians, including an infant, and injuring a further nineteen people, including a nine-year-old child. The governor claimed that the attack had been launched from the north of the Kharkiv Region, where Ukrainian troops were holding their ground against Russians.

277. *“Enemy fires on 14 Donetsk region localities. Casualties reported”, Ukrinform, 27 May 2022*

3670. The article reported on a media statement by the National Police of Ukraine, according to which during 26 May 2022 Russian forces had shelled settlements in the Donetsk Region on twenty-one occasion. Thirty-two civilian objects, including critical infrastructure facilities, private houses, industrial buildings, a fire station and a recreation centre, were reported to have been destroyed. The police added that people had also been killed and wounded, but did not report on their numbers.

278. *“Severodonetsk is 90% destroyed – Luhansk regional governor”, Interfax, 28 May 2022*

3671. The article reported on a statement by Serhii Haidai, the governor of the Luhansk Region. Amid the withdrawal of Ukrainian forces from Sievierodonetsk, he estimated 90% of the town to have been destroyed without a prospect of restoring local communications.

279. *“Severodonetsk under assault as Kremlin forces continue to target Ukraine’s east”, The Washington Post, 29 May 2022*

3672. This article reported on the situation in the Luhansk Region amid the withdrawal of Ukrainian forces from Sievierodonetsk. In particular, it referred to President Zelenskyy, who had claimed that all of the town’s critical infrastructure had been destroyed by Russians, with most buildings

also damaged. Meanwhile, the Institute for the Study of War had estimated 95% of the Luhansk Region to be controlled by Russian forces.

280. *“Shelling of Mykolaiv: one killed, two injured, explosions in the city”, Ukrayinska Pravda, 29 May 2022*

3673. This article by Kateryna Tyshchenko reported on a social media post by Oleksandr Sienkevych, the mayor of Mykolaiv. He stated that on 29 May 2022 Russian forces had shelled a residential quarter in Mykolaiv, damaging three apartment buildings with about 300 windows broken and external walls damaged. He added that at least one person had been killed by the attack with two more persons injured.

281. *“Russian invaders open fire on 46 settlements, kill three civilians in JFO area”, Ukrinform, 30 May 2022*

3674. This article reported on a social media post by the Ukrainian Joint Forces Task Force, according to which on 29 May 2022 Russian forces had shelled forty-six settlements in the Donetsk and Luhansk Regions, leaving at least three civilians killed and seven others injured. It was also reported that thirty-nine civilian objects had been damaged or destroyed by these attacks, including thirty-three houses, two schools, two plants and commercial buildings.

282. *“What Happened on Day 96 of the War in Ukraine”, The New York Times, 30 May 2022*

3675. This article reported on the situation in eastern Ukraine on 29 May 2022. In particular, it stated that a private household in Lysychansk had been hit by Russian shelling, setting fire to a garage with local residents trying to save their possessions from the fire. The article was illustrated by a photograph of the garage in flames with an elderly woman at the front carrying an empty trolley.

283. *“Russian airstrike hits acid tank in Ukraine’s Sievierodonetsk, governor says”, Reuters, 31 May 2022*

3676. This article by Max Hunder reported on a statement by Serhii Haidai, the governor of the Luhansk Region. He stated that on 31 May 2022 a Russian airstrike had hit a nitric acid tank in Sievierodonetsk, and urged the local residents to shelter to avoid toxic fumes. The article added that the governor’s post contained a photograph of a large pink cloud rising above apartment buildings.

284. *“Russian strike hits nitric acid tank at chemical plant in Sievierodonetsk”, Ukrinform, 31 May 2022*

3677. This article reported on a statement by Serhii Haidai, the governor of the Luhansk Region. He stated that on 31 May 2022 a Russian airstrike had hit a nitric acid tank in Sievierodonetsk. The governor added that this substance was dangerous for humans if inhaled or in contact with skin.

285. *“Russia-Ukraine war: what we know on day 97 of the invasion”, The Guardian, 31 May 2022*

3678. This article by Geneva Abdul reported on a social media post by an unnamed Ukrainian official, who said that a Russian air strike had hit a chemical plant in Sievierodonetsk. The local residents had been urged to stay at home, the article added.

286. *“Residential houses damaged, two civilians killed in Russia’s shelling of Mykolaiv”, Ukrinform, 1 June 2022*

3679. This article reported on a social media post by Oleksandr Sienkevych, the mayor of Mykolaiv. He stated that on 1 June 2022 Russian forces had shelled residential areas in two districts of Mykolaiv, damaging two apartment buildings and four private houses. The mayor said that one person had been killed at the scene and another one had died in hospital, with two more civilians left injured by the attack. He added that a gas pipeline had also been hit, interrupting the gas supply to eighty households. The article included pictures of apartment buildings with broken windows and a playground with a damaged deck.

287. *“Russian artillery hits monastery in Ukraine’s east, says Zelenskiy”, Reuters, 4 June 2022*

3680. This article by Aleksandar Vasovic reported on a statement by President Zelenskyy, who had stated that on 2 June 2022 Russian artillery had hit and torched the All Saints church, a part of the Sviatohirsk Lavra monastery that belonged to the Ukrainian Orthodox Church of the Moscow Patriarchate. The article added that two monks and a nun had been killed in another shelling of the monastery on 1 June 2022. Russia’s Ministry of Defence, quoted in the article, denied its involvement and accused Ukrainian forces of setting the church on fire.

288. *“Lviv Oblast attack: 4 missiles launched from Black Sea hit rail infrastructure”, Ukrayinska Pravda, 2 June 2022*

3681. This article reported on a social media post by Maksym Kozytskyi, the governor of the Lviv Region. He stated that on the night of 1 June 2022, between 10.45 and 10.55 p.m., Russian forces had launched missile strikes

on the Stryi and Sambir districts of the Lviv Region, damaging railway tracks and level crossings. The article added that there had been three people injured in the Stryi district and two in the Sambir district.

289. *“1 killed, 8 injured in enemy shelling of Kharkiv region”, Ukrinform, 2 June 2022*

3682. This article reported on a social media post by Oleh Syniehubov, the governor of the Kharkiv Region. He stated that on the night of 1 June 2022 several districts of Kharkiv had been shelled by Russian forces, killing one woman, injuring one man and damaging a school. He added that during a daytime shelling of Kharkiv on 2 June 2022 two more civilians had been injured. The governor said that apart from Kharkiv, other towns and villages in the region had also been shelled, with one civilian reportedly injured in Tsyrukun and four more in the Chuhuiv district.

290. *“Russians kill three civilians in Donetsk region”, Ukrinform, 2 June 2022*

3683. This article reported on a social media post by Pavlo Kyrylenko, the governor of the Donetsk Region. He stated: “On 2 June 2022 Russians killed three civilians in the Donetsk Region: two in Avdiivka and one in Staryi Karavan”. The governor did not clarify what had caused the deaths, but added that nine other people had been injured.

291. *“Six bodies found under rubble of Mariupol household hit by Russian tank”, Ukrinform, 3 June 2022*

3684. This article reported on a social media post by Petro Andryushchenko, an adviser to the mayor of Mariupol. He claimed that on 2 June 2022 Russian authorities in Mariupol had retrieved six bodies of civilians, five male and one female, from a house which had earlier been shot at by a Russian tank during the battle for the city. He further claimed that the retrieved bodies had subsequently been taken to a mass grave in Vynohradne to cover up the incident.

292. *“Russians open fire on residential houses in Mykolaiv”, Ukrinform, 4 June 2022*

3685. The article reported a social media post by Hanna Zamazieieva, the head of Mykolaiv Regional Council. She stated that during 3-4 June 2022 Russian forces had shelled residential areas of Mykolaiv and other communities in the region. She added that “some civilians” had reportedly been killed, while a total of twenty-nine civilians had also been injured by shelling on that day. This number added to the 271 civilians who were

receiving treatment to in hospitals across the region for injuries sustained from shelling.

293. *“3 killed, 4 injured in yet another enemy strike on Mykolaiv”, Ukrinform, 4 June 2022*

3686. This article reported on a social media post by Oleksandr Sienkevych, the mayor of Mykolaiv. He stated that on the morning of 4 June 2022 Russian forces had shelled the Korabelnyy district of the city, killing three people and injuring four. The article added that according to preliminary information, three apartment buildings had been damaged by the strikes.

294. *“Twenty-nine people wounded over 24 hours in Mykolaiv region”, LB.ua, 4 June 2022*

3687. The article reported a social media post by Hanna Zamazieieva, the head of Mykolaiv Regional Council. She stated that during 3-4 June 2022 Russian forces had shelled Mykolaiv, Ochakiv and three other communities in the region, causing injuries to twenty-nine people. She added that there had been “dead and seriously wounded”, but did not provide their numbers.

295. *“One person killed, one more injured in Russia’s shelling of Derhachi community”, Ukrinform, 6 June 2022*

3688. This article reported on a social media post by Kharkiv regional emergency services. It stated that on 6 June 2022 a Russian shell had hit a gas pressure pipeline in the community of Derhachi. The strike had reportedly caused damage to this element of critical infrastructure, and had killed one person and injured another.

296. *“Russians hit Azot plant in Sievierodonetsk, damaging ammonia workshop”, Ukrinform, 8 June 2022*

3689. This article reported on a statement by Serhii Haidai, the governor of the Luhansk Region. He stated that in the evening of 8 June 2022 Russian forces had twice hit a chemical plant in Sievierodonetsk, causing damage to an ammonia production workshop. The governor also reported that during 6-8 June 2022 at least four local residents, three in Lysychansk and one in Sievierodonetsk, had been killed by shells. Six more residents of Lysychansk had reportedly been injured.

297. *“The head of the Luhansk oblast Haidai: the Russians continue to storm Sievierodonetsk, and in Lysychansk fired on the market and school”, Babel, 7 June 2022*

3690. This article reported on a statement by Serhii Haidai, the governor of the Luhansk region. He stated that on 7 June 2022 Russian forces had

shelled Lysychansk, hitting a local market, a school and a college. Two civilians had reportedly been injured in the school. The governor also reported that thirteen private houses had been destroyed that day by shelling in Zolote, and eleven more had been damaged in Hirske.

298. *“Russian attack destroys warehouses of major Ukrainian commodity terminal, company says”, Reuters, 7 June 2022*

3691. According to this article, on 4 June 2022 the warehouses of one of the largest commodity terminals in Ukraine had been destroyed as a result of shelling by the Russian Armed Forces.

299. *“1 killed, 3 injured in recent Russia’s strike on Kharkiv”, Ukrinform, 7 June 2022*

3692. According to this article, on 7 June 2022 one person had been killed and three others injured in a strike by Russian forces on Kharkiv.

300. *“Police documented 21 strikes by Russian troops across Donetsk region over the past day”, Ukrinform, 7 June 2022*

3693. According to this article, police had documented twenty-one strikes by Russian troops in the Donetsk Region during 6 June 2022. Among those killed and wounded by shelling there were children. The Russian troops had fired missiles and artillery, as well as Grad, Smerch and Uragan MLR systems. Sixteen households, seven apartment blocks, a poultry farm, a local enterprise and other sites had been destroyed.

301. *“Russian troops again shell Kharkiv, at least two civilians injured”, Ukrinform, 7 June 2022*

3694. According to this article, as of 7 June 2022, Russian troops were continuously shelling residential areas in the Kharkiv Region, resulting in injuries to at least two civilians and the death of two civilians.

302. *“Russian aviation strikes Bakhmut. School destroyed, casualties reported”, Ukrinform, 8 June 2022*

3695. According to this article, as a result of an airstrike by the Russian troops on the town of Bakhmut, Donetsk Region, on 8 June 2022, a local school had been completely destroyed and casualties were recorded.

303. *“Strikes on Donetsk region – Russian army destroys dozens of houses, school, kindergarten”, Ukrinform, 8 June 2022*

3696. According to this article, the police had recorded eleven strikes by the Russian troops in the Donetsk Region on 7 June 2022. The Russian troops

had struck Avdiivka, Kurakhove, Sloviansk, Toretsk, Ocheretyne, Lastochkyne and New York. As a result of the strike, forty-three civilian objects had been destroyed: thirty-one residential houses, a school, a kindergarten, an enterprise, an administrative building, a dormitory, a power line, and so on.

304. *“2 civilians killed in fires caused by Russian shelling of Kharkiv on 8 June”, Ukrayinska Pravda, 9 June 2022*

3697. According to this article, as a result of shelling by Russian troops on 8 June 2022 two people had died, four people had sustained injuries, and civilian objects including a school library and school had been damaged. On 8 June 2022 shelling by Russian troops had caused sixteen fires in Kharkiv Region.

305. *“The Russians burned the Severodonetsk Ice Palace”, Ukrayinska Pravda, 9 June 2022*

3698. As indicated in this article, on 9 June 2022 the Russian troops destroyed one of the symbols of Sievierodonetsk - the Ice Palace concert hall.

306. *“Russian planes, tanks and Iskander systems destroy Donetsk Region”, Ukrinform, 9 June 2022*

3699. According to this article, on 8 June 2022 the Russian troops had opened fire on fourteen settlements, which resulted in the death of eight civilians and injuries to sixteen more. Aviation, Iskander missile systems, Uran and Smerch multiple launch rocket systems, artillery and tanks were used. A total of thirty-seven civilian objects had been damaged (two schools, twenty-six residential houses, farm, grain storage facilities).

307. *“Enemy fires on 23 localities in eastern Ukraine, killing three civilians”, Ukrinform, 10 June 2022*

3700. This article stated that Russian forces had fired on twenty-three settlements across Donetsk and Luhansk, killing at least three civilians, wounding at least one more, and destroying forty-nine residential buildings, farms, factories and transport and water infrastructure.

308. *“Invaders shell Kryvyi Rih and Dnipro districts”, Ukrinform, 10 June 2022*

3701. According to the article, on 10 June 2022 Russian shelling in Zelenodolsk, Kryvyi Rih district, had resulted in a woman being injured.

309. *What Happened on Day 108 of the War in Ukraine, The New York Times, 11 June 2022*

3702. According to the article, a Russian missile had struck one of Ukraine's largest grain warehouses, which had resulted in the destruction of up to 300,000 tonnes of grain.

310. *"Chortkiv - rocket attack – 23 wounded, among them a child", Ukrayinska Pravda, 11 June 2022*

3703. According to this article, on 11 June 2022 a Russian rocket attack on Chortkiv had injured twenty-three civilian people (including a child)

311. *"Russians strike Vrubivka, enter Orikhove, storm Sievierodonetsk", Ukrinform, 11 June 2022*

3704. According to the article, the Russian troops had struck Vrubivka with heavy flamethrowers. As a result of the attack, houses had been burnt down and damage had been caused to a school, culinary lyceum, railway depot and several businesses.

312. *"Amid fierce fighting, Russian forces cut last Sievierodonetsk escape route", "Russia destroys last bridge to Sievierodonetsk, Ukraine says", Reuters, 13 June 2022*

3705. According to these articles, as of 13 June 2022, all bridges out of Sievierodonetsk had been destroyed, making it impossible to bring in humanitarian cargoes or evacuate citizens. Russian artillery fire had pummelled the Azot chemical plant, where hundreds of civilians were sheltering.

313. *"Amnesty says Russia guilty of war crimes in Kharkiv shelling", Reuters, 13 June 2022*

3706. According to this article, during a fourteen-day investigation in April and early May 2022, Amnesty International said that it had found evidence that Russia had used cluster munitions and scatterable mines in Kharkiv.

314. *"Ukrainians In Bakhmut Endure Russian Shelling As War Draws Closer", RFE-RL, 13 June 2022*

3707. According to this article, the Russian artillery had hit Bakhmut on 13 June 2022, which had resulted in the death of three civilians and damage to apartment buildings and vehicles.

315. *“6-year-old boy killed in Russian strike on Lysychansk”, Ukrinform, 13 June 2022*

3708. According to the article, a Russian strike on Lysychansk on 12 June 2022 had killed three people (including a child), injured one other, burned down a shopping centre, and damaged four houses.

316. *“Russian invaders attack Sumy Region with mortar systems, drone”, Ukrinform, 13 June 2022*

3709. According to this article, as a result of Russian mortar fire and munitions (rocket propelled grenade) dropped from an unmanned aerial vehicle in the Sumy Region, two people had been injured and one person killed on 13 June 2022.

317. *“Casualties reported as eight Donetsk region localities come under Russian fire”, Ukrinform, 14 June 2022*

3710. According to the article, on 14 June 2022, the Russian artillery and missiles had struck eight settlements in the Donetsk Region, destroying forty residential buildings, various commercial buildings, a school and a kindergarten.

318. *“Enemy drops munitions by parachutes on Kharkiv region”, Ukrinform, 14 June 2022*

3711. According to the article, on 14 June 2022 the Russian forces had dropped parachute munitions on the village of Zolochiv, damaging four houses.

319. *“Enemy missile downed over Lviv Region: Four civilians injured, including child”, Ukrinform, 14 June 2022*

3712. According to the article, on 14 June 2022 the fragments of a downed Russian missile had fallen onto a brick factory, injuring four civilians, including a child.

320. *“Four killed as enemy strikes Apostolove in Dnipropetrovsk region”, Ukrinform, 15 June 2022*

3713. According to the article, as a result of a Russian rocket strike on 15 June 2022 on the town of Apostolove, Dnipropetrovsk Region, four people had died.

321. *“Russians fire at Donetsk Region’s settlements 13 times, casualties reported”, Ukrinform, 15 June 2022*

3714. According to the article, Russian forces had attacked thirteen settlements across the Donetsk Region, damaging houses, hospitals and vehicles, and leaving hundreds of homes without water and/or electricity.

322. *“Russians fire on Mykolayiv. Four-story block damaged, person injured”, Ukrinform, 15 June 2022*

3715. According to the article, on 15 June 2022 the Russian forces had attacked a residential neighbourhood of Mykolayiv, hitting a four-storey apartment block and injuring one civilian.

323. *“Air strike kills four civilians in Ukraine’s Lysychansk, more feared trapped - governor”, Reuters, 16 June 2022*

3716. According to the article, the Lysychansk governor Serhiy Gaidai had reported that Russian air strikes had hit a civilian shelter in Lysychansk, killing four and wounding seven civilians.

324. *“Four killed in overnight rocket strike on outskirts of Ukraine’s Sumy - governor”, Reuters, 16 June 2022*

3717. According to the article, an air-launched rocket strike on Dobropillia, Sumy Region, during the night of 16 June 2022 had resulted in the deaths of four civilians and injuries to six.

325. *“Three civilians die in landmine explosion, one killed in airstrike in Sumy Oblast”, The New Voice of Ukraine, 16 June 2022*

3718. According to the article, as a result of a rocket strike by the Russian forces on Hlukhiv, Sumy Region on 15 June 2022, one civilian person had died and six civilians were injured. The same day an explosion of the Russian land mine had resulted in the destruction of a car, the deaths of three civilians and injuries to one civilian.

326. *“Ukraine says evacuation from Sievierodonetsk chemical plant ‘impossible’”, Reuters, 17 June 2022; “Evacuation from Sievierodonetsk Azot plant is impossible - Head of Luhansk Oblast Military Administration”, Ukrayinska Pravda, 17 June 2022*

3719. According to the articles, the Ukrainian authorities had indicated that the evacuation of 568 civilians (including thirty-eight children) sheltering in bunkers under the Azot chemical plant in Sievierodonetsk was impossible as of 17 June 2022.

327. *“1 killed, 2 injured in night attack on Kharkiv city and region”, Ukrinform, 28 May 2022*

3720. According to the article, on 28 May 2022 shelling by Russian forces of Slatyne and Balakliya, Kharkiv Region, had resulted in the death of one woman and injuries to two civilians.

328. *“Russian missile strike on Mykolaiv kills two, injures 20”, “One killed, six injured in Russian strike on Mykolaiv”, Ukrinform, 17 June 2022*

3721. According to the articles, on 17 June 2022 a Russian missile and artillery attack on Mykolaiv had resulted in the deaths of three civilians, injuries twenty-six civilians and damage to four apartment buildings.

329. *“Missiles hit gasworks in eastern Ukraine, regional governor says”, Reuters, 18 June 2022*

3722. According to the article, on 18 June 2022 a large fire had broken out at the gasworks in the Iziurm district, Kharkiv Region, which had resulted in damage to residential property. The fire had been caused by a missile attack by the Russian forces on a gasworks.

330. *“Civilians killed in Russia’s shelling of Donetsk Region, Luhansk Region – update on situation across Ukraine”, Ukrinform, 18 June 2022*

3723. According to the article, the Russian forces had shelled several residential settlements in the Donetsk and Luhansk Regions on 18 June 2022, which had resulted in the deaths of three civilians, the destruction of dozens of houses and damage to apartment buildings, schools and commercial property.

331. *“Invaders attack Mykolayiv city with missiles twice”, Ukrinform, 18 June 2022*

3724. According to the article, on 18 June 2022 Mykolaiv had twice been attacked by the Russian missiles, damaging industrial facility and a residential building.

332. *“Two people injured in missile strike on Kryvyi Rih”, Ukrinform, 18 June 2022*

3725. According to the article, on 18 June 2022, as a result of the Russian missile strike on Kryvyi Rih city, Dnipropetrovsk Region, two people had been injured, two houses had been destroyed, and a fire had broken out at a social infrastructure facility.

333. *“Russian missiles destroy fuel depot in east Ukraine, killing one, official says”, Reuters, 19 June 2022; “50 rescuers extinguishing fire caused by Russian missile attack on oil depot”, Ukrinform, 19 June 2022*

3726. According to the articles, a fuel storage depot had exploded in Novomoskovsk, killing one and injuring two persons, following a missile attack by the Russian forces on 19 June 2022

334. *“Enemy shelling causes fire in Sumy Region, woman injured”, Ukrinform 19 June 2022*

3727. According to the article, on 19 June 2022, Russian Armed Forces had attacked the city of Seredyna-Buda, Sumy Region, with mortar shells, causing the destruction of one house and damage to nine others. One civilian was injured as result of the shelling.

335. *“Russians fire at Huliaipole community: Houses, shop and oil mill damaged”, Ukrinform, 19 June 2022*

3728. According to the article, on 18 June 2022 Russian artillery attacks had destroyed and damaged dozens of houses and commercial premises in the village of Hulyaypole.

336. *“Russia’s fierce fighting in Ukraine industrial city as Kyiv suffers loss”, NDTV World, 20 June 2022*

3729. According to the article, on 20 June 2022, the Russian military forces invaded to Metyolkine and attacked the Azot chemical plant in Sievierodonetsk, where civilians had been sheltering, making the latter’s evacuation impossible.

337. *“Port of Odesa hit by missile attack as Russian forces advance in eastern Ukraine”, The Globe and Mail, 20 June 2022*

3730. According to the article, on 20 June 2022 a Russian missile attack had destroyed a food warehouse in Odesa.

338. *“Russia Causes Catastrophic Destruction in East Ukraine City”, NDTV World, 21 June 2022*

3731. According to the article, on 20 June 2022, one person had been killed and ten residential blocks and a police station in Lysychansk had been destroyed as result of shelling by the Russian military forces.

339. *“‘Everything that can burn is on fire’ as Russia bombards eastern Ukraine”, PBS, 21 June 2021*

3732. According to the article, as at 21 June 2022, the Azot chemical plant, where 500 civilians were sheltering, was being bombarded by the Russian military forces.

340. *“Russia bears down on Lysychansk, targeting police and judicial buildings”, The Guardian, 22 June 2022; “Russia Gains in Eastern Ukraine, Threatening to Overrun Luhansk”, The New York Times, 22 June 2022*

3733. According to the articles, in June 2022 Sievierodonetsk and its neighbouring city, Lysychansk, continued to have been attacked by Russian missiles, destroying, among other things, residential buildings and civilian infrastructure. As indicated by the governor of the Kharkiv Region, as a result of Russian attacks on civilian infrastructure, at least fifteen civilians had been killed and sixteen wounded in the Kharkiv Region.

341. *“Mykolaiv Keeps Defying Russia’s Attacks on Ukraine’s Black Sea Coast”, The New York Times, 22 June 2022*

3734. On 17 June 2022, the home of a civilian, Anna Svetlaya, in Mykolaiv, had been attacked by the Russian missile, causing her bodily injuries. Another civilian, Vlad Sorokin, was also a victim of the missile attack in Mykolaiv, having suffered broken ribs and punctured lungs, and had his right hip and one knee blown to bits. A Russian strike had caused the death of one civilian and injuries to twenty others.

342. *“Ukraine war: Russia aiming to ‘destroy’ Donbas, Zelensky says”, BBC, 23 June 2022; “Russian captures two villages as advance in Eastern Ukraine continues”, PBS, 23 June 2022*

3735. According to the articles, on 22 June 2022, massive air and artillery strikes had destroyed infrastructure and housing in Lysychansk. Sievierodonetsk was also heavily shelled every day, impeding the evacuation of civilians from the city, and particularly from the Azot chemical plant.

343. *“UN says over 150 Ukraine cultural landmarks destroyed by Russia’s war”, The Times of Israel, 23 June 2022*

3736. According to the article, citing UNESCO reports, as at 23 June 2022 the repeated attacks on Ukrainian cultural sites had resulted in the destruction of 152 cultural objects including churches (and other religious sites), museums, monuments, libraries and other exceptional buildings.

344. *“What does Russia’s capture of Severodonetsk mean for Ukraine?”*, *Al Jazeera*, 24 June 2022; *“Ukrainian army leaving battered city for fortified positions”*, *Associated Press*, 24 June 2022; *“Lysychansk: Ukraine Loses Key Town As Russia Claims 2,000 Ukrainian Troops Encircled”*, *NDTV World*, 24 June 2022; *“Ukraine Loses Key Town as Russia Claims It Surrounds Troops”*, *US News*, 24 June 2022

3737. According to the articles, as of 23 June 2022 the Ukrainian forces had started abandoning the town of Sievierodonetsk, Luhansk Region, under the pressure of the Russian forces. Much of the city’s electricity, water and communications infrastructure had been destroyed. Russian bombardment of Sievierodonetsk had destroyed 80% of buildings. A similar situation was seen in the city of Lysychansk.

345. *“Russia launches missiles across Ukraine, cements gains in east”*, *CBS*, 25 June 2022; *“Russia has launched widespread shelling and airstrikes, Ukraine officials say”*, *The Guardian*, 25 June 2022

3738. According to the articles, as at 24 June 2022, the Azot chemical plant, located in Sievierodonetsk, and nearby villages had been heavily bombarded by the Russian forces.

346. *“Ukraine war: Missiles hit targets across country as G7 rallies over Russia”*, *BBC*, 26 June 2022

3739. According to the article, on 26 June 2022, Cherkasy, in the Kyiv Region, had been subjected to a rocket attack by the Russian forces. An apartment block had been destroyed in Kyiv, killing one civilian and wounding six others (including a seven-year-old girl).

347. *“Russia strikes Kyiv as troops consolidate gains in the east”*, *Politico*, 26 June 2022; *“Ukraine war: Kyiv attacked by Russia for first time in weeks as one killed and several injured in missile strikes”*, *Sky News*, 26 June 2022; *“G7 Leaders Work to Punish Russia Over Ukraine War”*, *The New York Times*, 26 June 2022

3740. According to the articles, on 26 June 2022 Russian forces had attacked Kyiv, striking at least two residential buildings and a kindergarten. The attack had resulted in injuries to four civilians.

348. *Eight killed, 21 wounded in Russian missile attack on Lysychansk - local governor*, *Reuters*, 27 June 2022

3741. According to the article, on 27 June 2022 a Russian missile attack on Lysychansk had resulted in the death of eight civilians and injuries to twenty-one others.

349. *“Eight people, including child, injured in missile strike in Odesa region”, Ukrinform, 27 June 2022*

3742. According to the article, on the night of 27 June 2022, a Russian missile strike on a residential area in the Odesa Region had resulted in the destruction of civilian property and injuries to eight people.

350. *“‘It was hell’, survivors say of Russian missile strike on busy mall in Ukraine”, Reuters, 28 June 2022; “Russian missile strike kills 16 in shopping mall, Ukraine says”, Reuters, 28 June 2022; “Shopping mall attack sows fear far from Ukraine’s frontlines”, Reuters, 28 June 2022; “Dozens missing after Russian missile strike on mall kills 18”, Reuters, 29 June 2022; “Pope: Ukraine shopping centre bombing the latest ‘barbarous’ attack”, Reuters, 29 June 2022*

3743. According to the articles, on 27 June 2022, a Russian missile strike on a shopping centre in Kremenchuk had caused the death of eighteen people and injuries to fifty-nine civilians. More than forty people had been reported missing. Approximately one thousand people had been in the shopping centre at the time of attack.

351. *“Russian shelling kills five civilians in Ukraine’s Kharkiv – governor”, Reuters, 28 June 2022*

3744. According to the article, on 27 June 2022 the Russian forces had attacked Kharkiv with air missiles, killing five civilians and wounding twenty-two others. The attack had also resulted in the destruction of private homes and damage to one of the city’s schools.

352. *“Missile strike damages military object, stadium, social infrastructure in Mykolayiv city”, Ukrinform, 28 June 2022*

3745. According to the article, on 28 June 2022 Mykolayiv and the area around the city had been attacked by the Russian forces, damaging a city stadium, social infrastructure and agricultural facilities.

353. *“One child killed, four injured in Russia’s missile attack on Ochakiv this morning”, Ukrinform, 28 June 2022*

3746. According to the article, a missile attack by the Russian forces on Ochakiv on the morning of 28 June 2022 had resulted in injuries to six civilians and the death of a six-year-old child.

354. *“Rescuers search for people trapped under rubble after Russia’s missile attack on Dnipro”, Ukrinform, 28 June 2022*

3747. According to the article, on 28 June 2022 a Russian missile had hit an industrial enterprise in the Dnipropetrovsk Region, damaging buildings and vehicles.

355. *“Russia’s shelling of Mykolaiv Region: Grain storage damaged, wheat plantations destroyed in fire”, Ukrinform, 28 June 2022*

3748. According to the article, on 27 June 2022 shelling of the Mykolaiv Region by the Russian forces had resulted in damage to grain storage facilities and the destruction of wheat plantations.

356. *“Russian missile strike in Ukraine’s Mykolaiv blamed for three deaths”, Reuters, 29 June 2022; “Death toll in Russia’s missile strike on Mykolaiv rises to six”, Ukrinform, 30 June 2022*

3749. According to the articles, on 29 June 2022 a Russian missile strike on an apartment block in Mykolaiv had resulted in the death of six civilians and injuries to another six.

357. *“Russian rockets hit farm, agricultural machinery in Kherson region”, Ukrinform, 30 June 2022*

3750. According to the article, on 29 June 2022 the Russian army had launched rocket strikes at the village of Novovorontsovka, Kherson Region, damaging agricultural machinery and a farm.

358. *“Russians fire at apartment block in Huliaipole”, Ukrinform, 30 June 2022*

3751. According to the article, on 30 June 2022 the Russian forces had hit a five-storey apartment block in Huliaipole, Zaporizhzhia region, almost completely destroying it.

359. *“Six civilians injured as enemy fire cluster munitions at Sloviansk”, Ukrinform, 30 June 2022*

3752. According to the article, on 30 June 2022 the Russian forces had shelled Sloviansk with cluster munitions, injuring six civilians.

360. *“Ukrinform - Seven wounded in Russia’s shelling of Mykolaiv”, Ukrinform, 28 May 2022*

3753. According to the article, on 28 May 2022 shelling of residential areas in Mykolaiv by the Russian forces had resulted in death of one civilian, injuries to seven others and damage to eight apartment buildings.

