



# General Assembly

Distr.: General  
25 November 2024

Original: English

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## Human Rights Council

### Fifty-sixth session

18 June–12 July 2024

Agenda items 2 and 10

**Annual report of the United Nations High Commissioner  
for Human Rights and reports of the Office of the  
High Commissioner and the Secretary-General  
Technical assistance and capacity-building**

## **Situation of human rights in the temporarily occupied territories of Ukraine, including the Autonomous Republic of Crimea and the city of Sevastopol**

### **Report of the Secretary-General\***

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\* The present report was submitted to the conference services for processing after the deadline for technical reasons beyond the control of the submitting office.



## I. Introduction

1. The present interim report of the Secretary-General on the situation of human rights in the temporarily occupied territories of Ukraine, including the Autonomous Republic of Crimea and the city of Sevastopol, is submitted pursuant to General Assembly resolution 78/221, in which the Assembly requested the Secretary-General to submit an interim report to the Human Rights Council at its fifty-sixth session. In the same resolution, the Secretary-General was also requested to report to the Assembly at its seventy-ninth session on the progress made in the implementation of the resolution.
2. In its resolutions 68/262, ES-11/1, ES-11/2 and ES-11/4, the General Assembly affirmed its commitment to the territorial integrity of Ukraine within its internationally recognized borders. In the present report, and in line with relevant Assembly resolutions, including resolution 78/221, the Autonomous Republic of Crimea and the city of Sevastopol are referred to as “Crimea”. Crimea and certain areas of the Kherson, Zaporizhzhia, Donetsk and Luhansk regions of Ukraine temporarily controlled or occupied by the Russian Federation are referred to as “temporarily controlled or occupied territories of Ukraine”. The organs and officials of the Russian Federation established in the temporarily occupied territories of Ukraine are referred to in the present report as the “occupying authorities”.
3. While the General Assembly has in previous resolutions requested the Secretary-General to report on the human rights situation in Crimea, resolution 78/221 is the first in which it has requested the Secretary-General to also cover other parts of Ukraine temporarily occupied by the Russian Federation following its full-scale invasion of the country, launched on 24 February 2022. The present report is therefore divided into two sections. The first section covers the human rights situation in areas of the Kherson, Zaporizhzhia, Donetsk and Luhansk regions of Ukraine temporarily controlled or occupied by the Russian Federation. As the situation in those areas has not previously been addressed in a report by the Secretary-General on the human rights situation in Crimea, the first section covers the period from 24 February 2022 to 31 December 2023. The second section covers the human rights situation in Crimea. As previous reports of the Secretary-General have covered the period from 2014 to 30 June 2023, the second section of the report covers the period from 1 July to 31 December 2023.

## II. Methodology

4. In its resolution 78/221, the General Assembly requested the Secretary-General to seek ways and means, including through consultations with the United Nations High Commissioner for Human Rights and relevant regional organizations, to ensure safe and unfettered access to Crimea and other territories of Ukraine temporarily controlled or occupied by the Russian Federation for established regional and international human rights monitoring mechanisms, in particular the human rights monitoring mission in Ukraine and the Independent International Commission of Inquiry on Ukraine, to enable them to carry out their mandates. On 4 March 2024, in accordance with that resolution, the Office of the United Nations High Commissioner for Human Rights (OHCHR) transmitted a note verbale to the Russian Federation, seeking its cooperation to conduct a mission in the temporarily occupied territories. On 14 March 2024, the Russian Federation returned the note verbale “without consideration”, informing OHCHR that it would continue to return without consideration all correspondence from OHCHR in which reference was made to any resolutions of the General Assembly or the Human Rights Council in which “the Republic of Crimea”, the city of Sevastopol and the “new Russian regions” were designated as temporarily occupied territories. Given those conditions, OHCHR has not yet been able to identify any way in which to access the temporarily occupied territories in line with Assembly resolution 78/221.
5. The present report includes only verified information. Unless otherwise specified, the verification was carried out by OHCHR. The findings set out in the present report are based on verified information collected from sources that are assessed as credible and reliable, according to OHCHR methodology. Information is included only where the “reasonable grounds to believe” standard of proof is met. The report is based primarily on direct interviews with victims of alleged human rights violations in the temporarily controlled or

occupied territories of Ukraine, whose accounts have been further verified with other sources, including through interviews with relatives of victims, witnesses, human rights defenders, lawyers and representatives of civil society, along with information obtained from court documents, official records, analysis of relevant legislation, open sources and other relevant materials.

### **III. Human rights situation in certain areas of the Kherson, Zaporizhzhia, Donetsk and Luhansk regions, Ukraine, temporarily controlled or occupied by the Russian Federation, 24 February 2022–31 December 2023**

#### **A. Background**

6. On 24 February 2022, the Russian Federation launched a full-scale invasion of Ukraine. The armed conflict in Ukraine has led to significant civilian harm and suffering in many places across the country.<sup>1</sup> The battle for and siege of the city of Mariupol, for example, stand out for the immense suffering of its residents.<sup>2</sup> The Russian armed forces eventually established control over and occupied parts of the Kherson, Zaporizhzhia, Donetsk and Luhansk regions in eastern Ukraine. Prior to the full-scale invasion by the Russian Federation in February 2022, the Ukrainian authorities had already lost control over parts of the Donetsk and Luhansk regions of Ukraine, in some cases having lost such control in April 2014.<sup>3</sup>

7. The present section covers the human rights situation between 24 February 2022 and 31 December 2023 in the areas of the Kherson, Zaporizhzhia, Donetsk and Luhansk regions of Ukraine that have been under temporary occupation by the Russian Federation.

#### **B. Rights to life, physical and mental integrity and liberty and security of person**

8. In the areas of the Kherson, Zaporizhzhia, Donetsk and Luhansk regions of Ukraine temporarily controlled or occupied by the Russian Federation, OHCHR identified patterns of human rights violations committed by the Russian armed forces, including potential violations of the rights to life, physical and mental integrity and liberty and security of person, such as arbitrary detentions, acts of torture and ill-treatment, enforced disappearances and summary executions, in particular during the initial months of the occupation.

