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Ombudsman of Ukraine

THE UKRAINIAN PARLIAMENT COMMISSIONER FOR HUMAN RIGHTS

SPECIAL REPORT on the situation in the territories of Ukraine temporarily occupied by the Russian Federation

What means the Russian Federation
uses to occupy and subjugate the population of
the temporarily occupied territories of Ukraine

SUMMARY

MARCH 2025

Report summary

The Special Report of the Ukrainian Parliament Commissioner for Human Rights on the situation in the territories of Ukraine temporarily occupied by the Russian Federation is the result of an analysis of the experience of the occupation of part of the territory of Ukraine and the search for common patterns of actions and policies of the Russian Federation implemented before and after the occupation of the territory of the Crimean Peninsula, and how these practices were then applied to other territories of Ukraine currently under Russian occupation.

The purpose of the report is to systematize and analyze the practice of mass violations of human rights by the Russian Federation as one of the key tools for seizing and maintaining control over Ukrainian territories,

as well as the implementation of the policy of the aggressor country to conquer the civilian population of these territories.

The Report covers the period since the beginning of the Russian aggression against Ukraine in 2014, analyzing the events on the eve of the deployment of the occupation of Ukrainian territories, the systematic practice of human rights violations during the seizure and maintenance of control over the territories, and the subjugation of the civilian population in those territories. In addition, the Report focuses on the analysis of the effectiveness of the response and counteraction of the Ukrainian state to the massive human rights violations committed by the Russian Federation in the occupied territories and their consequences.

SECTION 1.

Actions and policies of the Russian Federation that preceded the temporary occupation of part of the territory of Ukraine

1.1. Long before the beginning of active hostilities for the seizure of the Crimean Peninsula and parts of the Donetsk and Luhansk regions in 2014, the Russian Federation had been systematically conducting a policy of preparation for such a seizure for a long time. For the most part, it was aimed at creating among the citizens of Ukraine a sense of belonging to the Russian Federation (common history, culture, language, etc.). Unfortunately, there are no detailed studies of the influence of the Russian Federation on various spheres of state policy of Ukraine before the beginning of the armed aggression in 2014. We have a very limited range of studies on the practice of «cognitive occupation» as the seizure by the Russian Federation of information, cultural, educational spaces as a prerequisite, a preparatory stage of an eventual occupation by using the armed forces. This effect requires detailed analysis and description.

1.2. After the independence of Ukraine, there was no de facto separation and formation of Ukraine's own information field. In the period prior to the beginning of the armed aggression against Ukraine, the Russian Federation invested significant resources in the promotion and support of Russian information products on the territory of Ukraine and in the creation of a single information space. This was facilitated by the broadcasting of Russian television channels in Ukraine, the presence of Russian satellite channels in Ukraine, Russian radio, etc. Due to the propaganda of

war and violence, Russian propaganda TV channels were banned in Ukraine in 2014, such as NTV, Russia-24, Channel One, Russia-1, Zvezda, Life News, Russia Today and several others.

Many media outlets that spread Russian narratives were directly or indirectly funded by the Russian Federation. In addition to the national channels, the Russian Federation contributed to the creation of regional (local) media that broadcast Russian narratives, especially in the border regions (Luhansk, Donetsk regions). Regional media could also be affiliated with Russian companies (for example, Alex, a broadcasting company) or be part of political projects (for example, the Party of Regions). An important element of the creation of a common information space and the influence of the Russian Federation on Ukrainian society was the creation of a single Internet space through the popularization of Russian social media (Vkontakte, Odnoklassniki, Telegram), as well as Russian influencers and bloggers.

After the occupation of Crimea, the Russian Federation continued to exert influence on the Ukrainian population in the territories controlled by the Ukrainian government, in particular in the Kherson region. This informational influence was exerted by seizing the broadcasting frequencies of FM radio stations.

1.3. The influence of Russian culture on Ukrainian citizens was very active and did not stop at the time of Ukraine's independ-

ence. At the center of the humanitarian policy of the Russian Federation was the idea of «one people», i.e. the unity of the Ukrainian and Russian peoples, but from the point of view of the inferiority of the Ukrainian people. In addition, the Russian Federation actively ensured its presence on the territory of Ukraine, especially in the Crimea.

The Russian Federation actively financed the activities of Russian cultural centers and «houses» on the territory of Crimea, and also held various cultural events and festivals on the territory of Ukraine, in particular on the territory of the Crimean Peninsula, long before the beginning of the occupation.

A separate channel for spreading the influence of the Russian Federation on the territory of Ukraine, especially on the currently occupied territories, was the UOC-MP. The priests of the UOC-MP did not condemn the occupation of Crimea, but consecrated the military equipment of the Russian Federation. In the Donetsk region, one of the centers for the dissemination of Russian narratives is the Holy Dormition Svyatohirsk Lavra (a UOC-MP monastery in Svyatohirsk, Donetsk region). According to various reports, the monastery actively supported the Russian Federation's invasion of the Donetsk region in 2014: in addition to organizing mass prayers in support of representatives of the DPR armed groups, the monastery's hieromonks directly participated in hostilities on the side of pro-Russian paramilitary groups.

1.4. Education is a crucial factor in the formation of a political nation, ensuring the continuity of knowledge, the transmission of historical and cultural narratives. Ed-

ucation in the territories of the Crimean Peninsula, Donetsk and Luhansk regions occupied in 2014 was characterized by the systemic influence of the Russian Federation, the predominant use of the Russian language in education at all levels (from preschool to higher education institutions). Several branches of Russian educational institutions operated on the territory of Ukraine, in particular on the Crimean Peninsula, before the occupation of the territory in 2014. The Russian Federation used various methods to influence Ukrainian youth: participation in training in the Russian Federation, spreading influence on young people through Russian social media, organizing military sports games, creating computer games, especially on historical topics, provoking various forms of confrontation between Ukraine and Russia, etc.