361. *“Woman injured, church and kindergarten damaged in Russian strike on Sumy region”, Ukrinform, 28 May 2022*

3754. According to the article, on 28 May 2022 the Sumy Region had been attacked by Russian air strikes, injuring a woman and damaging a church, kindergarten, private house and road.

362. *“Russia’s War on Ukraine”, ECHO (via Reliefweb), 1 July 2022*

3755. According to the article, on 1 July 2022 Russian missiles had hit an apartment building, a resort near Odesa and a recreational centre, killing twenty people.

363. *“Russian missiles hit port infrastructure, enterprises in Mykolayiv”, Ukrinform, 2 July 2022*

3756. According to the article, on 2 July 2022 the Russian forces had damaged port infrastructure and private enterprises in Mykolaiv in an air missile attack.

364. *“Russian shelling kills six in eastern Ukrainian city of Sloviansk”, Reuters, 3 July 2022; “Child reported killed in Russia’s massive shelling of Sloviansk”, Ukrinform, 3 July 2022*

3757. According to the articles, on 3 July 2022 shelling of Sloviansk by Russian forces had resulted in the death of six civilians (including a child) and the destruction of houses and municipal enterprises.

365. *“Enemy launches air strike on Kharkiv this morning. School destroyed”, Ukrinform, 4 July 2022*

3758. According to the article, on 4 July 2022 air strikes on Kharkiv by the Russian forces had resulted in the death of three civilians and injuries to six others. A local school had been severely damaged as a result of the air strike.

366. *“Residents of Russian-occupied Mariupol dying from lack of medicines”, Ukrinform, 4 July 2022*

3759. According to the article, as of 4 July 2022, owing to the destruction of the city by the Russian forces, the residents of Mariupol were experiencing a critical lack of medicine, fresh water and power and gas supply.

367. *“Russian helicopter fires missiles at school in Sumy Region”, Ukrinform, 4 July 2022*

3760. According to the article, on 4 July 2022 a city school in Sumy had been attacked by 2 missiles from a Russian helicopter..

368. *“TV crew of France 24 comes under Russian fire in Donetsk region”, Ukrinform, 4 July 2022*

3761. According to the article, shelling of Donetsk by the Russian forces had resulted in the death of nine people and injuries to another twenty-five. France 24 journalists filming in the region had also been shelled.

369. *“One of Russian missiles hit cultural institution in Mykolaiv”, Ukrinform, 5 July 2022*

3762. According to the article, on 5 July 2022 a Russian missile had hit the House of Culture in the city of Mykolaiv, entirely destroying the building.

370. *“Private enterprise destroyed, over 100 flats damaged in Russia’s missile strike on Shostka”, Ukrinform, 5 July 2022*

3763. According to the article, a Russian missile strike in Sumy on 5 July 2022 had destroyed a local enterprise and damaged more than 100 apartments.

371. *“Russia pounds rebel-claimed region, Ukraine pushes back”, AP News, 6 July 2022*

3764. According to the article, as a result of Russian shelling of Avdiivka, Sloviansk, Krasnohorivka and Kurakhove and a missile strike on Kharkiv on 6 July 2022, six civilian people had died and three had sustained injuries.

372. *“Multiple Russian strikes kill at least two in Ukrainian city of Sloviansk – officials”, Reuters, 6 July 2022*

3765. According to the article, on 5 July 2022 Russian forces had attacked a market and a residential area in Sloviansk, killing two civilians, injuring seven others and damaging residential property.

373. *“One killed in Russian strike on Kharkiv University”, Ukrinform, 6 July 2022*

3766. According to the article, on 6 July 2022 one person had died and a university building had been damaged as result of a Russian attack on Kharkiv.

374. *“Russia’s shelling of Mykolaiv Region: two civilians killed, lots of destructions reported”, Ukrinform, 6 July 2022*

3767. According to the article, on 5 July 2022 two civilians had been killed and crop fields with two power transmission towers had been damaged as a result of shelling by Russian forces.

375. *“Russian shelling kills three, wounds five in Ukraine’s Kharkiv – official”, Ukrinform, 8 July 2022*

3768. According to the article, on 7 July 2022 three people had died and five civilians had been injured as a result of a Russian attack on Kharkiv.

376. *“Enemy shelled Avdiivka more than 10 times in past day. Casualties reported”, Ukrinform, 7 July 2022*

3769. According to the article, on 7 July 2022 Russian forces had shelled Avdiivka, killing one civilian, injuring two others and damaging a hospital, residential buildings, a bus depot and commercial premises.

377. *“One civilian killed, six injured in Russia’s missile strike on Kramatorsk”, Ukrinform, 7 July 2022*

3770. According to the article, Russian missile attacks on Kramatorsk on 7 July 2022 had resulted in the death of one civilian and injuries to six others. Six private buildings had been damaged.

378. *“One killed as Russian missile hits Ukraine’s Kramatorsk”, Reuters, 8 July 2022*

3771. According to the article, on 8 July 2022 one person had been killed and six wounded as a result of a Russian missile strike on Kramatorsk. The strike had also caused damage to residential property.

379. *“Five civilians die in intensive care after strikes on Bakhmut and Siversk”, Ukrinform, 8 July 2022*

3772. According to the article, five civilians had died and three had been wounded following Russian strikes on Bakhmut and Siversk on 8 July 2022. The strikes had damaged civilian houses and cars.

380. *“It’s impossible to restore water supply in Mariupol, occupiers admit”, Ukrinform, 8 July 2022*

3773. According to the article, as at 8 July 2022 the restoration of water supply in Mariupol was impossible after its destruction by Russian forces. Apart from that, there was no power and gas supply at the time, while approximately 100,000 people remained in the city.

381. *“Russians kill six civilians in Donetsk region”, Ukriform, 8 July 2022*

3774. According to the article, on 7 July 2022 Russian forces had killed six civilians and injured twenty-six others in the Donetsk Region.

382. *“Russian forces shell Mykolaiv region, damage railways, houses”, Ukrinform, 9 July 2022*

3775. According to the article, on 9 July 2022 Russian troops had damaged two railway stations and houses in the Mykolaiv Region.

383. *“Russians strike residential areas of Kryvyi Rih with Grad MLRS, casualties reported”, Ukrinform, 9 July 2022*

3776. According to the article, on 9 July 2022 a missile attack by Russian forces at Kryvyi Rih had resulted in the death of one civilian and injuries to two others. The attacks had caused damage to a school, residential houses and a car.

384. *“Three civilians killed, nine injured by enemy shelling in Donetsk region”, Ukrinform, 9 July 2022*

3777. According to the article, on 9 July 2022, as a result of Russian shelling of the Donetsk Region, three civilians had died and nine had been injured. The attack had also caused damage to commercial and residential property.

385. *“15 killed in Russian strike in Ukraine, 20 believed trapped”, Politico, 10 July 2022*

3778. This article reported on a Russian strike on the town of Chasiv Yar, Donetsk Region, on 9 July 2022. It stated that the strike had hit three apartment buildings, killing at least fifteen people with more than twenty believed to be trapped under the rubble. Those buildings were inhabited mostly by local factory workers, the article said. The governor of the Donetsk Region, Pavlo Kyrilenko, stated that a total of twenty-four people had been trapped under the rubble, while the emergency services said that they had been able to dig out six people and make contact with another three who were still trapped. The governor believed the strike to have been carried out with a Russian Uragan MRLS, while the deputy chief of the emergency services, Vyacheslav Boitsov, said that it had more likely been carried out with Iskander missiles. The Ministry of Defence of the Russian Federation did not provide any comment on the incident.

386. *“Russian rockets hit apartment block, killing at least 15”, Reuters, 10 July 2022*

3779. This article by Max Hunder reported on a Russian strike on Chasiv Yar on 9 July 2022. It stated, referring to unnamed Ukrainian officials, that Russian rockets had hit a five-storey apartment block, killing at least fifteen people with twenty-four more believed to be trapped under the rubble.

387. *“1 killed, 2 injured in enemy strikes on Kharkiv region”, Ukrinform, 10 July 2022*

3780. This article reported on a social media post by Oleh Syniehubov, the governor of the Kharkiv Region. He had stated that on 9 July 2022 Russian forces had shelled four districts of the region. He reported that one man in Izium had been injured and hospitalised. In Pechenihiy, a private house had been hit, killing one woman and injuring another, while in the Bohodukhiv and Kharkiv districts fires had broken out in open areas and warehouses.

388. *“A hail of Russian strikes brings terror to Ukraine’s east”, The New York Times, 11 July 2022*

3781. This article by Matthew Mpoke Bigg and Carlotta Gall reported on a series of Russian strikes on 10-11 July 2022 in eastern Ukraine. It stated that during that period at least eight people had been killed by shelling. Also, the article said that on 11 July 2022 the emergency services had continued clearing up the rubble in Chasiv Yar after a strike that had hit an apartment building on 9 July 2022. The death toll from that attack had risen to thirty with nine people dug out and saved. The governor of the Donetsk Region, Pavlo Kyrylenko, had meanwhile stated that the overall toll of civilian deaths in the region had reached 600 since the full-scale invasion. The article also mentioned that a Russian missile had hit and destroyed a school in Kharkiv at around 3.40 a.m. on 11 July 2022. Finally, referring to unnamed Ukrainian officials, the article said that on 10 July 2022 Russian forces had fired prohibited incendiary munitions in Bakhmut.

389. *“Russia Steps Up Attacks on Civilian Areas, Even With Advance Paused”, The New York Times, 11 July 2022*

3782. This article by Carlotta Gall, Kamila Hrabchuk and Matthew Mpoke Bigg reported on the situation in Ukraine as of 11 July 2022. It stated that the death toll after a Russian strike had hit an apartment building in Chasiv Yar on 9 July 2022 had risen to thirty-one; some of the dead were members of the military, the material added. The article included a photo of rescuers working on the site of that destroyed building. It further stated that eight other people had been killed by shelling on 10-11 July 2022. As to the situation in the north-east, the article quoted the governor of the Kharkiv Region, Oleh Syniehubov, who had stated that a school and a six-storey apartment building in Kharkiv had been hit by Russian shelling on 11 July 2022. In the south, the governor of the Mykolaiv Region, Vitaliy Kim, had stated via social media that a missile strike of Mykolaiv on 11 July 2022 had left at least one person wounded. Finally, the material mentioned that on that day President Putin had signed a decree simplifying a path to Russian

citizenship for Ukrainians, which it believed was an attempt to establish full control over the occupied areas.

390. *“Ukraine Digs for Survivors in Rubble of Residential Attacks by Russian Missiles”, The Wall Street Journal, 11 July 2022*

3783. This article reported on a statement by President Zelenskyy, who said that the death toll after the strike on Chasiv Yar on 9 July 2022 had risen to thirty-one. It had been a missile strike, the President said. The Russian Ministry of Defence said that in Chasiv Yar they had been targeting infrastructure used by Ukrainian forces. Oleh Syniehubov, the governor of the Kharkiv Region, meanwhile stated that a school and a six-storey residential building in Kharkiv had been destroyed by a strike at 3.40 a.m. on 11 July 2022, killing at least three people and injuring thirty-one. The governor of the Donetsk Region, Pavlo Kyrylenko, stated that 593 people had been killed in the region since the full-scale invasion with a further 1,550 injured. There were also reports from the Zaporizhzhya Region of local farmers being pushed by Russians to sell their grain and barley for export at below-market prices.

391. *“Ukraine Strike on Russian Air-Defence Unit Shows Impact of New Weapons From West”, The Wall Street Journal, 13 July 2022*

3784. This article by Isabel Coles and Evan Gershkovich reported on a Ukrainian strike on an ammunition depot in Luhansk. It said that the strike on 12 July 2022 had likely been carried out with a Western-supplied HIMARS. The article also mentioned that the death toll following the Russian attack on Chasiv Yar on 9 July 2022 had risen to forty-eight, including a child. According to Kyrylo Tymoshenko, deputy head of Ukraine’s President’s Office, five civilians had been killed in a Russian artillery strike on Mykolaiv on 13 July 2022. There were also reports of shelling of Zaporizhzhya and Nikopol, but without descriptions of damage or casualties.

392. *“Ukraine says children among 21 killed as Russia fires missiles at central city of Vinnytsia in ‘open act of terrorism’”, CBS News, 14 July 2022*

3785. This article reported on a Russian missile strike on Vinnytsia on 14 July 2022. Denys Monastyrskyy, Ukraine’s Minister of the Interior, said that the strike had killed twenty-one people and injured ninety-one others, with fifty of those having serious injuries. President Zelenskyy called the attack “an open act of terrorism” and suggested that it had been deliberately aimed at civilians. Meanwhile, Margarita Simonyan, the head of the Russian State-controlled RT television channel, said that the strike had targeted a building in Vinnytsya which in her words ‘housed Ukrainian Nazis’.

393. *“At Least 23 Killed in Rocket Strike on Central Ukrainian City”, The New York Times, 14 July 2022*

3786. This article by Maria Varenikova and Andrew Kramer reported on a Russian missile strike on Vinnytsya on 14 July 2022. It said that the attack of three Kalibr missiles had struck the city centre at around 10.30 a.m. local time and had hit a shopping centre, a dance studio and a wedding hall. There had been at least twenty-three people killed, including three children, Ukraine’s President’s Office confirmed. It also said that the missiles had been launched from Russian submarines in the Black Sea. More than seventy people had been hospitalised after the attack with the fate of more than two dozen remaining unknown. The attack had also left damaged more than fifty buildings, the emergency services representative said.

394. *“Russian submarine launches deadly Kalibr missile strike on civilians”, Telegraph, 14 July 2022*

3787. This article reported on a Russian missile strike on Vinnytsya on 14 July 2022. It said that the attack by Kalibr cruise missiles fired from a Russian submarine in the Black Sea had killed at least twenty-two civilians with Ukrainian prosecutors saying that “significant damage” had been dealt to administrative, office and residential buildings. An unnamed Ukrainian official confirmed that two missiles had been shot down by air defence but others had hit the city.

395. *“Russian strikes in Vinnytsia kill at least 23, with gruesome civilian toll”, The Washington Post, 14 July 2022*

3788. This article by Claire Parker, Jennifer Hassan, David L. Stern and Adela Suliman reported on a Russian missile strike on Vinnytsya on 14 July 2022. The strike had hit a business complex in Vinnytsya, leaving at least twenty-three dead. The cruise missiles launched from a Russian submarine in the Black Sea had reached the city at around 10.50 a.m. and had damaged a nine-storey office block, destroying cars in its parking lot. According to Serhii Borzov, the governor of the Vinnytsya Region, there had been four missiles launched in total, with two being shot down by air defence and the other reaching the city. The emergency services reported that seventy-one people had been hospitalised, with the fate of twenty-nine other people unknown. One of those killed was four-year-old Liza Dimitrieva, who had Down syndrome and had been at a speech therapy centre in central Vinnytsya before the attack. Meanwhile Margarita Simonyan, the head of the Russian State-owned RT television channel, said that she had been told by the Russian Ministry of Defence that the strike had targeted a military officers’ club in Vinnytsya. The authors of the article were not able to verify this claim.

396. *“Russia Strikes Residential, Business District in Ukraine’s Vinnytsia City”, The Wall Street Journal, 14 July 2022*

3789. This article by Alan Cullison and Bertrand Benoit reported on a Russian missile strike on Vinnytsya on 14 July 2022. Referring to local officials, it said that three rockets had hit a business centre and residential buildings, leaving many dead and injured. At least ninety people had sought medical assistance according to the officials. President Zelenskyy stated that the strike had taken thirty-three civilian lives, including three children under the age of ten.

397. *“Two universities in Mykolaiv hit by missiles; Russian forces advance on Siversk”, The Washington Post, 15 July 2022*

3790. This article reported on Russian shelling of Mykolaiv on 15 July 2022. The reporters who were in the city at the relevant time had heard explosions around 7.30 a.m. According to the governor of the region, the missiles had hit two university complexes, heavily damaging the nearby shops and residential buildings, and injuring at least four people. The governor said that the shelling had been carried out with S-300 surface-to-air missiles.

398. *“Russian missile attacks hit another Ukrainian city, Regional officials say”, The Wall Street Journal, 15 July 2022*

3791. This article, written by Ian Lovett, reported that Mykolaiv had been hit by Russian missiles on 15 July 2022. The city’s two largest universities had been struck in the attack, according to Vitaliy Kim, head of the Mykolaiv Regional Military Administration. He added that at least two people had been injured.

399. *“Civilians killed as Russia intensifies attacks across Ukraine”, Al Jazeera, 16 July 2022*

3792. This article reported that two people had been killed and a woman had been hospitalised after a Russian rocket had hit the city of Nikopol, Dnipropetrovsk Region, according to emergency services. The Dnipropetrovsk regional governor Valentyn Reznichenko had said that a five-storey apartment block, a school and a vocational school building had been damaged.

400. *“War in Ukraine: Russia steps up attacks with new missile strikes”, Global News, 16 July 2022*

3793. This article reported that on 15 July 2022, cruise missiles fired by Russian bombers had struck the city of Dnipro, killing at least three people and wounding sixteen.

401. *“Moscow Signals a Shift to a More Aggressive Phase of Ukraine War”, The New York Times, 16 July 2022*

3794. This article reported that on 16 July 2022, at least three civilians had been killed and three others had been injured in a Russian rocket strike on the northern Ukrainian city of Chuhuiv, Kharkiv Region, according to the regional police.

402. *“Ukraine’s Zelensky Denounces Russian Strikes Across Country”, The Wall Street Journal, 16 July 2022*

3795. This article reported that on 16 July 2022, Russian forces had fired on the district of Chuhuiv, killing three people, according to the Kharkiv governor. A residential apartment building had been destroyed, and a school and a building materials store had been damaged.

403. *“Missile strike on Ukraine space plant in Dnipro kills three”, BBC News, 16 July 2022*

3796. Russian long-range cruise missiles had killed three people in Dnipro when they hit a space rocket plant and a nearby street. About fifteen people had been injured and nearby residential buildings had been damaged.

404. *“Russia Hits Industrial Sites in Southern Ukraine City of Mykolaiv”, VOA News, 17 July 2022*

3797. This article reported that on 17 July 2022, Russian missiles had struck an industrial and infrastructure facility in Mykolaiv, a key shipbuilding centre, according to Oleksandr Senkevych, the mayor of Mykolaiv.

405. *“Russia hits Ukrainian homes, infrastructure as Putin visits Iran”, Al Jazeera, 19 July 2022*

3798. This article reported that one person had been killed in an air raid on 19 July 2022 that had hit a five-storey residential building, according to regional governor Pavlo Kyrylenko.

406. *“Russian fire pounds Ukraine as uncertainty swirls over gas pipeline restart”, SBS News, 20 July 2022*

3799. This article reported that five civilians had been killed and sixteen wounded by Russian shelling in the Donetsk Region, while two civilians had been killed by shelling in the city of Nikopol, according to regional governors.

407. *“School in east Ukraine hit by Russian strike, bodies found”, ABC News, 22 July 2022*

3800. This article reported that Ukrainian emergency workers had recovered three bodies from a school hit by a Russian strike. The Ukrainian President’s office had said that in Kramatorsk, Donetsk Region, Russian shelling had destroyed a school and damaged eighty-five residential buildings. Ukraine’s state emergencies agency had said that it had completed work at the school, which had been hit on 21 July 2022, and had found three bodies.

408. *“Russia and Ukraine trade attacks as fighting shifts to the south”, The New York Times, 23 July 2022*

3801. This article, written by Andrew E. Kramer and Victoria Kim, reported that in the central Ukrainian region of Kirovohrad, which was along Ukraine’s supply routes for the fighting in the south, Russia had fired thirteen missiles at a military airfield and a railway facility, causing an unspecified number of deaths, according to Andriy Raikovych, the regional military administrator. The strikes, fired from Russian ships in the Black Sea and from Russian aeroplanes, had killed two security guards at an electrical substation and one soldier. Nine other soldiers had been wounded. The attack had knocked out electrical power locally.

409. *“Russia Strikes Odessa Port After Signing Deal to Unblock Ukrainian Grain Exports”, The Wall Street Journal, 23 July 2022*

3802. This article, written by Matthew Luxmore, Bojan Pancevski and Jared Malsin, reported that Russia had launched a missile attack on Ukraine’s key grain-exporting port of Odesa, according to officials, hours after signing an international agreement to ease its blockade of the Black Sea coastline and allow for the safe transport of grain and other foodstuffs necessary to alleviate a looming global food crisis. UN Secretary-General Antonio Guterres had condemned the strike, saying in a statement that all parties had committed to ensuring the safe movement of Ukrainian grain shipments.

3803. At least two Russian Kalibr cruise missiles had hit Odesa, damaging infrastructure at the site. Another two of the missiles had been shot down by aerial defences. Workers at the port had said that the target of the strike had been likely a nearby shipbuilding yard.

410. *“Ukraine says 18 medics killed, hundreds of facilities damaged since invasion”, The Wall Street Journal, 24 July 2022*

3804. This article reported that on 24 July 2022, Ukraine’s health ministry had said that at least eighteen medical personnel had been killed and nearly 900 medical facilities had been damaged or destroyed by Russia’s invasion

of Ukraine. In a Facebook post, the health ministry had said that over fifty medical workers had been wounded by Russian attacks since 24 February 2022. The post had stated that 123 medical facilities in Ukraine had been totally destroyed by the invasion, while another 746 had needed repairs.

411. *“Russians launch missile attack on Chuhuiv, casualties reported”, Ukrinform, 25 July 2022*

3805. This article reported that around 3 a.m. on 25 July 2022, Russian troops had launched a missile attack on Chuhuiv, Kharkiv Region, causing destruction to a cultural hall. A 46-year-old woman had been injured. According to the preliminary data, three more civilians had been trapped under the rubble. In addition, Russian troops had struck a local educational institution, causing destruction to its premises.

412. *“Strike on hotel in east Ukraine kills at least one - authorities”, Reuters, 27 July 2022*

3806. This article reported that at least one person had been killed by a Russian strike on a Ukrainian hotel in Bakhmut, Donetsk Region, on 27 July 2022, as stated by local authorities. According to preliminary information, there were dead and wounded, a rescue operation was underway. The local emergency service had said a toll of one dead and four wounded had been confirmed at that time.

413. *“Strikes on Mykolayiv: 10 apartment blocks, city market, cottages damaged”, Ukrinform, 27 July 2022*

3807. This article reported that on 27 July 2022 ten apartment blocks, trade pavilions, and cottages had been damaged in strikes on Mykolaiv. Oleksandr Sienkevych, the mayor of Mykolaiv, had stated that about ten apartment blocks had been damaged, some windows and balconies had been broken. He had added that trade pavilions at one of the markets and cottages had been damaged.

414. *“Russia steps up strikes on Ukrainian cities of Kyiv and Chernihiv, amid counterattacks in the south”, Australian Broadcasting Corporation, 28 July 2022*

3808. It was reported that on 28 July 2022 Russian airstrikes had struck Kyiv, injuring five civilians. Russian forces had launched massive missile strikes on Ukraine’s Kyiv and Chernihiv regions, marking a renewed offensive after months of relative calm in these areas. In the Kyiv Region, six missiles had been fired from the Black Sea, hitting a military unit in the village of Liutizh on the outskirts of the capital. The attack had wounded fifteen people, including five civilians, and had been linked by the Kyiv

regional governor Oleksiy Kuleba to Ukraine's Day of Statehood celebrations. The Chernihiv governor Vyacheslav Chaus had reported multiple missile strikes from the territory of Belarus in the village of Honcharivska.

415. "Russian missile strike kills five people in central Ukraine - governor", Reuters, 28 July 2022

3809. It was reported that on 28 July 2022, five people had been killed and twenty-five wounded in a Russian missile strike on a flight school in Kropyvnytskyi, central Ukraine, according to the regional governor Andriy Raikovych. The attack had occurred at around 12.20 p.m. (0920 GMT) and had targeted hangars at the National Aviation University Flight Academy. Raikovych had reported casualties, including both civilians and military personnel, along with material losses, including civilian and military aircraft.

416. "Russian missile attack on Kharkiv park is caught on CCTV- video", Reuters, 28 July 2022

3810. The article reported that 28 July 2022 a missile had struck a park in central Kharkiv, Ukraine's second-largest city, according to local officials. Reported shelling had damaged a storage hangar and had left a blast crater nearby, as stated by Andrii Kravchenko, the park's spokesperson. The hangar, which had stored New Year decorations, had been affected by the attack. Reported renewed shelling by Russia had targeted the city and its surrounding countryside, aiming to force Ukraine to redirect resources from the main battlefield in Donbas to protect civilians from further attacks.

417. "Five killed in Russian attack on Ukrainian city of Mykolaiv, governor says", Reuters, 29 July 2022

3811. It was reported that on 29 July 2022 at least five individuals had been killed and seven wounded in a Russian missile strike on the south-eastern Ukrainian city of Mykolaiv, as reported by the regional governor.

418. "Russian strikes kill Ukrainian grain tycoon; drone hits Russian naval base", Reuters, 1 August 2022

3812. It was reported that on 31 July 2022, twelve Russian missiles had killed the owner of a major grain exporter, wounded three others, and damaged homes and schools.

419. *“One killed, one wounded in Russian shelling of Kharkiv this morning”, Ukrinform, 1 August 2022*

3813. It was reported on 1 August 2022 that Russian forces had shelled a bus stop in Kharkiv, killing an elderly man, injuring another person, and damaging residential buildings and cars.

420. *“Death toll in strike on evacuation bus in Kherson region rises to three”, Ukrinform, 2 August 2022*

3814. It was reported on 1 August 2022, an anti-tank missile had been fired by Russian forces at an evacuation bus in Kherson, which had been carrying civilians and humanitarian goods. Three people had been killed, and four injured.

421. *“‘Terrorist act’: Bus stop shelling kills at least 8 in Ukraine”, Euronews, 4 August 2022*

3815. It was reported that on 4 August 2022, Russian shelling on the village of Toretsk had struck a bus stop where a crowd of people had been gathered, killing eight people and wounding four more.

422. *“Enemy shelling damages power lines, farm in Sumy region”, Ukrinform, 7 August 2022*

3816. It was stated that on 7 August 2022, Russian shelling in Sumy had damaged six residential households, a farm, a water tower, a transformer and a power line.

423. *“Enemy strikes Nikopol district with Grad systems, damaging pumping station”, Ukrinform, 7 August 2022*

3817. It was stated that on 7 August 2022, Russian shelling on Nikopol had resumed, damaging houses and a pumping station, and leaving 7,000 residents without water.

424. *“Two civilians injured in Russian strikes on Dnipropetrovsk region”, Ukrinform, 7 August 2022*

3818. It was reported that on 7 August 2022, Russian forces had shelled Nikopol and Marhanets overnight, injuring three people (one of whom had been hospitalised) and damaging fifty houses, cars, a bus stop, a gas pipeline and power lines, leaving several thousand without electricity.

425. *“Russians strike Dnipropetrovsk region with missiles and Grad MLRS”, Ukrinform, 8 August 2022*

3819. It was reported that on 8 August 2022, the Russian army had struck the Dnipropetrovsk Region with missiles and multiple launch rocket systems. In the village of Kamyanske, explosions had destroyed the premises of an agricultural company, damaged its warehouses, equipment and vehicles, and further damaged nine residential buildings.

426. *“Russian troops shell Kharkiv with cluster munitions”, Ukrinform, 8 August 2022*

3820. On 8 August 2022 Russian armed forces had conducted an artillery strike on the city of Kharkiv, employing cluster munitions. The attack had specifically targeted the Pavlove Pole area in Kharkiv’s Shevchenkivskiy district. It had resulted in the death of a 60-year-old civilian male and injuries to a 68-year-old civilian male. Notably, the strike involved the use of Uragan MLRSs. It was reported that more than twenty projectiles had failed to detonate.

427. *“1 killed, 5 injured in Russian strikes on Kharkiv region”, Ukrinform, 9 August 2022*

3821. According to the article, on 9 August 2022 Russia had attacked the Kharkiv Region, killing one person, injuring five civilians and damaging commercial property.

428. *“Russian forces shelled Donetsk region 27 times: casualties reported”, Ukrinform, 9 August 2022*

3822. According to the article, on 8 August 2022 Russian forces had attacked the Donetsk Region, killing three civilians, wounding nineteen others and damaging fifty-eight civilian buildings and a school.

429. *“Russian shelling killed one person in Kherson region”, Ukrinform, 9 August 2022*

3823. According to the article, on 9 August 2022 Russian forces had attacked the Kherson Region, killing one person and destroying private property and fields of wheat.

430. *“Russians hit Nikopol district with anti-aircraft missiles, wounding two”, Ukrinform, 9 August 2022*

3824. According to the article, on 9 August 2022 Russian forces had attacked Nikopol, Dnipropetrovsk Region, injuring a civilian and damaging residential property, commercial property and a gas pipeline.

431. *“Zaporizhzhia: Russia must exit Ukraine nuclear plant, says G7”, BBC, 10 August 2022; “Shelling kills 13 in Ukraine’s Dnipropetrovsk region”, Reuters, 10 August 2022; “Ukraine accuses Russia of shelling near nuclear plant, killing 13 civilians”, The Guardian, 10 August 2022; “Death toll in Russian missile strike on Nikopol district grows to 13”, Ukrinform, 10 August 2022*

3825. According to the articles, on 10 August 2022 Russian forces attacked had residential area of the Dnipropetrovsk Region, killing at least thirteen people, injuring ten others and damaging two schools, a town council building and residential property.

432. *“7 killed, 6 injured in Russia’s attack on Bakhmut”, Ukrinform, 10 August 2022*

3826. According to the article, on 10 August 2022 Russian forces had attacked Bakhmut, killing seven civilians, injuring six civilians and damaging residential and commercial property.

433. *“One of those injured in Russian strike on bus stop in Mykolaiv dies”, Ukrinform, 10 August 2022*

3827. The number of people killed by the Russian shelling of a public transport stop by cluster bombs in Mykolaiv on 29 July had grown to eight.

434. *“13-year-old girl injured in Russian attack on Mykolaiv”, Ukrinform, 10 August 2022*

3828. According to the article, on 10 August 2022 a 13-year-old girl had been injured by Russian shelling of Mykolaiv.

435. *“Russians strike five localities in Kherson region”, Ukrinform, 10 August 2022*

3829. According to the article, on 10 August 2022 Russian forces had attacked five localities in the Kherson Region, injuring civilians and destroying residential buildings.

436. *“Woman killed in Russian strike on Zaporizhzhia suburbs at night”, Ukrinform, 10 August 2022*

3830. According to the article, on 10 August 2022 Russian forces had attacked the Zaporizhzhia Region, killing one woman, destroying three houses and damaging thirty others.

437. *“One person killed, two others injured by Russian shelling in Kherson region”, Ukrinform, 11 August 2022*

3831. According to the article, on 11 August 2022 Russian troops had attacked civilian houses and infrastructure in Kherson region by missiles, killing one person and injuring two others.

438. *“Russian invaders again fire at Zaporizhzhia NPP”, Ukrinform, 11 August 2022*

3832. On 11 August the Russian forces had once again opened fire on the ZNPP, the largest in Ukraine and Europe. Five strikes had been recorded in the area of the station commandant’s office, which was located next to the welding area and the storage.

439. *“UN chief issues warning as Ukraine nuclear plant shelled again”, Al Jazeera, 11 August 2022*

3833. Russian and Ukrainian forces had exchanged accusations regarding shelling incidents at the ZNPP. Ukrainian authorities had reported multiple strikes on the facility, including near radioactive material storage, attributed to Russian forces. Those incidents had raised significant concerns over the potential for catastrophic nuclear accidents. The IAEA had highlighted the gravity of the situation, emphasising the urgent need for a demilitarised zone around the plant to prevent any further escalation. The ongoing military activities around the Zaporizhzhya plant, under Russian control since shortly after the invasion had begun, posed a dire risk to regional and global nuclear safety.