9. According to OHCHR, the occupying authorities of the Russian Federation arbitrarily detained hundreds of civilians between 24 February 2022 and 31 December 2023.<sup>4</sup> In many of these cases, the Russian armed forces detained civilians for reasons that may be impermissible under international human rights law, as applicable, such as for peacefully expressing pro-Ukrainian views or opposition to the occupation or merely being a military veteran or a family member of a current or former member of the Ukrainian armed forces. Even when the occupying authorities might have had valid security reasons for interning an individual, such internment may not have been consistent with their obligations under international humanitarian law, including to provide for the possibility of appealing the internment to a competent body, to register internees, to hold internees in a recognized place of internment and to inform internees' families and the Central Tracing Agency of their whereabouts. People were frequently held incommunicado, sometimes for weeks or months.

<sup>1</sup> See, for example, Office of the United Nations High Commissioner for Human Rights (OHCHR), "Report on the human rights situation in Ukraine: 1 February to 31 July 2022", 27 September 2022; and OHCHR, "Report on the human rights situation in Ukraine: 1 August 2022 to 31 January 2023", 24 March 2023.

<sup>2</sup> For example, A/HRC/55/66, paras. 13–24.

<sup>3</sup> For information about the human rights situation in eastern Ukraine from 2014 to 2022, see the reports of OHCHR on Ukraine, available at <https://www.ohchr.org/en/countries/ukraine>.

<sup>4</sup> OHCHR, "Human rights situation during the Russian occupation of territory of Ukraine and its aftermath: 24 February 2022 to 31 December 2023", 20 March 2024, paras. 37–43.

Many of the arbitrary detentions may also amount to enforced disappearance, as the occupying authorities refused to acknowledge the detention or concealed the detained person's fate or whereabouts, even when there had been a request from family members.

10. Detainees were often held in unofficial places of detention, including houses, basements, barns, garages, warehouses and other buildings, in particular in the early stages of their detention. Conditions in these places were often inadequate and, in some cases, so dire that they may amount to torture or ill-treatment under international law.<sup>5</sup> Former detainees consistently described serious overcrowding; inadequate food, water, medical care and sanitation; and cold temperatures. In many cases, detainees were eventually transferred to police stations or other official places of detention. In these places, detainees were often held in inadequate conditions. At least six people (all men) died in detention in the temporarily controlled or occupied areas of the Kherson, Zaporizhzhia, Donetsk and Luhansk regions of Ukraine between 24 February 2022 and 31 December 2023 as a result of poor conditions, lack of medical attention, injuries from torture or ill-treatment or a combination thereof.

11. OHCHR has collected credible and reliable information about the use of torture against 108 civilian detainees (73 men, 29 women and 6 boys) through interviews with former detainees and witnesses and, in some cases, reviews of medical documents. The cases showed a consistent pattern of torture or ill-treatment. The victims, most of them men, were punched; were cut; had sharp objects put under their fingernails; were hit with batons and rifle butts; were strangled; were waterboarded; had electric shocks administered to sensitive parts of the body, including the genitals, breasts, earlobes, toes and fingertips; were placed in stress positions for long periods; had "tasers" used against them; were subjected to prolonged exposure to cold temperatures; were placed in solitary confinement in a small area, with a lack of ventilation and high temperatures (a "hot box"); were deprived of water and food; and were subjected to mock executions or threats.

12. In one case, the occupying authorities in Henichesk, Kherson region of Ukraine, detained a 33-year-old man on 13 December 2022 and held him incommunicado in a boarding house, where he was tortured to provide statements implicating himself in criminal activities against the Russian Federation. The man was subjected to both physical and psychological violence, including electric shocks to various body parts. On one occasion, security officers tied the victim, facing upwards, to a bench, taped his mouth shut and poured water into his nose, while a heavy man sat on his chest, to simulate drowning. As a result of the torture, the man lost the sight in one eye. The man was eventually transferred to the Russian Federation, through Crimea. As at 31 December 2023, he was still in detention.

13. According to OHCHR, torture in detention frequently included conflict-related sexual violence. Thirty-four civilian detainees (21 men, 12 women and 1 boy) were subjected to forms of sexual violence in detention, including rape, threats that they or their relatives would be raped, beatings, electric shocks to their genitals or breasts, forced nudity, unjustified cavity searches, unwanted sexual touching, genital mutilation, attempted castration and threats of castration.<sup>6</sup> Because of the stigma surrounding sexual violence, the actual number of victims of sexual violence in detention is likely to be higher.

14. According to OHCHR, the Russian armed forces summarily executed at least 29 civilians (19 men, 7 women, 1 boy and 2 girls) in the temporarily occupied areas of the Kherson, Zaporizhzhia, Donetsk and Luhansk regions of Ukraine between 24 February 2022 and 31 December 2023. Surviving family members, many of them women, were left behind to cope, often on their own, with intense mental trauma and distress, limited family income and increased caregiver burdens.

15. The majority of the victims had been suspected by the Russian armed forces of being opposed to or acting against Russian control over and occupation of the areas in question. Frequent accusations against the victims included that they had transmitted military information, stored weapons or ammunition or sheltered wounded Ukrainian combatants. In many cases, however, the Russian armed forces targeted people on the basis of their profile

<sup>5</sup> Ibid., paras. 41 and 76.

<sup>6</sup> Ibid., para. 40.

alone. This was particularly the case for veterans of the Ukrainian armed forces, in particular those who had fought in the eastern part of the country after 2014, and family members of current or former members of the Ukrainian armed forces. The Russian armed forces also targeted people who refused to cooperate with the occupying authorities or held or were perceived to hold pro-Ukrainian views.

16. According to OHCHR, to identify people believed to be opposed to or acting against the Russian occupation, the occupying authorities imposed an extensive regime of surveillance and systematic gathering of information. While the Russian armed forces initially targeted individuals perceived as posing a security threat, they cast their net wider over time to include any person perceived to oppose the occupation.<sup>7</sup> Through an extensive network of checkpoints, “filtration” procedures, frequent house searches and the invasive, systematic collection of private information from residents and employers, the occupying authorities compiled lists of persons of interest. Some of these people were then arbitrarily detained and subjected to other violations of their human rights, such as torture or ill-treatment, as outlined above. This extensive surveillance regime, which may be incompatible with the right to be protected against arbitrary or unlawful interference with one’s privacy, family, home or correspondence, created a generalized climate of fear.