1.5. The Russian Federation had a significant influence on political and public life in Ukraine. Pro-Russian narratives, the position on the undisputed path of Ukraine's development together with the Russian Federation and the strengthening of integration processes between the countries were spread by the controlled political parties. As for civil society associations, it is important to note a noticeable tendency to create and/or support various hunting organizations, Cossack organizations (Kuban Cossacks, Cathedral Cossacks, etc.), civil society organizations of veterans of law enforcement agencies, special services, the military, which actively interacted with similar structures in the countries of the former USSR and whose members later became the personnel base for command posts during the occupation.

SECTION 2.

The use of flagrant human rights violations to subjugate the civilian population (from the seizure of territories to the establishment of power)

2.1. The seizure of Ukrainian territories by the Russian Federation in 2014 took place on the basis of a different scenario from that of 2022, for a number of reasons: from the political crisis in Ukraine as a result of the flight of the former president, to the ability of the Russian Federation to conduct an active «soft power» policy in Ukraine unhindered, expanding its influence in the information, political, cultural, educational spheres for years, etc. Taking advantage of Ukraine's vulnerability as a result of these influences and deliberately hiding the beginning of armed aggression with narratives about the «self-determination of the population», using its military without insignia or even under the guise of civilians of the Russian Federation occupied the Crimean Peninsula. At the same time, a different scenario was used in the eastern territories of Ukraine, despite the actual participation of the Russian armed forces in the conduct of hostilities and control over persons who later took senior positions in the occupation authorities, the Russian Federation tried to demonstrate its «support» rather than direct control over these territories, recognizing the «independent» entities and their «independence». In 2022, the Russian Federation chose a different scenario and did not conceal the armed aggression.

2.2. Resistance of the local population in the territories occupied by the Russian Federation took place both in 2014 and in 2022.

The biggest difference was the feeling of support and the ability to rely on state institutions, local authorities in case of a decision to resist. With a clear and unambiguous state position on the fact of aggression of the Russian Federation and the necessity to resist the Russian offensive, the local population felt more confident in the possibility and success of their local resistance.

Probably, the increase in the level of violence for the rapid subjugation of the population by the Russian army is due to precisely these considerations: in the presence of state resistance and as a result of local resistance, which had the potential to grow into a long one, the Russian Federation chose methods of brutal suppression of any manifestations of disloyalty.

The flagrant violations of international humanitarian and human rights law committed by the representatives of the Russian Federation at this stage were not an accident, negligence or excesses of the perpetrator. They took place not only in one place, but were committed in different regions of Ukraine by different Russian units, which, however, were guided by a single goal and a single method of achieving it. The violations were aimed at bringing the territories under Russian control as quickly as possible, at any cost, and at intimidating the local population, suppressing any manifestations of disloyalty and attempts to resist further Russian occupation.

2.3. Attacks on civilians, civilian infrastructure and indiscriminate attacks, which did not take into account the damage they could cause to civilians, became one of the first tools of the Russian invasion, as they did not require prior establishment of control over the territory. The shelling of Maternity Hospital No. 3 and a hospital in Mariupol, an airstrike on the building of the Mariupol Drama Theater, repeated shelling of residential areas of Chernihiv, a humanitarian aid point in Kharkiv after the beginning of a full-scale invasion were not dictated by military objectives. The civilian status of these facilities and the fact that many civilians were in them were not concealed. Attacks on these facilities and civilian casualties were an expected and desired result for the representatives of the Russian Federation, a «punishment» for disobedience and at the same time a warning - such attacks will continue if the territory is not conquered. Moreover, it was such shelling that was the first means of capturing settlements, as it intimidated and deprived the local population of access to basic needs - water, electricity, heating, communication.

2.4. In order to protect their forces and prevent effective resistance from the Ukrainian side, the representatives of the Russian Federation used the practice of «human shields». The Russian military stationed itself and placed military equipment in residential areas, near civilian objects. At the same time, they restricted the ability of civilians to leave these areas, forcing them to stay in their homes, putting them in danger.

2.5. One of the means of controlling the local population and maintaining control only over the occupied territory was to restrict the possibility of leaving this territory. This practice also began in 2014. Representatives of the Russian Federation introduced restrictions on the movement of the population to/from the territory of the occupied Crimea in accordance with the illegally extended Russian migration legislation, which was recognized by the ECHR as a violation of the right to freedom of movement. After

the full-scale invasion, representatives of the Russian Federation shelled evacuation columns, even after agreements on their organization had been reached, and shelled civilians who tried to evacuate on their own. Another manifestation of this violation was the prohibition to leave the settlement even within the territory controlled by the representatives of the Russian Federation, in particular if such departure was necessary for humanitarian or vital purposes, such as access to medical care or medicines.

2.6. The delivery of humanitarian aid has also become a means of controlling and verifying the loyalty of the local population to the representatives of the Russian Federation. By restricting the delivery of humanitarian goods by Ukraine and international organizations, and by detaining individuals who attempted to deliver humanitarian aid, the Russian Federation created a vacuum of basic necessities, forcing the local population to become completely dependent on available supplies and to rely on Russian assistance.

2.7. The «filtering» system used by the Russian Federation from the very beginning of the full-scale invasion involves a number of violations, in particular of the right to privacy due to excessive and improper collection of personal data, unreasonable length of the procedure and psychological pressure, illegal detention and enforced disappearance, ill-treatment and torture, as well as sexual violence. All types of «filtering» carried out by representatives of the Russian Federation are aimed at restricting the freedom of movement and identifying persons who, in their opinion, because of their attitude, hinder or could become an obstacle to the consolidation of Russian control over the territory.

2.8. Another form of control over the movement and actions of the local population in the occupied territories was the forcible displacement of Ukrainians within the occupied territories, deportation to the Russian Federation and the Republic of Belarus. The exact number of forcibly dis-

placed and deported persons before and since the beginning of the full-scale invasion is unknown due to the limited access to the occupied territories of Ukraine and the territory of the Russian Federation, and the figures provided by official sources of the Russian Federation of 5.4 million «refugees», including 744,000 children, cannot be confirmed. Despite the public justification of these displacements as «evacuations», they did not meet the requirements of international humanitarian law and were carried out without any valid justification.