440. *“Russian forces use S-300 missile system to shell Kramatorsk”, Ukrinform, 11 August 2022*

3834. According to the article, on 11 August 2022 Russian forces had damaged three residential houses in Kramatorsk as a result of a missile attack.

441. *“2 killed, 13 injured in missile attack on Kramatorsk”, Ukrinform, 12 August 2022*

3835. According to the article, on 12 August 2022 Russian forces had shelled Kramatorsk, killing two civilians, injuring thirteen others and damaging twenty buildings.

442. *“Aggressor launches 11 missile strikes on Kramatorsk”, Ukrinform, 12 August 2022*

3836. According to the article, on 12 August 2022 Russian forces had launched eleven missile strikes on Kramatorsk, damaging three residential houses.

443. *“Almost 200 strikes in a day - Russians continue to terrorize Sumy region”, Ukrinform, 12 August 2022; “Russian forces struck border areas of Sumy, Chernihiv regions more than 200 times”, Ukrinform, 12 August 2022*

3837. These news items reported that according to the State Border Service of Ukraine, on 12 August 2022 Russian troops had shelled four communities in the Sumy region and one in the Chernihiv region. It was noted that Russian forces had carried out about 200 strikes, using mortar, artillery, self-propelled guns and multiple launch rocket systems. As a result, private houses had been damaged and a wheat field had been burned down.

444. *“Donetsk region comes under 37 Russian attacks. Casualties reported”, Ukrinform, 12 August 2022*

3838. This news item reported that Russian attacks on the Donetsk Region had killed seven civilians and injured eleven others on 11 August 2022. The attacks had also destroyed or damaged fifty-four objects, including thirty-nine residential buildings, coke and chemical plant premises, a railway station, administrative buildings and garages.

445. *“Rocket strike on Zaporizhzhia - 1 killed, 2 injured”, Ukrinform, 12 August 2022*

3839. The acting mayor of Zaporizhzhya, Anatoliy Kurtiev, reported that a Russian rocket strike on Zaporizhzhya had killed one woman, injured two people, and destroyed infrastructure facilities and a gas station.

446. *“Two districts under enemy fire in Dnipropetrovsk Region, child injured”, Ukrinform, 12 August 2022; “Russian forces shell two districts in Dnipropetrovsk region, using Grad, Uragan MLRS”, Ukrinform, 13 August 2022*

3840. The head of the Dnipropetrovsk Regional Military Administration, Valentyn Reznichenko, stated that Russian troops had fired thirty rockets on residential areas in the Dnipropetrovsk Region. He added that the Nikopol district had been struck with Grad MLRSs and cannon artillery. As a result of the attacks three civilians had been injured, including a twelve-year-boy, eleven apartment buildings, thirteen private houses and a kindergarten had been damaged, and a gas pipeline and power line had also been put out of use.

Additionally, in Kryvyi Rih, Russian bombardment had destroyed residential homes.

447. *“At least one injured in Russian shelling of Mykolaiv”, Ukrinform, 13 August 2022; “Mykolaiv’s port infrastructure struck with Uragan rockets”, Ukrinform, 14 August 2022*

3841. The head of the Mykolaiv Regional Military Administration, Vitalii Kim, stated that in the evening of 13 August 2022 Russian troops had struck the port infrastructure of Mykolaiv with multiple launch rocket systems. Later that day, Russian multiple launch rocket systems had struck residential areas and industrial facilities in Mykolaiv, injuring a civilian and damaging several buildings.

448. *“Death toll in Russian missile attack on Kramatorsk rises to three”, Ukrinform, 13 August 2022*

3842. Ukrinform reported with reference to the Kramatorsk mayor Oleksandr Honcharenko that the number of those killed by Russian missile strike on Kramatorsk, Donetsk Region, on 12 August 2022 had grown to three.

449. *“Five civilians killed in Russian shelling of Donetsk region in past day”, Ukrinform, 13 August 2022*

3843. The head of the Donetsk Regional Military Administration, Pavlo Kyrylenko, stated that Russian troops had killed five civilians (two in Kramatorsk, one in Bakhmut, one in Kurakhove, and one in Kodema) and injured thirty-five others on 12 August 2022 in the Donetsk Region.

450. *“Russian forces shell town in Kharkiv region, injuring woman”, Ukrinform, 14 August 2022*

3844. The police had opened a criminal investigation into the shelling of the town of Zolochiv, Kharkiv Region. The premises of the technical workshop of a lyceum and the premises of a canteen had been partially damaged. A woman had sustained a shrapnel wound. In total, more than fifty residents had already died in the community of Zolochiv since the Russian invasion of Ukraine had begun in late February.

451. *“During latest attack on Enerhodar, civilian killed while walking dog”, Ukrinform, 14 August 2022*

3845. This news item reported that Russian shelling of Enerhodar had killed a man walking his dog.

452. *“Enemy troops struck Nikopol three times last night”, Ukrinform, 14 August 2022*

3846. This piece reported that Russian troops had attacked civilian targets across the Dnipropetrovsk Region. The Head of the Dnipropetrovsk Regional Military Administration, Valentyn Reznichenko, stated that Nikopol had been struck three times with twenty projectiles and that nine apartment blocks and eight detached houses had been damaged, and gas pipelines and power transmission lines hit. The city of Marhanets had been shelled with multiple launch rocket systems, with thirty Russian projectiles hitting civilian apartments. In addition, one civilian had been injured and more than ten detached houses and a power grid had been seriously damaged.

453. *“Fifteen settlements come under enemy fire in Donetsk Region - Police show aftermath”, Ukrinform, 14 August 2022*

3847. This news item, with reference to the National Police of Ukraine, reported that Russian shelling had struck fifteen settlements in the Donetsk Region. It further stated that two civilians had been killed and ten injured, whilst thirty-eight other civilian targets had been destroyed, including thirty-one residential houses, a thermal power plant, a filtering station, a hangar, a wheat field and civilian cars.

454. *“Russia shells eight communities of Sumy, Chernihiv regions from its territory”, Ukrinform, 14 August 2022*

3848. This news item, with reference to the State Border Guard Service of Ukraine, reported that on 13 August 2022 Russian forces had shelled seven communities in the Sumy Region and one community in the Chernihiv Region, damaging private houses and civilian infrastructure.

455. *“Russians fire missiles at Kharkiv Region’s Zmiiv community, three civilians injured”, Ukrinform, 14 August 2022*

3849. This news item referring to the statement of the head of the Kharkiv Regional Military Administration, Oleh Syniehubov, reported on Russian shelling in the Kharkiv Region that had injured three civilians and set fire to the roofs of civilian houses.

456. *“Kharkiv comes under unguided rocket fire, number of those injured rises to seven”, Ukrinform, 15 August 2022*

3850. This news item, referring to a statement by the head of the National Police’s main department in the Kharkiv Region, Serhii Bolvinov, stated that Russian forces had shelled a residential neighbourhood in Kharkiv with MRLSs, injuring seven people and striking a playground, a business, garages, a bus stop, church grounds and residential buildings.

457. *“Police show aftermath of Russia’s late night shelling of Bakhmut”, Ukrinform, 15 August 2022*

3851. This news item, referring to a statement by the National Police of Ukraine, reported that on 15 August 2022 Russian forces had struck Bakhmut with multiple launch rocket systems, destroying twenty-four residential houses.

458. *“1 killed, 6 injured as Russians strike Orikhiv in Zaporizhzhia region”, Ukrinform, 16 August 2022*

3852. This news item referred to a statement by the head of the Zaporizhzhya Regional Military Administration, Oleksandr Starukh, who had reported that Russian forces had struck Orikhiv in the Zaporizhzhya Region with MRLSs, injuring six people, destroying civilian homes and infrastructure and causing fires.

459. *“Russian troops shell Dnipropetrovsk region, injuring two women”, Ukrinform, 16 August 2022*

3853. This news item referred to a statement by the head of the Dnipropetrovsk Regional Military Administration, Valentyn Reznichenko, who said that Russian forces had attacked Kryvyi Rih overnight with MRLSs, injuring two people and damaging several homes and a gas pipeline.

460. *“Russian troops strike residential areas of Nikopol with Grad MLRS”, Ukrinform, 16 August 2022*

3854. This news item reported that Russian troops had used Grad MLRSs to open fire on the Nikopol district in the Dnipropetrovsk Region, injuring at least four civilians and setting fire to homes. The relevant statement was made by the head of the Dnipropetrovsk Regional Military Administration, Valentyn Reznichenko.

461. *“Donetsk regional administration shows aftermath of enemy strike on Druzhkivka”, Ukrinform, 17 August 2022*

3855. The Donetsk Regional Military Administration had issued a video showing the aftermath of a Russian strike on the town of Druzhkivka, where ten private residential buildings had been destroyed. The video shows partially and completely destroyed private houses, funnels from Russian weapons, and rocket fragments.

462. *“Russian missiles hit Kharkiv dorm, at least six civilians killed”, Ukrinform, 17 August 2022*

3856. As a result of a Russian missile attack on a residential building in Kharkiv’s Saltivka district, six people had been killed and another sixteen injured.

463. *“University’s main building, 27 houses damaged in night attack on Mykolaiv”, Ukrinform, 17 August 2022*

3857. On 17 August 2022 Mykolaiv had come under heavy shelling. In the Tsentralnyi district, the Petro Mohyla Black Sea National University had been damaged with S-300 missiles. The university’s walls were damaged, the windows and doors were blown out, and the ceiling and interior decoration were destroyed. Moreover, twenty-seven houses were damaged in the attack. In the Korabelny district, a private enterprise had come under fire, a car park had been destroyed, and five private houses had been damaged by the shock wave and debris.

464. *“2 killed, 1 injured in Russian strike on Bakhmut”, Ukrinform, 19 August 2022*

3858. On 19 August 2022 an elderly man and a woman had been killed in Bakhmut, Donetsk Region, as a result of a Russian strike. Another elderly woman had been injured and hospitalised.

465. *“Marhanets came under enemy shelling, two civilians injured”, Ukrinform, 19 August 2022*

3859. On 19 August 2022 the Russian forces had shelled the city of Marhanets in the Dnipropetrovsk Region with barrel artillery and hit residential quarters. Some buildings had been damaged in the city, a power line had been broken and initial reports indicated that two people were injured.

466. *“Nine civilians killed, 35 injured in Russia’s shelling of Kharkiv”, Ukrinform, 17 August 2022*

3860. The night of 17 August 2022 was said in the article to have been one of the most tragic for the Kharkiv Region since the Russian invasion had started. At around 9.30 p.m. a Russian missile, presumably launched from the Iskander system, had hit a three-storey house in the Saltivskyi district. The house had been almost completely destroyed, and a huge fire had broken out. Seven civilians had died under the rubble and seventeen had been injured. At around 4.30 a.m. Russian troops had fired eight more missiles from Belgorod in the direction of the Kharkiv Region. Enemy projectiles hit Kharkiv’s Kholodnohirskyi District and Saltivskyi District, causing damage to buildings

and infrastructure facilities, and resulting in fires. At around 4 a.m. Russian troops had launched a missile attack on the city of Krasnohrad. More than ten residential houses had been damaged, and some houses were destroyed. Two civilians had been killed and two injured. The information reported was preliminary.

467. *“Death toll in Kharkiv attack reaches 18 as three more bodies retrieved from under rubble”, Ukrinform, 20 August 2022*

3861. As Ukrinform had reported earlier, on 17 August at around 9.30 p.m., a Russian Iskander missile had hit a three-storey residential block in the Saltiv district of Kharkiv, completely destroying the building and causing a large-scale fire. According to local officials, the destroyed building was a former dormitory for people with hearing impairments, which was serving as a regular residential block. Among the rescued were people with disabilities and children. The number of people killed by this missile attack had already reached eighteen.

468. *“Number of those injured in missile attack on Voznesensk rises to 12”, Ukrinform, 20 August 2022*

3862. On 20 August the Russian troops had launched a missile attack on the city of Voznesensk. A rocket hit a five-storey residential building, damaging two entrances to the building, and nearby private houses and vehicles. According to preliminary information, twelve people had been injured, including three children. There were no military facilities in this area.

469. *“At least 2 injured as Russians strike Kharkiv region at night”, Ukrinform, 21 August 2022*

3863. During the night of 20 to 21 August, the Russians had fired missiles in the direction of the Kharkiv Region from Belgorod. Two people were injured in the village of Rohan.

470. *“Invaders shell Zelenodol community with Uragan MLRS: Child among injured”, Ukrinform, 21 August 2022*

3864. Russian troops had used Uragan MLRSs to shell the Zelenodol territory in the Kryvyi Rih district of the Dnipropetrovsk Region, injuring six people, including a child.

471. *“Number of those injured in enemy shelling of Zelenodol community grows to seven”, Ukrinform, 21 August 2022*

3865. Seven people, including a nine-year-old child, had been injured as a result of enemy shelling of the community of Zelenodol in the Kryvyi Rih district of the Dnipropetrovsk Region.

472. *“Russian troops shelled Dnipropetrovsk region with MLRS, barrel artillery all night”, Ukrinform, 21 August 2022*

3866. Russian troops had shelled the Nikopol and Kryvyi Rih districts of the Dnipropetrovsk Region, using MLRSs and barrel artillery, throughout the night of 20 to 21 August. The Nikopol district had been struck five times by twenty-five shells fired from barrel artillery at Nikopol. The shelling had caused a huge fire at one of the enterprises, destroying equipment there. In the city, a school and more than twenty buildings had been damaged or destroyed. Gas pipelines and power lines were broken, leaving over 3,000 Nikopol citizens without electricity.

3867. The Marhanets community had come under enemy fire three times. The Russians had used barrel artillery and Grad MLRSs. A high-voltage line was damaged, leaving more than 2,200 homes without power. In the Myrove community, the Russian troops had fired barrel artillery ten times, destroying five houses. In the Kryvyi Rih district, the communities of Apostolove and Zelenodolsk had been shelled with Uragan MLRSs.

473. *“Russia-Ukraine war: List of key events, day 180”, Al Jazeera, 22 August 2022*

3868. In the Bakhmut region, Russian forces had inflicted damage with artillery and MLRSs in the areas of Soledar, Zaytseve and Bilogorivka. Nikopol had been shelled on five different occasions, and twenty-five artillery shells had hit the city, causing a large fire at an industrial facility and cutting power to 3,000 inhabitants. Mykolaiv had been hit by multiple S-300 missiles.

474. *“Russia-Ukraine war latest: what we know on day 180 of the invasion: Ukraine”, The Guardian, 22 August 2022*

3869. Russian shelling in the Donetsk Region had killed two people in the settlements of Georgievka and Kostiantynivka, according to the region’s governor.

3870. Artillery shellings of Nikopol, close to the Zaporizhzhya nuclear plant, had taken place on five different occasions: twenty-five artillery shells had hit the city, causing a fire at an industrial facility and cutting power to 3,000 people.

3871. Five Russian Kalibr cruise missiles had been fired from the Black Sea in the direction of Odesa, three of which had hit agricultural targets.

475. *“Ukraine’s largest nuclear plant is cut off energy grid”, Washington Post, 25 August 2022*

3872. The ZNPP, Ukraine’s largest nuclear power plant, had been cut off from the electricity grid, setting off a mass power outage in the adjacent area

after shelling had damaged its last functioning transmission line, Ukraine's nuclear energy company, Energoatom, had reported on 25 August 2022. ZNPP was a major source of power for Ukraine, having provided one-fifth of the country's electricity and nearly half of its nuclear energy pre-invasion.

476. *"Russia-Ukraine war latest - what we know on day 186 of the invasion", The Guardian, 28 August 2022*

3873. Ukraine's State energy operator had reported risks of hydrogen leakage and sputtering of radioactive substances at the ZNPP, which was currently under Russian control. In response to potential radiation exposure risks, the authorities had distributed iodine tablets to residents living near the plant. Ukraine's state nuclear company, Energoatom, alleged that Russian troops had shelled the site of ZNPP.

3874. Russia claimed to have targeted the Motor Sich factory in the Zaporizhzhya Region, resulting in significant civilian damage. Two fatalities were reported in Bakhmut as a result of Russian shelling, with additional casualties and damage in the Donetsk Region and Mykolaiv. The towns of Nikopol and Marhanets, near the ZNPP, had experienced shelling, causing concern among local authorities.

477. *"Ukraine live briefing Russia targets Zaporizhzhia area", Washington Post, 28 August 2022*

3875. Local officials had reported significant shelling in Nikopol, a city situated ten miles from the ZNPP across the Dnieper River, resulting in at least one fatality and multiple injuries. The incident, occurring on a specified Sunday, had also led to widespread power outages, affecting over 1,500 families.

478. *"Russians fire 16 S-300 missiles at Mykolaiv Aug 29", Ukrinform, 29 August 2022*

3876. Russian S-300 surface-to-air missile systems, repurposed to hit surface targets, had struck the Ukrainian city of Mykolaiv sixteen times on 29 August, causing casualties among civilians, as well as significant destruction.

479. *"At least four killed in Russian shelling of Ukraine's city of Kharkiv, governor says", Reuters, 30 August 2022*

3877. As a result of the shelling of the central part of Kharkiv on 30 August 2022, at least four people had died and four more had been injured.

480. *“Russia-Ukraine war latest: what we know on day 188 of the invasion”, The Guardian, 30 August 2022*

3878. Russian forces had killed two people and injured four others in Donetsk. Kherson had been hit by a partial power outage and a partial shutdown of the water supply.

481. *“Russian troops open fire on 13 settlements in Donetsk Region”, Ukrinform, 2 September 2022*

3879. On 1 September Russian troops have opened fire on thirteen settlements in the Donetsk Region. Casualties among civilians were reported. The following settlements had come under Russian fire: Avdiivka, Bakhmut, Marinka, Toretsk, Pivnichne, Pidvenne, Orlivka, Maksymilianivka, Heorhiivka, Rozdolne, Pervomaiske, Voskresenske and Karlivka. Russian troops had used artillery, Grad and Uragan MLRSs. A total of seventeen strikes had been recorded. The shelling had caused damage to eight residential houses, garage and cars. Russian projectiles had also hit a water-storage reservoir.

482. *“A 9-year-old boy is killed in a rocket attack in southern Ukraine”, The New York Times, 4 September 2022*

3880. On 3 September, in the southern Ukrainian town of Zelenodolsk, previously home to 12,000 residents, a Russian Uragan rocket attack had targeted a residential area, resulting in the death of a 9-year-old boy and serious injuries to at least ten individuals. Damage had also been caused to eight high-rise buildings, commercial establishments, a kindergarten and a medical school.

3881. UN officials reported on 22 August that, within the six months following Russia’s invasion of Ukraine, at least 972 children had been killed or injured, predominantly as a result of explosive devices detonating in populated zones.

483. *“Enemy hits Kharkiv: explosion rings out near school”, Ukrinform, 3 September 2022*

3882. The Novobavarsky district of the city of Kharkiv had come under fire; a Russian rocket had slammed into an area near a school, but there had been no casualties. The Kholodnohirsky district of the city of Kharkiv had also been struck by the Russians, and four cars had been damaged.

484. *“Russia conducts mass attack on Mykolaiv in Ukraine war”, The New Voice of Ukraine, 4 September 2022*

3883. Three hospitals, three educational institutions, a hotel and twenty-six private houses had been damaged in a Russian attack on Mykolaiv on 4 September 2022.

485. *“Mykolaiv region hit: grain warehouses enterprise residential building on fire”, Ukrinform, 5 September 2022*

3884. Four fires had broken out in the Mykolaiv Region as a result of Russian attacks. Grain warehouses, an enterprise and a residential building had been set on fire. The Russian forces had also hit the town of Berezhniv, setting fire to warehouses of a local enterprise. As reported, in the Mykolaiv Region every third school had been damaged, and twenty-three schools had been destroyed in Russian strikes since the beginning of the war.

486. *“Russian forces shell Zolochiv in Kharkiv region, killing two civilians”, Ukrinform, 5 September 2022*

3885. Two civilians had been killed following Russian artillery shelling of the village of Zolochiv in Ukraine’s Kharkiv Region.

487. *“Russians hit Dnipropetrovsk region with heavy artillery”, Ukrinform, 5 September 2022*

3886. Russian troops had struck the Nikopol district of the Dnipropetrovsk Region with heavy artillery. An apartment block and up to ten private houses had been damaged in Nikopol.

488. *“Russian missile attack kills three civilians in Kharkiv region - governor”, Reuters, 6 September 2022*

3887. Three people had died as a result of rocket fire in the Kharkiv Region on 5 September, including an elderly woman who had died in Kharkiv’s industrial district while her building was destroyed.

489. *“At least three people remain under rubble of apartment building in Sloviansk”, Ukrinform, 6 September 2022*

3888. On 6 September seventeen Russian attacks had been recorded in Donetsk region. The Russian forces had struck the cities of Avdiivka, Bakhmut, Kurakhove, Mariinka, Krasnohorivka, Kostyantynivka, Kramatorsk and Sloviansk, and the villages of Karlivka, Heorhiivka, Umanske, Maksymilianivka and Paraskoviivka.

3889. Russian troops had struck the region with S-300 missiles; they had also used Grad and Uragan MLRSs and artillery. As many as eighteen civilian facilities, including twelve residential buildings, had been destroyed and damaged. There were three killed and two wounded in the Donetsk Region, and at least three people remained under the rubble of an apartment building in Sloviansk.

490. *“Russian missile strike destroys school in Donetsk region”, Ukrinform, 6 September 2022*

3890. Russian forces had destroyed Kurakhove School no. 2 in Donetsk region. According to the the head of the Donetsk Regional Military Administration, this was already the 274th school in the region that had been shelled by Russian forces since the beginning of the full-scale invasion, and the 29th that had been completely destroyed. In total, 615 educational institutions had been damaged in the Donetsk Region over the past six months.

491. *“Russian troops strike Sumy Region’s Myropillya with self-propelled artillery”, Ukrinform, 6 September 2022*

3891. On 5 September 2022 Russian troops opened fire on Myropillya, Sumy Region, causing damage to a village council building and ten detached houses.

492. *“Seven civilians killed in Russia’s shelling of Donetsk Region”, Ukrinform, 7 September 2022*

3892. On 7 September 2022 Russian forces had killed seven civilians in Donetsk Region: three in Sloviansk, two in Marinka, one in Halytsynivka and one in Vodyane. Two more people had been injured.

493. *“Enemy shelling of Kharkiv: Two out of five wounded in serious condition”, Ukrinform, 9 September 2022*

3893. On 9 September 2022 Russian troops had shelled the Industrial and Nemyshlianskyi districts of Kharkiv with Uragan MLRSs. Houses. A school and administrative and industrial buildings had been damaged. Two people had been killed and five injured.

494. *“Rebuilding Ukraine after Russian invasion may cost \$350 bln, experts say”, Reuters, 9 September 2022*

3894. Russia’s invasion had caused over USD 97 billion in direct damage to Ukraine up until 1 June 2022, but it could cost nearly USD 350 billion to rebuild the country, according to a report by the World Bank, the Ukrainian government and the European Commission.

495. *“Russian strike hits hospital, people wounded - Ukraine”, Reuters, 9 September 2022*

3895. A Russian air strike had hit a hospital in Sumy, destroying the building and wounding people. The hospital was located in the Velyka Pysarivka district, which borders Russia.

496. *“Ukraine says Russian strikes in Kharkiv city revenge for counterattack”, Reuters, 9 September 2022*

3896. On 6 September 2022 a residential building in Kharkiv, Ukraine, had been struck by a Russian military operation. Subsequently, on 9 September 2022, Kharkiv had experienced a missile attack attributed to Russian forces, resulting in at least ten individuals sustaining injuries. The assault targeted various civilian structures including a children’s arts centre, a school and private residences. The mayor of Kharkiv, Thor Terekhov, and the regional governor Oleh Synehubov reported that the missiles, launched from MLRSs, had caused injuries to fourteen persons, among them three children. This offensive was characterised by Ukrainian officials as a retaliatory measure against Ukrainian military achievements, notably the recapture of over twenty settlements. The day prior to this incident, on 8 September 2022, Russian shelling in the region had resulted in the deaths of four individuals, a development attributed by Mr Synehubov to the tactical advances of the UAF.

497. *“Russian rockets hit Ukraine’s Kharkiv, killing one, governor says”, Reuters, 10 September 2022*

3897. Russian rockets from an MLRS had hit Kholodnohirsk, Kharkiv’s western district, and damaged several homes, killing at least one person and wounding two.

498. *“Ten civilians killed in Donetsk region in past day”, Ukrinform, 10 September 2022*

3898. The head of the Donetsk Regional Military Administration had reported that Russian troops had killed ten civilians in the Donetsk Region on 10 September: four in Pokrovsk, three in Krasnohorivka, two in Bakhmut, and one in Raihorodok. Another nineteen people were injured.

499. *“Woman killed in Russian missile strike on village in Kharkiv region”, Ukrinform, 10 September 2022*

3899. In Nova Vodolaha, Kharkiv Region, a private house had been hit and significantly damaged and the owner had been killed.

3900. The Russian forces had been launched thirteen missile and twenty-three air strikes on facilities across the territory of Ukraine on 9 September.

Infrastructure had been affected in the settlements of Velyki Prokhody, Avdiivka, Nevelske, Maryinka, Velyka Novosilka, Neskuchne, Vilne Pole, Poltavka, Mali Shcherbaky, Bilohirya, Ternovi Pody, Blahodatne, Sukhyi Stavok, Kostromka and Bezimenne.

500. *“Russia hits Dnipropetrovsk power sites, governor”, Reuters, 11 September 2022*

3901. Russian forces had hit energy infrastructure in the central Ukrainian region of Dnipropetrovsk. Some towns and communities were without power.

501. *“Ukraine region of Kharkiv reports blackouts, water cuts after Russian attacks, governor says”, Reuters, 11 September 2022*

3902. Power blackouts and cuts in water supply had been reported in several areas of Kharkiv on 11 September as Russian attacks hit infrastructure sites.

502. *“Russian strikes knock out power and water in Ukraine’s Kharkiv region”, The Guardian, 11 September 2022*

3903. Russian strikes had destroyed the power and water supply to much of the Kharkiv Region, plunging its cities into darkness and cutting power in hospitals. There were also initial reports of blackouts in the neighbouring Sumy and Poltava Regions, as well as in Dnipropetrovsk, potentially affecting millions of civilians.

503. *“Enemy shells Pokrovsk with Iskanders five times in past day, casualties reported”, Ukrinform, 11 September 2022*

3904. The town of Pokrovsk had been hit by five 9M723 Iskander M-type missiles during the night said the mayor. More than twenty residential buildings and railway infrastructure had been damaged. Owing to shelling, the work of the Karlivska water filtering station had not yet been restored, so the water supply to the Pokrovsk community remained suspended.

504. *“Forty-seven houses damaged in morning strike on Dnipro”, Ukrinform, 11 September 2022*

3905. Forty-seven houses had been damaged as a result of the missile attack on the city of Dnipro on 11 September.

505. *“Russia’s mass attack on Ukraine: 40 substations left without power yesterday”, Ukrinform, 11 September 2022*

3906. On 11 September 2022 a total of forty substations of different voltage levels had been left without electricity as a result of Russia’s mass

attack on the territory of Ukraine. Four power engineers had been killed, as reported by the Ukrainian Energy Minister.

506. *“Russian forces kill three, wound eight civilians in Donetsk region over past 24 hours”, Ukrinform, 11 September 2022*

3907. On 11 September the Russian forces had killed three civilians in the Donetsk region: in Velyka Novosilka, Romanivka and Bakhmut. Another eight people were injured.

507. *“Russian missiles hit Mykolaiv”, Ukrinform, 11 September 2022*

3908. Vitaliy Kim, head of the regional administration, had stated that Russia had launched several missiles at Mykolaiv and gave an account of each incident from the evening of 10 September to 11 September.

508. *“At least one person killed, power supply disrupted in Ukraine’s Kharkiv”, Reuters, 12 September 2022*

3909. Russian strikes had killed at least one person, injured others and caused further disruption to power and water supplies in Kharkiv, according to city officials.

509. *“Five civilians killed in Donetsk region over past day”, Ukrinform, 12 September 2022*

3910. On 12 September the Russian forces had killed five civilians in the Donetsk Region: three in Vuhledar, one in Heorhiyivka, and one in Sloviansk. Another ten people had been injured, reported the head of the Donetsk Regional Military Administration.

510. *“Ukrainians face even tougher winter due to power disruptions, UN migration agency”, Reuters, 13 September 2022*

3911. The UN migration agency had said that any damage inflicted on Ukraine’s power and heating systems would seriously exacerbate living conditions over the winter, especially for an estimated 6,9 million internally displaced people. In response to a Ukrainian counter-offensive in the east and south of the country in recent days, Russia had stepped up shelling of power stations and other infrastructure, causing blackouts in the city of Kharkiv and elsewhere. According to the director general of the International Organisation of Migration, “any attempt to damage those facilities [would] have a terrible impact on the capacity to heat those cities.”

511. *“Kharkiv region left without electricity due to enemy shelling”, Ukrinform, 13 September 2022*

3912. The city of Kharkiv and the Kharkiv Region had been left without electricity, as the back-up power transmission line had gone out of service in the aftermath of Russian shelling.

512. *“Man killed in Russian attack on Slovyansk”, Ukrinform, 13 September 2022*

3913. Sloviansk, Donetsk Region, had again come under massive Russian fire. Two shells had slammed into high-rise buildings. There had been a direct hit on a five-storey apartment block at 12 Poshtova Street. Nearby houses on Svobody Street had also been damaged. Another shell had slammed near a high-rise building at 3 Svitlodarska Street. Nearby houses had also been damaged. At least one civilian had been killed.

513. *“Russian troops strike Orikhiv with MLRS killing woman”, Ukrinform, 13 September 2022*

3914. The Russian forces had hit the town of Orikhiv, Zaporizhzhya Region, with MLRS. One of the houses had been completely destroyed, and rescuers had found a woman’s body under the rubble.

514. *“School kindergarten destroyed with Russian missiles in Lozova”, Ukrinform, 13 September 2022*

3915. As a result of Russian troops’ missile strikes on the city of Lozova, Kharkiv Region, a local school and kindergarten had been destroyed, and an outpatient clinic and detached houses had been damaged.

515. *“Three civilians blown up by landmines as leaving liberated village in Kharkiv region”, Ukrinform, 13 September 2022*

3916. Three people had been killed, and another person had been injured in mine explosions in the liberated village of Makarove in the community of Zolochiv, Kharkiv Region.

516. *“Three civilians killed in Russia’s shelling of Kharkiv region”, Ukrinform, 13 September 2022*

3917. In the Kharkiv Region, Russian troops had shelled the city of Kharkiv and local districts over the past day, including the recently de-occupied areas. As a result, three civilians had been killed.

517. *“Russian troops fire 75 artillery shells at Nikopol district”, Ukrinform, 14 September 2022*

3918. Russian troops had struck the Nikopol district with heavy artillery three times, having fired seventy-five projectiles.

518. *“Two people killed, three more wounded in last night’s shelling of Mykolaiv”, Ukrinform, 14 September 2022*

3919. Mykolaiv had come under heavy shelling. Missiles had hit near to five- and nine-storey buildings. Two people had been killed, and three were injured.