17. In addition to conflict-related sexual violence in detention settings, members of the Russian armed forces committed acts of conflict-related sexual violence against 16 civilians (14 women, 1 girl and 1 man) in other settings.<sup>8</sup> Fourteen cases occurred in residential areas, where the Russian armed forces were stationed, and two occurred during “filtration”, a process of security checks and personal data collection.<sup>9</sup> These cases included rape, gang rape, attempted rape, threat of rape of a family member, sexual assault, forced nudity and forcing a woman to use a toilet in the presence of men.

18. OHCHR considers that these incidents and violations took place in an atmosphere of general impunity. While OHCHR is aware of a few investigations launched by the Russian authorities into instances of “alleged misconduct” by the Russian authorities or armed forces, including the killing of civilians and use of torture, there appear to have been no systematic efforts to prevent the violations described above or hold perpetrators to account. OHCHR recorded that, as at 31 December 2023, the Russian authorities had initiated criminal investigations into only four instances of “alleged misconduct” (two cases involving killings, one involving torture and one involving forced labour). OHCHR was otherwise not aware of any measures taken by the Russian Federation to ensure accountability. A law adopted by the Russian Federation in June 2023 effectively granted amnesty to Russian servicepersons for a broad range of crimes, potentially including gross violations of international human rights law and serious violations of international humanitarian law.<sup>10</sup> The law provides for the exemption of current servicepersons from criminal liability for crimes of any severity if they receive a State decoration or complete their military service because of age, injury or the end of martial law or of mobilization. In addition, criminal investigations opened against such servicepersons may be suspended upon their commanders’ request. The law also provides for the retroactive application of its provisions to individuals prosecuted for criminal offences committed in the temporarily occupied areas of the Donetsk, Luhansk, Zaporizhzhia and Kherson regions of Ukraine before 30 September 2022 (prior to the attempted illegal annexation by the Russian Federation).

<sup>7</sup> Ibid., paras. 3 and 37.

<sup>8</sup> Conflict-related sexual violence affecting women, men and children remains underreported due to several factors, including security concerns, fear of stigma, fear of traumatizing or hurting loved ones and lack of awareness of what constitutes sexual violence.

<sup>9</sup> OHCHR, “Human rights situation during the Russian occupation of territory of Ukraine and its aftermath”, paras. 44 and 45.

<sup>10</sup> Russian Federation, Federal Act No. 270-FZ of 24 June 2023 on the peculiarities of the criminal liability of individuals participating in the special military operation. See also OHCHR, “Report on the human rights situation in Ukraine: 1 February to 31 July 2023”, 4 October 2023, paras. 128 and 129.

## C. Conduct of the Russian Federation as occupying Power

### 1. Respecting the laws in force

19. Since 24 February 2022, the Russian Federation has imposed its own political, legal and administrative systems in the occupied areas of the Kherson, Zaporizhzhia, Donetsk and Luhansk regions of Ukraine, which may amount to violations of international humanitarian law. Article 43 of the Regulations respecting the Laws and Customs of War on Land (Hague Regulations) of 1907 provides that the occupying Power shall take all the measures in its 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”, and article 64 of the Geneva Convention relative to the Protection of Civilian Persons in Time of War (Fourth Geneva Convention) provides that “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 Convention. Article 64 of the Fourth Geneva Convention also provides that 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 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”.

20. On 30 September 2022, the Russian Federation adopted legislation purporting to annex the four regions of Ukraine in question, some of the territory of which was under its control. In “accession treaties” signed between the Russian authorities and the Russian-appointed de facto heads of the four regions on the same day, it was declared that Ukrainian penal legislation would be replaced with Russian penal legislation. In addition, following the illegal annexation, the State Duma and the Federation Council of the Russian Federation adopted at least 32 laws that changed administrative processes in the temporarily occupied areas of these four regions of Ukraine, aligning them with Russian systems in wide-ranging domains, such as taxation, banking, inheritance, social protection and social services.

21. In September 2023, the Supreme Court of the Russian Federation announced that the Russian court system had become operational in the illegally annexed regions. By the end of 2023, it had appointed 436 judges in these regions, the majority of them from the Russian Federation. The establishment of Russian courts presided over by Russian judges applying Russian law effectively resulted in the complete imposition of the Russian legal system in the temporarily occupied areas of these four regions of Ukraine.

22. The Russian Federation also imposed its own education system. As early as September 2022, the occupying authorities replaced the Ukrainian curriculum with the Russian curriculum in many schools and pressured teachers, sometimes with physical violence or threats of violence or termination, to accept the new curriculum and teach classes in the Russian language. At the same time, the occupying authorities targeted teachers providing online classes based on the Ukrainian curriculum. The complete replacement of the educational curriculum may deprive students of the right to culturally appropriate education that respects the child’s own cultural identity, language and values.<sup>11</sup>

23. The occupying authorities organized so-called referendums and elections. In September 2022, they organized a “referendum” on joining the Russian Federation and, in September 2023,<sup>12</sup> they organized “local elections” in which they allowed only parties represented in the State Duma of the Russian Federation, all of which support the occupation, to put candidates on the ballot to run for positions in “local legislative councils”.

<sup>11</sup> Convention on the Rights of the Child, arts. 2 and 29; and International Covenant on Economic, Social and Cultural Rights, arts. 2 and 13.

<sup>12</sup> The General Assembly condemned the organization of the “referendums” in its resolution ES-11/4.

## 2. Prohibition on compelling the inhabitants of occupied territory to swear allegiance

24. The occupying Power is prohibited by international humanitarian law from compelling the inhabitants of the occupied territory to swear allegiance to the hostile Power.<sup>13</sup> The occupying authorities pressured the inhabitants of the temporarily occupied areas of the Kherson, Zaporizhzhia, Donetsk and Luhansk regions of Ukraine to obtain Russian citizenship. Following the imposition of Russian legal and administrative systems, those without Russian passports faced discrimination in the enjoyment of their rights to work and social security, their property rights and their right to freedom of movement and in their access to healthcare and public services.