2.9. In addition, the Russian Federation focused on the forcible displacement and deportation of Ukrainian children. According to Ukrainian data, 19,546 children are considered to have been deported and/or forcibly displaced, but the actual figures are likely to be much higher. Deportations and forcible transfers of children have been carried out under various pretexts such as «evacuation», «treatment» or «recreational camps». In addition, after deportation, Ukrainian children are also subjected to forced passportization and transferred to Russian families. The transfer and deportation of children is carried out with the main goal of destroying their Ukrainian identity and transforming them into Russians.

2.10. After the seizure of the territory, illegal detentions and enforced disappearances became one of the first ways of controlling the local population. In 2014, people who participated in and prepared peaceful protests in various cities of Crimea were intensively detained. The situation was similar in the east of Ukraine, where in the occupied territories of the Donetsk and Luhansk regions, the local population was illegally detained on suspicion of «spying,» supporting the Ukrainian military, etc. During the full-scale invasion, this practice only expanded. The attention of the representatives of the Russian Federation was focused on certain groups, such as former servicemen, in particular ATO participants, representatives of local authorities, human rights defenders and activists, as well as persons who were

perceived by the representatives of the Russian Federation as expressing support for Ukraine in one way or another. Due to the lack of long-term control over the territory at that time, such persons were detained in «spontaneous places of detention», where the conditions of detention were inadequate and themselves constituted inhuman treatment. Illegal detention and enforced disappearance of the local population is a deliberate policy of the representatives of the Russian Federation aimed at achieving several goals: control over those groups of the population that could stimulate resistance to the occupation, and pressure and intimidation of the entire local population by demonstrating what can happen to persons perceived as opponents of the Russian authorities in the territory.

2.11. Unlawful detentions were systematically accompanied by torture or ill-treatment. These practices were not new in 2022; numerous cases of torture during and after unlawful detentions and enforced disappearances were recorded in the TOT of Ukraine since 2014. In particular, Crimean activists abducted by representatives of the Russian Federation were kept in basements; beatings and other methods of torture were used against them. Illegal detention and torture of local residents and detainees at checkpoints on the entry of Ukrainian citizens to the occupied territories also took place in the eastern territories. One of the most notorious conditions of detention and cruelty of torture is the «Isolation», an illegal place of detention in Donetsk. The general conditions of detention did not even meet the minimum requirements. The practice, repeated in different regions, was also psychological abuse of detainees, such as forcing them to sing Russian anthem and songs (for example, «Katyusha»), intimidation, as well as influence on detainees because of the suffering of others, as torture was carried out so that other detainees who were in the cells could hear the screams. Representatives of the Russian Federation also used methods of torture that were repeated

in different regions and, accordingly, under different commanders. Torture in all regions was almost always accompanied by interrogation and had specific aims, in particular to obtain information about the Ukrainian Armed Forces, persons among the local population who support or might support the Ukrainian Armed Forces, to persuade detainees, including representatives of local authorities, to cooperate, to intimidate and prevent any further resistance, and as a method of punishment for real or imagined support for Ukraine or resistance to the occupation. However, representatives of the Russian Federation may use torture as a sadistic practice without any specific purpose.

2.12. Killings and extrajudicial executions were also part of the consolidation of control over the occupied territories and were carried out systematically. One of the most striking examples is the murders and extrajudicial executions committed in Bucha by representatives of the Russian Federation, who were later awarded by the President of the Russian Federation for «resistance and courage», and the brigade was given the rank of «guard». However, not only a separate brigade resorted to this crime in order to control and intimidate the local population; the facts of killings and extrajudicial executions under various circumstances were recorded in all regions of Ukraine where the Russian military was deployed. Such cases were also recorded at the beginning of the armed aggression in 2014 in Crimea and in the occupied territories of the Donetsk and Luhansk regions. Representatives of the Russian Federation most likely committed killings and extrajudicial executions in order to prevent any real or imaginary threat that representatives of the local population could pose to the exercise of power in the occupied territory. Extrajudicial executions also served as a warning to others in the territory controlled by the Russian Federation of the possible consequences of resistance. Extrajudicial executions of persons who had

previously been subjected to illegal detention and torture could be a punishment for non-cooperation, a way of eliminating such persons, or a way of concealing the facts of other crimes committed by representatives of the Russian Federation.

2.13. Another target of attacks by the Russian Federation during the seizure of territories in the course of the full-scale invasion were persons who have formal and informal power and influence over local communities (representatives of local authorities, state administrations, activists, etc.). Unlike the previous practice, this practice was not widely used by the Russian Federation in 2014-2015. Probably, the explanation is the above hypothesis that in 2014 the Russian Federation established its power in the occupied territories without applying the systematic practice of persecution of representatives of local self-government. However, in 2022 the Russian Federation, having fewer means of influence within the framework of «soft power», having encountered resistance at the local level, which was based on a clear position of the central government on the necessity of countering the armed aggression, focused on pressure and persecution of local authorities by any means. Representatives of the Russian Federation tried to gain the support of local authorities through encouragement or intimidation. In case of non-cooperation, the authorities illegally detained them or tried to coerce them, using members of their families as hostages. The detention of government officials was also used to isolate them from the community, create a sense of insecurity among the local population and lack of control over the cases in the community, except for the Russian one. These actions were aimed at the transition to the next stage of subjugation of the local population, i.e. the establishment of power, civil administration, which will become a means of implementing Russian policy at the local level in the TOT of Ukraine.

SECTION 3.