519. *“Ukraine: Kryvyi Rih residents urged to shelter as Russian missiles strike again”, The Guardian, 15 September 2022*

3920. Russia had launched a second consecutive day of cruise missile strikes on Kryvyi Rih, the hometown of Ukrainian President Zelenskyy, further damaging a reservoir dam that had previously been targeted. Amidst its military setbacks, Russia had escalated its assaults on Ukrainian infrastructure, including water and power utilities, aiming to disrupt essential services. A major electricity station in Kharkiv had also been struck by Russian warplanes, causing widespread power outages.

520. *“Zelenskiy condemns ‘vile Russian act’ after strike on dam floods his home city”, The Guardian, 15 September 2022*

3921. President Volodymyr Zelenskyy had condemned a Russian cruise missile attack on Kryvyi Rih, which had resulted in significant flooding after the destruction of a nearby dam. This attack, which had targeted the city’s hydraulic system on the Inhulets River, caused extensive damage to Kryvyi Rih’s water infrastructure.

3922. The attack had led to the flooding of 112 homes. Despite efforts to control the situation, another Russian missile had targeted an industrial area within Kryvyi Rih later the same day, indicating a sustained offensive against the city. The ISW suggested that the primary objective behind the dam’s targeting had been to disrupt Ukrainian military logistics, particularly pontoon bridges downstream, amidst the Kherson counter-offensive.

521. *“Russians destroy apartment block in Bakhmut”, Ukrinform, 15 September 2022*

3923. In the Bakhmut district of the Donetsk Region, four people were feared to be trapped under the rubble of a destroyed apartment block. Also, the Russian troops had fired at a hospital in Toretsk, injuring one person and damaging three departments.

522. *“Donetsk region’s Selydove struck with Russian Smerch MLRS, S-300 missile systems”, Ukrinform, 16 September 2022*

3924. In Selydove, Donetsk Region, more than thirty apartment blocks had been damaged, as well as a local school, gymnasium and kindergarten. Casualties among civilians were reported.

3925. In the community of Marinka, Russian troops had launched artillery strikes on Marinka, Krasnohorivka, Novomykhailivka and Heorhiivka. No casualties or destructions were reported. In Avdiivka, Russian troops had again massively opened fire on the central part of the city with artillery. According to the preliminary data, no casualties were reported. In the Bakhmut district, there were no casualties, but some destructions were reported. In Paraskoviivka in the community of Soledar, one residential house had been destroyed and five others damaged.

523. *“Russian troops open fire on Marhanets community, casualties reported”, Ukrinform, 16 September 2022*

3926. On 16 September 2022 Russian troops had opened fire on the community of Marhanets, situated in the Dnipropetrovsk Region’s Nikopol district. Two civilians were reported injured.

524. *“Russian troops open fire on Nikopol district, Kryvyi Rih district with Grad MLRS”, Ukrinform, 16 September 2022*

3927. Russian troops had opened fire on the Dnipropetrovsk Region’s Nikopol district and Kryvyi Rih district. Casualties among civilians were reported. Shelling had been recorded six times, striking four communities with Grad MLRSs and heavy artillery.

525. *“Russians strike Dnipropetrovsk region with heavy artillery. Casualties reported”, Ukrinform, 16 September 2022*

3928. Two men had been killed and another one injured in the Russian shelling of Velyka Kostromka, Dnipropetrovsk Region.

526. *“Vysokopillia in Kherson region 80% destroyed”, Ukrinform, 16 September 2022*

3929. The liberated village of Vysokopillia in the Kherson Region had been 80% destroyed. Now only 270 residents remained there. Volunteers handed people food, humanitarian aid and building materials for the reconstruction of housing.

527. *“Russian strike on residential building kills 29, officials say”, CNN, 7 October 2022*

3930. A Russian strike on an apartment block in Chasiv Yar, Donetsk Region, had resulted in at least twenty-nine confirmed deaths. The attack, part of an intensified Russian offensive in eastern Ukraine, had caused extensive damage, with emergency workers rescuing six people and contacting two others who remained trapped under rubble.

528. *“‘People died in families.’ Survivors from liberated Izium tell of devastating airstrike”, CNN, 16 October 2022*

3931. On 9 March 2022, an air strike in Izium, eastern Ukraine, had devastated an apartment complex at 2 Pershotravneva Street, resulting in the death of fifty-four residents, nearly half of its inhabitants. The destruction had annihilated the building’s middle section and ignited the basement, used as a shelter, trapping families inside. The fate of the deceased had been unknown to their families until Izium’s liberation after six months of Russian occupation. The liberation had also uncovered a mass burial site on the city’s outskirts, where most victims from the address were interred among more than 400 graves, largely unmarked except for numbered wooden crosses.

3932. The incident, characterised by the Ukrainian Parliament’s Human Rights Commissioner Dmytro Lubinets as part of “a genocide of the Ukrainian nation,” had seen further aggression from Russian forces post-air strike, with attacks from tanks across the river exacerbating the damage. Mykhailo Yatsentiuk had lost seven family members in the tragedy, including his wife, daughter and grandchildren.

3933. Efforts to recover bodies had revealed the extent of the tragedy with entire families found dead. The difficulty in identifying and recovering bodies had been compounded by the conditions under the occupation, with some victims’ relatives unable to visit graves or conduct reburials.

C. Media reports concerning allegations of killing, abduction, ill-treatment and detention

1. *“Ukraine war: Chernobyl workers’ 12-day ordeal under Russian guard”, BBC News, 7 March 2022*

3934. This article reported that more than 100 workers of the Chornobyl Nuclear Power Plant had been stuck there for more than twelve days, unable to leave after the Russian forces had seized the plant on 24 February 2022. Workers continued to go about their duties and the atmosphere was said to be calm, but the BBC had been told that the conditions inside had been difficult, with food and medicine limited. There were no sleeping facilities, so temporary dormitories were created, with some people sleeping on camp beds and tables, others on the floor.

2. *“Russian soldiers accused of firing on civilian vehicles in Ukraine”, The Guardian, 8 March 2022*

3935. This article reported that Russian soldiers had been accused of multiple instances of deadly fire on civilian vehicles across Ukraine. In Makariv, in the Kyiv region, video footage showed a Russian armoured car firing two rounds from a heavy calibre weapon at a moving civilian vehicle and destroying it. In the second incident, reported by the head of the Mykolaiv regional council, three teachers travelling by minibus to an orphanage for their shift had been killed and two others had been wounded when their vehicle, marked with a red cross, had come under fire.

3. *“Ukraine says seven killed, including a child, after Russia fired at evacuation convoy”, Reuters, 12 March 2022*

3936. This article reported that on 12 March 2022 Ukraine’s intelligence service had accused Russia of firing at a convoy evacuating women and children from the village of Peremoha in the Kyiv region. The attack had killed seven people, including one child.

4. *“War in Ukraine: Russian forces accused of abducting second mayor”, BCC, 13 March 2022*

3937. This article reported that Ukraine’s government had accused the Russian military of abducting Yevhen Matveyev, the mayor of the occupied Dniprohradne, in the Zaporizhzhya Region.

5. *“Disabled volunteer shot in Luhansk region”, Ukrayinska Pravda, 13 March 2022*

3938. This article reported that the Russian Armed Forces had killed Oleksandr Kononov, a well-known volunteer, near Sievierodonetsk in the Luhansk region. Serhiy Haidai, head of the Luhansk Regional Military Administration, stated that Mr Kononov had been a disabled person who was very vocal in his support of Ukraine. He was shot in his wheelchair.

6. *“Russian military fires at bus during evacuation of civilians from Izium, investigation launched – prosecutor’s office”, Interfax, 14 March 2022*

3939. Quoting the SBU directorate in the Kharkiv region, this article reported that on 14 March 2022, during an evacuation of the civilian population from Izium, in the Kharkiv Region, Russian troops had fired at the evacuation bus, injuring people.

7. *“Invaders take hostage doctors, patients of intensive care hospital in Mariupol”, Ukrinform, 15 March 2022*

3940. This article reported that Russian forces had taken hostage doctors and patients of the Regional Intensive Care Hospital in Mariupol, the Donetsk region. That information had been reported by the head of the Donetsk Regional Military Administration, who, in turn, quoted one of the hospital employees stating that they had stayed in the basement, it was impossible to leave, and there was heavy shelling.

8. *“U.S. embassy says Russian troops ‘shot and killed 10 people standing in line for bread’ in northeast Ukraine”, AP News, 16 March 2022*

3941. Quoting the US Embassy in Ukraine, this article reported that Russian troops had “shot and killed 10 people standing in line for bread” in Chernihiv on 16 March 2022. A video posted to social media showed the purported aftermath of the attack, with multiple bodies on the ground.

9. *“Russia denies U.S. Embassy report that its forces shot Ukrainians in bread line”, Reuters, 16 March 2022*

3942. Russia’s Defence Ministry published a statement denying a U.S. Embassy’s report that Russian forces had shot and killed ten people waiting in line for bread in Chernihiv. According to the statement, no Russian soldiers were or had been in Chernihiv; all units were outside of the Chernihiv city limits, blocking roads and not conducting any offensive action.

10. *“Ukrainian official says Russian forces have abducted another mayor”, The Hill, 17 March 2022 and “Ukrainian official says Russian forces have abducted another mayor”, Yahoo News, 18 March 2022*

3943. Quoting the head of the Kharkiv regional state administration, the articles reported that Russian forces had abducted the mayor of Velykoburlutska, Viktor Tereshchenko, from his workplace and taken him to a local police station.

11. *“Russia releases Velykoburlutska mayor day after capture”, Washington Examiner, 19 March 2022.*

3944. The news conveyed on 19 March 2022 that the mayor of Velykoburlutsk, Kharkiv Region, Viktor Tereshchenko, who had been abducted from his workplace and detained on 17 March 2022, had been released on 18 March 2022.

12. *“Russian invaders shot dead a woman in Trostianets”, Ukrinform, 23 March 2022*

3945. The article reported that on 23 March 2022 a large-scale fire had broken out in the city of Trostianets, Sumy Region, and a woman had been shot dead in the street by Russian invaders. According to a statement by President Zhyvytskyi, the “Russian invaders” had been shooting people, and a woman who had simply been moving around the city on a bicycle had been shot dead. He also noted that it was dangerous to be in the streets in Trostianets.

13. *“Ukraine war_ The priest shot at a checkpoint”, BBC News, 25 March 2022*

3946. It was reported that on 5 March 2022 a village priest, unarmed, in civilian clothes, and with his hands up, had been shot dead by Russian forces in Yasnohorodka.

14. *“Chernihiv region: Russians kidnap community leader and businessman”, Ukrayinska Pravda, 25 March 2022*

3947. The article reported that on 25 March 2022 the members of the Russian Forces had been at the Chernihiv region and two people had been kidnapped in the Snovsk municipality of the Chernihiv region: the head of the Snov territorial community, Olexandr Medvediov, and the businessman and former regional council deputy Grigory Bozhko.

3948. The article reported that in another instance, the head of the village of Gremyach in Novgorod-Siversky district had been abducted by Russian soldiers on 20 March 2022.

3949. Furthermore, it was claimed that the members of the Russian forces had detained the village head Mykola Budalovsky and Tetyana Bezlyudna, a member of the local government and a school principal, in the village of Andriivka in the Mykhailo-Kotsyubynskyi district.

3950. Lastly, it was stated that reports of abduction of two local government officials had also emerged from the village of Nova Basan

15. *“Invaders abduct 2 officials, 11 civilians in Chernihiv region”, Ukrinform, 25 March 2022*

3951. The article reported that Russian invaders had abducted two local government officials and eleven civilians in the temporarily occupied territories of the Chernihiv Region.

16. *“Russian soldiers release Ukraine town’s mayor and agree to leave after protests”, the Guardian, 26 March 2022*

3952. On 26 March 2022 the article reported that Yuri Fomichev, mayor of the city of Slavutych, which had been occupied by Russian forces, had been released from captivity after a mass protest by residents. Slavutych, with a population of 25,000, near the Chornobyl nuclear site, had been seized by Russian troops, but attempts to disperse unarmed protesters had failed. After the release, Mr Fomichev stated that the Russians had agreed to withdraw if no Ukrainian military personnel were present in the town. The deal had entailed a search by Russian forces for Ukrainian soldiers and weapons before their departure, with one checkpoint remaining outside the town. Slavutych was just outside the exclusion zone around the Chornobyl nuclear plant, which had been seized by Russian forces at the start of the invasion.

17. *“Russian military steal 14 tons of humanitarian aid delivered to occupied Melitopol”, Kyiv Independent, 31 March 2022*

3953. The article reported that according to Russian state media, two US nationals fighting alongside Ukrainian forces had been taken captive and were allegedly being held in Russian-occupied Donetsk. It also reported that Ukraine’s General Staff had announced that Russia had lost 34,100 troops in Ukraine since 24 February, along with significant military equipment.

18. *“Russian troops fire on column of volunteer buses near Chernihiv”, Ukrinform, 31 March 2022*

3954. The news item stated that on 31 March 2022 Russian troops had fired upon buses traveling to Chernihiv to evacuate civilians, killing one and seriously wounding four. It was also stated that Russian troops had denied civilians the chance to evacuate the city of Chernihiv (where they had remained without food, water, or heating).

19. *“War in Ukraine Street in Bucha found strewn with dead bodies”, BBC, 2 April 2022*

3955. It was reported that on 2 April 2022 journalists entering Bucha had found dead bodies of civilians on the street and had destroyed apartment blocks and crushed cars.

20. *“Russian retreat leaves trail of dead civilians in Bucha, a town near Kyiv”, Reuters, 2 April 2022*

3956. The media source reported that the dead in Bucha were civilians who “wore no uniforms”.

21. *“Ukrainian children used as ‘human shields’ near Kyiv, say witness reports”, The Guardian, 2 April 2022*

3957. The report stated that when Bucha, Kyiv region, had been liberated, witnesses had reported that (i) children had been taken hostage to ensure locals would not give the coordinates of Russian forces’ movements to the Ukrainian forces, and (ii) children had been put in front of Russian vehicles to protect vehicles when moving.

22. *“Russian troops abduct mayor of Tavriisk in Kherson Region”, Ukrinform, 2 April 2022*

3958. It was reported that on 1 April 2022 the Russian military had detained the mayor of Tavriisk, Mykola Rizak.

23. *“Ukrainian forces retake areas near Kyiv amid fear of traps”, AP News, 2 April 2022 and “Ukrainian mayor shows dead bodies amid battle-scarred city of Bucha”, Reuters, 3 April 2022*

3959. It was reported that on 3 April 2022 residents of Bucha had testified to the unprovoked killing of civilians by Russian soldiers. One reported that “those people were just walking and they shot them without any reason. Bang.”

24. *“Ukraine war: Family’s bid to reach safety ends in tragedy”, BBC, 3 April 2022*

3960. It was reported that drone footage and witness testimony showed the Russian soldiers shooting dead two civilians, and injuring another, whilst they had been trying to evacuate to Kyiv on 7 March 2022.

25. *“Satellite images show long trench at Ukrainian mass grave site, Maxar says”, Reuters, 3 April 2022*

3961. It was reported that satellite imagery showed a mass grave on the grounds of a church in Bucha.

26. *“Ukraine says 410 bodies found near Kyiv, witnesses traumatised”, Reuters, 3 April 2022*

3962. It was stated that the Ukrainian Prosecutor General had reported that 410 bodies had been recovered in towns near Kyiv.

27. *“Bucha killings: ‘The world cannot be tricked anymore’”, Al Jazeera, 4 April 2022*

3963. On 4 April 2022 it had been reported that bodies of civilians (including a number with shots to the head) had been found in areas around

Kyiv, along with mass grave sites and burnt cars in Bucha. The aftermath of Russian attacks in Bucha, Ukraine, as recounted by survivor Oleh Matsenko, was detailed in the article. After enduring thirty-three days of bombardment, residents had faced a dire situation, with no electricity, running water or gas. Attempts to fetch supplies had often led to encounters with corpses, evidence of the mass killings perpetrated by Russian troops. The gruesome discoveries, including bodies left in the streets and mass graves, had only been fully revealed after Ukrainian forces had entered Bucha on 31 March 2022. It was stated that the death toll had continued to rise, with hundreds of civilians killed, prompting comparisons to past atrocities and demands for international investigation and justice.

28. *“Head of village near Bucha killed with family in Ukraine”, BBC, 4 April 2022*

3964. On 4 April 2022, reports had noted, among other things, that bodies of civilians (including a number with shots to the head) had been found in areas around Kyiv, along with mass grave sites and burnt cars in Bucha. The recent atrocities committed by Russian forces in Ukraine, including the killing of a village head, her husband and her son, had been highlighted in the article. In Bucha, outside Kyiv, evidence of those atrocities had emerged, with five men found shot and bound in a basement, and another four bodies had been discovered in a shallow grave in the nearby village of Motoyzhyn.

29. *“Ukraine war: Ukraine investigates alleged execution of civilians by Russians”, BBC, 4 April 2022*

3965. It was reported that the war crimes investigation in Ukraine had commenced following the discovery of civilian bodies in areas around Kyiv as Russian troops had withdrawn. Bucha and Irpin, once symbols of resistance, had become synonymous with serious abuses. Ukrainian authorities had reported finding 410 civilian bodies in the region. Russia had denied involvement, dismissing the evidence as staged by Ukraine. Witnesses had described Russian soldiers firing on fleeing civilians and executing men. Satellite images had revealed a mass grave in Bucha, with evidence suggesting that burials had begun shortly after the invasion. Human Rights Watch had documented alleged war crimes, including executions and rapes. President Zelenskyy had accused Russian troops of genocide, urging global action.

30. *“Russian troops tortured and executed a village mayor and her family, Ukrainian officials say”, CBS News, 4 April 2022*

3966. It was reported that on 23 March 2022 Olha Sukhenko, the mayor of Motyzhyn (Kyiv Region), and her son and husband had been abducted by

Russian soldiers. Subsequently they had been shot dead at close range, and buried in a shallow grave.

31. *“At a mass grave in Bucha, Ukraine, the horrors of Putin’s invasion are increasingly coming to light”, CNN, 4 April 2022*

3967. It was stated that visiting journalists had confirmed the existence of the mass grave, which local residents and authorities had reported to contain between 150 and 300 dead. As Russian forces had retreated from the Kyiv area, the horrors of the invasion had become increasingly evident. In Bucha, a mass grave behind the Church of St Andrew had revealed a grim reality. Residents had claimed that the grave, which had begun to be used early in the invasion, held at least 150 bodies, possibly more. The town, once vibrant, now bore scars of war, with homes destroyed and evidence of executions by Russian troops. President Zelenskyy had accused Russia of war crimes, while Russia had denied involvement, calling the images fake. The streets had been strewn with destroyed Russian vehicles, a testament to the heavy losses suffered. Similar scenes of devastation had been witnessed in other districts around Kyiv. Despite the destruction, survivors had attempted to resume normal life.

32. *“Zelensky Visits Bucha, Site Of Alleged Civilian Massacre (Photos)”, Forbes, 4 April 2022*

3968. It was reported that on 4 April 2022, Ukrainian President Volodymyr Zelenskyy had visited Bucha, a suburb of Kyiv, where reports had emerged of Russian troops executing hundreds of Ukrainian civilians the previous week. The visit had been part of President Zelenskyy’s ongoing efforts to highlight the atrocities committed by the Russian military. International condemnation had followed the emergence of images depicting dead civilian bodies in Bucha, with the mayor estimating that at least 280 civilians had been executed during the Russian withdrawal. President Zelenskyy’s visit to Bucha had followed his recent endeavours to bring international attention to Ukraine, including delivering a message during the Grammy Awards and accusing Russian forces of committing genocide against the Ukrainian people during an appearance on CBS.

33. *“In Ukrainian street, a corpse with hands bound and a bullet wound to the head”, Reuters, 4 April 2022*

3969. It was reported that on 4 April 2022, in Bucha, Ukraine, a man had been found dead with his hands tied and a gunshot wound to the head, one of many victims of reported Russian occupation. Officials had alleged that fifty people had been victims of Russian troops’ extrajudicial killings, prompting war crime accusations. Despite denials, Reuters had observed bodies with execution-style gunshot wounds. The scene had reflected the devastation of

war, with unexploded ordnance and grieving residents. Ukrainian officials had condemned the violence as crimes against civilians, as Ukrainian forces had regained control of the region around Kyiv.

34. *“Grim work begins in Bucha gathering evidence of possible war crimes”, The Financial Times, 4 April 2022*

3970. It was reported that in early April, the body of Olha Sukhenko, the mayor of Motyzhyn, had been found, adding to the toll of civilians discovered after Russian troops had retreated from the Kyiv area. Investigators feared that her daughter might also be among the dead. The gruesome discoveries had prompted international condemnation and calls for sanctions against Russia. Ukrainian President Zelenskyy had toured Bucha, where the atrocities had been particularly evident, denouncing them as war crimes and genocide. Ukrainian authorities had begun forensic examinations and investigations to gather evidence for potential war crime prosecutions, involving hundreds of personnel. Despite Russian denials, evidence had suggested widespread civilian killings.

35. *“I escaped Russian atrocities in Bucha. My neighbours weren’t so lucky”, The New Statesman, 4 April 2022*

3971. The article reported that after the Kyiv region had been freed from Russian control on 2 April 2022, shocking images had emerged from Bucha, depicting streets strewn with civilian corpses.

36. *“Graphic Scenes From Bucha After Russian Withdrawal”, The Wall Street Journal, 4 April 2022*

3972. The article reported on the aftermath of Russian troop withdrawal from Bucha, a suburb of Kyiv, revealing scenes of devastation and horror: shattered tanks and armoured vehicles had littered the streets, evidence of fierce fighting; bodies of civilians, some mutilated and booby-trapped, had been discovered throughout the town; and locals had recounted tales of brutality and fear during the Russian occupation, including forced confinement indoors and killings at night.

37. *“Bucha, Ukraine massacre: Graphic pictures show bodies, war crimes”, USA Today, 4 April 2022*

3973. The article reported that horrifying scenes had emerged from the Ukrainian town of Bucha and nearby areas, showing corpses lying in the streets and scattered in debris-strewn areas, possibly marking a pivotal moment six weeks into Russia’s war in Ukraine. Ukrainian officials had denounced the killings as genocide and war crimes, while global leaders had condemned the atrocities, prompting calls for tough new sanctions and a war

crimes trial for Russian President Vladimir Putin. The reported slaughter of civilians, including the discovery of bodies in mass graves, had intensified outrage worldwide and could influence public opinion for years to come. Despite disinformation efforts, the evidence of likely war crimes could accelerate war crimes investigations, although holding high-level Russian officials accountable remained challenging.

38. *“Dead lay out in Bucha for weeks, refuting Russian claim, satellite images show”, The New York Times, 4 April 2022*

3974. The *New York Times* conducted an analysis of satellite images, contradicting Russia’s assertion that the killing of civilians in Bucha had occurred after their soldiers had withdrawn from the area. Despite Russia’s Ministry of Defence denying involvement in the deaths and suggesting that bodies had been placed on the streets after Russia’s withdrawal around 30 March 2022, evidence from videos and satellite imagery revealed a different timeline. The article reported that videos and images documented by a local council member on 1 April 2022 showed numerous bodies strewn across Yablonska Street, with satellite imagery from Maxar Technologies indicating that at least eleven of those bodies had been present since 11 March 2022, coinciding with Russia’s occupation of the town. The Visual Investigations team of the *New York Times* had conducted before-and-after analyses of the satellite imagery, revealing the appearance of objects resembling human bodies on Yablonska Street between 9 and 11 March 2022. The had objects maintained their positions for over three weeks, aligning with the precise locations where bodies had been discovered following the liberation of Bucha by Ukrainian forces, as evidenced by footage from 1 April 2022. Further analysis indicated that additional bodies and abandoned vehicles had appeared on the street between 20 and 21 March 2022, corroborating the evidence of civilian deaths prior to Russia’s withdrawal.

39. *“War in Ukraine: ‘I saw a Russian soldier shoot my father dead in Bucha’”, BBC News, 5 April 2022*

3975. This article reported that on 17 March 2022 a Russian soldier had shot two civilians, a man and his son, while they had been trying to obtain humanitarian aid in Bucha. A civilian man had been shot twice in the chest and had died on the spot and his son had been shot in the hand and arm and in the head, but the bullet had gone through his hood, and he had survived. According to the article, the civilians had not had weapons and did not pose any danger.

40. *“Satellite images of corpses in Bucha contradict Russian claims”, The Guardian, 5 April 2022*

3976. This article reported that satellite images showing bodies strewn across the streets of Bucha had provided a rebuttal to claims by the Russian state that Ukrainian forces had placed dead people in the town in a “staged provocation” after Russian forces had already withdrawn. The corpses’ positions on the photos, taken in mid-March 2022, matched those from smartphone pictures published in early April 2022, allowing the massacre to be precisely dated to before Russian forces had evacuated the town.

41. *“Associated Press journalists witness more evidence of civilian killings, torture in Bucha”, CBC News, 5 April 2022*

3977. This news item reported that after the Russian forces’ withdrawal from Bucha, dozens of dead bodies had been witnessed by Associated Press journalists. It was reported that many victims seen by Associated Press appeared to have been shot at close range, some in the head. At least two had their hands tied. It was noted that high-resolution satellite imagery from Maxar Technologies showed that many of the bodies had been lying in the open for weeks, during the time that Russian forces had been in the town.

42. *“Ukrainian village leader and family found buried in shallow grave”, Reuters, 5 April 2022*

3978. This article reported that in the village of Motyzhyn, in the Kyiv region, the bodies of the village head, Olha Sukhenko, her husband and son had been found in a shallow grave with signs of torture. A witness stated that the family had been taken captive by Russian forces on 23 March 2022. The correspondent also added that other bodies were found nearby in a forest. One of the bodies buried in the sand had its head taped, while another had been found in a well with hands tied.

43. *“Bucha survivors recount senseless horror as they emerge from hiding”, ABC News, 6 April 2022*

3979. This article reported on killings of civilians in Bucha allegedly committed by the Russian forces during their occupation of the city. The witness Mykola Pavlyuk recounted how Russian troops had targeted and killed men under 50, including two of his friends, whose bodies he had buried in shallow graves to protect them from scavengers. The witness described ruthless tactics employed by Russian troops, including mass killings and forced tattoo inspections. The article also stated that the mayor of a nearby village, Olha Sukhenko, and her family had been found dead in a wooded area. Mr Pavlyuk detailed the taking over of his apartment building by Russian soldiers, who had turned it into accommodation for drunken and

violent individuals. He described living in the basement with his wife for over a month, facing constant fear of arbitrary killings or violence. Additionally, Mr Pavlyuk recounted that his friend had been killed by a grenade thrown by a drunk Russian soldier. The article highlighted the discovery of a mass grave outside a church, potentially containing up to ninety victims.

44. *“In Bucha, Ukraine, burned, piled bodies among latest horrors, Associated Press, 6 April 2022*

3980. The article reported on graphic evidence of killings and torture that had emerged in Bucha, Kyiv Region, following the withdrawal of Russian forces. Associated Press journalists discovered dozens of dead bodies around Bucha. Many victims appeared to have been shot at close range, some in the head. At least two had their hands tied. It was noted that the journalists had witnessed six burned bodies near a residential street, close to an empty playground, as residents cautiously ventured out to collect aid. The article also noted that the body of a young man shot dead had been lying at a basement entrance of a private house, and at least four other bodies had been found in the street, one with an eye apparently gouged out by a bullet. It indicated that high-resolution satellite imagery from Maxar Technologies revealed that some of the bodies had been exposed for weeks during the presence of Russian forces. The article also referred to Ukrainian officials who reported that the bodies of at least 410 civilians had been found in towns near Kyiv recently recaptured from Russian forces.

45. *“Bucha killings ‘I wish they had killed me too’”, BBC News, 6 April 2022*

3981. This article reported on the execution of a civilian man in Bucha by Russian soldiers. It was stated that Russian troops had forcibly entered a family’s home, firing shots and pulling three civilians out into the yard. According to a witness, the soldiers had escorted Oleg past the gate onto the pavement and thrown a grenade into the house through the front door, causing a loud explosion and setting the house ablaze. Oleg’s wife alleged that her husband had been made to kneel and had been shot in the head at close range. She remarked that they had not make any demands; they had simply killed him.

46. *“Ukraine war: Bucha deaths ‘not far short of genocide’”, BBC News, 6 April 2022*

3982. The article highlighted the killings of civilians in Bucha by Russian forces, alleging that Russian soldiers had killed residents outside their homes without provocation. Following Russia’s withdrawal, numerous bodies, including some found in a mass grave, had been discovered in the town. This article referred to the comments of the United Kingdom Prime Minister Boris

Johnson, who said that attacks on civilians by Russian forces in the Ukrainian town of Bucha did not “look far short of genocide”.

47. *“Bodies tied up, shot and left to rot in Bucha hint at gruesome reality of Russia’s occupation in Ukraine”, CNN, 6 April 2022*

3983. This article reported on war crimes, namely killings of civilians, ill-treatment, looting and disappearances in Bucha during the occupation by Russian forces. The correspondents had witnessed the bloodied bodies of five men in the basement of a sanatorium in Vokzalna Street in Bucha. It was reported that some individuals had suffered injuries to their knees, while others had had their arms bound behind them and had been shot multiple times. The article further stated that because the local morgue in Bucha had run out of space and there were a high number of casualties, bodies of civilians had been buried in mass graves. The ongoing shelling had prevented proper burial procedures. The article also mentioned the case of the killing of the mayor of the village of Motyzhyn, Olha Sukhenko, and her family members. It noted with reference to a statement by Ukraine’s Deputy Prime Minister Iryna Vereshchuk that eleven local mayors had been held by the Russians.

48. *“Bucha body count tops 300 with dead locals found ‘brutally tortured’: Mayor”, Newsweek, 6 April 2022*

3984. The article reported that Bucha’s mayor, Anatoly Fedoruk, had stated that Russian troops had shot dead 320 civilians during their occupation of the town. He added that 163 residents allegedly killed by Russian forces had already been identified. He also mentioned that victims had been cynically killed and brutally tortured by the Russians.

49. *“Roadside burial for labourer shot through head in Ukraine’s Bucha”, Reuters, 6 April 2022*

3985. This article reported about the killing of a Bucha resident, Ihor Lytvynenko, during the occupation by Russian forces. His body had been discovered by local residents near a building basement, showing signs of having been shot at close range through the mouth. He had been found alongside another man who had been mutilated. Witnesses reported that this man had been taken prisoner by Russian troops.

50. *“Ukraine’s ombudswoman says 400 missing in town of Hostomel”, Reuters, 6 April 2022*

3986. This article referred to a statement by Ukraine’s Human Rights Ombudsperson that more than 400 residents had been missing in the town of Hostomel after a thirty-five-day occupation by Russian forces.

51. *“A makeup artist recognized this Bucha victim’s picture by her manicure”, The New York Times, 6 April 2022*

3987. This article reported on the killing of Iryna Filkina, aged 52, in Bucha. She had been identified by a make-up artist from a photograph of the deceased’s hand. This photograph was among the distressing pictures of dead bodies in Bucha that had been circulating worldwide. The victim’s daughter stated that her mother had been shot while returning from work on her bicycle.

52. *“Fate of abducted Tavriysk mayor still unknown”, Ukrinform, 6 April 2022*

3988. This article reported the abduction of Mykola Rizak, the mayor of the town of Tavriysk in the Kherson Region, by the Russian military on 1 April 2022. As of 6 April 2022, his whereabouts remained unknown. The article also highlighted that Russian forces had abducted various civilians in the region, including journalists, community leaders, local council members and activists, holding them in prison cells in Kherson. It was noted that many civilians’ fates had remained uncertain for several days. Additionally, the article mentioned that residents of the Kherson Region had regularly staged peaceful protests against the Russian aggression, and in response, the Russian military had used force and weapons against them.