25. Residents recounted how security forces at checkpoints and border crossings singled out people without Russian passports, questioning their loyalty, searching their personal belongings and phones and sometimes prohibiting them from passing. Some people reported having received direct threats aimed at compelling them to obtain Russian citizenship. For example, parents were threatened that their children would be taken away from them if they did not obtain Russian citizenship for them. Many residents thus felt compelled to obtain Russian citizenship.

## 3. Transfers of civilians

26. After the beginning of the occupation, authorities in the temporarily occupied areas of the Kherson, Zaporizhzhia, Donetsk and Luhansk regions of Ukraine transferred civilians, including children, within the temporarily occupied territories of Ukraine or to the Russian Federation.

27. It is difficult to ascertain the exact number of unaccompanied children, many of whom had been in institutionalized care, for instance in institutions for children with physical or intellectual disabilities, among those transferred.<sup>14</sup> International humanitarian law obliges the occupying Power to facilitate the identification of unaccompanied children, the registration of their parentage<sup>15</sup> and their return to their families.<sup>16</sup> The occupying Power is also forbidden from changing the personal status of children.<sup>17</sup> The Russian authorities failed to take steps to return children to Ukraine, taking steps instead to permanently change their status by instituting a simplified adoption procedure and imposing Russian citizenship on some of them. Bureaucratic obstacles delayed or prevented the return of children with identified family members in Ukraine.<sup>18</sup>

28. In November 2022, the occupying authorities transferred hundreds of civilian prisoners who had been serving sentences in various penal colonies in the Kherson region of Ukraine since before February 2022 to penal colonies in the Russian Federation.<sup>19</sup> Those who have completed their sentences have faced significant hurdles in returning to Ukraine.

29. The occupying authorities transferred civilians from the temporarily occupied territories to territory controlled by the Government of Ukraine. In most of the cases verified by OHCHR, the occupying authorities transferred people who refused to cooperate with the occupying authorities or had expressed opposition to the occupation. Such transfers were generally preceded by detentions, enforced disappearances, torture or ill-treatment, or intimidation and threats.

<sup>13</sup> Regulations respecting the Laws and Customs of War on Land (Hague Regulations) of 1907, art. 45.

<sup>14</sup> OHCHR has collected information about eight situations in which a total of 200 children from the Donetsk, Kharkiv, Kherson and Kyiv regions were transferred to other regions in the temporarily occupied territories, Belarus or the Russian Federation.

<sup>15</sup> Geneva Convention relative to the Protection of Civilian Persons in Time of War (Fourth Geneva Convention), art. 50.

<sup>16</sup> Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I), art. 78.

<sup>17</sup> Fourth Geneva Convention, art. 50.

<sup>18</sup> OHCHR, "Report on the human rights situation in Ukraine: 1 February to 31 July 2023", paras. 91–97.

<sup>19</sup> OHCHR, "Report on the human rights situation in Ukraine: 1 August 2022 to 31 January 2023", para. 66.

30. In April 2023, the Russian Federation adopted a decree stipulating that residents of the temporarily occupied areas of the Zaporizhzhia, Kherson, Donetsk and Luhansk regions of Ukraine who had not obtained Russian citizenship were to be considered as “foreigners”, thereby increasing the risk of further transfers. It was expected that the provision would be in effect from 1 July 2024, but the deadline was extended until 31 December 2024.

## **D. Freedoms of opinion, expression, peaceful assembly and religion**

### **1. Freedom of opinion and freedom of expression**

31. The extensive surveillance regime put in place by the occupying authorities, aimed at identifying people holding pro-Ukrainian opinions or opposed to the occupation, has had a substantial impact on freedom of opinion and freedom of expression.

32. From the outset of the occupation, the Russian authorities seized control of the means of mass communication, interrupting access to Ukrainian Internet and mobile telephone networks and television and radio channels and shutting down or taking over local media stations. By July 2022, the occupying authorities had rerouted all Internet traffic in the temporarily controlled or occupied territories of Ukraine through Russian networks, which allowed them to control what information was accessible online. Residents could no longer access Ukrainian news sites, certain search engines or social media platforms that had previously been widely used, which affected their ability to receive information from independent news sources and their families or friends.

33. The Russian armed forces seized local Ukrainian television channels and radio stations, stopped them from broadcasting and replaced them with Russian State or pro-Government media providers. The Ukrainian authorities reported that, as at 27 April 2022, 164 Ukrainian radio broadcasters had stopped transmitting in the temporarily controlled or occupied territories of Ukraine, and 284 frequency assignments had been captured.

34. The occupying authorities used violence and threats against journalists. OHCHR verified the arbitrary detention of nine journalists and media workers by the occupying authorities in the temporarily controlled or occupied territories of Ukraine since 2022. In several of these cases, the journalists and media workers were threatened or tortured for writing “pro-Ukrainian” articles or to force them to work for the occupying authorities.

35. The imposition of the Russian legal system resulted in a growing number of people being prosecuted for expressing what were deemed to be pro-Ukrainian or anti-Russian views. In one case, a court in the Donetsk region of Ukraine fined a woman for posting on social media a video of herself dancing to popular Ukrainian songs; the court deemed the post to constitute a public call for the commission of acts aimed at violating the territorial integrity of the Russian Federation.<sup>20</sup> Another court in the Donetsk region fined two priests for mere membership of the Orthodox Church of Ukraine, which it deemed to have an “anti-Russian and extremist character”,<sup>21</sup> and ordered the priests to be expelled to territory controlled by the Government of Ukraine.