Systematic practices of human rights violations while maintaining control over territories (flagrant violations, policies)

3.1. The Russian Federation did not consider the occupation of Ukrainian territories in 2014 and 2022 as temporary. Contrary to the norms of international humanitarian law, which are intended to ensure the temporary nature of the occupation regime, such as the prohibition to disseminate its own legislation, unnecessary interference in the administration of the territory, etc., the Russian Federation directed all efforts not only to seize, but also to maintain these territories. The main and ultimate goal of these violations is to «integrate» the population of the TOT of Ukraine into the legal reality of the Russian Federation, to ensure full control over the civilian population of the occupied territories, to transform them into «new Russians», to break their ties with the state of Ukraine, and to physically expel from the occupied territories those who are disloyal and have not submitted to the Russian Federation and the occupation authorities.

3.2. The holding of illegal so-called referendums on the status of the occupied territories (Crimea, Sevastopol, as well as the occupied territories of parts of the Donetsk, Luhansk, Kherson and Zaporizhzhya regions), which contradict both the fundamental principles of international law and Ukrainian legislation, is a vivid example of Russia's use of democratic institutions to legitimize its illegal actions. In addition to the illegal inclusion of these territories into its administrative composition, the Russian Federation has extended to the TOT of Ukraine the effect of its legislation, policies and management system in all spheres of life, its systems of jus-

tice, taxation, social protection and provision of social services, regulation of private property, education, employment, currency and customs regulation, up to changing the time zone.

3.3. Another area of influence is the control over the identity of the local population. Some of the violations related to freedom of expression, access to information, ability to use their language and culture, especially among children and youth, are aimed at prohibiting the manifestations of Ukrainian identity and, in the long term, at destroying the Ukrainian identity in the occupied territory. For the same purpose, the Russian Federation is pursuing a deliberate policy of destroying the Ukrainian cultural sphere in the occupied territory of Ukraine, paying special attention to those sites of cultural heritage that are important for Ukrainian history, are evidence of its independence and contradict the Russian narrative of «one people» and «common history».

3.4. The Russian Federation pays particular attention to the restriction of religious freedom, emphasizing it as an aspect of Ukrainian identity. In addition to the destruction of religious buildings, the Russian Federation pursues a policy of persecution of certain confessions and religious figures in the TOT of Ukraine - raids are carried out in religious buildings, the presence of believers at worship services is recorded, buildings belonging to communities are confiscated and transferred to other Russian organizations or institutions. Some religious communities in the Russian Federation are declared «ex-

tremist,» such as Jehovah's Witnesses and Hizb ut-Tahrir al-Islami.

3.5. The Russian Federation, which has set itself the goal of fully and inevitably incorporating the TOT of Ukraine into its administrative composition and making their return under the control of Ukraine impossible, is focusing on transforming the entire population of these territories into Russians. Russia is creating conditions for the civilian population in which it is impossible to reside in the occupied territories without obtaining a Russian passport and without integrating into the legal reality of the Russian Federation. Persons without such documents become, in fact, «foreigners» in their native territory and attract increased attention of the special services of the Russian Federation; they are restricted in their right of residence, without the possibility of obtaining medical and social protection; they are restricted in or deprived of property rights, educational and labor rights, etc. In this way, the Russian Federation is also changing the demographic composition of the population, forcing those who do not agree with obtaining a passport and cannot survive without it to leave, and forcing those who remain to «prove their loyalty».

3.6. Persons who receive a passport of a Russian citizen may be subject to military service. As a result, there have been numerous cases of involvement of the civilian population of the occupied territories in the war against their own country. Military conscription in the Russian Federation has spread to the territory of Crimea and the city of Sevastopol since the beginning of the occupation in 2014. During this time, 20 conscription campaigns have been conducted, the last of which ended on December 31, 2024; at least 50,000 Crimeans have been drafted into the armed forces of the Russian Federation, most of whom are presumably citizens of Ukraine. Despite the illusion of «independence» of the so-called LPR/DPR, the Russian Federation actively involved the local population in participation in the Russian armed forces. The residents of the occupied territories of

the Donetsk and Luhansk oblasts came under the «general mobilization», which was announced by the heads of the occupying administrations in the occupied territories of the Donetsk and Luhansk oblasts on the same day, i.e. on February 19, 2022. According to the Main Intelligence Directorate of the Ministry of Defense of Ukraine, since the beginning of 2022 the Russian Federation has forcibly mobilized from 55,000 to 60,000 men to its army in the TOT of Ukraine. Russian sources report that 79,800 people were mobilized on the territory of the so-called LPR/DPR during the conscription. Forcing the local population in the TOT of Ukraine to serve in the Russian armed forces and participate in hostilities against their own state is carried out both to increase the mobilization reserve and the number of the armed forces of the Russian Federation, and to exert additional control and intimidation. In addition, the propaganda aimed at children to serve in the Armed Forces of the Russian Federation gives the local population a distorted picture of the causes and course of the Russian armed aggression against Ukraine.

3.7. The Russian judicial system appeared in the TOT of Crimea as early as 2014, and in 2022 it was extended to all other territories of Ukraine occupied before and after February 24, 2022. At the very least, the judicial system created by Russia in the occupied Crimea has already been recognized by the ECHR as not being «established by law» within the meaning of Article 6 of the Convention for the Protection of Human Rights and Fundamental Freedoms.

The Russian Federation is trying to legitimize the previous mass violence by its «normalization» and the conduct of persecuted persons through the procedures of the Russian law enforcement and judicial system, using «anti-extremist», «anti-terrorist» and other repressive legislation, practices of torture, deprivation of liberty, the right to protection, the right to a fair trial, and so on. Some persons who were illegally detained and held in violation of legal procedures were formally charged as a result. Another depri-

vation of legal rights was the confiscation of the Lawyers' Institute in the TOT. To practice law in Crimea since 2014, and after the illegal incorporation of all other territories into the Russian Federation, and in all TOT of Ukraine, it is necessary to have Russian citizenship and pass a qualifying exam on knowledge of Russian legislation. At the same time, lawyers who protect Ukrainian citizens from politically motivated persecution by the Russian Federation themselves face pressure and persecution from the occupation authorities.