53. *“Feet tied and bullet to the head: a killing in Ukraine’s Bucha”, Reuters, 7 April 2022*

3989. This article reported on the numbers of civilian casualties with signs of ill-treatment who had been discovered in Bucha after the withdrawal of the Russian troops. The Reuters correspondents reported witnessing the remains of at least five victims who had been shot in the head. It was stated that one victim had his hands tied behind his back, while another had his feet bound with a rope and a charred hole in his forehead. The article also noted that according to local officials, more than 300 people had been killed by Russian forces in Bucha alone, and around fifty of them had been executed. The article also mentioned the case of the killing of Oleksandr Yeremich, who had been a member of the Territorial Defence Forces, the military reserves of the Ukrainian armed forces. A witness stated that Oleksandr Yeremich had been killed by four shots fired by a Russian soldier.

54. *“Death and defiance in a Bucha neighbourhood that was held by Russian troops”, Reuters, 7 April 2022*

3990. This article reported on the ill-treatment and killing of a Bucha resident, Vasyl Nedashkivskiy, by Russian troops. The witness Oleksii Tarasevich reported that on 17 March 2022 Russian soldiers had arrived at an

apartment complex on Vodoprovodka Street where Vasyl Nedashkivskiy had lived. The witness further stated that Mr Nedashkivskiy had been beaten by Russian soldiers while unarmed. Specifically, the witness observed Mr Nedashkivskiy lying motionless on the ground in a pool of blood, with at least three Russian soldiers standing over him. He added that Mr Nedashkivskiy's face had been covered in blood, and several of his teeth had been found on the ground. Mr Nedashkivskiy's wife stated that Russian soldiers had entered their apartment and had found a hidden automatic rifle and taken his husband for questioning. Two weeks later, after Russia's withdrawal, neighbours had found his body. Another man had been found dead at the same spot on 1 April 2022, showing signs of beating and a close-range gunshot to the mouth. It was stated that before the Russian soldiers had arrived, Mr Nedashkivskiy and Mr Tarasevich had helped civilian volunteers build barricades near Irpin, but neither was a member of the territorial defence forces.

3991. The article stated that according to the town's mayor, approximately 3,700 civilians had remained in Bucha after the arrival of Russian troops, representing approximately a tenth of the town's population. According to witnesses, the Russian troops had instructed residents to wear white bands around their arms to identify themselves as civilians. One of the witnesses reported that soldiers had conducted searches of apartments and placed handwritten signs on doors stating "Inspected" in Russian. In some instances, when encountering vacant apartments, they had looted them. Additionally, the soldiers demanded that locals surrender their mobile phones.

55. "Ukrainian villagers count dead after weeks in school basement", Reuters, 8 April 2022

3992. This article reported on the detention of 300 people in a school basement for weeks by Russian forces in Yahidne, Chernihiv Region. A witness stated that during their captivity, seven detainees had been executed by Russian soldiers, and ten others had died as a result of the harsh conditions in the basement. It was noted that their names had been scrawled on the peeling walls of the school basement. Witnesses described insufficient space for everyone to lie down, making it almost impossible to breathe. They were held in bare concrete rooms in the basement along with around sixty children, with little food or water, no electricity, and no toilets. The article also mentioned the killing of Yahidne resident Viktor Shevchenko by Russian soldiers, who had shot him in the head. A Reuters correspondent spoke to seven Yahidne residents who claimed that, in total, at least twenty people had died or had been killed during the Russian occupation. One witness also reported looting by Russian troops.

56. *“Bodies of three locals tortured by Russian servicemen found in Kharkiv region”, Ukrinform, 8 April 2022*

3993. This news item reported that in the village of Husarivka, in the Kharkiv region, Russian military had tortured three locals and set their bodies on fire. It was noted that the Kharkiv Regional Prosecutor’s Office had initiated a pre-trial investigation into war crimes and murder. The article stated that the burnt bodies had been found in a basement after the village’s liberation on 7 April 2022. Additionally, fourteen people had been injured and one woman had been killed as a result of the shelling of Kharkiv by Russian forces.

57. *“Ukraine mother: I saw my daughter killed, then was held captive in basement”, BBC News, 9 April 2022*

3994. This article reported on the firing by Russian forces on a civilian vehicle carrying a couple and two children who were attempting to flee the hostilities in Chernihiv on 5 March 2022. As a result of the attack, a twelve-year-old girl and a man had been killed. The witness, Viktoriya Kovalenko, who had survived, stated that near the village of Yahidne they had found the road out of the city blocked and had been attempting to flee on foot when their car had been hit by Russian shelling and had burst into flames. Viktoriya and her one-year-old daughter had hidden in a small building. The next day, they had been discovered by Russian soldiers, who had placed them in a school basement in Yahidne with other civilians and held them captive in appalling conditions for twenty-four days.

58. *“After Russians’ retreat, scarred Ukrainian village recounts month of terror”, the Guardian, 9 April 2022*

3995. This article reported on the killing of civilians, the destruction of property and looting by Russian forces during the occupation of Saryi Bykiv village in the Chernihiv Region. It was reported that Russian soldiers had killed at least nine men, destroyed a school and systematically looted dozens of houses. The village had been under Russian occupation for thirty-two days, starting from 27 February 2022. Witnesses Tamara and Petro Lysenko, a married couple, stated that Russian forces had broken into their house and detained them along with their relatives in the basement for several weeks. The witnesses reported that Russian soldiers had consumed all their food, stolen a computer and a washing machine, taken all of the husband’s clothes, killed several animals, vandalised family cars and painted “Z” symbols in orange on the fridge and kitchen door.

59. *“Russian invaders abduct 106 persons in Zaporizhzhia region”, Ukrinform, 9 April 2022*

3996. This news item stated that according to the Zaporizhzhya Regional Military Administration, the Russian forces had abducted 106 persons in the Zaporizhzhya region, including twenty-one representatives of local self-government authorities between 14 March and 9 April 2022. It was further stated that as of 9 April 2022, sixty-three people had remained hostage, while forty-three had been released. The article stated that of the twenty-one abducted local officials, eleven had been released. Additionally, two journalists had been taken captive, with one already released.

60. *“Dozens of civilian Ukrainians found in grave near Kyiv, local official says”, Reuters, 10 April 2022; “Mass grave discovered in Buzova, west of Kyiv”, The Brussels Times, 10 April 2022*

3997. These news items reported that a mass grave containing dozens of Ukrainian civilians had been found in the village of Buzova, near Kyiv, after the Russian troops’ withdrawal.

61. *“‘They made him kneel and shot him in the head’ the savage occupation of Bucha”, The Guardian, 10 April 2022*

3998. This article reported about the murder of a Bucha resident, Volodymyr Cherednichenko, aged 26, by Russian soldiers. *Guardian* correspondents had spoken with Natasha Alexandrova, Volodymyr’s aunt and a witness to the murder. She recounted that on 4 March 2022 three Russian soldiers had entered their house and demanded documents and mobile phones. Ms Alexandrova further stated that the soldiers had discovered photographs of a Russian military column taken by her nephew. Subsequently, they had taken him away and placed him in their armoured personnel carrier, saying that they would interrogate him and return him in three days. Volodymyr Cherednichenko’s body had been found in a cellar on a neighbouring street after Russian forces had withdrawn from Bucha on 29 March 2022. The witness reported that he had been shot in the head. The article also mentioned that a dozen people had been murdered on Ivan Franko Street in Bucha. It was reported that a pile of six charred bodies had been found at the beginning of Ivan Franko Street. According to local residents, Russian soldiers had looted personal possessions, including cars, jewellery, laptops and other belongings.

62. *“Trapped in a Mariupol hospital ‘They said anyone who left would be shot’”, The Guardian, 10 April 2022*

3999. This article reported on an attack on a maternity hospital and the taking over of a medical facility in Mariupol by Russian soldiers. A witness,

Alina Buzunar, a health worker of Mariupol hospital, reported that on 9 March 2022 after the attack on the maternity hospital, two buses of dazed and bloodied women and babies, some just days or even hours old, had arrived at the hospital for treatment that day. She further stated that a pregnant woman had died from a serious injury to her hip. She added that during a tense and stressful period in March 2022, staff members at a hospital had sheltered in the basement because of the ongoing conflict. The witness stated that on 11 or 12 March 2022, the hospital staff members had heard gunshots and they had been threatened by Russian soldiers who had entered the hospital. She stated that the Russian soldiers had instructed the hospital management not to interfere with their activities and warned that anyone leaving would be shot. Alina Buzunar also mentioned that the Russian soldiers had been aggressive, frequently threatening the medical staff with machine guns, and had established a military base on the first floor of the hospital, previously administrative offices. The witness alleged that despite already facing challenges such as a shortage of medication and missing windows as a result of explosions, the situation had worsened when a tank had attacked the hospital. As a result, one staff member had suffered broken ribs, and patients lying in the corridors had died.

63. *“Russian occupiers detain writer Volodymyr Vakulenko and his son in Izium”, Ukrinform, 10 April 2022*

4000. This news item reported that Russian troops had detained the Ukrainian writer Volodymyr Vakulenko and his son in the city of Izium, in the Kharkiv Region

64. *“Bucha killings: Satellite image of bodies site contradicts Russian claims”, BBC News, 11 April 2022*

4001. This article reported that satellite images of Bucha, taken by Maxar on 11 and 19 March 2022, nearly two weeks before the Russian troops had withdrawn from the town, appeared to show bodies lying in the streets. These bodies had later been found in those exact locations by Ukrainian forces after they had regained control of the town. The article includes photos showing bodies on the streets of Bucha.

65. *“Ukraine conflict: ‘Russian soldiers raped me and killed my husband’”, BBC News, 11 April 2022*

4002. This article reported about cases of sexual violence and killings of civilians committed by Russian soldiers in the Kyiv region. The BBC correspondents had spoken with victims and witnesses of war crimes in the Kyiv Region. In the first case, the witness reported that Russian soldiers had forcibly entered her home on 7 March 2022 and then one soldier, threatening her, had demanded that she remove her clothes and raped her. The witness

identified her attacker as a young Chechen fighter who was aligned with the Russian forces. Upon returning to her home, she had discovered that her husband had been shot in the abdomen. Owing to the ongoing conflict, she had been unable to transport him to a hospital, and he had succumbed to his injuries two days later. Another reported case involved the killing of a woman who had allegedly been raped. According to a neighbour of the victim, Russian soldiers informed them that the woman had been raped and had her throat either slit or stabbed, leading to her bleeding to death. It was noted that the woman's body had been found by the police unclothed with a deep, long cut across the neck and had been buried in a grave in the garden of her house.

4003. The police chief of the Kyiv Region, Andrii Nebytov, provided details of another case involving a family of three, a couple in their thirties and their young child, who resided in the Kyiv Region. Mr Nebytov stated that on 9 March 2022, several Russian soldiers had entered the house. The husband had attempted to shield his wife and child, but had been shot and killed in the yard. Subsequently, two soldiers had sexually assaulted the wife multiple times, threatening to harm her child if she resisted. After the assault, the soldiers had set fire to the house and killed the family's dogs before departing.

4004. The article also referred to Ukraine's Ombudsperson for Human Rights, Liudmyla Denisova, who stated that about twenty-five girls and women aged 14 to 24 had been systematically raped during the occupation in the basement of one house in Bucha. She added that nine of them were pregnant. Russian soldiers had raped them to the point where they would not want sexual contact with any man, to prevent them from having Ukrainian children.

66. *"Ukraine rights group tells top UN body that rape used as weapon of war", Reuters, 11 April 2022*

4005. This article referred to the statement of the president of La Strada-Ukraine, Kateryna Cherepakha, who had said her organisation's emergency hotlines had received calls accusing Russian soldiers of nine cases of rape, involving twelve women and girls.

67. *"East Ukraine focus of new Russian assaults", Reuters, 11 April 2022*

4006. The article reported that according to Ludmila Zabaluk, head of the Drnytriv village department, fifty bodies of civilians had been found in the area. She stated that they had been shot from close distance. She added that three people, including a seventeen-year-old child, had been burned in the car.

68. *“Six local residents have been found dead in a basement in the village of Shevchenkove”, Ukrinform, 12 April 2022*

4007. This news item reported that six civilians had been found dead in a basement of private households in the village of Shevchenkove, Brovary district, Kyiv Region, reportedly shot by the Russian military.

69. *“UN calls for independent investigation into rape in Ukraine”, Al Jazeera, 12 April 2022*

4008. This article referenced the statement of Kateryna Cherepakha, the president of La Strada-Ukraine, who stated that witnesses had testified about Russian officers carrying out rapes in front of children and family members, while also threatening the lives of their victims.

70. *“Intercept: Wife of Russian invader tells husband to ‘rape Ukrainian women’”, Ukrinform, 12 April 2022*

4009. This news item referred to the Security Service of Ukraine, which had reported an intercepted call from the wife of a Russian soldier who had told him the following: “You go there and rape Ukrainian women, just don’t tell me anything.”

71. *“Russian invaders rape even babies in Ukraine – Zelensky”, Ukrinform, 12 April 2022*

4010. The article referred to a statement made by the President of Ukraine Volodymyr Zelenskyy during his speech in the Parliament of the Republic of Lithuania. He stated that hundreds of cases of rape had been recorded, including under-age girls and very young children.

72. *“Ukraine’s disappeared: How Russia uses abductions to win control”, VOX, 12 April 2022*

4011. This article reported on the abduction of Victor Maruniak, the head of the village of Stara Zburivka in the Kherson Region, by Russian soldiers. According to his daughter, Victor Maruniak had been taken by Russian soldiers and had been missing since 24 March 2022. It was reported that on the morning of 23 March 2022 Russian forces had returned with Victor Maruniak in handcuffs and conducted a search of the house. The next day, the Russian soldiers had returned with Victor, instructing his wife to provide him with food and medicine. She observed bruises on his legs, right temple and arm. Following this encounter, Mr Maruniak’s family had received no further information about his whereabouts. It was noted that on 12 April 2022 Victor Maruniak had been released.

73. *“Forced into a basement in Ukraine, residents began to die”, AP News, 13 April 2022*

4012. This article reported that Russian soldiers had forced more than 300 residents of the village of Yahidne into a school basement. Accounts from Yahidne residents shared with the Associated Press described being coerced into the basement at gunpoint after the Russian forces had taken control of the area around the northern city of Chernihiv in early March. Those residents recounted having been confined to the basement day and night, only occasionally being permitted outside to cook on open fires or to use the toilet. The health of those held captive had deteriorated over time, and as weeks of stress and deprivation persisted, some individuals had succumbed.

74. *“Mayor exhumed as Ukraine confronts grim cost of war”, France 24, 13 April 2022*

4013. This article reported on the killing of Yuriy Prylypko, the mayor of the city of Hostomel in the Kyiv Region on 7 March 2022 during the occupation of the city by the Russian forces. The municipal council said that he had been shot dead while “handing out bread to the hungry and medicine to the sick”.

75. *“‘They were hooligans’: Chernobyl locals reeling after Russian invasion”, The Guardian, 13 April 2022*

4014. This article reported about the incursion of Russian forces into the Chornobyl exclusion zone on 24 February 2022. They had seized control of the nuclear power plant and rounded up 103 technical staff. Yevhen Kramarenko, head of the exclusion zone State agency, stated that the Russian soldiers had stolen computer servers and other items from the nuclear power plant, hindering the monitoring of radiation levels by the staff.

76. *“Bodies of 765 civilians recorded so far in Kyiv region, says Prosecutor”, The Guardian, 13 April 2022*

4015. The article stated that according to a senior prosecutor in the Kyiv Region, Ukrainian authorities had collected the bodies of 765 civilians, including thirty children, in the Kyiv area. The prosecutor added that that had been only the beginning of their work in the deoccupied towns and they expected that many more dead bodies would be found. He also noted that in the town of Motyzhyn, Kyiv Region, Russian soldiers had ill-treated nine people who they believed had helped the Ukrainian army; six of them had been tortured to death and three had survived. The official also reported that one of the cases under investigation concerned crimes committed by Russian forces on the territory of a golf club near the town of Makariv, in the Kyiv

Region, which they had been using as their headquarters and where they had held a group of local residents. He added that some of the victims had been buried alive, forced to dig a grave and beaten.

77. *“Ukrainian mom’s pain at watching daughter’s burial on phone”, AP News, 14 April 2022*

4016. This article reported about the harrowing experiences of Viktoriya Kovalenko and her family during early March 2022, as they had attempted to flee the besieged city of Chernihiv amid intense warfare. It was reported that while passing through a Russian checkpoint near the village of Yahidne, their car had been struck by a shell, causing injuries to Viktoriya Kovalenko and her 12-year-old daughter, Veronika. Viktoriya’s husband had died in the explosion and Veronika had also died while leaving the car, leaving Ms Kovalenko and her younger daughter Varvara to escape on foot. However, they had soon been captured by Russian troops and taken to the basement of a school in Yahidne. Forced to remain in the basement day and night, except for brief periods outdoors for basic necessities, Viktoriya Kovalenko and Varvara had struggled to survive alongside other residents. With fatalities occurring regularly, neighbours were occasionally permitted to bury the deceased in a mass grave nearby.

78. *“Ukrainian mother relives horror of son’s execution in Bucha”, ABC News, 15 April 2022*

4017. The article reported on the killing of five men, whose bodies had been discovered in a basement in Bucha. Ms Matyoshko, the mother of one of the victims, stated that her son and his friend had been assisting in the evacuation of women and children from houses near the Bucha summer camp when they disappeared on 12 March 2022. Both men’s bodies had been found in the basement on 5 April 2022. Ms Matyoshko mentioned that the official report from the police crime investigators indicated that her son had been killed by two gunshots.

79. *“Kharkiv region: Russians fire on buses near Borova settlement, 7 killed and dozens wounded”, Ukrayinska Pravda, 15 April 2022; “Russians fired at evacuation buses in Kharkiv region: 7 civilians killed, 27 wounded”, Ukrinform, 15 April 2022*

4018. These two news items reported that seven people had been killed and twenty-seven others had been wounded as Russian soldiers had opened fire on buses carrying evacuees near the village of Borova in the Iziurn district, Kharkiv Region, on 14 April 2022.

80. *“Russian invaders persecute Crimean Tatars in Zaporizhzhia, Kherson region – Denisova”, Ukrinform, 16 April 2022*

4019. The article reported on a social media post by Ukraine’s Ombudsperson, Liudmyla Denisova, according to whom Rustem Osmanov, a Crimean Tatar, had been abducted from his home in Kalanchak, Kherson Region, and then sentenced by a “court” in Simferopol, Crimea, to two months in prison. The Ombudsperson also reported that the house of another Crimean Tatar, Dlyaver Seitumerov, in Melitopol, Zaporizhzhya Region, had been unlawfully searched with windows smashed and doors broken.

81. *“‘He never came back’: Horrors of kidnap, torture, murder in Russian torture chamber”, The Independent, 17 April 2022*

4020. This article reported on abductions and ill-treatment committed by Russian military personnel in Trostyanets, located in the Sumy Region, which was under Russian occupation for thirty days until 25 March 2022. *Independent* correspondents spoke to two survivors, Dima and Andrei, who had been abducted by Russian soldiers in March 2022. They testified that they had been starved, tortured, subjected to multiple mock executions, threatened with rape, and forced to sit in their own excrement by Russian soldiers at Trostyanets railway station, which served as a torture chamber. The witnesses stated that at least eight civilians had been held there during the month-long Russian occupation of the town. They added that three of the detainees were either dead or missing; two men, including a military veteran, had been beaten almost unconscious before being taken away, and their whereabouts were unknown. Andrei said that he had been stabbed in his left leg, stripped naked, and threatened with genital mutilation and rape. He stated that the Russian soldiers had also administered electric shocks to his head. Eventually, Andrei had asked the soldiers to shoot him dead because of the extreme pain. The victims stated that sometimes they would not be given food for several days. They further stated that the detainees had been beaten daily and denied permission to use the toilet, leaving them sitting for days in their own excrement. Dima said that he had been subjected to five different mock executions, during which he would be taken out of the cell and made to kneel on the floor, with his hands against a wall, and then a shot would be fired next to his head.

82. *“Mother Finding Son in Well ‘Most Horrifying Thing I Have Seen’: Zelensky”, Newsweek, 17 April 2022*

4021. The article reported on a video of a woman from Buzova, Kyiv Region, finding her son’s body in a well. According to Taras Didych, the head of the local community, there had been two bodies found belonging to locals who had been members of the Territorial Defence. The article also mentioned

the reaction of President Zelenskyy, who had been asked about the video during an interview with CNN

83. *“Ukraine children: Killed as he escaped, Elisei is one of 200 child victims”, BBC News, 19 April 2022*

4022. This article by Yogita Limaye reported on the killing of a thirteen-year-old boy, Elisei Ryabukon, in the village of Peremoha by Russian troops as he attempted to escape. The boy’s mother stated that on 11 March 2022, the Russians had given them permission to leave. However, while crossing a field, they had begun firing at evacuees from every direction. There had been five cars in the convoy of vehicles evacuating, with Elisei in the second car, in which no one survived. Additionally, the article reported on the injury of six-year-old Daniil Avdeenko, who, along with his parents, had been injured in a Russian mortar shelling outside their home in a residential neighbourhood in Chernihiv.

84. *“Ukrainian volunteers recount three weeks in Russian captivity, allege beatings”, Reuters, 19 April 2022*

4023. This news item provided information about the detention of two volunteers for the local Red Cross in Dymer by Russian forces. Volodymyr Khropun and Yulia Ivannikova-Katsemon said that they had been assisting people fleeing villages on the front line in northern Ukraine when they were detained by Russian soldiers in March 2022. They described being held with around forty other captives in an unheated room at a small factory in Dymer, huddled on thin mattresses and scraps of cardboard, with their hands bound. Nearly a week later, they had been transferred in a military truck to Belarus, and then to detention centres in Russia. The volunteers had been released on 9 April 2022.

85. *“Occupied Ukrainian city fears sham Russian referendum plans”, AP News, 27 April 2022*

4024. The article stated that according to Mr Kolykhaiev, the mayor of Kherson, Russian soldiers abducted more than 200 people, including local activists, journalists and war veterans. The article reported that among them was the journalist Mr Baturin, who had been seized near his home in Kakhovka. He stated that he had been meeting an acquaintance from another village when a group of Russian soldiers attacked him at the train station. They had held him in isolation for a week, Mr Baturin said, interrogating him every day; the soldiers asked for the names of organisers of anti-occupation protests, as well as local soldiers and veterans. From other cells, he could hear sounds of torture.

86. *“A Ukrainian father’s terrifying journey to a Russian prison and back”, BBC News, 29 April 2022*

4025. The article, written by Joel Gunter, reported on the imprisonment and ill-treatment of Nikita Horban, a civilian, who had spent three weeks in a prison in Russia. Mr Horban recounted that when the Russian army entered Andriivka, located in the Kyiv region, his family had sought refuge in a cellar. However, they had been discovered by Russian soldiers conducting house-to-house searches, who had forcibly extracted Nikita Horban and his stepfather from the cellar and subjected them to physical abuse. Subsequently, they had been blindfolded, taken at gunpoint to what appeared to be an open field, and subjected to torture. The correspondent stated that Mr Horban bore a fresh scar on his knuckle, inflicted when the Russians had tightened a wrench around it, causing the skin to tear. Furthermore, their boots had been confiscated, filled with water, and then forcibly put back on. Subsequently, the prisoners had been compelled to lie face down in the freezing cold in the field for three days. Following that ordeal, Mr Horban and approximately ten to twelve other prisoners had been transported to a detention camp in Kursk, Russia. After he had endured three weeks of incarceration, Mr Horban’s foot condition had significantly deteriorated, prompting his transfer to a hospital where all his toes had been amputated.

87. *“Kyiv police find three bound men they say were executed by Russian occupiers”, Reuters, 30 April 2022*

4026. This article reported that Ukrainian authorities had discovered the bodies of three civilian men in Bucha. The men had been found bound and, in some cases, gagged, with multiple gunshot wounds and signs of torture. Ukrainian officials stated that they had been killed during Russia’s invasion and subsequently buried in a mass grave.

88. *“How the barbaric lessons learned in Syria came to haunt one small Ukrainian village”, The Guardian, 30 April 2022*

4027. This article reported on the ill-treatment and killing of civilians by Russian soldiers in Motyzhyn, Kyiv Region. Witness Oleh Bondarenko, whose home had been destroyed in a fire, had endured abduction and torture committed by Russian servicemen. He had suffered severe injuries, including the loss of several teeth, extensive scars on his torso, and significant damage to his spine as a result of Russian assaults. Mr Bondarenko recounted being beaten, subjected to mock executions and tortured in various ways at his home before being blindfolded and taken to an abandoned farm near a Russian position. There, he had again been subjected to beatings and a mock execution, followed by being tied to a quad bike and forced to run while threatened with death if he fell. Furthermore, Mr Bondarenko testified that Russian soldiers had informed him of the killing of the head of the village

council, along with her husband and son. They had been viciously beaten, with their limbs twisted and broken, shot in the hands or knees to inflict maximum pain, and then shot again in the stomach before finally being killed by a gunshot to the back of the head.

89. *“Bodies of Three Men Found in Bucha, Ukrainian Officials Say”, The New York Times, 30 April 2022*

4028. This article by Esha Ray reported on a statement by Andriy Nebytov, the Kyiv regional police chief. Mr Nebytov stated that on 29 April 2022 three male bodies with signs of torture and mutilation had been found in a forest pit in the village of Myrotske near Bucha. He added that the victims, all civilians, had been shot.

90. *“Men and boys among alleged rape victims of Russian soldiers in Ukraine”, The Guardian, 3 May 2022*

4029. This article by Emma Graham-Harrison reported on alleged cases of sexual violence during the war in Ukraine as reported by UN and Ukrainian officials. In particular, it quoted Pramila Patten, the UN’s special representative on sexual violence in war, who had stated during her press conference in Kyiv that there had been as yet unverified reports of sexual violence against boys and men with dozens of cases under investigation. The article also referred to a statement by Iryna Venediktova, Ukraine’s Prosecutor General, who stated that her office had been investigating reports of sexual violence by Russian troops against “men and women of all ages, from children to elderly people”. Moreover, the office of Liudmyla Denisova, Ukraine’s Ombudsperson, had documented the cases of twenty-five women who had been kept in a basement and systematically raped in Bucha.

91. *“Exclusive: Video shows Russian soldiers killing 2 civilians”, CNN, 12 May 2022*

4030. CNN reported that it had obtained verified surveillance video footage capturing the killing of two unarmed men by Russian soldiers on the outskirts of Kyiv. According to the article, five Russian soldiers had attempted to break into businesses by firing at locks and smashing glass. When the owner approached with hands raised, they had stopped him and appeared to search him for weapons. The footage depicted soldiers engaging in dialogue with two civilians, who had subsequently returned to their guard post. Subsequently, at least two soldiers had approached the men from behind and opened fire, causing both civilians to drop to the ground.

92. *“Russia’s retreat from Kharkiv, another key Ukrainian city, reveals new evidence of atrocities”, CNN, 13 May 2022*

4031. This article, co-written by Nick Paton Walsh, Natalie Gallón, Brice Laine and Denis Lapin, reported on events in Kharkiv and the Kharkiv Region after the retreat of the Russian forces. It described, in particular, an episode which, according to Ukrainian officials, had happened on 4 May 2022. On that day a convoy of five civilian cars had been trying to evacuate, only to be met and shot at by Russian troops. Ukrainian officials claimed there had been four civilians killed in the attack, including a 13-year-old girl. The authors of the article had travelled to the area and seen those five cars riddled with bullets, with two of them torched. According to a Ukrainian soldier who had escorted the journalists, one of the burnt cars had been hit by a tank shell, changing its look beyond recognition.

93. *“A Ukrainian city under a violent new regime”, The New Yorker, 16 May 2022*

4032. This article, written by Joshua Yaffa, reported about the circumstances of the abduction of the mayor of Melitopol, Ivan Fedorov. It stated that on the afternoon of 11 March 2022, during the second week of the occupation of the city, a group of around twelve Russian soldiers, armed with Kalashnikovs and concealed behind balaclavas, had forcibly entered Mr Fedorov’s office. They had proceeded to restrain him by tying his hands behind his back and covering his head with a black bag. Mr Fedorov had been informed of a criminal case opened against him in the “Lugansk People’s Republic” and had promptly been taken to the police headquarters, which had been seized by Russian forces at the onset of the occupation. There, he had been confined to a cell and subjected to prolonged interrogation sessions. Mr Fedorov stated that he had heard the agonising screams of individuals being tortured, with one instance involving what appeared to be the deliberate infliction of physical harm, such as breaking fingers, on a fellow detainee. Several days later, on the evening of 16 March 2022, Mr Fedorov had been released as part of a prisoner exchange.

94. *“New evidence shows how Russian soldiers executed men in Bucha”, The New York Times, 19 May 2022*

4033. This article reported that witness testimony and videos obtained by the *New York Times* showed how Russian paratroopers had executed at least eight Ukrainian men in Bucha on 4 March 2022. The article contains photo evidence of a crime.

95. *“Interrogation, uncertainty for surrendering Mariupol troops”, Associated Press, 19 May 2022*

4034. This article by Oleksandr Stashevskiy and Ciaran McQuillan reported on the situation in Mariupol after the surrender of Ukrainian troops from the Azovstal steelworks. A spokesman of the Russian Ministry of Defence had stated that 959 Ukrainian troops had abandoned the plant since 16 May 2022. Meanwhile, US officials had claimed that they had gathered intelligence confirming that Russian forces had been carrying out abuses in Mariupol, including beating and electrocuting the city’s officials and robbing homes. The US sources also claimed that some Russian officials had been aware and concerned of the abuses.

96. *“Beaten and tortured, this Ukrainian man’s account is one of an alleged 10,000 war crimes being investigated”, CBC News, 20 May 2022*

4035. This article covered a Russian assault on a civilian area in Borodyanka, highlighting the severe devastation suffered in the Kyiv region. Vitaly Lusyi, a Borodyanka resident, recounted being interrogated and tortured by Russian soldiers over two days. They had forced him to kneel in a shallow dirt hole for hours, where he had endured pain from a previous beating. Later, he had been threatened with execution in a basement. Mr Lusyi also mentioned Russian soldiers shooting at his home, indicating bullet holes in the front door and inner wall.

97. *“Almost 4,000 men from Mariupol held in ‘filtration camps’ in occupied Donetsk region”, Ukrinform, 21 May 2022*

4036. This article reported on a social media post by Ukraine’s Ombudsperson, Liudmyla Denisova. She stated that according to rough estimates, 4,000 men from Mariupol had been detained in Russian “filtration camps” in Bezimenne and Kozatske in the Novoazovsk district with this number doubling over the past two weeks. She added that they had been kept in “horrible conditions”, sleeping on the floor in unsanitary rooms, and that the Russian forces had been planning to mobilise those men to their ranks.

98. *“Prisoners of war from Azov – Do the fighters face the death penalty in Russia?”, Deutsche Welle, 21 May 2022*

4037. According to the article, since 16 May 2022 more than 1,700 Ukrainian soldiers defending the Azov steel plant in Mariupol had been detained by Russian forces. The chairman of the Duma’s Committee on International Affairs suggested had putting members of the Azov Battalion on trial, as well as lifting Russia’s 1996 moratorium on capital punishment.

99. *“Russian soldiers shoot Zaporizhzhia NPP staffer after raiding his home”, Ukrinform, 23 May 2022*

4038. This article reported on a statement by Energoatom, the Ukrainian State-owned nuclear power plants’ operator. It stated that on 23 May 2022 Russian representatives had broken into the home of Serhii Shvets, a worker of the Zaporizhzhya Nuclear Power Plant, and had shot him with an automatic gun. The victim had been taken to hospital, the company added.