### **2. Right of peaceful assembly**

36. The occupying authorities have severely limited the right of peaceful assembly. The Russian armed forces used force to quash peaceful protests and assemblies, resulting in injuries and growing fear among residents of demonstrating or expressing themselves freely.<sup>22</sup>

37. In the first weeks of the occupation, residents of several cities, including Enerhodar, Nova Kakhovka, Melitopol, Kherson and Skadovsk, peacefully demonstrated against the Russian occupation. Protesters waved Ukrainian flags, played Ukrainian songs and the

<sup>20</sup> OHCHR, “Report on the human rights situation in Ukraine: 1 August to 30 November 2023”, 12 December 2023, para. 42.

<sup>21</sup> Ibid.

<sup>22</sup> OHCHR, “Human rights situation during the Russian occupation of territory of Ukraine and its aftermath”, paras. 46–49.



Ukrainian national anthem and called for Russian troops to leave. Initially, Russian soldiers merely observed the demonstrations, but, after a few days, their responses escalated to calling for protesters to disperse and even firing smoke grenades and live ammunition.

38. Within a month of the beginning of its occupation, the Russian armed forces began arresting pro-Ukrainian local leaders and organizers, holding them incommunicado and, in some cases, subjecting them to enforced disappearance, torture or ill-treatment. The Russian armed forces also arrested people who had merely participated in the peaceful protests.

39. On 19 October 2022, in the “annexed” regions of Ukraine, the Russian Federation declared martial law, which, *inter alia*, provides for a wide range of measures that may be implemented “if required”, including curfews, property seizures, internment and restrictions on freedom of movement, freedom of assembly and the activities of political parties and other public associations.<sup>23</sup>

### **3. Freedom of religion**

40. Religious communities in Ukraine have been affected by the Russian occupation. In several places, the occupying authorities put pressure on religious leaders from different congregations to support the occupation. In Tokarivka, Kherson region of Ukraine, for example, in August 2022, the occupying authorities detained a priest from the Orthodox Church of Ukraine, interrogating him about why he gave sermons in Ukrainian and whether he prayed for Ukraine and the Ukrainian armed forces. They detained him for approximately nine months, during which time they subjected him to beatings, denied him medical care for injuries sustained during the beatings and deprived him of adequate food. In November 2022, the occupying authorities detained three priests from the Greek Catholic Church in the Zaporizhzhia region of Ukraine, accusing them of being pro-Ukrainian. One priest was expelled from the temporarily occupied territory. The other two remain missing.

41. OHCHR has verified that the occupying authorities have closed several places of worship, including at least three places of worship used by Jehovah’s Witnesses, three places belonging to the Baptist community in Melitopol and the premises of the Melitopol Christian Church.

## **IV. Situation in the Autonomous Republic of Crimea and the city of Sevastopol, 1 July–31 December 2023**

### **A. Rights to life, physical and mental integrity and liberty and security of person**

42. OHCHR verified alleged violations of the rights to life, physical and mental integrity and liberty and security of person by the occupying authorities of the Russian Federation in Crimea, including 55 cases of torture and ill-treatment (48 men and 7 women) in the custody of the occupying authorities and 104 cases of enforced disappearance (95 men and 9 women) since the beginning of the occupation in 2014.<sup>24</sup> The occupying authorities targeted persons perceived as opposing the occupation, including bloggers, journalists, supporters of the Mejlis of the Crimean Tatar People, pro-Ukrainian activists and persons considered to be advocates of stricter compliance with Islamic beliefs. More recently, individuals perceived as opposing the full-scale invasion of Ukraine by the Russian Federation have also faced repressive measures.

43. In the reporting period, the Russian armed forces committed alleged violations of the rights to life, physical and mental integrity and liberty and security of person against 73 people (68 men and 5 women) in Crimea. The actual figures are likely to be higher, given

<sup>23</sup> Decree of the President of the Russian Federation No. 756 of 19 October 2022 on the imposition of martial law in the territories of the Donetsk People’s Republic, the Luhansk People’s Republic, the Zaporizhzhia region and the Kherson region.

<sup>24</sup> OHCHR, “Ten years of occupation by the Russian Federation: human rights in the Autonomous Republic of Crimea and the city of Sevastopol, Ukraine”, 28 February 2024, paras. 24 and 25.

the lack of access of regional and international human rights monitoring mechanisms to the peninsula.

44. On 24 August 2023, following house searches, the Federal Security Service of the Russian Federation arrested six Crimean Tatar activists from Crimean Solidarity,<sup>25</sup> who resided in Bakhchysarai, Bakhchysarai District of Crimea, on suspicion of membership of Hizb ut-Tahrir, an Islamic religious group designated as a “terrorist organization” under Russian law but not under Ukrainian law. All six men had previously experienced intimidation and harassment by the occupying authorities in Crimea. According to the latest information, the Federal Security Service of the Russian Federation forced the detained men to undergo psychiatric examinations in Simferopol, and the court extended their detention until 22 April 2024.

45. On 25 August 2023, the Kyiv District Court of Simferopol conducted bail hearings regarding three of the Crimean Tatars arrested the previous day on suspicion of membership of Hizb ut-Tahrir. Relatives and friends of the arrested men came to the court to express their support and find out the results of the court hearings. Police arrested 22 men and charged them with participation in a mass gathering of people in a public place, causing a violation of public order or hindrance to the movement of pedestrians.<sup>26</sup> In addition, two of the men were charged with failure to obey a police officer.<sup>27</sup> On 26 August 2023, the court remanded in custody all 22 of the men for periods ranging from one to seven days.

46. OHCHR verified the torture or ill-treatment by Russian law enforcement officers of four civilian men, all of whom were detained and accused of subversive activities against the Russian Federation in Crimea. In one case, officers of the Federal Security Service of the Russian Federation detained a man in Simferopol for allegedly blowing up railway tracks in Crimea. They interrogated and tortured him with electric shocks, beatings to different body parts, threats of rape and threats of harm to his family. He subsequently pleaded guilty and was transferred to a pretrial detention centre.

## **B. Freedoms of opinion, expression, peaceful assembly and association, religion and movement**

47. The occupying authorities continued to prosecute Crimean residents for expressing their views and opinions, applying several articles of the Criminal Code and the Code of Administrative Offences of the Russian Federation. During the reporting period, the courts in Crimea found 219 people (130 men and 89 women) guilty of discrediting the Russian armed forces, three of them under the Criminal Code.<sup>28</sup> Those convicted were sentenced to fines ranging from 30,000 to 50,000 roubles and imprisonment from 12 to 18 months. The number of such convictions in the reporting period is double the number for the preceding six months.