3.8. As with other spheres of life in the occupied territories, the Russian Federation has fully adjusted education to its standards and incorporated it into its national system. In Crimea, the Russian system of education at all levels was legally extended in May 2014, and from September 1, 2014, the transition took place in practice. It was assumed that from the beginning of the school year 2022/2023 all schools in the TOT of Ukraine would have to work according to Russian educational standards. The introduction of Russian standards in practice means the destruction of the Ukrainian language and culture; the replacement of Ukrainian textbooks with Russian ones; the prohibition of teaching subjects of the Ukrainian cycle, in particular, the history of Ukraine; the distortion of the history of Ukraine and the history of the Crimean Tatars; the partial replacement of teachers working in the Crimea by Russian teachers and active ideological «re-education» of teachers. At the same time, from the very beginning of the occupation, the Russian Federation did not limit itself to controlling only formal education in the TOT of Ukraine, but paid great attention to non-formal education, especially patriotic education. To this end, «cadet» classes were opened in schools, «talks about the important things» justifying the armed aggression against Ukraine are held regularly, meetings and events in honor of the participants of the so-called «special military operation» are organized. In the occupied territories, the Russian Federation has also established a system of militarized youth movements aimed at training

children as future soldiers - the Movement of the First (by the end of 2023, the branches of this organization operate in all regions of Russia and in the TOT of Ukraine), «Youth Army», «Young South». In 2023, the Russian Federation allocated 67 billion rubles for patriotic education, which is four times more than in 2022. All this is aimed at educating a new generation of the population of the occupied territories, destroying their Ukrainian identity and replacing it with devotion to the Russian Federation and self-awareness as a Russian citizen..

3.9. The seizure of information space and media resources was one of the first steps in establishing the occupation. The Russian Federation is replacing Ukrainian media with Russian ones that spread propaganda narratives, prohibiting and persecuting dissent and public disagreement with the actions of the Russian Federation, exposing independent journalists to criminal prosecution, deportation, intimidation, arrest and killings. Russia also established control over the very means of access to information - the work of Ukrainian providers of Internet services, mobile television and radio networks was halted in the first weeks of the full-scale invasion. Instead, Russian networks appeared in the occupied territories with blocked access to social media, especially Facebook and Twitter, Ukrainian news sites and the Google search engine. The seizure of information space and media resources, the replacement of Ukrainian media with Russian propaganda, the prohibition and persecution of dissent and public disagreement with the actions of the Russian Federation, the displacement of independent journalists through their persecution, deportation, arrests and killings are aimed at creating a single narrative of events, a single view of the Russian aggression against Ukraine, the history of Russian-Ukrainian relations and the inability to access alternative sources of information. Control of the information field allows the Russian Federation to manipulate public opinion, create an image of danger, «threats of Nazism», the position of defense of the

Russian Federation against the «collective West» and Ukraine, and strengthen the rejection and fear of Ukrainians in the territory controlled by Ukraine.

3.10. Property confiscation is another method actively used by the Russian Federation to control the TOT of Ukraine and the local population since 2014. In addition to confiscating and nationalizing the property of the Ukrainian state, the occupation authorities have also targeted the property of large private enterprises and the private property of local residents. The practice of appropriating «ownerless» property in the TOT of the Donetsk region was implemented since 2021 and provided that if property has no owners, or they are unknown or have abandoned the property, it can be recognized as «ownerless». Already by the end of March 2024, the procedure for confiscating «ownerless» property was provided for in the TOT of Donetsk, Luhansk, Zaporizhzhya and Kherson regions. The newly adopted rules stipulate that the owners of residential buildings located in the respective territory must register the ownership of residential real estate in the Unified State Register of Real Estate of the Russian Federation. If the appropriate entry is not made in the register, or if the property shows signs of «ownerlessness» (non-use, non-payment of utility bills during the year), it will be seized (appropriated). The property policy of the Russian Federation is an additional means of making it impossible to remain in the TOT of Ukraine without obtaining Russian documents, to receive income without working in a Russian enterprise, to retain ownership of the property without re-registering it under the Russian procedure. All these measures are aimed at entrenching the Russian presence in the TOT of Ukraine.

3.11. One of the tools of Russia's long-term influence in the TOT of Ukraine is the destruction of Ukrainian business and economic relations with Ukraine. In all the TOT of Ukraine, after the occupation, the actions of the Russian Federation to conquer them led, directly or indirectly, to the displacement of local enterprises and their replacement by Russian

ones, as well as to systematic practices of nationalization or expropriation of property of the Ukrainian state or business entities. After the beginning of the full-scale invasion, systematic pressure was exerted on business in the TOT of Ukraine. The Russian occupation authorities began to conduct «inspections» of Ukrainian enterprises and demanded re-registration of enterprises in accordance with Russian legislation. In case of refusal to register, there is a ban on selling products, and the enterprise itself and its property can be nationalized. Some enterprises, including agricultural ones, have been plundered. The Russian Federation sharply introduced the ruble in the occupied territories, replacing the hryvnia money supply, in parallel with the ban on using hryvnias in buying and selling food and medicine. Pensions, cash assistance, etc. were paid in rubles. In addition, small businesses that used hryvnia for settlement operations were threatened by the occupation administration. Accordingly, these and other factors together create conditions that are not conducive, or even make it impossible, to develop and run a business, especially one that is not directly subordinated to the occupiers.