100. *“Ukraine names suspects in killing of village mayor near Kyiv”, The Wall Street Journal, 24 May 2022*

4039. The article reported that Ukrainian prosecutors had identified eight Russian servicemen and mercenaries who had been responsible for the killing of the mayor of the village of Motyzhyn, Olha Sukhenko, her husband and son, who had been discovered partly buried in a shallow grave shortly after the Russian forces’ withdrawal from the Kyiv region at the end of March 2022. The Ukrainian Prosecutor General Iryna Venediktova stated that the Russians had tortured and tried to extract information about Ukrainian military positions from the Sukhenkos, shooting the son, Oleksandr, in the leg in front of his mother before shooting and killing all three.

101. *“More than 10 mass graves of civilians found in Kyiv region”, Ukrinform, 24 May 2022*

4040. This article reported on a statement by Andriy Nebytov, the chief of police of the Kyiv Region. He stated that more than ten mass grave sites had been found by the police across the Kyiv Region with most of them, eight, in Bucha. He added that 418 bodies had been found in Bucha alone, with more than half having died of gunshot wounds.

102. *“‘This tears my soul apart’: a Ukrainian boy and a killing”, AP News, 26 May 2022*

4041. This article by Cara Anna detailed the tragic shooting incident involving fourteen-year-old Yura Nechyporenko and his father Ruslan, perpetrated by a Russian soldier in Bucha. According to the account provided, Yura and Ruslan had been peacefully riding their bikes along a tranquil street bordered by trees when they encountered the Russian soldier. Despite complying with the soldier’s demands by halting and raising their hands, Ruslan had been fatally shot without any opportunity to respond. Yura had also suffered gunshot wounds to his hand and elbow in the same attack. Following the shooting, Yura had lain wounded on the street for several minutes before eventually making his way to safety at a nearby kindergarten, where his mother worked and residents sought refuge in the basement.

Additionally, the article noted that a Russian soldier had later issued threats against a family member who was attempting to retrieve Ruslan's body.

103. "First rape case against Russian soldier since Ukraine invasion sent to court", ITV News, 30 May 2022

4042. This news item reported that the first rape case against a Russian soldier, Mikhail Romanov, since the invasion of Ukraine had been sent for trial *in absentia*. Mikhail Romanov, who had been identified by a victim, was accused of murdering a Ukrainian man and raping his wife. The article further stated that the Prosecutor General of Ukraine had written on her Facebook account that a drunken soldier, along with another occupier, had broken into a civilian home in Brovary, Kyiv Region, shot the man living there and raped his wife several times. She further added that they had threatened the woman with weapons and violence even regarding her child, who had been with her at the time.

104. "Ukraine exhumes seven bodies of people it says were killed by Russian forces", Reuters, 13 June 2022; "Another mass grave found in Kyiv region", Ukrinform, 13 June 2022

4043. According to these articles, as of 13 June 2022, Ukrainian police had exhumed seven civilians executed by Russian occupation forces in Vorzel, Kyiv Region. Multiple victims had had their hands tied and knees shot, indicating torture, and several victims had been shot in the head.

105. "Russian military abduct vice principal of Kherson State University", Ukrinform, 14 June 2022

4044. According to the article, on 14 June 2022 Russian military servicemen had abducted the viceprincipal of Kherson State University.

106. "In occupied Skadovsk, Russians abduct, kill local firefighter", Ukrinform, 18 June 2022

4045. According to the article, on 18 June 2022 Oleksandr Yakovlev, mayor of Skadovsk, had stated that representatives of the Russian occupation administration had abducted and killed a local firefighter, Serhiy Viktorovych Boychenko.

107. "Ukrainian prisoner of war accuses Russia of torture", Global News, 22 June 2022

4046. According to the article, following a prisoner exchange in June 2022, a Ukrainian prisoner of war had reported having been subjected to beating and torture while in captivity. As indicated by the released Ukrainian

soldier, he had been subjected to electrocution by Russian military servicemen.

108. *“Eight city, village and settlement heads held in Russian captivity”, Ukrinform, 2 July 2022*

4047. According to the article, as of 2 July 2022 eight city, village and settlement heads from the Kherson, Zaporizhzhya and Kharkiv Regions were held in Russian captivity. Among the captives were: the Dniprorudne city mayor Yevheniy Matveyev, the Vilkhivka village head Oleksandr Shmyhol, the Hola Prystan city mayor Oleksandr Babych, the Kherson city mayor Ihor Kolykhayev, the Velyki Kopani village head Valentyna Kostenko, the Hornostaivka settlement head Dmytro Liakhno, the Khrestivka village head Serhiy Khilchenko, and the Novotroitske settlement head Petro Zbarovskyi.

109. *“More than 10,000 Mariupol residents held in ‘DPR’ prisons”, Ukrinform, 2 July 2022*

4048. According to the article, as at 2 July 2022 more than 10,000 residents of Mariupol were being held in inhuman conditions in prisons in the so-called “Donetsk People’s Republic”

110. *“Arbitrary detention widespread in Russian-held parts of Ukraine – UN rights chief”, Reuters, 5 July 2022*

4049. According to the article, as of 5 July 2022 UNHCHR had documented 270 cases of arbitrary detention of civilians by Russia’s military. Eight of those detainees had later been found dead.

111. *“Relatives of abducted residents of Kherson region forced to obtain Russian passports”, Ukrinform, 6 July 2022*

4050. According to the article, as at 6 July 2022 the relatives of those detained by the representatives of the Russian occupational administration were being forced to obtain Russian passports, in exchange for their relatives’ freedom.

112. *“Ukrainian Medic’s Months in Russian Cell: Cold, Dirty and Used as a Prop”, The New York Times, 11 July 2022*

4051. This article by Valerie Hopkins reported on the story of Yuliia Paievskaya, a Ukrainian military medic who had been captured by Russian forces while she had been evacuating a group from Mariupol on 16 March 2022. Answering the reporter’s question, Ms Paievskaya, also referred to by the callsign Taira, had said that she had been kept in a cell in a Donetsk basement for three months. She said that during the first few days of her detention in a solitary cell she had been interrogated for hours, not fed and given just half a

glass of water per day. After that Taira had eventually been detained in a small cell with twenty-one other women, where they had had to sleep in shifts due to insufficient space. She had also been subjected to “relentless beatings” and deprived of her thyroid medication and asthma inhaler. Taira said that she had never been allowed to walk outside during those three months, and that she had only taken a shower once. She said that the detainees had been forced to sing the Russian anthem and to shout Russian chants. On the day of her release a guard had put a bag on her head and driven her out of Donetsk. On 17 June 2022 President Zelenskyy announced that Taira had been released. During her detention she had lost more than 9 kg and she had subsequently experienced lasting mental effects and trouble sleeping.

113. “Is self-proclaimed Donetsk People’s Republic going to execute war prisoners?”, Kyiv Post, 13 July 2022

4052. This article by Aleksandra Klitina reported on the situation of Ukrainian prisoners of war who had been sentenced to death in the “DPR”. It said that on 9 June 2022 the “DPR’s” “supreme court” had sentenced to death two British citizens, Sean Pinner and Aiden Eslin, along with a Moroccan citizen, Brahim Saadoun, all of whom had fought for Ukraine. In addition to that, on 9 July 2022 two unnamed Azov Regiment fighters had been sentenced to death. There had been three other people sentenced to death in DPR since 2014, but none of those sentences had been carried out. Therefore, the fate of the sentenced prisoners remained uncertain.

114. “This is what happens to Ukrainian prisoners of war in Russia”, Open Democracy, 13 July 2022

4053. This article by Kateryna Semchuk reported on the fate of two Ukrainian prisoners of war who had been released from Russian custody. The first one, Sasha Cherniak, a civilian, had been a driver in the village of Havronshchyna, Kyiv Region. He said he and his colleagues had been stuck in their office when the invasion began, unable to return home amidst the fighting. On 28 February 2022, when they ran out of food, he had decided to walk home but had been captured by Russian troops on his way. He said that he had been taken to an unknown military location by a Russian helicopter where he was questioned if he was a “spotter” directing Ukrainian artillery fire. There he had been blindfolded with Russian troops sticking a gun to his head during interrogations and constantly pulling the trigger in safety mode, threatening to switch it to fire mode should he lie. Subsequently he had been taken to and detained at Kursk pre-trial detention facility in Russia, where he had been severely beaten and tasered until the taser’s battery ran out. Mr Cherniak had been kept in a cell with twenty-two beds. Every morning he and the other prisoners would be forced to sing the Russian anthem and songs

glorifying Vladimir Putin. On 18 April 2022 he had been released in a prisoner swap alongside with fifteen other civilians and sixty soldiers.

4054. Another prisoner interviewed for the article was Danylo Melnyk, a chief platoon sergeant of the 14th Separate Mechanised Brigade. On 10 March 2022 he had been captured, wounded, in the village of Dmytrivka, Kyiv Region. Upon his capture Russian soldiers had called him a Nazi, threatened to stuff a machine gun up his anus and fired gunshots at him – to the ground but very close to his body. Then he had been taken to Belarus and from there to Rylsk in Russia, where he had his left arm and fingers of the right arm amputated in a local hospital. On 18 March 2022 he had been transferred to a hospital in Kursk. On 21 April 2022 he had been released in a prisoner swap.

115. “Third US national held captive by pro-Russian separatists in Ukraine”, The Guardian, 13 July 2022

4055. This article by Pjotr Sauer reported that Suedi Murekezi, an American citizen, had been arrested in June 2022 in Kherson, where he had been living since 2020. On 7 July 2022 he had been able to call his brother Sele and tell him that he had been taken to in Donetsk and detained there. The article stated that Suedi Murekezi had not taken part in fighting and was residing in Kherson as a civilian. The US State Department had meanwhile confirmed that it was aware of the incident. Russian prosecutors who had been approached by the author declined to comment.

116. “More accounts of abuses in so-called Russian filtration camps in new report add to international concern”, The New York Times, 16 July 2022

4056. This article reported that Russian authorities had “interrogated, detained, and forcibly deported” between 900,000 and 1.6 million Ukrainian citizens, including 260,000 children, from their homes into distant Russian territory according to a report by the Organisation for Security and Cooperation in Europe covering the period between 1 April and 25 June 2022.

4057. The report had emphasised two subjects: Russian using “filtration centres” to search for Ukrainians who might be linked to the Ukrainian army, government or media; and the detainment or disappearance of thousands of Ukrainians. Some Ukrainian deportees who had escaped Russia had described being subjected to harsh interrogations and humiliating body searches. According to the report, Bezimenne, Donetsk Region, had become a particularly well-known centre that had processed 33,000 people by 17 May 2022, many from the besieged city of Mariupol. When interviewed by the press or non-governmental organizations, those people commonly confirmed that filtration entails personal identification, interrogation (with a likely presence of the FSB personnel) and personal search.

4058. The report suggested that Russia also had been transferring civilians to the regions in eastern Ukraine that were controlled by Kremlin-backed separatists, where they could be detained, made to undergo unfair trials, or even executed. Russian forces had been “deliberately” separating Ukrainian children from their parents and abducting others from orphanages.

117. “Russian occupiers abduct head of environmental protection service of Zaporizhia NPP - Energoatom”, Interfax, 18 July 2022

4059. This article reported that on 17 July 2022, Russian forces had abducted the head of the environmental protection service of the Zaporizhzhya Nuclear Power Plant, Ihor Kvashin, and had taken him to an unknown destination, according to Energoatom.

118. “Ukrainian boy held hostage by Russia tells of cleaning up torture rooms”, The Guardian, 19 July 2022

4060. This article reported that a 16-year-old Ukrainian boy had described how he had been held hostage by Russian soldiers for ninety days as he heard other prisoners being tortured in a nearby cell. Vladislav Buryak, who had been separated from his family on 8 April 2022 at a checkpoint while attempting to flee the city of Melitopol, Zaporizhzhya Region, had been released after a month-long negotiation between his father, a local Ukrainian official, and Russian soldiers, who had wanted to exchange Vladislav for an individual of interest to the Russian military.

119. “Russians kidnap 63 officials, about 300 activists on Kherson region”, Ukrinform, 25 July 2022

4061. This article reported that Russians had kidnapped sixty-three representatives of local government agencies and about 300 activists in the Kherson Region, according to Dmytro Butrii, the acting head of the Kherson Regional Military Administration. On 25 July 2022 he stated that these were people whose surnames had been confirmed. The number of abducted people was actually much higher.

120. “Russian truck crushes car with civilians inside in Zaporizhzhia – one child dead”, Kyiv Post, 26 July 2022

4062. This article, written by Jay Beecher, reported that in the Zaporizhzhya region, a Russian military truck had driven over a car with civilians inside. The Melitopol mayor Ivan Fedorov had said that a Russian military Kamaz had driven over a car with three people inside on the road between Melitopol and Berdyansk.

121. *“Video appears to show Russian soldier castrating”, The Guardian, 29 July 2022*

4063. It was reported that on 29 July 2022 footage had emerged of Russian soldiers castrating a Ukrainian prisoner who had subsequently been murdered, in Pryvillia, Luhansk Region.

122. *“Ukraine Denounces Russian Embassy Tweet Calling For ‘Humiliating Death’ Of Azov Regiment Members”, Radio Free Europe, 30 July 2022*

4064. The article reported that on 19 August 2022 the Russian occupation authorities in Mariupol had planned to hold show trials of Ukrainian prisoners captured during the siege of Mariupol. The photos had been released showing cages being constructed in the city in preparation for the trials. The OHCHR had reported that it had been denied access to the Ukrainian POWs and had expected to be denied access to their trials. They had reported that such a “denial of access to independent monitors left prisoners of war open to torture to extract confessions”.

123. *“Body of man tortured by Russians found in Bucha district police”, Yahoo News, 31 July 2022*

4065. It was reported that on 31 July 2022 the body of a tortured civilian had been discovered by Ukrainian police near a former Russian position in Bucha, with his hands tied with and a rope around his neck.

124. *“Enemy opens fire on minibus in Kherson Region, two civilians killed”, Ukrinform, 1 August 2022*

4066. It was reported that on 1 August 2022, Russian forces had fired an anti-tank missile at an evacuation bus in Kherson, which had been carrying civilians and humanitarian goods. Three people had been killed and four injured.

125. *“Blast that killed Ukraine PoWs was Kremlin operation, Kyiv claims”, the Guardian, 3 August 2022 and “‘Absolute evil’: inside the Russian prison camp where dozens of Ukrainians burned to death”, The Guardian, 6 August 2022*

4067. It was reported that torture and ill-treatment of prisoners at the Olenivka prison in the Donetsk Region in August 2022 had culminated in the deliberate, premeditated burning to death of more than fifty Ukrainian prisoners of war (members of the Azov regiment).

126. *“Russia using Zaporizhzhia nuclear power plant as army base - Ukraine”, BBC, 8 August 2022*

4068. It was reported that there had been torture and beating of staff at the Zaporizhzhya Nuclear Power Plant.

127. *“Ten civilians die at Russian checkpoint in Vasylivka, waiting in line for evacuation”, Ukrinform, 10 August 2022*

4069. According to the article, on 10 June 2022 ten civilians had died at a Russian checkpoint in Vasylivka while waiting in line for evacuation.

128. *“Zaporizhzhia nuclear workers – We’re kept at gunpoint by Russians”, BBC, 11 August 2022*

4070. According to the article, as at 11 August 2022 the staff of the Zaporizhzhia Nuclear Power Plant were being held at gunpoint and threatened with kidnapping. One of the staff members told the BBC that she had not gone to her workplace for the last week because it had been dangerous to go.

129. *“Russia claims Ukraine used US arms to kill jailed POWs. Evidence tells a different story”, CNN, 11 August 2022*

4071. According to the article, on 29 July 2022 fifty Ukrainian prisoners of war had been burnt to death in Russian custody, in the Olenivka detention centre in the Donetsk Region. Russian authorities had refused to allow the Red Cross access to the site.

130. *“UN alarm as Ukraine nuclear power plant shelled again”, BBC 12 August 2022*

4072. According to the article, on 11 August 2022 the Zaporizhzhya Nuclear Power Plant had been shelled, damaging an administrative office and several radiation sensors. It was also mentioned that the employees of the plant had been forced by the Russian troops to work overtime.

131. *“Inside Olenivka, the Russian prison camp where Ukrainians vanish”, Independent, 21 August 2022*

4073. The attack on Olenivka had killed more than fifty people. The *Independent* had uncovered evidence of potential war crimes including torture, disappearances and forced labour.

4074. In March, following the onset of the conflict in Ukraine, three civilian humanitarian volunteers attempting to rescue family members from Mariupol had been apprehended at a checkpoint by soldiers of the Russian-backed “DPR”. They had been forcibly taken to a site with fresh graves,

signifying a threat to their lives, and had later been subjected to beatings, forced labour and inhumane conditions while being detained at various facilities, including Olenivka Prison. Their detention had involved enforced disappearances, as they had had no communication with the outside world, and their families remained unaware of their whereabouts for extended periods.

4075. Evidence had emerged of the Olenivka facility housing approximately 2,500 detainees, including Ukrainian soldiers and civilians, exceeding its capacity. Allegations included torture, arbitrary detention and forced labour, raising concerns of violations of international law and potential war crimes. Specifically, on 29 July, an explosion at Olenivka had resulted in the deaths of at least fifty Ukrainian POWs.

4076. Interviews with former detainees and analysis by independent organisations suggested that the treatment of prisoners at Olenivka and similar detention centres might constitute serious breaches of IHL, including enforced disappearances, denial of basic necessities, and physical mistreatment.

132. “Russia-Ukraine war latest: what we know on day 181 of the invasion: Ukraine”, The Guardian, 22 August 2022

4077. Ukrainian soldiers from the Azov regiment who had been released as part of a prisoner exchange had accused Russian forces of torture during their captivity. They reported beatings “until their bones were broken”, “needles inserted into their wounds”, “tortured with water.” “They undressed us, forced to squat while we are naked. If any of the boys raised their heads, they began to beat them immediately.”

4078. Soledar, Zaytseve and Bilohorivka, near the city of Bakhmut, had been struck by Russian artillery and MLRS, killing at least two civilians.

133. “In Ukraine, a Nuclear Plant Held Hostage”, New York Times, 23 August 2022

4079. This *New York Times* editorial discussed the Russian occupation of the Zaporizhzhia Nuclear Power Plant (ZNPP) and the nuclear threat that the situation posed. After five months of occupation the Russian forces had shelled the facility in August 2022, causing damage to the plant and resulting in one of the three reactors being disconnected and a partial shutdown of the transformers. The plant had been shelled multiple times, including near where radioactive materials were stored. Some 100 plant workers had been detained by Russian forces and about ten were still reported missing; “it is up to the skeletal crew of stressed, tired and scared workers to prevent disaster”.

134. *“Russia detains two Zaporizhzhia nuclear workers for handing Ukraine information”, Reuters, 24 August 2022*

4080. Russia’s National Guard had reported on 24 August the detention of the two employees of Ukraine’s Russian-controlled Zaporizhzhya nuclear plant, who it said had transmitted information to the Ukrainian Armed Forces (“the UAF”) about the location of personnel and equipment on the site, which threatened plant security.

135. *“Ukrainians describe beatings and torture while held as Russian POWs”, Washington Post, 26 August 2022*

4081. In April 2022, upon occupying Berdiansk, Russian forces had propositioned a local police officer, Yuri Mykytenko, to collaborate with them. Declining, he had attempted to escape but had been detained and designated a POW. This incident illustrated the broader context of Ukrainian nationals being captured since Russia’s invasion had been initiated in February, and the severe risks they faced were highlighted by two notable events: the death of numerous Azov Regiment POWs in a detention centre that had come under attack, and a video purportedly showing the mutilation and execution of a Ukrainian combatant by pro-Russian forces, which had prompted calls for an investigation, endorsed by the European Union.

4082. Despite the uncertain fate of many POWs, exchanges had occurred, facilitated by negotiations often involving the ICRC. 573 Ukrainian defenders had been released by July 2022. Mr Mykytenko had experienced transfers and severe maltreatment, including beatings and a mock execution. Anton Stovbur, detained while attempting to aid civilians, had suffered beatings.

136. *“Mother seeks justice for son in Ukraine: ‘He walked away and they shot him’”, Reuters, 30 August 2022*

4083. On 17 March 2022, in Borodyanka, Ukraine, Roman Herasymenko had been fatally shot by Russian soldiers as he attempted to retrieve a SIM card from his damaged mobile phone. According to his mother, he had managed to return home but died of his injuries hours later.

4084. In the aftermath of the withdrawal of Russian forces from the area, in April 2022 Ukrainian authorities had discovered mass graves and evidence indicating instances of executions and torture within the Bucha district. Approximately 250 bodies had been recovered.

137. *“IAEA lists damage to Zaporizhzhia plant, urges better staff conditions”, Reuters, 6 September 2022*

4085. A report on Ukraine by the IAEA listed damage to parts of the Russian-held ZNPP and noted that Ukrainian staff operating the plant under

Russian military occupation were under constant high stress and pressure which could lead to increased human error.

138. *“U.S. demands Russia halt filtration operations in Ukraine”, Reuters, 7 September 2022*

4086. The United States had accused Russia’s presidential administration of overseeing so-called “filtration” operations in Ukraine and providing lists of Ukrainians to be forced to move to areas under Russian control, and had demanded that Russia halt the practice.

139. *“Body of British aid worker captured by Russian proxies shows ‘signs of torture’”, The Guardian, 7 September 2022*

4087. Dmytro Kuleba, Ukraine’s foreign minister reported that the body of a British aid worker, Paul Urey, had been handed to Ukraine with “possible signs of unspeakable torture”. In April 2022 Mr Urey and another British national, Dylan Healy, had been apprehended by Pro-Russian separatists. Subsequently, they had been accused by the “DPR” of engaging in “mercenary activities”. The “DPR” had later declared that Mr Urey had died of illness and stress in July. Mr Urey’s mother noted her son’s Type 1 diabetes condition, necessitating daily insulin injections.

4088. Mr Healy, and four other foreigners captured in eastern Ukraine, had pleaded not guilty to charges of being mercenaries and “undergoing training to seize power by force”. They could face the death penalty.

140. *“Russia is preventing access to Ukraine war prisoners, UN says”, Reuters, 9 September 2022*

4089. The chief of the UN Human Rights Monitoring Mission in Ukraine (UNHRMM), Matilda Bogner, stated that Russia was not allowing access to prisoners of war, adding that the UN had evidence that some had been subject to torture and ill-treatment which could amount to war crimes.

141. *“Bodies of four tortured civilians found in liberated village in Kharkiv region”, Ukrinform, 12 September 2022*

4090. After the deoccupation of the village of Zaliznychne in the Kharkiv Region, four more bodies of civilians with traces of torture had been found on 11 September.

142. *“In liberated Ukraine town locals sob with relief relate harrowing accounts”, Ukrinform, 14 September 2022*

4091. During the Russian occupation of Balakliia, a north-east Ukrainian town, and its surroundings, multiple violations by Russian forces had been reported, including:

- extrajudicial killings: two civilians had been executed at a checkpoint on 6 September 2022;
- unlawful detention and torture: civilians had been detained without legal cause; one individual, Artem Larchenko, had been held for forty-six days, during which he had been subjected to electric shock torture and intense interrogation;
- personal freedoms: Russian soldiers had conducted invasive searches on residents, checking for pro-Ukrainian sentiments through mobile phones and physical inspections for tattoos indicative of Ukrainian military service.

4092. Attempts at the forced annexation of Balakliia into Russian territory included pricing goods in Russian roubles and paying pensions in the same currency. Additionally, the occupation had resulted in the severe restriction of communication, including the absence of television, internet and mobile phone coverage from late April 2022.

143. "People disappeared": Iziium's residents on Russia's occupation", The Guardian, 14 September 2022

4093. In Iziium, following its recapture from Russian forces, extensive evidence of war crimes had emerged. The town, crucial for its strategic position, had experienced heavy combat, leading to widespread destruction and civilian casualties. Reports indicated the deliberate targeting of residential areas by Russian bombing, resulting in significant loss of life, including an attack on an apartment building that had killed at least fifty people. Investigations had uncovered burial sites of individuals allegedly murdered or tortured by the Russian military.

4094. Russian forces were accused of imposing severe restrictions on the civilian population, including cutting off electricity and water, leading to dire living conditions. There were attempts to forcibly integrate the population into Russian citizenship, with specific targeting of Ukrainian military personnel and their families for abduction or disappearance. Looting and commandeering of civilian property by Russian soldiers had been reported, along with instances of summary executions.

144. "It's survival: Fear lingers in the ruins of Ukraine's liberated Iziium", Reuters, 15 September 2022

4095. In the recently liberated town of Iziium, Ukraine, residents recounted enduring six months of Russian occupation, resulting in devastation, and leading to fears of an energy crisis in the upcoming winter. Before the war, Iziium had had a population of 50,000 and served as a strategic supply hub for Russian forces; now it had suffered extensive damage that had disrupted normal life. Infrastructure was heavily damaged, with many buildings bearing the marks of conflict, and essential services such as

electricity, gas and water were unavailable, forcing residents to adopt survival tactics such as cooking over bonfires.

4096. The civilian population experienced significant hardships, taking refuge in basements to escape the cold and collecting water from wells. The departure of Russian troops, marked by their worst defeat since being repelled from Kyiv in March, had left the town scarred with the remnants of military occupation and combat. Investigations into civilian casualties were just beginning, with no official figures yet available.

145. "Mass grave of more than 440 bodies found in Izium, Ukraine, police say", Reuters, 15 September 2022

4097. Ukrainian authorities had found a mass grave of more than 440 bodies in Izium, one of the largest burial sites in the liberated areas of Ukraine

146. "Bodies with tied hands found at burial site in Ukraine's Izium, governor says", Reuters, 16 September 2022

4098. Bodies with their hands tied had been found at a mass burial site in Izium after the UAF had recaptured the city. Crosses with numbers had been seen at a place of mass burial.

147. "Ukraine says hundreds of bodies found in mass burial site", Reuters, 16 September 2022

4099. Ukrainian authorities had reported the discovery of hundreds of bodies in territories recently reclaimed from the Russian forces. These included bodies with hands tied behind their backs and signs of torture, alongside mass graves. As of a certain date, 450 individuals were reported buried, including separate burials of entire families and individuals showing signs of violent death.

4100. The governor of Kharkiv had confirmed that all the recovered bodies showed signs of violent death, with some having their hands bound, indicating a deliberate act of violence and potential torture. Among the deceased were civilians and seventeen soldiers, the latter also showing signs of torture. This site in Izium was potentially the largest mass burial site discovered in Europe since the Balkan wars of the 1990s.

4101. In addition to Izium, the city of Kupyansk was mentioned as a site of rapid Ukrainian advances, with descriptions of a hastily abandoned Russian-occupied police station, including blood-stained jail cells.

148. *“Ukraine says over 1,000 people tortured & killed in Russia-occupied areas, Interfax reports”, Reuters, 16 September 2022*

4102. The Ukraine parliament’s human rights commissioner on Friday said that more than 1,000 people had been tortured and killed in Russian-occupied areas of the Kharkiv Region.

149. *“‘We don’t know where the rest of the bodies went’, the search for answers in Izium”, The Guardian, 16 September 2022*

4103. After the recapture of Izium by Kyiv, investigations had unveiled the presence of mass graves in the vicinity, a few miles from the town centre. The Chief Prosecutor of the Kharkiv Region had reported the discovery of 445 graves at one site and an additional grave containing seventeen Ukrainian soldiers buried collectively. The exhumations revealed that most civilians had been buried individually, with many graves marked only by numbers, lacking personal identification details.

4104. The head of a local funeral home indicated that during the Russian assault in spring, at least 100 individuals had been killed, including at least twenty children. She had been instructed by the Russian forces to use numbers instead of names for the graves, documenting these in a journal, which had later been seized by police for investigation. She also noted that some victims had died after not being able to reach shelter in time during the bombings.

4105. Eyewitnesses and local residents had reported severe interrogation methods and possible torture by Russian forces, leading to forced disappearances and deaths. Instances of civilians taking their own lives after interrogation were noted, and the fate of many, including former military personnel and their families who had been taken to unknown locations, remained undisclosed. The exhumation process had uncovered bodies buried hastily under rubble from bombings, with one civilian body found with a rope around its neck, raising suspicions of torture.

150. *“Ukraine says victims from Izium mass grave show signs of torture”, The Guardian, 16 September 2022*

4106. Ukrainian officials had reported the discovery of a mass grave outside Izium, where bodies exhibited signs of torture. Over 440 bodies found in a nearby forest bore evidence of violent deaths, with some having their hands bound behind their backs.

4107. The Ukrainian police chief had clarified that all bodies exhumed thus far were civilians, though some soldiers might also be interred at the site. Signs at the mass grave indicated that a portion of the bodies had been transferred from a local morgue, including those of seventeen UAF personnel.

4108. The Ukrainian Defence Ministry had identified the site as the largest burial ground discovered in liberated areas, with ongoing forensic

examinations to determine the causes of death for each individual. Some deaths were attributed to shelling and airstrikes. Among the victims were dozens of civilians, including children, killed in a Russian air strike on an apartment building.

151. “Ten torture chambers found in liberated Kharkiv region”, Ukrinform, 16 September 2022

4109. In the recently liberated territories of the Kharkiv Region, Ukrainian law-enforcement officials had discovered a total of ten torture chambers, with six located in the city of Izium. The chambers were established in areas previously occupied by the Russian armed forces, including the Russian Guard, FSB employees, the Russian police’s “SOBR” unit, and other divisions. Additional chambers had been found in Balakliya (two), the village of Hrakovo in the Chuhuiv district, and the city of Vovchansk. Ihor Klymenko, the National Police Chief, confirmed that individuals had been tortured and deaths had occurred in these locations.

4110. In Izium, the torture chambers were situated within the district administration premises, the local police office, buildings of the Security Service, the prosecutor’s office, the centre for administrative services and the military commissariat. In Balakliya, chambers were located in the police building, a temporary detention centre and a printing house. In Vovchansk, one had been set up on the territory of an aggregate plant.

4111. A specific case of death due to torture involved a 40-year-old local farmer in Balakliya, who had been killed by a noose. Furthermore, law-enforcement officials had rescued seven Sri Lankan citizens who had been detained and tortured in Vovchansk. The individuals, students of Kupyansk Medical College, had attempted to reach Kharkiv but had been captured, subjected to severe torture, including the removal of nails with pliers, and held for several months, resulting in an emotionally unstable condition.

4112. The torture had been aimed at extracting information regarding the deployment of the UAF, potential reconnaissance or subversive activities, and the identification of Anti-Terrorist Operation participants. Victims, including both men and women, had endured torture and captivity for periods ranging from three days to approximately two months.

152. “Izium: after Russian retreat, horrors of Russian occupation are revealed”, The Guardian, 17 September 2022

4113. During their five-month control of the town of Izium, Russian soldiers had detained individuals suspected of pro-Ukrainian sentiments, including veterans, volunteers and officials, on the basis of compiled lists, some of which had been drawn up with the assistance of local collaborators including city council deputies and a retired police chief who had been appointed as Izium’s pro-Putin “mayor”.

4114. Maksim Maksimov, a 50-year-old publisher, had been subjected to torture by Russian soldiers in the basement of the police station. He described being electrocuted using a Soviet military field telephone, resulting in severe physical distress and unconsciousness.

4115. The exhumation of mass graves on the outskirts of Izium had revealed the bodies of both soldiers and civilians, with some showing signs of torture, such as bound hands and broken limbs. Forensic teams had encountered difficulty in identifying victims and determining the causes of death, indicating a systematic effort to conceal the atrocities committed.