48. Under these provisions, Crimean residents were convicted for, inter alia, various forms of verbal and non-verbal expression, such as referring to the Russian presence in Crimea as an “occupation”, criticizing the invasion of Ukraine by the Russian Federation or revealing anti-war views, wearing clothes bearing the State symbols of Ukraine or in the colours of the Ukrainian flag or displaying such colours on social media accounts.

49. After 24 February 2022, the occupying authorities in Crimea started to extensively prosecute individuals for “propaganda or public display of Nazi paraphernalia or symbols” and “distribution ... of information ... that demonstrates clear disrespect for society, the

<sup>25</sup> Crimean Solidarity is a civil society group organized by families of Crimean Tatar detainees, which operates as a platform to exchange information, mobilize support and reach out to lawyers and human rights defenders.

<sup>26</sup> Code of Administrative Offences of the Russian Federation, art. 20.2.2.

<sup>27</sup> Ibid., art. 19.3.

<sup>28</sup> This act was criminalized through amendments to Russian legislation, adopted in 2022. It is punishable under the Code of Administrative Offences, art. 20.3.3; and the Criminal Code of the Russian Federation, arts. 207.3 and 280.3.

State, the official State symbols of the Russian Federation, the Constitution of the Russian Federation or bodies exercising public authority”.<sup>29</sup>

50. Since the launch of the full-scale invasion of Ukraine by the Russian Federation on 24 February 2022, at least 58 residents of Crimea (41 men and 17 women) have been found guilty under Russian legislation of criticizing the President of the Russian Federation or the occupying authorities in Crimea on social media, posting pictures of the Ukrainian State emblem on social media, having a tattoo of that emblem or a red and black flag (used by the Ukrainian Insurgent Army), singing or dancing to a Ukrainian patriotic song or simply having stickers showing the logo of certain social media platforms on a personal camera (since Meta was declared to be an extremist organization by the Tver District Court of Moscow). The sentences took the form of fines ranging from 1,000 to 100,000 roubles and imprisonment ranging from 1 to 15 days. In some cases, the above-mentioned offences were applied in addition to the offence of discrediting the Russian armed forces. There were 28 convictions during the reporting period.<sup>30</sup>

51. These periods of pretrial detention and the sentences subsequently imposed under the legislation mentioned above appear arbitrary and may infringe the legitimate exercise of freedom of expression, rendering the corresponding convictions possible violations of international human rights law.<sup>31</sup>

52. The occupying authorities continued to enforce a blanket requirement for prior authorization of public assemblies in Crimea, undercutting the right of peaceful assembly.<sup>32</sup> There were 10 cases of convictions of participants in unauthorized peaceful assemblies in 2023 (compared with 28 cases in 2022), resulting in fines, community service and imprisonment. In one case, on 27 July 2023, police arrested 13 Crimean Tatars (10 men and 3 women) who had assembled in the vicinity of the “Supreme Court of Crimea” to express solidarity and support during the appeal hearings of three well-known Crimean Tatar activists. Those arrested included two Crimean Solidarity journalists and a known human rights defender. While eight people were released without charge, the remaining five (including two women) were charged with the administrative offence of having participated in a mass gathering of people in a public place, causing a violation of public order or hindrance to the movement of pedestrians.

53. Religious groups and individuals in Crimea continued to be prosecuted on the basis of their perceived religious practices, possibly entailing violations of international human rights law.<sup>33</sup> A blanket ban on all Jehovah’s Witnesses congregations, which were deemed to be “extremist organizations”, remained in force in Crimea. During the reporting period, OHCHR verified the prosecution of 11 Jehovah’s Witnesses (10 men and 1 woman). According to the occupying authorities, these Jehovah’s Witness were suspected of “extremist activities” because they gathered to worship and discussed religious literature. Fearing criminal prosecution, three of them (all men) decided to leave the peninsula.

54. In November 2023, the Alushta City Court detained three members (all men) of a Muslim religious community, Alushta, for 10, 5 and 2 days. Two of them were arrested for

<sup>29</sup> Punishable under the Code of Administrative Offences, arts. 20.3 (1) and 20.1 (3).

<sup>30</sup> In other cases, the offences in question were applied to actions that took place before the enactment of the amendments to the Code of Administrative Offences on “discrediting” in March 2022.

<sup>31</sup> The application of such legislation in Crimea limits the right to form and hold opinions without interference under the International Covenant on Civil and Political Rights, art. 19 (1); the International Convention on the Elimination of All Forms of Racial Discrimination, art. 5 (d) (viii); the International Covenant on Economic, Social and Cultural Rights, art. 15 (3); the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, art. 13 (1); the Convention on the Rights of Persons with Disabilities, art. 21; and the Universal Declaration of Human Rights, art. 19.

<sup>32</sup> The Human Rights Committee has noted that legislation requiring the prior permission of State officials to hold any assembly “undercuts the idea that peaceful assembly is a basic right” (general comment No. 37 (2020), para. 70).

<sup>33</sup> International human rights law protects the right to have or to adopt a religion or belief of one’s choice and to manifest it in worship, observance, practice and teaching. See International Covenant on Civil and Political Rights, art. 18 (1) and (2).

publishing a post on social media with Islamic content,<sup>34</sup> a photo of a white flag depicting the Muslim declaration of faith in Arabic (posted in 2013, before the occupation and the unlawful imposition by the Russian Federation of its legislation in temporarily occupied Crimea) and a video in which a man in the background was holding a flag showing what were, “presumably”, “the symbols and attributes” of the Congress of the Peoples of Ichkeria and Dagestan. A third person, an imam, was detained on suspicion of conducting missionary activity in violation of Russian legislation. He refused to sign the record of administrative offence and was instead given two days of administrative detention for disorderly conduct<sup>35</sup> because he had allegedly sworn at members of the police department.