3.12. The purpose of a number of measures that the Russian Federation continues to implement in the occupied territories of Ukraine is to ensure the inevitability of control over the territory due to the termination of any relations of the population of the TOT with Ukraine. In addition to the already mentioned methods, the Russian Federation is also inducing the population of the TOT of Ukraine to cooperation (collaborationism). By replacing local government with the newly created occupation institutions, rather than allowing Ukrainian institutions to continue functioning, the Russian Federation not only introduces a new vertical of power, but also leaves local officials with no alternatives. They are forced either to leave their posts or to agree to work under new rules. The same policy applies to the seizure by Russian state corporations of facilities owned by Ukrainian state corporations, such as the seizure of

the Zaporizhzhya nuclear power plant by Rosatom. At the same time, Ukraine considers working in Russian authorities, institutions and enterprises as a criminal offense and qualifies it under Article 111¹ of the Criminal Code of Ukraine as a collaborative activity. The Russian Federation is actively using this practice to strengthen its influence and further sever the ties of the local population in the TOT with Ukraine, convincing them that there is no way back and that the return of the Ukrainian authorities to these territories will mean accountability for all who remained there. The aggressive demographic policy of the Russian Federation is also aimed at breaking ties. In addition to the aforementioned deportations and forced resettlements, as well as the forced passportization of the lo-

cal population, Russia is actively encouraging local youth to leave for Russia to continue their studies. In addition to encouraging and forcing Ukrainian citizens to leave the occupied territories, the Russian Federation has, at least since the beginning of the occupation, pursued an active policy of resettling its own citizens in these territories. Russia actively encourages its own citizens to move to the occupied territories by launching state programs such as «District Doctor», «District Teacher», «District Cultural Worker». The programs also provide Russian citizens with housing from the «state housing stock» and one-time financial assistance of 2 million rubles. Benefits are also provided for Russian companies that transfer their employees to the occupied territories.

SECTION 4.

Responding to and Countering Russian Aggression (Illegal Actions, Practices) at the National and International Levels: Lessons from Ukraine

4.1. The consequences of the continuing occupation pose many challenges for Ukraine, both in terms of the need to counter the systematic use of human rights violations by the Russian Federation to subjugate the population, and in terms of ensuring the maintenance of relations with the population of the occupied territories. The results of the Special Report in this part testify to the important experience gained in the development of Ukraine's policy of reintegration and maintenance of relations with the population of the TOT, restoration and protection of the rights of victims of the consequences of the war. This experience should be studied and can be useful for partner countries facing challenges and security threats from the Russian Federation.

4.2. After the beginning of the Russian aggression and occupation of the Crimean Peninsula, the Ukrainian authorities gradually introduced legislative regulation of the peculiarities of ensuring the rights of citizens of the TOT and the regime in these territories. Thus, in 2014, laws were adopted to ensure the rights and freedoms of citizens and the legal regime in the TOT of Ukraine, as well as to ensure the rights and freedoms of IDPs. The obligation of the state to maintain contacts with citizens living in the TOT of Ukraine and to take measures to protect their rights was established. Only in 2017, the government approved a strategy for the integration of IDPs, and in March 2021, the first strategy for the de-occupation and reintegration of the TOT of the AR Crimea and Sevastopol was adopted. However, since the beginning

of the war, discriminatory practices against the residents of the TOT have been observed, and the actions of the authorities have often been characterized by the lack of a systematic coordinated policy that would meet the guarantees enshrined in the legislation.

In 2016, an appropriate central executive body was established to ensure the formation and implementation of state policy in relation to the TOT and the protection of the rights of its population. This mostly had a positive impact on the formation of the policy of de-occupation, maintenance of relations with the population of the TOT of Ukraine. However, at the time of writing this Report, the activities of such a ministry have been discontinued, and its powers have been partially distributed to other CEBs and sometimes reconstituted. Nevertheless, it is important to note the positive experience and impact on the maintenance of relations with the citizens of the TOT of the long-term activities in exile of certain authorities and law enforcement agencies from the administrative-territorial units that were fully occupied (such as the Crimean Peninsula).

During the ongoing war, the state has gained significant experience in restoring the functioning of the authorities and the rights of the affected population in the liberated territories. However, the government has not yet adopted a strategy for restoring state authority and reintegrating the population of the de-occupied territories of Ukraine, which takes into account the experience of prolonged occupation and the need to restore life in the lib-

erated territories. For the most part, the experience of evacuating the authorities from the TOT or the combat zone remains uninstitutionalized, and there is no legal certainty about the consequences of arresting a person vested with authority, etc. Similarly, a strategy for restoring the work of the criminal justice system in areas liberated from prolonged occupation was developed but not adopted by the PGO. The state pays much attention to the protection of children from the negative consequences of the occupation (by 2024, about 1.6 million Ukrainian children are living in the TOT), while there is still no unified vision for the reintegration of children and youth who were under occupation and the restoration of the educational system after de-occupation.

Such examples of postponement of state decisions on the TOT of Ukraine and its population, tendencies to ignore the protection of the rights of the TOT citizens in the recommendations on European integration, weaken Ukraine's ability to counter Russia's steps to integrate the civilian population of the TOT into the legal, informational, socio-economic reality of the occupying country.

4.3. Having gained a lot of important experience in developing reintegration measures and maintaining relations with the population in the TOT, Ukraine still needs to strengthen the capacity of its policies and practices in this area. The systematic and large-scale practice of human rights violations in the TOT of Ukraine is aimed at fulfilling the objectives of the Russian Federation not only to conquer the civilian population, but also to break any of their ties with their own State, in particular, to break physical, legal, social, educational, informational, religious and economic ties. Faced with the challenges of prolonged occupation, Ukraine needs to review and strengthen inter-agency cooperation in the evacuation of the population from the combat zone; the search for solutions to maintain physical communication with the population in the TOT, including through the strengthening of relevant foreign diplomatic institutions; proper access to pension payments to citizens from the TOT; obtaining birth and death documents in the

TOT, procedures for confirming the registered residence of persons in the TOT of Ukraine and identification; recognition of the results of education obtained in educational institutions of the TOT; consideration of the interests of the victims of the consequences of the Russian aggression before 2022 in the development of compensation mechanisms; access to Ukrainian digital television and radio broadcasting for the residents of the TOT and the frontline areas; adoption of a government strategy and plan for the restoration of state power and reintegration of the population of the de-occupied territories of Ukraine, etc.