153. “Russia using rape as ‘military strategy’ in Ukraine: UN envoy”, CNN, 15 October 2022

4116. Ukraine’s Deputy Minister of Internal Affairs Kateryna Pavlichenko had said in June that the police had received around fifty complaints of sexual crimes committed by Russian soldiers. Prosecutors were also investigating rape allegations in the Kharkiv Region after the UAF had recently recaptured territory there.

154. “Russian troops kill Ukrainian musician for refusing role in Kherson concert”, The Guardian, 16 October 2022

4117. In October 2022, the Ukrainian conductor Yuriy Kerpatenko had been fatally shot in his home in Kherson by Russian soldiers after he had refused to participate in a concert orchestrated by the occupying forces. The event, planned for 1 October, had aimed to showcase the chamber orchestra, with Mr Kerpatenko as the principal conductor, to portray the alleged improvement of life under the occupation. Mr Kerpatenko had been vocal against the occupation on social media until May 2022. His refusal to cooperate had led to a loss of contact with his family members in September 2022. The incident had triggered an investigation by the Kherson regional prosecutor’s office in Ukraine for war crimes and intentional murder.

155. “How Russian soldiers ran a ‘cleansing’ operation in Bucha”, AP News, 3 November 2022

4118. On 4 March 2022 in Bucha, Ukraine, a systematic operation known as “zachistka” or cleansing, orchestrated by Russian forces, had resulted in the targeted persecution and execution of at least nine men at 144 Yablunska Street. The location had been transformed into a command centre by the 76th Guards Airborne Assault Division of the Russian military. The operation had involved the rounding up of individuals on the basis of intelligence service lists, leading to the detention, interrogation and execution of those perceived as threats, including volunteer fighters and civilians aiding the UAF.

4119. The responsibility for those acts was attributed to soldiers from the 76th Guards Airborne Assault Division, with Ukrainian prosecutors targeting Major General Sergei Chubarykin and Colonel General Alexander Chaiko, the latter noted for his role in Syria, on charges of aggression and waging an illegal war. This episode in Bucha, underscored by the recovery of nearly forty bodies in the vicinity of Yablunska Street, showed systematic violence and war crimes.

156. “During occupation of Kharkiv region, invaders abduct, murder children’s writer Volodymyr Vakulenko”, Ukrinform, 28 November 2022

4120. During the temporary occupation of the Kharkiv Region by Russian forces, the Ukrainian writer Volodymyr Vakulenko had been abducted near Iziurm and subsequently killed. Mr Vakulenko, notable for his contributions to Ukrainian literature and public life, including his role as an editor, volunteer and organiser of literary events, had fallen victim to systemic oppression. The examination results, confirmed by Mr Vakulenko’s ex-wife, had verified the identity of his remains at burial site 319.

157. “92 Chernobyl power plant employees held hostage by Russian forces, Ukrainian Ambassador to the US says”, CNN, 25 February 2022

4121. During a press conference in Washington, DC, on Friday 25 February 2022, the Ukrainian Ambassador to the US, Oksana Markarova, had announced that ninety-two operational staff members of the Chornobyl power plant were currently being detained by Russian forces. Their detention hampered the staff’s ability to perform necessary shift work and adhere to the stringent operational regulations required for the safe management of the power plant. Consequently, the operational and safety responsibilities of the Chornobyl plant had been involuntarily transferred to the Russian military.

158. “Russia-Ukraine news”, CNN, 5 March 2022

4122. Russian forces had prevented Chornobyl workers from changing shifts since occupying the plant, meaning that the same 100 personnel had been operating the plant for ten days straight, which, among other, put operational safety at risk.

159. “Deputy mayor of Enerhodar, Ivan Samoydiuk, was released from captivity”, Censor.net, 16 February 2023

4123. In a recent prisoner exchange, 101 Ukrainians, including soldiers and one civilian – the first deputy mayor of Enerhodar, Ivan Samoydyuk – had been released from captivity. Mr Samoydyuk had been held for 333 days

after being abducted by the Russian forces on 19 March of the previous year. The exchange had also seen the release of many wounded soldiers, predominantly defenders of Mariupol, along with Ukrainian defenders from the Kherson and Kyiv Regions. Among those released were sixty-three defenders of Azovstal, and individuals from Bucha, Kherson and Lyman. The personnel released included members of the Naval Forces, the State Border Service, the National Guard, the UAF and Territorial Defense, including private and non-commissioned officers. This development followed the initial report of Mr Samoydyuk's abduction on 20 March 2022, with his condition then unknown.

160. *"Russia-Ukraine war: List of key events on day 67", Al Jazeera, 1 May 2022*

4124. Russia had destroyed a new runway at Odesa's main airport.

4125. Two buses sent to evacuate residents from the eastern town of Popasna had been fired upon and contact with the organisers had been lost.

161. *"War Crimes Watch: Targeting schools, Russia bombs the future", AP News, 17 May 2022*

4126. On 3 March 2022 a blast had struck School no. 21 in Chernihiv, significantly damaging the structure and resulting in multiple casualties. A teacher had been severely injured in the incident, which had also led to the deaths of at least nine individuals, including a 13-year-old student. The school had been repurposed as a shelter for families amid ongoing hostilities, with the word "children" visibly marked on its windows in an appeal for mercy from Russian forces; this appeal, however, had not prevented the attack.

4127. The Ukrainian government had reported that more than 1,000 schools across Ukraine had been subjected to shelling by Russian forces, resulting in the destruction of ninety-five schools. Another reported incident on 7 May had involved the bombing of a school in the eastern village of Bilohorivka, which had been serving as a shelter, with up to sixty people feared dead.

4128. The AP had verified that fifty-seven schools had been destroyed or damaged in a manner suggestive of war crimes. In Chernihiv alone, only seven of the city's thirty-five schools remained untouched, with three demolished. Overall, over 8,000 reports of potential war crimes in Ukraine involving 500 suspects were under investigation by the ICC, national prosecutors and Ukraine's prosecutor general, focusing on deliberate attacks on civilian targets including hospitals, shelters and schools.

162. *“Defenders of Mariupol are the heroes of our time: the battle that gripped the world”*, *The Guardian*, 17 May 2022

4129. In late May, after eighty-two days of encirclement and combat in Mariupol, over 260 Ukrainian defenders, including fifty-one who were severely injured, had surrendered and been evacuated from the Azovstal steel plant. The UAF had declared the Mariupol garrison’s combat mission accomplished, emphasising the decision to prioritise personnel survival.

4130. The siege of Mariupol had witnessed extensive civilian casualties and infrastructure damage, with notable attacks on healthcare facilities and a theatre, resulting in significant loss of civilian life. The siege’s conclusion, with the evacuation of severely injured defenders and the surrender of the remaining forces, alongside the reported conditions within Azovstal and the estimated civilian casualties, presented a critical example of the dire consequences for Mariupol’s population and defenders. Ukrainian officials and international bodies had raised concerns about the extensive civilian casualties, with estimates suggesting a significant toll.

D. Media reports concerning allegations of displacement

1. *“Some 100,000 Ukrainians have left their homes, as several thousand flee abroad – U.N. estimates”*, *Reuters*, 24 February 2022

4131. Relying on the UN refugee agency, this article reported that several thousand Ukrainians had crossed into neighbouring countries, mainly Moldova and Romania, while an estimated 100,000 had fled their homes and were uprooted in the country after Russia’s invasion.

2. *“Ukraine: Tens of thousands flee to Poland amid Russian attacks”*, *Al Jazeera*, 26 February 2022

4132. This article quoted Poland’s Deputy Interior Minister, Pawel Szefernaker, stating that 115,000 people had crossed the border into Poland from Ukraine since Russia’s invasion as of 26 February 2022. According to the article, the UN refugee chief Filippo Grandi tweeted that more than 150,000 Ukrainian refugees had crossed into neighbouring countries, half of them to Poland, and many to Hungary, Moldova, Romania and beyond.

3. *“Refugees flee Ukraine across EU borders as Russia renews assault”*, *Reuters*, 26 February 2022

4133. This article reported that as Russian forces had been attacking Ukrainian cities with artillery and cruise missiles, people had thronged European Union borders hoping to enter Poland, Slovakia, Romania and Hungary. 69-year-old Ilona Varga had crossed into Hungary on foot, “leaving behind her home, shop and hopes, ... however, it was so hard to leave

everything behind, she was born there, had her work there, everything tied her there”.

4. *“Ukraine conflict: Half a million flee as fighting rages”, BBC News, 28 February 2022*

4134. This article reported that more than half a million people had fled their homes to escape the war in Ukraine according to the UN. Michelle Bachelet, the UN High Commissioner for Human Rights, said that millions of civilians had been forced to huddle in makeshift bomb shelters such as underground rail stations to escape explosions. Since 24 February 2022, her office had recorded 102 civilian deaths, including seven children, and injuries to more than 300 people.

5. *“Mariupol evacuation postpones as Russia accused of breaking ceasefire”, The Guardian, 5 March 2022*

4135. This article quoted Mariupol authorities stating that the evacuation of civilians had been postponed because Russian forces encircling the city had not been respecting the agreed ceasefire. Before the postponement, the Ukrainian government had announced a plan to evacuate about 200,000 people from Mariupol and 15,000 from Volnovakha.

6. *“Ukraine slams Moscow’s humanitarian corridors to Russia as ‘absurd’”, Politico, 7 March 2022*

4136. This article reported that a Ukrainian official had called Russia’s humanitarian corridors “absurd, cynical and unacceptable”, after Moscow had announced a temporary ceasefire on 7 March 2022 to allow Ukrainians to flee Russia’s attacks – as long as they headed to Russia or Belarus. According to the maps published by the Kremlin-backed RIA Novosti news agency, the corridor from Kyiv would have led to Belarus or Russia, while civilians in Kharkiv would have had to go to Russia.

7. *“More than 1.9 million internally displaced in Ukraine, says UN”, Euronews, 10 March 2022*

4137. This article reported that according to UN officials, an estimated 1.9 million people had been displaced within Ukraine, adding to more than 2.3 million who had fled the country following Russia’s invasion. UN spokesman Stéphane Dujarric stated that most IDPs had been moving away from the front lines and heading west towards Lviv.

8. *“Zelensky: Russian troops have a clear order to hold Mariupol hostage”, Ukrinform, 11 March 2022*

4138. According to President Volodymyr Zelenskyy, Russian troops had failed to implement a cease fire to create a humanitarian corridor in Mariupol. He stated that the Russian forces had started a tank attack exactly in the area where the corridor had been planned. The Ukrainian President further added that on 10 March 2022, the Russian forces had destroyed the main department of the State Emergency Service in the Donetsk Region, located right next to the evacuation gathering point.

9. *“Photos: Mariupol residents escape besieged, devastated city”, Al Jazeera, 17 March 2022*

4139. This article provided photographs of Mariupol residents evacuating from the city, with destroyed buildings visible in the background. Mariupol residents had no electricity, gas, water or communications, the article reported. The Mariupol city council estimated that 80% of the city’s residential buildings had been destroyed, of which almost 30% were beyond repair.

10. *“Russian occupiers forcibly deporting Mariupol civilians to Russia”, Ukrayinska Pravda, 19 March 2022*

4140. It was reported that thousands of residents had been forcibly deported to Russia, sometimes to remote regions, after processing in “filtration camps”.

11. *“Children injured as Russians fire on green corridor in Zaporizhzhia region”, Ukrinform, 21 March 2022*

4141. The article detailed incidents in the Zaporizhzhya region on 21 March 2022 where vehicles travelling along a designated safe passage had come under attack, resulting in injuries to four children. It reported that four children had been hospitalised, with three being injured in the former Hulyaypole district, now known as the Polohy district, as families had attempted to flee from Mariupol. It further reported that additionally, another child had sustained injuries in the village of Kamyanske.

4142. The article also reported that one of the attacks had occurred on 21 March 2022 in the village of Malynivka, in the Polohy district, when occupants had fired upon two civilian vehicles traveling along the humanitarian corridor.

12. *“Zelensky: More than 7000 people evacuated from Mariupol on March 22”, Ukrinform, 22 March 2022*

4143. The article conveyed that on 22 March 2022 more than 7,000 civilians had been evacuated from Mariupol, leaving approximately 100,000 still trapped in the city. The article also reported that despite challenges, 7,226 residents had been rescued, with efforts set to continue.

13. *“Mariupol says 15,000 deported from besieged city to Russia”, Reuters, 24 March 2022*

4144. The article reported on 24 March 2022 that approximately 15,000 civilians had been unlawfully deported to Russia since Russian forces had seized parts of the city of Mariupol. It was stated that the besieged city, home to around 400,000 people, had been facing dire conditions with no access to essentials such as food, water, power or heating. According to a statement by the Mariupol city council, residents, about 15,000 individuals, from the Left Bank district, had been forcibly deported to Russia.

14. *“Russia Transfers Thousands of Mariupol Civilians to its Territory”, BBC, 27 March 2022*

4145. On 27 March 2022 the article reported that Ukrainian officials had accused Russia of forcibly relocating thousands of civilians from Mariupol, which had been devastated by Russian shelling. According to the article, tensions had escalated as reports emerged of civilians being moved to Russian-held territory without coordination with Kyiv. The International Committee of the Red Cross (ICRC) had expressed concerns over the humanitarian crisis but had faced challenges in delivering aid owing to ongoing hostilities.

15. *“Mariupol Mayor Cites ‘Thousands’ Dead, Says ‘Complete Evacuation’ Needed”, RFE/RL’s Ukrainian Service, 27 March 2022*

4146. The article described Mariupol as a devastated city where thousands had died and around 90% of residential buildings had been destroyed or damaged. On 27 March 2022 the Deputy Prime Minister Iryna Vereshchuk had announced progress in humanitarian corridors, allowing residents to flee in private vehicles. Mayor Boychenko had stated that Russian forces controlled some neighbourhoods but Mariupol remained under the Ukrainian armed forces control. He had emphasised the urgent need for complete evacuation and had cited significant damage to residential buildings. Additionally, the article reported that Ukrainian authorities had complained about obstacles at checkpoints preventing residents from escaping to Zaporizhzhya. Lastly, the article reported ongoing air strikes in

Lviv and warnings of potential Russian offensives, amid international tensions and condemnation of the Russian aggression.

16. *“Eastern Ukraine town empties as residents fear new Russian assault”, Reuters, 6 April 2022*

4147. This news item reported on the evacuation of civilians from the Kharkiv region as according to Ukraine’s general staff, there was a threat of a full-blown assault by the Russian forces on the area around Kharkiv. It was noted that shelling of settlements in the Kharkiv Region had intensified in recent days and caused damage to residential areas.

17. *“Thousands flee as Russia steps up its push for eastern Ukraine”, BBC, 6 April 2022*

4148. Thousands of people living in the Donbas area in the east of Ukraine were fleeing west. Russian forces now occupied most of Luhansk and more than half of Donetsk and were slowly trying to surround Ukrainian forces.

18. *“Russian forces start removing Ukrainians from Izium to Belgorod region”, Ukrinform, 16 April 2022*

4149. The article reported that the Ministry of Defence of the Russian Federation had reported the removal of the first group of about 100 “refugees” from Izium, Kharkiv Region, to the Belgorod Region.

19. *“Kyslytsya: Russian invaders, like Nazis, forcibly deporting Ukrainians from occupied territories”, Ukrinform, 20 April 2022*

4150. The article reported a speech by Serhii Kyslytsya, Ukraine’s Permanent Representative to the UN, at the UN Security Council meeting on 19 April 2022. He stated that between 25,000 and 27,000 Ukrainians had been kept in Russian “filtration camps” in the occupied parts of the Donetsk Region. He also claimed that more than half a million Ukrainians, including 121,000 children, had been forcibly transferred to Russia.

20. *“Moscow says 1,847 children among thousands transported from Ukraine to Russia”, Reuters, 3 May 2022*

4151. This article reported on a statement by the Russian Ministry of Defence which said that 11,500 Ukrainians, including 1,847 children, had been transported to Russia on 2 May 2022 without the participation of Ukrainian authorities. According to Russia, these people had been “evacuated at their own request”. Ukrainian representatives, meanwhile, stated that Russians had forcefully deported thousands of people since the beginning of the war.

21. *“Thirty-two more residents evacuated from Lysychansk”, Ukrinform, 4 June 2022*

4152. This article reported on a social media post by Serhii Haidai, the governor of the Luhansk Region. He stated that amid continuous Russian shelling of Lysychansk, the Ukrainian authorities had managed to evacuate ninety-eight residents who had asked to be transported from the town. The article added that during the day of 4 June 2022 Russian forces had shelled Lysychansk with artillery, MLRSs and the Tochka-U system, hitting five residential houses, a police station, a post office and a humanitarian headquarters.

22. *“Ukraine struggles to evacuate civilians from devastated eastern city”, Reuters, 14 June 2022*

4153. According to this article, as of 14 June 2022, after the destruction of the last bridge to the Ukrainian city Sievierodonetsk, Ukrainian forces had taken every possible chance to evacuate civilians from the city. More than 500 civilians were trapped inside the Azot chemical factory, which was continuously shelled by the Russian forces.

23. *“Once every three days, Ukraine asks Russian defence ministry to allow evacuation from Melitopol”, Ukrinform, 10 July 2022*

4154. This article reported on an interview with Ivan Fedorov, the mayor of Melitopol. He estimated the remaining population in the occupied town to be around 60-70,000. The mayor said that Russians had opposed evacuations as they needed civilians as a “human shield”. He added that the Ukrainian authorities every three days made a request to the Russian Defence Ministry for evacuation, but the Ministry never agreed.

24. *“US slams Russia’s ‘forced deportations’ in Ukraine”, Deutsche Welle, 13 July 2022*

4155. This article reported on a statement by the US Secretary of State, Antony Blinken. Relying on US sources and estimations, he stated that Russians had “interrogated, detained and forcibly deported” between 900,000 and 1.6 million Ukrainians, including 260,000 children. They had often been transferred to isolated regions in Russia’s far east, the Secretary of State added. He called on Russia to immediately release them.

25. *“‘We were born here’: Ukrainians in frontline towns face painful choice”, The Guardian, 28 August 2022*

4156. The ongoing conflict had prompted local authorities in the east of Ukraine to initiate mandatory evacuations owing to the dual threats of violence and the approaching winter, with concerns over heating shortages.

Evacuation efforts had seen hundreds relocating to safer areas, though challenges remained, including the adequacy of housing and employment opportunities for displaced persons. The governor of the Donetsk Region reported slow progress in evacuations, with a focus on preparing for winter and ensuring continuity of key public services amidst the conflict.

26. *“U.S. accuses Russia of war crime by forcibly deporting Ukrainians”, Reuters, 8 September 2022*

4157. The United States had accused Russia of committing a war crime by forcibly deporting Ukrainians to Russia and said that it had information that Russian officials were overseeing so-called filtration operations. They estimate that authorities had “interrogated, detained, and forcibly deported” between 900,000 and one million Ukrainians to Russia following the Russian invasion. In July, Washington had received information that more than 1,800 children had been transferred from Russian-controlled areas of Ukraine to Russia.

E. Media reports concerning allegations under Article 9 of the Convention

1. *“Secret protestant churches in Donetsk: Ukraine’s religious war”, Vice News, 20 March 2015*

4158. This news item contained a video reportage by a *Vice News* correspondent, Simon Ostrovsky, focusing on the oppression of parishioners of Protestant churches by representatives of the “DPR” in Donetsk. The correspondent interviewed representatives of the Protestant church in Mariupol who had been forced to leave the occupied territory. He also visited secret Protestant churches in Donetsk and spoke with members of the “DPR”.

4159. Ivan Pryadka, a Pentecostal pastor, stated that most church parishioners had moved to Mariupol after the occupation of Donetsk. He also asserted that in August 2015, when he had come to conduct a service in Donetsk, armed individuals had approached parishioners, interrogated them, and threatened that if they held gatherings again, they would be shot. He added that parishioners who remained in the occupied territory had held meetings secretly. The pastor also noted that he had been aware of cases of believers being beaten by representatives of the “DPR”.

4160. Leonid Kryzhanovsky, an elder of the Church of Jesus Christ, reported that armed “DPR” representatives had persecuted parishioners of Protestant churches and seized church buildings. Consequently, they had become unable to conduct services and had divided their community into three home churches in Donetsk. A representative of the “DPR” with the nickname “Dok” stated, “Personally, I would not let them return, not the

Baptists, not the Evangelists, not the Catholics, not the Greek Catholics. I took up arms so that we could have an Orthodox state.”

4161. The *Vice News* correspondent visited three premises of the Protestants in Donetsk, namely the World of Life Evangelical Church, the Church of Jesus Christ, and the Bethany Baptist Church, and discovered that the “DPR” military had occupied all of them for their purposes. Andrei Purgin, the so-called “prime minister” of the “DPR”, stated that the oppression of Protestants had not been the official policy of the “DPR”. He said, “This is a civil war, so emotions are running high. We are against it”. He added that “Both the Constitution [of the DPR] and the Declaration of [the DPR] independence guaranteed everyone...”, apparently implying equal rights.

2. *“At least 59 Ukrainian churches destroyed”, CNE News, 29 March 2022*

4162. The article reported that at least fifty-nine religious buildings had been destroyed by invading troops. It further reported that most of those buildings, predominantly Orthodox churches, had been targeted, particularly in the eastern regions of Ukraine. The article highlighted that the Hrissoskalitissa monastery, a significant site for Russian Orthodoxy, had been partially destroyed. Moreover, it mentioned that a Roman Catholic Church, five Evangelical churches, three mosques and a Jewish synagogue had been damaged owing to war violence. Additionally, it reported that four priests had been killed, and two others had been kidnapped. It also noted that NGOs had called for the Eastern Orthodox community to sever ties with the Moscow Patriarchate because of its support for the invasion.

3. *“Just In: Ukrainian priest reportedly kidnapped from Russian-occupied Kherson”, Euro Weekly News, 30 March 2022*

4163. The article reported that on 30 March 2022 a Ukrainian priest, Sergey Chudinovich, was alleged to have been kidnapped from the city of Klain, which was occupied by Russian forces by people who identified themselves as police officers. It was stated that Mr Chudinovich had been travelling to the front line with humanitarian aid since the start of the invasion by Russian forces on 24 February 2022. The article reported that his abduction had followed similar incidents involving Ukrainian public figures, including the reported kidnappings of the mayor of Skadovsk, Alexander Yakovlev, and his deputy Yuri Paliukh on 16 March 2022, and the mayor of Hole Prystan, Oleksandr Babych, on 28 March 2022, who had allegedly been killed. The article reported that according to the Ukrainian Foreign Ministry, Putin’s army had so far abducted about thirty local government officials, activists, and journalists.

4. *"In pictures: The Ukrainian religious sites ruined by fighting", BBC News, 31 March 2022*

4164. The article reported that Ukraine had accused Russia of damaging or destroying at least fifty-nine religious sites across the country since the invasion had begun, targeting historic monuments and cultural heritage sites. The article also reported that St Michael's Cathedral in Mariupol and a church in the village of Yasnohorodka near Kyiv had been heavily damaged by Russian bombardment, resulting in serious damage.

5. *"Why the destruction of Ukraine's churches matters", Spectator, 2 April 2022*

4165. The article noted that there had been widespread reports of all manner of religious structures being destroyed or damaged by the shelling of Russian forces in the period since the invasion had begun. It was also stated that in the first two months of the invasion, ecclesiastical authorities had recorded that fifty-nine buildings designated for religious activities, most of them buildings of the Orthodox Church, had been fired upon by Russian forces

6. *"Ukraine battles to protect its churches and heritage from ravages of war", Financial Times, 15 April 2022*

4166. This article, written by Andres Schipani, reported about damage to the cultural heritage, including churches, by Russian forces in Ukraine. It was reported that according to UNESCO, as of 15 April 2022, at least fifty-three Ukrainian cultural sites had been damaged or destroyed since 24 February 2022. The President of Ukraine, Volodymyr Zelenskyy, had said the previous month that at least fifty-nine buildings of "spiritual significance" had been damaged during the first four weeks of Russia's invasion. The sites damaged or destroyed included as many as twenty-nine churches, several museums and war monuments, as well as historic theatres in the besieged cities of Mariupol and Kharkiv. The article referred to a statement by Dmytro Ivanov, the deputy regional governor, who said that in Chernihiv several important landmarks, including an Orthodox church, had been shelled by Russian troops.

F. Media reports concerning allegations under Article 10 of the Convention

1. *"Ukraine war: Sky News journalist Stuart Ramsay and team shot at in ambush", Sky News, 5 March 2022*

4167. This article reported that Stuart Ramsay, a British journalist covering the war in Ukraine for Sky News, had been shot and wounded after coming under fire in Kyiv. Mr Ramsay and his four colleagues had been

driving back to Kyiv when they were ambushed. As they tried to escape the car, a bullet hit Mr Ramsay in his lower back. They were told that a Russian reconnaissance unit had been behind the attack.

2. *“Sky News team’s harrowing account of their violent ambush in Ukraine this week”, Sky News, 5 March 2022*

4168. This news item reported that a five-person team from Sky News had survived after an assault by “a saboteur Russian reconnaissance squad” outside Kyiv.

3. *“Brent Renaud: US journalist killed in Ukraine”, Al Jazeera, 13 March 2022*

4169. According to Kyiv regional police and a government official, an American journalist, Brent Renaud, had been killed in Irpin, in the Kyiv Region, when Russian troops had opened fire at a car with him and his colleague inside.

4. *“Brent Renaud: US journalist and filmmaker killed in Ukraine”, BCC, 13 March 2022*

4170. This article reported that, according to police, a *Time* journalist, Brent Renaud, working in Ukraine had been shot dead by Russian troops in Irpin. Two other journalists had been injured and taken to hospital. Juan Arredondo, one of the injured journalists, said:

“Somebody offered to take us to the other bridge, and we crossed a checkpoint, and they start shooting at us. So, the driver turned around, and they kept shooting: there’s two of us. My friend is Brent Renaud, and he’s been shot and left behind ... I saw him being shot in the neck”.

5. *“‘Fox News’ Pierre Zakrzewski and Oleksandra Kuvshinova killed in Kyiv”, BBC News, 15 March 2022 and “Fox News cameraman and producer killed in Ukraine”, The Guardian, 15 March 2022*

4171. According to this article, two Fox News journalists – producer Oleksandra Kuvshynova and cameraman Pierre Zakrzewski – were killed in Ukraine when their vehicle had come under Russian artillery fire in Horenka, in the Kyiv Region. According to the Fox News chief executive, Suzanne Scott, Mr Zakrzewski had been with Benjamin Hall when their vehicle had been struck by incoming fire.

6. *“Russian reporter killed in Kyiv shelling is fifth journalist to die in conflict”, The Guardian, 23 March 2022 and “Russian journalist Oksana Baulina killed in Ukraine shelling”, Al Jazeera, 24 March 2022*

4172. The articles reported that on 23 March 2022, Oksana Baulina, a Russian journalist, had been killed in Kyiv during a Russian shelling in the Podil district, where she had been documenting earlier destruction, as stated by her employer, *The Insider*. Additionally, another civilian had perished in the attack, with two others wounded and hospitalised. It was stated that Ms Baulina had previously worked for Alexey Navalny’s Anti-Corruption Foundation before it had been labelled “extremist” by the Russian authorities, prompting her to continue reporting for *The Insider* after leaving Russia. Following Russia’s invasion of Ukraine, Ms Baulina had filed multiple reports from Kyiv and Lviv. Furthermore, Sergiy Tomilenko, head of the Ukrainian journalists’ union, had confirmed Ms Baulina’s death, stating that she had been reporting on the aftermath of the shelling when she had been struck by fresh fire. Lastly, earlier on 23 March 2022, a local television camera operator in Mariupol had also died, adding to the toll of journalists killed during the Russian invasion.

7. *“They tried to reveal what life was like under Russian occupation. Then they disappeared”, CNN, 29 March 2022*

4173. The article reported that since the Russian invasion had begun, there had been a surge in disappearances of journalists, activists, politicians and residents in various Ukrainian cities. It detailed the abduction of Yulia Olkhovska, a journalist from Melitopol, who had been interrogated for hours after being seized by armed men. Despite having refused to collaborate, she had been released.

4174. The article also highlighted the systematic targeting of media outlets and the dissemination of Russian propaganda to control the narrative in occupied territories. The piece recounted the abduction of Dmitry Afanasyev, a council member, and the violent suppression of protests in Kherson. It emphasised the pervasive climate of fear and uncertainty among Ukrainians, with numerous cases of disappearances and arbitrary detentions having been recorded.

8. *“Documentary photographer, photojournalist Maks Levin found dead in Kyiv region”, Ukrinform, 2 April 2022*

4175. It was reported that on 2 April 2022 the body of Maks Levin, a documentary photographer, had been found in or around the village of Huta Mezhyhirska (Kyiv Region). It was stated that he had been killed by two shots, identified as small arms fire from Russian servicemen.

9. *“Russia-Ukraine war: what we know on day 96 of the invasion”, The Guardian, 30 May 2022*

4176. This article by Martin Belam and Geneva Abdul reported on a statement by the French President, Emmanuel Macron, who confirmed that a French journalist, Frédéric Leclerc-Imhoff, had been killed in Ukraine, and expressed his condolences to his family. The article further explained that the journalist had been killed after an evacuation car had been hit near Sievierodonetsk.

10. *“Ukrainian officials report ‘shutdown of all communications’ in Kherson region”, Reuters, 31 May 2022*

4177. This article by Raphael Satter reported on a statement by the State Service of Special Communications of Ukraine, according to which an unspecified intrusion by occupying forces had taken place disconnecting the relevant equipment and cables. As a result, the statement said, residents of the Kherson Region had been deprived of Ukrainian mobile communications and Internet access, as well as the ability to make national or international calls by landline devices.

11. *“Tavriya TV will promote happiness and love’: Russia opens station in Kherson”, The Guardian, 27 August 2022*

4178. In the early stages of the conflict, Russia had occupied Kherson, and launched Tavriya TV as part of a broader propaganda campaign aimed at reinforcing Russian control. The governor of Kaliningrad had announced support from Kaliningrad journalists for Tavriya TV to convey pro-Russian narratives, reflecting a Kremlin strategy of assigning Russian regions to “curate” occupied Ukrainian territories.

4179. Following the occupation, the local media landscape had undergone a significant transformation. VTV Plus, previously a channel with Ukrainian content, had adopted a pro-Russian stance, broadcasting in Russian and promoting narratives discouraging resistance to Russian control. This shift was part of a wider Russian effort to reshape the information environment, including blocking Ukrainian broadcasts, redirecting internet traffic through Russian servers, and reviving Soviet-era publications to disseminate propaganda. Those actions were reportedly aimed at creating an alternative reality and suppressing any form of dissent, painting the opposition as engaging in criminal activity while coercing the population into compliance with the new regime.

G. Media reports concerning allegations under Article 11 of the Convention

1. *“Over 400 Ukrainians protesters detained by Russian National Guard, Ukraine says”, Reuters, 9 March 2022*

4180. According to Ukraine’s military high command, in the Kherson region members of Russia’s Rosgvardiya had detained more than 400 people who had protested against the Russian occupation. Ukraine’s military statement mentioned that owing to the resistance of the residents of Kherson, the Russian forces had been attempting to introduce an “administrative-police regime”.

2. *“Russian forces fire warning shots at Kherson rally”, BCC, 13 March 2022*

4181. This article reported that residents of Kherson had staged another demonstration against the Russian occupation, despite forces firing warning shots. Footage showed people with Ukrainian flags chanting as Russian tanks with the pro-invasion symbol “Z” passed by the rally.