55. The occupying authorities continued to restrict freedom of movement to and from Crimea, further weakening social links between the residents of Crimea and the rest of Ukraine, including the temporarily controlled or occupied areas of the Kherson, Zaporizhzhia, Donetsk and Luhansk regions.

56. According to OHCHR, during the reporting period, the occupying authorities continued to conduct “filtration” activities at crossing points along the administrative boundary line between Crimea and the rest of Ukraine. During “filtration”, the Russian armed forces often subjected persons, in particular men, to body searches, sometimes involving forced nudity, and to detailed interrogations about their personal background, family ties, political views and allegiances. The practice involved possible violations of a number of human rights, including the rights to liberty and security of person and privacy. For example, “filtration” was often used to obtain “evidence” of a person’s pro-Ukrainian views. In one case, officers of the Federal Security Service of the Russian Federation discovered during “filtration” that a man had a tattoo of a trident, a Ukrainian national emblem. The following day, Armiansk City Court convicted him of the public display of “forbidden” symbols and fined him 1,500 roubles. In another case, a woman was convicted and fined by the same court after a search of her mobile phone revealed that she had criticized the President of the Russian Federation on social media.

57. In some cases, those who failed to pass “filtration”, for example for being perceived as having pro-Ukrainian views, were subjected to arbitrary detention, ill-treatment and enforced disappearance.<sup>36</sup> In one case, officers of the Federal Security Service of the Russian Federation apprehended a man during “filtration” at the administrative boundary line, apparently because they found the contact information of people working for the Ukrainian police and security services on his phone. The man was arbitrarily detained for 19 days, during which time he was interrogated and beaten with batons.

### C. Property rights

58. The occupying authorities continued their practices of confiscating property belonging to States that had allegedly committed “unfriendly acts” against the Russian Federation or its entities or to the nationals of such States.<sup>37</sup> During the reporting period, the “State Council of the Republic of Crimea” expropriated, without compensation, at least 689 items of real estate, affecting 77 individuals and legal entities in Crimea. The nationalized property included agricultural enterprises, financial institutions, sports and rehabilitation centres and other facilities.<sup>38</sup> In 2023, according to the head of the “Republic of Crimea”, appointed by the Russian Federation, the occupying authorities raised 2.3 billion roubles from the sale of nationalized property in Crimea.<sup>39</sup> Under international humanitarian

<sup>34</sup> Alushta, a Muslim religious community, conducts rituals for Muslims, such as prayers, marriages, naming ceremonies, funerals and wakes. The activities of the community do not violate the laws of the Russian Federation and are not prohibited by law.

<sup>35</sup> Code of Administrative Offences, art. 20.1 (1).

<sup>36</sup> A/HRC/53/64, paras. 31 and 32.

<sup>37</sup> Ibid., para. 34. The list of States that commit “unfriendly acts” against the Russian Federation was approved by Order of the Government of the Russian Federation No. 430-r of 5 March 2022.

<sup>38</sup> See Decisions of the “State Council of Crimea” No. 1885-2/23 of 8 September 2023, No. 1924-2/23 of 20 September 2023, No. 1925-2/23 of 20 September 2023, No. 1976-2/23 of 26 October 2023 and No. 2066-2/23 of 26 December 2023. See also <https://tass.ru/ekonomika/19566073> (in Russian).

<sup>39</sup> See <https://tass.ru/ekonomika/19622285> (in Russian).

law, an occupying Power may not confiscate private property<sup>40</sup> but may requisition it in accordance with and subject to the specific conditions set out in article 52 of the Hague Regulations of 1907.

59. Landowners in Crimea without Russian citizenship, including Ukrainian citizens, continued to be at risk of losing their land as a result of Decree No. 201 of the President of the Russian Federation, of 20 March 2020, which limits land ownership to Russian citizens and Russian legal entities in 27 territories of Crimea. Between 2020 and 31 December 2023, the number of plots owned by non-Russian citizens decreased from 13,859 to 7,003 (5,803 in the “Republic of Crimea”<sup>41</sup> and 1,200 in Sevastopol).<sup>42</sup> Under the decree, the Russian authorities assert the right to initiate the forced sale or transfer of land plots to State or municipal authorities of the Russian Federation through court proceedings. Between the introduction of the decree in 2020 and 1 September 2023, the courts in Crimea issued 138 decisions compelling owners to dispose of their land plots within a specified period and 80 decisions compelling the forced sale of land plots (through auctions without the participation of owners). Of these 218 decisions, 167 affected Ukrainian owners.<sup>43</sup>

60. In December 2023, the occupying authorities announced that Russian war veterans in Ukraine had received about 730 land plots,<sup>44</sup> pursuant to a law adopted by the “State Council of the Republic of Crimea” in December 2022, which provides for the free transfer of land to Russian servicepersons taking part in hostilities, those who have disabilities due to their injuries and family members of those killed in hostilities in Ukraine.<sup>45</sup>

## V. Conclusions and recommendations

61. The end of February 2024 marked 10 years since the beginning of the illegal occupation of Crimea by the Russian Federation and two years since the launch of the full-scale invasion of Ukraine by the Russian Federation, in violation of the Charter of the United Nations and international law.

62. In nine resolutions adopted since 2018, the General Assembly has requested the Secretary-General to report on the human rights situation in Crimea. In the nine reports submitted pursuant to those resolutions, numerous violations were verified and a number of recommendations made.

63. The present, tenth report highlights continued potential violations of international human rights law and international humanitarian law by the Russian Federation in Crimea. It also shows that, since the full-scale invasion launched on 24 February 2022, and in the course of the establishment of temporary control over or occupation of certain areas of the Kherson, Zaporizhzhia, Donetsk and Luhansk regions of Ukraine, the Russian Federation has potentially committed similar violations of international human rights law and has potentially committed violations of international humanitarian law in those areas. The pattern of possible violations verified in these regions has often been even more severe in nature than that verified in Crimea, in particular with respect to alleged patterns of torture or ill-treatment, including sexual violence, arbitrary detention and summary executions. These violations have occurred in an atmosphere of general impunity.