4.4. The state's response to the ways of achieving justice is mostly limited to the judicial one, which is at the same time important for ensuring the inevitability of punishment for international crimes, but also represents a certain limitation of the instruments for achieving justice and a challenge to the capacity of the judicial system. Since the beginning of the Russian aggression in 2014, the main work of documenting human rights violations in the state has been taken over by human rights organizations, which sometimes had access to these territories and enjoyed greater trust on behalf of witnesses and victims. In fact, since 2016, a systematic development of the architecture of the national law enforcement system and the Prosecutor's Office for the investigation of international crimes has begun (from the adoption of the relevant strategy of the Prosecutor's Office of the Autonomous Republic of Crimea and the city of Sevastopol to the creation of the PGO Department for the supervision of criminal proceedings for crimes committed in the context of armed conflict). For ten years, the state has gained unique experience in documenting crimes in the absence of access to the place of their commission, work with digital evidence, advanced training of criminal justice specialists, interaction with the Office of the Prosecutor of the ICC, etc.

At the time of writing, the PGO has reported more than 170,000 international crimes and crimes against the foundations of national security only during the full-scale invasion of

the Russian Federation (the volume of crimes for the entire period of the war is many times higher, which would be a challenge for any country). However, the state communicates the issue of justice mainly through ensuring justice for crimes committed as a result of the war, and the law enforcement system has become a key entry point for all victims' expectations of justice. On the other hand, some studies show that more than 80% of people do not want to participate in the justice system because of excessive bureaucratization, inefficiency of «in absentia» trials, the length of these trials, and so on. Moreover, the excessive criminalization of collaborative activities determined by the state does not correlate with the vision of a society of fair accountability for collaboration with the occupier. Thousands of relevant criminal cases create an excessive burden on the criminal justice system and feed the fears of the TOT citizens about the possible consequences of the reintegration of the territories after the liberation. Therefore, although justice is an important element in overcoming the consequences of war, the provision of justice cannot and should not be limited to the instruments of justice. Additional attention on the part of the authorities must be given to issues such as social cohesion, policies of remembrance and memorialization, and instruments for restoring trust in the authorities, including in the liberated territories (lustration). Taken together, these measures will help to reduce social tensions and are important components of the expected policy of overcoming the consequences of the war and restoring life after de-occupation.

4.5. The political and legal measures taken by the Ukrainian authorities to counter the aggression of the Russian Federation and human rights violations in the TOT of Ukraine create important precedents for recording and assessing the consequences of the occupation. At the same time, the measures of response of the international political and human rights mechanisms to human rights violations in the TOT of Ukraine are mostly declarative in nature and the Russian Federation ignores them. Since the beginning of

the occupation of Ukrainian territories in 2014, Ukraine has taken an active stance in the implementation of political and legal measures at the international level. On March 27, 2014, the UN General Assembly adopted the first resolution in support of the territorial integrity of Ukraine (in response to the occupation of Crimea), and on April 7, 2022, a resolution on the suspension of Russia's membership in the UN Human Rights Council (in response to the full-scale invasion of the Russian Federation). During the armed aggression, dozens of resolutions were adopted by the UN General Assembly, PACE, the European Parliament, etc., supporting the territorial integrity of Ukraine and condemning human rights violations in the TOT. Parliaments of at least 40 countries have adopted more than 200 resolutions in support of Ukraine's territorial integrity, condemning violations of human rights or the rights of indigenous peoples as a result of the occupation. During the war, the Verkhovna Rada of Ukraine also repeatedly adopted relevant statements, appealed to international organizations and parliaments of the world to condemn the aggression of the Russian Federation and its consequences. Important initiatives of Ukraine in this area include the establishment of the International Crimean Platform in 2021, as well as the Global Peace Summit and support for its work. These measures and decisions are important for strengthening the policy of «non-recognition», sanctions against the Russian Federation and spreading information about human rights violations during the occupation. However, the documents adopted over the years are of a recommendatory nature and Russia does not comply with them.

An important area of Ukraine's work was also the appeal to almost all major international mechanisms for the protection of human rights. The first decisions were taken in a rather short time, considering the practice of such mechanisms. For example, the decisions of the ECHR in the cases of *Ukraine v. Russia* (regarding Crimea) and *Ukraine and the Netherlands v. Russia* (regarding the relevant territories in the east of Ukraine). They set the

date for the beginning of the occupation of Ukrainian territories by Russia, refuting the talking points of Russian propaganda about the «popular will» and «voluntary accession» of territories, and also determine the existence of administrative practices on the part of the Russian Federation that lead to violations of human rights in the TOT, the principles of further responsibility of Russia for such violations. Also, after Ukraine recognized the jurisdiction of the ICC and ratified the Rome Statute, the state became a full member of the ICC and contributes to the investigation of international crimes. The ICC has already issued several arrest warrants, including for Russian President Vladimir Putin and high-ranking military commanders. The implementation of the decisions of international courts is mostly postponed in time because Russia has ignored its international obligations since the beginning of the aggression. However, they are important precedents, and their implementation should become one of the key requirements for the Russian Federation in the event of its return to the civilized world and the lifting of sanctions.

Assessing the achievements of the state in this area, it is important to note the unique experience of building cooperation with non-governmental organizations in documenting and investigating crimes of the Russian Federation, promoting the issue of human rights violations in the TOT on the international agenda. The development of such cooperation will only strengthen the state's ability to achieve justice for all victims of the consequences of the war, will contribute to building trust in the authorities and maintaining relations with the population of the TOT of Ukraine.