3. *“Skadovsk residents against aggressor: Russians opened fire”, Ukrayinska Pravda, 16 March 2022*

4182. This article reported that on 16 March 2022 it had become known that the mayor of Skadovsk, Kherson Region, and his deputy had been detained by the Russian military. Residents of occupied Skadovsk had held a peaceful rally demanding the release of the city’s leadership. In response, the Russian forces had opened fire and used tear gas against them.

4. *“People attend rally after a council official was kidnapped in Enerhodar”, Ukrayinska Pravda, 20 March 2022*

4183. The news outlet reported that on 20 March 2022 the Russian armed forces had abducted Ivan Sarnoidiuk, the first deputy mayor of Enerhodar, and that over 1,500 residents of Enerhodar had gathered at the City Council’s building for a peaceful demonstration.

5. *“Ukraine says Russian forces violently disperse Kherson protest”, Al Jazeera, 21 March 2022*

4184. The news outlet relayed that Russian troops had utilised stun grenades and gunfire to scatter a rally of several hundred protesters in the city’s Freedom Square on Monday in the occupied southern city of Kherson, injuring at least one person.

6. *“Russian soldiers fire on Kherson protesters”, BBC, 21 March 2022*

4185. The article reported that on 21 March 2022 Russian soldiers in the Ukrainian city of Kherson had dispersed a protest against their occupation by firing shots at protesters. According to the article, people were reported to have been injured in the incident.

7. *“Zelensky Condemns Russian Attacks on Protesters and Children”, The New York Times, 21 March 2022*

4186. The article reported that on 21 March 2022, in a video address shared online, President Volodymyr Zelenskyy of Ukraine condemned Russian attacks on protesters in the city of Kherson in the south and strikes in the Zaporizhzhya region in the south-east, resulting in the hospitalisation of four children. Mr Zelenskyy remarked that the enemy was gradually attempting to advance, seeking to launch an offensive somewhere, to seize their road somewhere, or to cross the river somewhere. In Kherson, which had been under Russian control since 2 March 2022, Mr Zelenskyy revealed that Russian troops had fired upon unarmed individuals who had peacefully gathered on the streets at a rally for their freedom. In a separate incident, a group of civilians in the Zaporizhzhya region in the south-east came under attack, leading to the hospitalisation of four children, with two in a critical condition, according to Mr Zelenskyy. He lastly reported that 8,057 individuals had been rescued.

8. *“Russian troops use force at peaceful rally in Kherson, injuring protesters”, Ukrinform, 21 March 2022*

4187. The article reported that during a peaceful rally in Kherson on 21 March 2022, the Russian military had employed force against individuals protesting against Russian aggression, resulting in injuries to some of them.

9. *“Kyiv Military Administration: Russian troops entered Slavutych, kidnapped the Mayor, and fired on a demonstration”, Ukrayinska Pravda, 26 March 2022*

4188. The article reported that on 18 March 2022 Slavutych had faced a complete supply cut-off and food shortages. It was also reported that on 23 March 2022 Russian troops had fired on a checkpoint in Slavutych and the city had been blockaded. Additionally, it was stated that on 26 March 2022 Russian troops had entered Slavutych, seized the local hospital and kidnapped the mayor, Yuri Fomichev, during a peaceful pro-Ukrainian protest in the main square. Lastly, Mr Pavliuk, head of the Kyiv Regional Military Administration, had highlighted that Russian troops had fired into the air and thrown stun grenades at peaceful protesters.

10. *“Russian forces disperse pro-Ukraine rally, tighten control in occupied Kherson”, Reuters, 2 April 2022*

4189. It was reported that on 2 April 2022 Russian forces had dispersed a pro-Ukrainian rally in occupied Kherson, using tear gas and stun grenades, and wounding four people.

11. *“Four people injured in explosion, shooting in Enerhodar”, Ukrinform, 2 April 2022 and “Invaders fire on pro-Ukrainian rally participants in Enerhodar”, Ukrinform, 2 April 2022*

4190. It was reported that on 2 April 2022 Russian forces had dispersed a pro-Ukrainian rally in occupied Enerhodar (Zaporizhzhya Region). Video footage showed civilians fleeing amidst explosions, smoke and the sound of gunfire. The Zaporizhzhya Regional Military Administration had reported the wounding of four civilians, and the detention of others by Russian forces.

12. *“Russians use weapons against peaceful demonstrators in Kakhovka”, Ukrinform, 3 April 2022*

4191. This news item reported that Russian troops had used gunfire and grenade explosions against peaceful demonstrators in the temporarily captured city of Kakhovka in the Kherson region.

13. *“Russians disperse a rally for Ukraine in Kherson – there are four victims”, Ukrayinska Pravda, 27 April 2022*

4192. The article reported on a violent dispersal of a pro-Ukrainian demonstration in Kherson. It stated that the Russian military had used tear gas and light and noise grenades to disperse a small crowd, injuring four people, including a 71-year-old man whose lung had been ruptured and who had suffered burns to the chest, a 50-year-old man with an open fracture to his leg, and two other men with chemical burns to their eyes.

14. *“Ukrainians of occupied towns protest against Russian invaders, undermining ‘liberator’ narrative”, Euromaidan Press, 9 March 2022*

4193. This news item reported that on 7 March 2022 Ukrainian citizens had protested against the Russian occupation of Chaplynka, Kherson Region, shouting “Go home!” to the Russian troops, which, in turn, had been shooting into the sky trying to disperse the rally.

15. *“Ukraine war: Russians fire warning shots at Kherson rally against occupation”, BBC, 13 March 2022*

4194. The news item read, “Residents in the Ukrainian city of Kherson have staged another demonstration against the Russian occupation, despite

forces firing warning shots”. The publication contained a video footage showing people with Ukrainian flags chanting as Russian tanks, displaying the pro-invasion symbol “Z”, pass by the rally.

16. *“Thousands in Kherson come out to rally against occupier, the aggressors open fire”, Ukrayinska Pravda, 13 March 2022*

4195. The news article reported that in Kherson, several thousand people had come out for a peaceful “Kherson is Ukraine” rally. They displayed Ukrainian symbols and chanted, “Go home while you’re still alive”, “Ukraine above all”, “Glory to the nation - death to the enemies”, “Russian soldier, go fuck yourself”, “Kherson is Ukraine”, “Russia is a shithouse, victory will be ours” and “The Russian soldier is a fascist occupant!”. Dozens of armed Russian soldiers and many Russian vehicles were stationed around; at one point they opened fire. According to the local journalist Konstantin Ryzhenko, shots were fired at people’s legs, and at least one man was hit in the leg with a Russian rubber bullet.

17. *“Kherson region: residents of Kakhovka went on a rally, the occupiers opened fire”, Ukrainska Pravda, 3 April 2022*

4196. The news article reported that on 3 April 2022 the Russian military had opened fire at residents of Kakhovka, Kherson region, who had been on a peaceful rally against the occupation. According to preliminary information, there were casualties.

18. *“In Kakhovka, occupants opened fire to disperse a pro-Ukrainian rally”, Frontnews.eu, 3 April 2022*

4197. The news article reported that on 3 April 2022, residents of Kakhovka in the Kherson region held a pro-Ukrainian rally against the Russian occupation. Russian soldiers attempted to stop the demonstration by force, opening fire on the peaceful protesters. There are reports of detainees and wounded civilians.

19. *“Pro-Ukraine rally dispersed by Russians in Kherson after city administration forced out”, RFE/RL, 27 April 2022*

4198. The news item reported that on 27 April 2022 Russian forces had used tear gas and stun grenades to disperse a pro-Ukrainian rally in the occupied city of Kherson, a day after Russia had claimed to have taken control of the region. At least four people were injured.

H. Media reports concerning allegations under Article 1 of Protocol No. 1 to the Convention

1. *“The DPR authorities have published a list of Ukrainian enterprises where external management has been introduced”, TASS, 2 March 2017*

4199. According to the article, on 1 March 2017 the “DPR” and “LPR” had introduced “external management” at all Ukrainian enterprises operating in the “republics”. The “DPR Council of Ministers” had published a list of forty-three such enterprises.

4200. The list included the largest companies of the System Capital Management group owned by the Ukrainian businessman Rinat Akhmetov. Among them were the Yenakiyevo Metallurgical Plant, Komsomolsk Radio Administration, Khartsyzsk Pipe Plant, the A.F. Zasyadko Mine, Zuyevskaya Thermal Power Plant, the Donbas Arena stadium and the largest telecommunications operator in Ukraine, Ukrtelecom.

2. *“Borodyanka ‘There are a lot of people left under the rubble’”, BBC News, 6 April 2022*

4201. This article reported on severe destruction in Borodyanka, in the Kyiv region, as a result of an attack by Russian troops. According to witnesses, Russian troops had prevented attempts by local residents to rescue survivors from demolished buildings, even threatening them at gunpoint. Numerous witnesses claimed that dozens of civilians had been trapped and were presumed dead under the debris, with police suggesting that the death toll could be in the hundreds. Additionally, witnesses recounted instances of civilians being killed by Russian sniper attacks and reported that Russian troops had looted their properties, taking valuables and causing extensive damage. The article contains photos of destroyed civilian buildings in Borodyanka.

3. *“Russians terrorize villagers of Kharkiv region”, Ukrinform, 14 April 2022*

4202. The article stated that according to a local resident in the village of Pervomaiske, Russian soldiers had robbed houses, searched local men, undressed and beaten them, and taken away phones.

4. *“Crimes against history: mapping the destruction of Ukraine’s culture”, The Guardian, 24 April 2022*

4203. This article, written by Vanessa Thorpe, reported on the destruction of cultural and religious property in Ukraine by Russian attacks. The article indicated that signs of damage to 191 cultural landmarks and venues had been

detected. The correspondent stated that most of the destruction, allegedly carried out by Russian troops, had concentrated on Ukrainian memorials and places of worship. Fifty-eight churches, mosques, temples and cathedrals had been listed, along with 111 memorial sites and nine public monuments. It added that two arts venues had been attacked, including the theatre at Mariupol and one archaeological site.

5. *“Satellite images appear to show Russian ships loading up with Ukrainian grain in Crimea”, CNN, 22 May 2022*

4204. This article by Alex Marquardt and Tim Lister reported on satellite pictures by Maxar Technologies depicting two Russian ships being loaded with grain in Sevastopol. The pictures, dated 19 and 21 May 2022, showed two ships, the *Matros Pozynich* and the *Matros Koshka*, docking and loading up with (allegedly) Ukrainian grain. The article added that after the pictures had been taken the first of the two ships had, according to an online ship tracking website, sailed through the Aegean Sea heading to Beirut, while the second had stayed in the Black Sea. It added that Crimea produced little grain, unlike the occupied Kherson and Zaporizhzhya Regions, where Ukrainian officials claimed that Russians had been looting the silos to move the grain south.

4205. The article described the *Matros Pozynich* as having performed a similar mission in early May 2022 by sailing into the Mediterranean loaded with grain. It had been barred, however, from entering the ports of Egypt or Lebanon after a warning from Ukrainian officials and had eventually ended up in Syria. Ukraine’s Ministry of Defence and the minister of agriculture, Mykola Solskyy, had accused Russia of stealing grain from the occupied territories, while the Kremlin spokesman, Dmitry Peskov, had dismissed the allegations as “fake news”.

6. *“Ukraine war: Chernobyl scarred by Russian troops’ damage and looting”, BBC News, 3 June 2022*

4206. This news item stated that the Russian army had looted or damaged more than 1,000 computers at the Chornobyl nuclear power station and had stolen trucks and radiation dosimeters.

7. *“Russian separatists seize two foreign ships in Mariupol”, Reuters, 5 July 2022*

4207. According to the article, as at 5 July 2022 the representative of the Russian administration in Mariupol had seized two foreign ships.

8. *“Intelligence: Russian soldiers engaged in mass looting while fleeing Kharkiv Oblast”, The Kyiv Independent, 12 September 2022*

4208. The intelligence service of Ukraine’s Defence Ministry had reported that Russian soldiers were stealing generators and residents’ personal belongings, such as phones and computers, as they fled deeper into the occupied territories or into Russia’s Belgorod Region. There had also been cases of looting from educational institutions.

9. *“Balakliia residents take stock after Ukraine recaptures frontline town”, The Guardian, 13 September 2022*

4209. In Balakliia, Kharkiv Region, recently liberated from Russian occupation, evidence of violations by Russian forces had been revealed:

- Destruction of infrastructure: Three bridges into the town had been destroyed, disrupting access and movement.

- Impact on civilians: Residents had spent most of the last seven months in confinement because of the constant shelling. While not all residents had reported direct mistreatment by Russian soldiers, the presence of military forces and the consequences of shelling, including injuries from shrapnel, significantly affected civilian life.

- Detentions and torture: Ukrainian authorities had discovered a “torture chamber” in Balakliia’s police station basement, where at least forty people were detained and reportedly tortured, with some being executed at checkpoints.

4210. The occupation had resulted in a near-total information blackout, with no phone signals or internet, creating an environment where civilians were cut off from news and resources. Looting by Russian forces was mentioned, alongside the survival struggles of residents without basic utilities.

10. *“Hundreds of enterprises in the Zaporozhye Region have come under governmental external management,” RIA Novosti, 27 December 2022*

4211. The article reported that after 24 February 2022, the work of a number of factories in the Zaporizhzhya Region had been suspended as the owners had “left the region”. Quoting the Russian “head of the regional government” Anton Koltsov, the article stated that the “authorities” had established control over more than 400 enterprises and introduced “external management” by “temporary administrations”.

4212. According to Mr Koltsov, such a procedure was to be applied, among other reasons, “in the absence of the owner in Russia or his participation in anti-Russian activities”. “Temporary administration assumes both protection and launching into operation” Mr Koltsov said. The enterprises had not been transferred into private ownership but remained the

property of the Zaporizhzhya Region. Among the enterprises affected there were the iron ore plant in Dniprorudne, the Gidrosila machine-building plant, the Melitopol tractor hydraulic units plant, the BIOL manufacturer of cast aluminium and cast iron cookware, the “Berdyansk reapers” company and the Azmol petrochemical company.

I. Media reports concerning allegations of abduction and forced transfer of children

1. “It is impossible to adopt a child from the DPR and LPR in Russia”, Regnum, 29 April 2015

4213. This article was based on an interview with a volunteer, Elena Khablyuk, about the difficulties faced by adoptive parents from Russia when trying to adopt orphans from the “DPR” and “LPR”. It read as follows:

“There are virtually no legal ways for Russian citizens to adopt orphans from the DPR and LPR, and the Russian FMS [Federal Migration Service] is deporting dozens of children already adopted from the people’s republics at the request of Ukraine to the territory under its control.

... [T]he guardianship authorities understand the complexity of the situation, show sympathy, but refer to the strict instructions that they are forced to follow. ‘I talked for a long time with representatives of the guardianship authorities, modeled different situations - how it would be possible to leave the children here, and we came to the conclusion that the children would be deported anyway’.

...

Elena Khablyuk believes that the lack of statehood of the LPR and DPR and the formalism of Russian authorized bodies are the main reasons for the suffering of adopted children and their parents. ‘... Ukraine categorically objects and demands that the children be immediately returned to its territory, which the valiant FMS bodies are doing in the form of deportation,’ she said.”

2. “Russia offers passports to people in eastern Ukraine territories”, BBC, 25 April 2019

4214. This news item reported that the President of the Russian Federation Vladimir Putin had signed a decree simplifying the procedure to obtain Russian citizenship for residents of the occupied territories in eastern Ukraine.

3. “Russian passports granted to some 400,000 people living in DPR, says republic’s leader”, TASS, 11 February 2022

4215. According to this article, on 24 April 2019 Russian President Vladimir Putin had signed a decree simplifying passport issuance procedures to the residents of the “DPR” and “LPR”. The first passports were produced in the Rostov Region of Russia and issued on 14 July 2019.

4216. The article also reported that in early February 2022 the “DPR leader” Denis Pushilin had announced that around 400,000 “DPR” residents had received Russian passports. Vasily Golubev, the governor of Russia’s Rostov Region, said in January [2022] that more than 720,000 people in the “DPR” and “LPR” had been granted Russian citizenship under a simplified procedure.

4. *“DPR has decided to evacuate women, children and elderly people to the territory of the Russian Federation”, Interfax, 18 February 2022*

4217. This article reported that the “DPR leader” Denis Pushilin had announced, on 18 February 2022, a mass centralised evacuation of population, mainly women, children and elderly people, from the “DPR” to the Russian Federation due to growing tensions in the region.

5. *“The LPR, following the DPR, announced mass evacuation to Russia”, Interfax, 18 February 2022*

4218. This article reported that on 18 February 2022 the “LPR leader” Leonid Pasechnik had instructed the “LPR authorities” to ensure the evacuation of population from the “LPR” to Russia “in order to prevent civilian casualties”.

6. *“Ukraine probes deportation of children to Russia as Possible genocide”, Reuters, 3 June 2022*

4219. Ukraine’s Prosecutor General, Iryna Venediktova, had reported more than twenty cases of forcible transfer of people to Russia from various regions of Ukraine. Ukraine’s ombudswoman Liudmyla Denisova had said in mid-May that Russia had relocated more than 210,000 children during the conflict, and that more than 1.2 million Ukrainians had been deported against their will. Prosecutors investigating war crimes cases in Ukraine were seeking to build a genocide case, covering the forced deportation of children and other acts, based on investigations in areas from northern Ukraine down to Mykolaiv and Kherson on the southern coast. But the gathering of evidence was being complicated by the war.

7. *“Kyiv accuses Moscow of illegal adoptions of Ukrainian children”, Al Jazeera, 23 August 2022*

4220. Kyiv had accused Moscow of orchestrating illegal mass adoptions of Ukrainian children by transferring them from occupied territories to Russia, in violation of international conventions. The MFAU had stated that since the onset of the war, over 1,000 children from Mariupol, which was under Russian occupation, had been illegally moved to various regions in Siberia, including Tyumen, Irkutsk, Kemerovo and Altai Krai. This action

was part of a broader accusation by Kyiv against Moscow for “deporting” Ukrainians, particularly from occupied territories, directly to Russia instead of allowing them to relocate to other regions within Ukraine. The MFAU’s allegations were based on information from local authorities in Krasnodar, a southern Russian city near Ukraine, where more than 300 Ukrainian children were reportedly being held in specialised institutions.

8. *“Thousand Ukrainian Children Given ‘New Families’ in Russia: ISW”, Newsweek, 24 August 2022*

4221. In the period following 24 February 2022, Russian authorities had reportedly relocated over 1,000 children from the occupied Mariupol region to various regions within Russia, including Tyumen, Irkutsk, Kemerovo and Altay Krai, for adoption by Russian families. This action had been disclosed through a post by the Krasnodar Region’s Family and Childhood Administration, which had later been archived, outlining a programme facilitating the transfers. It was noted that more than 300 children were awaiting adoption in specialised institutions within the Krasnodar Region. The Russian government offered adoptive families a one-time payment of 20,473 Russian roubles (RUB – equivalent to USD 342) per child, with increased payments for adopting a disabled child, a child over seven years of age, or siblings, totalling RUB 156,429 (USD 2,615).

4222. ISW referenced reports from Ukraine’s MID regarding the transfer of thirty Ukrainian children from Khartsyzk, Ilovaysk, and Zuhres in the occupied Donetsk Region to Nizhny Novgorod, ostensibly for participation in youth educational-training programs.

4223. Peter Andryushchenko, an adviser to the mayor of Mariupol, had reported in April that Russian officials had forcibly relocated children to Vladivostok, with 308 Ukrainian citizens, including ninety children, being taken from the heavily affected area of Mariupol, where they were to be compelled to learn Russian.

4224. Daria Herasymchuk, the representative of the President of Ukraine for children’s rights and child rehabilitation, reported that as of 24 August, 7,013 children had been “deported” to Russia. Russian officials had described such transfers as voluntary evacuations.

9. *“Lvova-Belova spoke about the mood of Donbass children in Russian families”, Lenta.ru, 2 November 2022*

4225. The relevant parts of the article read as follows:

“... [T]he ombudsman noted the unconditional readiness of Russians to help children from the territories of military operations. ... ‘We currently have about 350 children in foster families. The children had been in institutions for a long time. Isn’t this unity, isn’t this a patriotic feeling, when there are no other people’s children and they are all ours?’ she noted.”

10. *“How Moscow grabs Ukrainian kids and makes them Russians”, AP News, 17 March 2023*

4226. In February 2022, during the outbreak of war between Ukraine and Russia, Olga Lopatkina, a Ukrainian mother, had faced distress over the safety of her six adopted children stranded in Mariupol. Amidst the siege of the city, with no communication, she had contemplated the risks of attempting a rescue. This situation exemplified the broader crisis of thousands of Ukrainian children – those orphaned, in institutions, or with foster families – being forcibly deported to Russia or Russian-held territories without consent. An Associated Press investigation revealed these actions, including deceiving the children about their parents’ wishes, utilising them for propaganda, and integrating them into Russian families with citizenship.

Stephen Rapp, advising Ukraine on prosecutions, had highlighted the deliberate nature of these acts, implying the potential attribution of responsibility to senior levels of Russian authorities. Despite Russian laws against foreign child adoption without home country consent, a decree by President Putin in May 2023 had facilitated the adoption and citizenship of Ukrainian children by Russian families, contravening international legal standards.

The article detailed the plight of specific individuals, such as Timofey, a 17-year-old who had become the primary carer of his siblings in Mariupol, and their subsequent forced relocation to the “DPR”.

11. *“Russia’s war machine is trying to turn Ukrainian teenagers into soldiers”, CNN World, 15 March 2024*

4227. The media report covered the story of a boy taken from Mariupol in the spring of 2022 to Russia:

“Russian forces deported Bohdan Yermokhin from the occupied Ukrainian city of Mariupol in the spring of 2022, flew him to Moscow on a government plane and placed him into a foster family. He was sent to a patriotic camp near the capital where flag-waving staff praised Russian President Vladimir Putin and tried to teach him nationalistic songs.

The Ukrainian teenager was given a Russian passport and sent to a Russian school. And then, in the fall of 2023, not long before his 18th birthday, he received a summons from a Russian military recruitment office.

Yermokhin, who’s now back in Ukraine and recovering from his ordeal in Kyiv, told CNN he believed this was the last step in Russia’s attempt to bully him into submission – a bid to sign him up as a soldier to fight against his own people.

‘(I was told that) Ukraine was losing, that children were used for organ donations there, and that I would be sent to war right away. I told them that if I was sent to the war, at least I would fight for my own country, not for them,’ he said.

Yermokhin was part of a group of children known as the ‘Mariupol 31’ who were taken to Russia. Ukrainian authorities estimate that 20,000 children have been forcibly transported to Russia since Moscow launched its full-scale invasion of the country in

February 2022. More than 2,100 children remain missing, according to official statistics, but the government says the real number could be much higher. ...

Ukraine's human rights commissioner Dmytro Lubinets said his office was convinced that Russia's efforts to turn Ukrainian teenagers deported to Russia – or living in occupied areas of the east – into soldiers were part of a wider drive by Putin to erase the Ukrainian identity. It is also an opportunity for Moscow to replenish its forces on the front lines.

'It's not theoretical,' he said. 'We now have examples of forcible mobilization of Ukrainian people. All Ukrainian teenagers held in Russia, when they turn 18, they are put on a (recruitment) list of Russian military,' told CNN. ...

Lvova-Belova herself confirmed that Yermokhin received a Russian passport and military summons. In a statement posted on her Telegram channel in November she said that the summons was not unusual, because "all citizens of Russia receive" it. She said that since Yermokhin was still a student, he would be able to defer his military service until after finishing his education."

12. "Deported Ukrainian children are Russia's future army recruits, ombudsman says", Euronews, 13 November 2024

4228. The media report covers the statements of Ukraine's Commissioner for Human Rights Dmytro Lubinets concerning the fate of children taken to Russia after 24 February 2022:

"So far, Ukraine has managed to find solid information on these 19,546 children to confirm that they have indeed been forcefully deported to Russia.

Once Ukrainian children are deported to Russia, local authorities try to erase any of their connection to their homeland. The children are being 'brainwashed', he said, and their official documents are being altered so that their relatives couldn't find and bring them back home.

'Passports, birth certificates, all the information is also changed into 'Russia', Lubinets explained.

And that's when the militarisation begins. 'All the Ukrainian children must be a member of youth military organisations of the Russian Federation, even girls, you know,' he added."

XI. MISCELLANEOUS

A. Reports and statements by Ukrainian non-governmental actors

1. Ukrainian Orthodox Church

Press statement "As a result of hostilities in Svyatohirsk, the buildings of the Svyatohirsk Lavra were damaged", 12 March 2022

4229. The Ukrainian Orthodox Church of the Moscow Patriarchate reported that on 12 March 2022 Russian forces had shelled the Svyatohirsk Lavra in the Donetsk Region. As a result of the shelling, some of its buildings had been damaged, causing injuries to civilians seeking refuge there.

According to the report, almost all windows in the monastery buildings had been shattered, with the buildings sustaining different levels of damage. It was reported that a total of 520 refugees, 200 of whom were children, had been hiding in the Lavra. The shelling of the Lavra forced them all to spend the night in basements.

2. DTEK

4230. DTEK Group is the largest private investor in the energy sector in Ukraine.

(a) News article “Luhansk TPP (DTEK Energy) is under constant shelling”, 23 February 2022

4231. This news item stated that the Luhansk Thermal Power Plant (“the Luhansk TPP”), located near the demarcation line in the city of Shchastya, Luhansk Region, had been under constant shelling since 22 February until at least 23 February 2022. The shelling had caused a fire, damaging the communications transformer, the buildings of the educational campus, the oxygen station, and units nos. 10 and 15. This news article did not discuss the source of the attack on the power plant.

4232. According to this publication, the Luhansk TPP had been the largest producer of electricity in the Luhansk Region and the only producer of thermal energy in the city of Shchastya. The city’s residents, as well as strategic enterprises and critical infrastructure facilities, such as schools, medical institutions and kindergartens, depended on the heat and electricity produced by the Luhansk TPP.

(b) News article “Fighting for the light. How Ukrainian power grid survived 10 days of war”, 6 March 2022

4233. This news article was presented in the form of an interview with the CEO of DTEK, Maxim Timchenko. Quoting Mr Timchenko, the article described the state of Ukrainian energy infrastructure as of 5 March 2022 in the following way.

4234. In the Donetsk grids, power had been cut to more than 234,000 households (18% of all households). 100% of the city of Mariupol (around 500,000 people) had been without power since 3 March 2022. In the Kyiv Region, mostly in Hostomel and Bucha, power had been cut to 157,000 households (around 450,000 people), representing 16% of all households.

4235. Turning to the matter of DTEK’s energy infrastructure facilities that had been captured, the article specified that wind farms had stopped operating because of damage to the power lines and because of the presence of Russian military vehicles near the Botiievo Wind Farm. The article also specified that the Luhansk TPP had been under Russian control since

25 February 2022 and had stopped generating energy. The Zaporizhzhya Nuclear Power Plant had been captured (by the Russian army) as well. Mr Timchenko pointed out that the Russian forces had not been providing access to the facilities under their control, even to repair them.

4236. Mr Timchenko specified that gas production had dropped by 10-12%, and there had been a significant decrease in demand. Electricity consumption had also dropped by 35%, and payments had decreased by 60-70%. According to the article, the energy produced was sold to the customers, transported to storage, and given to the (Ukrainian) army.

4237. Mr Timchenko estimated DTEK's losses as of 6 March 2022 to be USD 480 million, of which the damage to the Luhansk TPP alone was estimated at USD 180 million in losses. Mr Timchenko stated that restoring the networks would require about USD 50-70 million.

4238. As to the Russian army's attacks on critical infrastructure, Mr Timchenko said that in the first days (after 24 February 2022), those strikes had not been intentional. He believed the attack on Kyiv Combined Heat and Power Plant no. 6 not to be an intentional attack. However, Mr Timchenko emphasised that targeted destruction had begun on 3 March 2022. He provided the example of the "direct hit on the Okhtyrka Combined Heat and Power Plant" in the Sumy Region, which had "left nothing there". Mr Timchenko also believed the attack on the high-voltage substations of Ukrenergo in the Donetsk Region to be a targeted hit.

3. *METINVEST*

4239. Metinvest is an international mining and metals company. The Group comprises mining and metallurgical assets in Ukraine, Europe and the United States.

Update on operations in Ukraine of 22 March 2022

4240. This news item, published on the official website of Metinvest Holding, stated that energy production facilities in Mariupol, Zaporizhzhya and Avdiivka had remained in hot conservation mode since no later than 8 March 2022. This step was supposed to help recover production facilities even in the event of damage. The news item specified that the Metinvest assets in Avdiivka and Mariupol had reportedly sustained damage from the hostilities.

4241. The statement indicated that as of 22 March 2022, the Kamet steelworks in Kamyanske had operated at around 60% of its 2021 production volumes, and Metinvest's iron ore and coking coal assets in Ukraine had been operating at around 40% and 60% of their 2021 production volumes respectively.

4242. The full extent of the impact of the war on the Metinvest business was not readily assessable on account of the ongoing hostilities.

B. Social media posts

1. Two posts on Twitter (now X) by @olex_scherba dated 8 March 2022

4243. These two entries were published on Twitter (now X) by Oleksandr Scherba, who, according to the Ukrainian Government's submissions, is a former Ukrainian Ambassador to Austria.

4244. The first entry was published at 1.43 p.m. The entire text of this entry read as follows: "Kyiv oblast. A civilian car drives by. RussianArmy shoots, kills - and drives away."

4245. This entry also contained a video labelled "Kyiv Operative", apparently indicating the news media that had first published this video. The time stamp on the video seemed to indicate "28-02-2022, 13:16"; however, the time stamp was not entirely clear. The video was fifty-four seconds long.

4246. This video recorded what looked like an industrial zone, and the camera had apparently been installed on a lamppost; however, that was not entirely clear from the video. The recording captured a passenger car with no visible military or other insignia stopping just in front of the camera while being shot at by at least one armoured vehicle, also with no visible insignia. The recording captured a number of missed shots before the two shots that hit the passenger car directly. The passenger car appeared to be severely damaged from the two hits. A cloud of black smoke came out of the car. The video then showed three armoured vehicles with no visible insignia driving away.

4247. The second entry was published at 4.52 p.m. The entire text of this entry read as follows: "Apparently, this is the vehicle. Two pensioners who were trying to escape."

4248. This entry also contained a video that had apparently captured the same passenger car soon after the events captured by the first video. The date, time and author of the second video were not indicated. In the video, there were two men speaking Ukrainian – one visible, wearing a military uniform and holding an automatic weapon, and another one behind the scenes, apparently holding the camera. The two men recorded their inspection of the severely damaged passenger car with the bodies of two elderly people inside. The car was of the Lada brand and had a cherry/aubergine colour, with the registration number AI 8751 EM and a yellow disabled sign on the windscreen. The two bodies inside the passenger car were a female and a male. The body of the latter had significant injuries. No military insignia or arms were visible in the damaged vehicle.

4249. The man commenting on the video behind the scenes said that the passenger car had been attacked by Russian forces when it had stopped at a stop sign. He pointed to a direction straight ahead from the front of the damaged car and said that the Russian positions had been in that direction, adding "We have just [attacked] them there".

2. Facebook post by Said Ismagilov, 2 March 2022

4250. The full text of this post read as follows: “As a result of Russian shelling, the Cathedral Mosque and adjoining premises in the city of Kostyantynivka, Donetsk Region, were damaged.” The post also contained three photographs of several buildings with broken windows and a wall apparently damaged by shrapnel.