<sup>40</sup> Hague Regulations of 1907, art. 46.

<sup>41</sup> See <https://archive.ph/qR9Hy> (in Russian).

<sup>42</sup> See <https://archive.ph/s81zL> (in Russian).

<sup>43</sup> Non-governmental organizations also continued to report patterns of property rights violations in Crimea as a result of Decree of the President of the Russian Federation No. 201 of 20 March 2020. See, for example, Regional Center for Human Rights, *Standing Against Discrimination: Human Rights Abuses in Crimea – Analytical Report*, p. 50, available at <https://krymbezpravil.org.ua/en/analytics-en/standing-against-discrimination-human-rights-abuses-in-crimea/>.

<sup>44</sup> OHCHR, “Ten years of occupation by the Russian Federation”, para. 19.

<sup>45</sup> See <http://crimea.gov.ru/app/17850> (in Russian).

64. I continue to offer my good offices and pursue discussions with all relevant stakeholders relating to access to and violations verified in the temporarily occupied territories of Ukraine and to convey the concerns raised by the General Assembly in its resolution 78/221. During briefings to the Security Council on the situation in Ukraine, the Secretariat continued to refer to developments in the temporarily controlled or occupied territories of Ukraine, as appropriate, consistently reaffirming the commitment of the United Nations to the sovereignty, independence and territorial integrity of Ukraine within its internationally recognized borders, in accordance with relevant General Assembly and Security Council resolutions and in line with the Charter of the United Nations.

65. The lack of mutually acceptable terms to ensure unimpeded access by OHCHR and other international and regional human rights monitoring mechanisms to the territories of Ukraine temporarily controlled or occupied by the Russian Federation is regrettable. Such access is important to ensure comprehensive first-hand monitoring and reporting, in the interests of all parties. I urge the Russian Federation and Ukraine to make every effort to ensure that OHCHR and other international and regional human rights monitoring mechanisms have unfettered access to the temporarily controlled or occupied territories of Ukraine, in order to enable the effective implementation of the relevant General Assembly resolutions. I will continue to seek potential opportunities and identify practical avenues in this regard.

66. I call upon the Russian Federation to fully uphold its obligations under international law, including the Charter of the United Nations, international human rights law and international humanitarian law, including throughout the territories of Ukraine. In particular, the Russian authorities should comply fully with the absolute prohibition of torture and other forms of ill-treatment and ensure the independent, impartial and effective investigation of all allegations of torture, ill-treatment, sexual violence and arbitrary arrest and detention and other serious violations. The Russian Federation has the obligation to ensure that the rights of persons deprived of liberty are fully respected. No individual should be subjected to enforced disappearance. I call upon the occupying authorities to investigate all cases of alleged enforced disappearance effectively and promptly. Lawyers must also be able to perform their professional functions without intimidation, hindrance, harassment or improper interference, and the right of defendants to be defended by the lawyers of their choosing must be respected.

67. Individuals should be able to exercise their right to freedom of movement unless restrictions on that right are reasonably justified for security reasons and should not be subjected to any arbitrary or unlawful interference with their privacy and family, including during practices of “filtration” at the administrative boundary line with Crimea. I call upon the Russian Federation to end the transfers of protected persons, including those who are detained, within and outside the temporarily occupied territory unless the security of the civilians involved or imperative military reasons so demand. The Russian Federation should ensure that any protected persons previously transferred from certain areas of the Kherson, Zaporizhzhia, Donetsk or Luhansk regions of Ukraine to Crimea or from those regions or Crimea to the Russian Federation are allowed to return to their homes.

68. I urge the Russian Federation to ensure that the rights to freedom of peaceful assembly, freedom of expression and opinion, freedom of association and freedom of thought, conscience and religion can be freely exercised by all individuals and groups in the temporarily occupied territories, without discrimination on any grounds or unjustified interference. In particular, individuals must be able to peacefully express political dissent, alternative political opinions and opinions that may be critical of the Russian temporary occupation, Russian authorities and the armed conflict in Ukraine without fear of retaliation, imprisonment or other sanctions.

69. I call upon the Russian Federation to create a safe environment for independent media outlets and civil society organizations in the temporarily occupied territories and to refrain from any retaliation or suppression of critical and alternative views in the territories of Ukraine that it temporarily controls or occupies. I urge the Russian

Federation to respect and protect human rights defenders, including women human rights defenders, and not to restrict their work, including during peaceful assemblies, beyond the permissible limits of international law.

70. No individual should be criminally charged or detained simply for practising his or her religion or belief, without risk to others, including in the form of collective worship and proselytizing. Religious groups should enjoy access to their places of worship and should be able to gather freely for prayer and other religious practices. The occupying authorities of the Russian Federation must also ensure the availability of education in the Ukrainian language and that the provision of instruction in and opportunities for learning the Crimean Tatar language satisfy the demand for such educational options.

71. I urge the Russian Federation to provide full information on the Ukrainian children transferred to the Russian Federation or transferred within the territories of Ukraine temporarily occupied by the Russian Federation, to refrain from forcible transfers and deportations of children and to refrain from imposing Russian citizenship on them. I urge all parties to uphold the principle of the best interests of the child and facilitate family tracing and reunification for unaccompanied and/or separated children who find themselves across borders or lines of control without their families/guardians, including by giving child protection actors access to facilitate reunification. I strongly urge the Russian Federation to cooperate with the United Nations for the return and reunification of Ukrainian children. I encourage Ukraine to continue its active cooperation with the United Nations on this important issue.

72. I appeal to the Russian Federation to prevent, investigate and prosecute all alleged cases of violations committed by its forces, including conflict-related sexual violence, hold perpetrators to account and ensure due reparations for victims. I call upon the Russian Federation to actively cooperate with relevant United Nations entities in that regard.

73. I call upon all Member States to support human rights defenders who work for the protection of human rights and to continue to support the work of the United Nations in ensuring respect for international human rights law and international humanitarian law. It remains essential for Member States to renew their discussions to facilitate unimpeded access to the temporarily occupied territories by international and regional human rights monitoring mechanisms.

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