4.6. The practices and patterns of human rights violations used by Russia in the TOT are mostly viewed and assessed in a humanitarian rather than a security context. This limits the ability to respond to and counter Russian aggression. The use and instrumentalization of human rights violations to seize territory, conquer populations, and wage aggressive war requires in-depth research, particularly

taking into account the experiences of other European countries. Russia's criminal practices in modern history pose many challenges precisely for rethinking security measures and protecting democratic states. The practice of the Russian Federation's instrumentalization of human rights violations for warfare analyzed in this Report can be further universalized and expanded by the Russian Federation to prepare and conduct hostilities or occupy the territories of other states (which is demonstrated by the experience of Russia's occupation of Ukrainian territories in 2014-2024). Many facts about the hybrid influence of the Russian Federation on the civilian population in NATO countries are already known, such as the influence on democratic elections through information technologies and social media, the influence on individual countries through mass passportization and their colonization by citizens of the Russian Federation, the influence on religious associations on the part of citizens of the Russian Federation who support an aggressive war, the information influence through Russian propaganda media, etc. The range of data collected during the Russian aggression in Ukraine creates a field for studying the use of human rights violations as a tool for seizing territory and subjugating the population, and thus for analyzing such data and developing solutions to counter these threats. For these purposes, and in partnership with interested countries, the activities of the Center of Excellence can be developed in Ukraine (based on the network of Centers of Excellence, which is a catalyst for transformation and strengthening of NATO capabilities). The focus of such a center can be on the collection and analysis of data (especially from third countries), and the development of solutions to counter the use of human rights violations and democratic tools for the preparation and conduct of war, the conquest of territory and its civilian population, becoming an important complement to the study of hybrid threats by the EU and NATO countries. In parallel, the development of artificial intelligence capabilities could optimize and increase the efficiency of collecting and analyzing a wide range of data.

Recommendations

Based on the findings of the Special Report, key recommendations have been formulated for the state authorities of Ukraine and international partners, with the aim of contributing to the improvement of systemic countermeasures and responses to the use of various instruments of occupation by the Russian Federation, in particular through the instrumentalization of human rights violations

For Ukraine:

- introduce the positions of the deputies on issues of TOT, protection of the rights of IDPs and the population living in the TOT of Ukraine, formation of a policy for the victims of the consequences of the Russian armed aggression in all ministries;
- collect data and analyze the policies and practices applied by the Russian Federation in the TOT of Ukraine, as well as ensure the use of this analysis in the formation and adjustment of state policy on the TOT of Ukraine, in particular through the establishment of a think tank under the relevant central executive body within the Government;
- develop and implement measures to counter the Russian Federation's policy of legal, economic, cultural, and informational integration of the civilian population of the TOT of Ukraine, as well as practices and decisions that will contribute to the maintenance of legal relations with the TOT population (such as recognition of facts of legal significance, facilitation of obtaining passport documents, elimination of existing discriminatory practices in access to rights and services, etc.), in particular by adopting a strategy and plan for the restoration of state authority and the reintegration of the de-occupied territories of Ukraine;
- establish and ensure the activities of the Center of Excellence to study and develop solutions to counter the use of violations of civilian rights and the rules of war as a tool for preparing and waging war, conquering territories (collection and analysis of data, in particular from third countries, development and dissemination of security solutions taking into account NATO standards, as well as preparation of training programs, strengthening of specialists in this field, etc.), with the participation of interested NATO countries in the establishment and development of the Center;
- ensure the full implementation of the State Policy Strategy on Internal Displacement for the period up to 2025 and the operational plan for it, as well as ensure the development of a strategy and an appropriate plan for the next period, to provide assistance to IDPs who are forced to return to the TOT of Ukraine due to difficulties with employment, inaccessibility of housing, etc.;
- develop and adopt a State Strategy on Access to Education for Children and Youth from the TOT of Ukraine, in particular to promote motivation and ensure their access to educational services in the government-controlled territory of Ukraine;
- provide access to analog television and Ukrainian radio broadcasting in the areas near the TOT of Ukraine in order to ensure the search for and development of alternative modern ways and channels of communication with the citizens in the TOT;
- strengthen the capacity of the criminal justice system to ensure justice for the most serious crimes committed in the context of the armed aggression against Ukraine, through the improve-

ment of Ukrainian legislation and advanced training;

- develop and implement a model for the restoration of criminal justice in the de-occupied territories of Ukraine, drawing on the experience of the prosecutor's offices and pre-trial investigation bodies of the regions of Ukraine occupied since 2014;
- ensure the investigation of administrative practices leading to human rights violations and international crimes in the TOT of Ukraine, in particular the identification and bringing to command responsibility of persons involved in their initiation and implementation;
- identify and implement non-judicial means of achieving justice, such as policies of remembrance and commemoration, assistance to victims, restoration of confidence in state authorities, etc.;
- promote scientific and academic research on the policies and actions of the Russian Federation that preceded the temporary occupation of certain regions of Ukraine.

For international partners:

- continue to support the territorial integrity of Ukraine by recognizing all the territories occupied by the Russian Federation as Ukrainian, and the consequences of their illegal incorporation into the Russian Federation as null and void (non-recognition of the imposed citizenship of the Russian Federation, the subjectivity of any «authorities», elected or appointed in these territories, etc.);
- strengthen the military support to the Government of Ukraine to protect the territories under its control and to

counter the possible seizure of other territories and massive violations of the rights of its civilian population under occupation;

- support the establishment of a Center of Excellence in Ukraine (based on the network of Centers of Excellence supporting NATO transformation) to study and develop solutions to counter the use of violations of civilian rights and the rules of war as a tool to prepare for occupation and further subjugation of territories;
- monitor and counter the misuse of the Russian Federation of democratic instruments (functioning of cultural centers, holding of elections and referendums, issuing of passports to citizens of the Russian Federation), as well as Russian narratives in culture, media and education abroad;
- promote the study of the use by the Russian Federation of practices and patterns of systematic violations of human rights, violence against the civilian population, the use of democratic institutions as instruments of war against third countries (Georgia, Moldova, the Republic of Ichkeria and others);
- support the creation and development of Ukrainian studies and academic research, exchange of experiences and best solutions to overcome the consequences of the war, support and reintegration of the victims of the war;
- contribute to strengthening the effectiveness of interparliamentary, political and legal international instruments to effectively counter the use of mass violations of human rights as a tool for seizing territory, in particular by ensuring the inevitability of punishment for such violations and crimes.



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