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Promotion and protection of human rights: human rights situations and reports of special rapporteurs and representatives

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

Summary

In the present report, the Secretary-General describes the progress made in the implementation of General Assembly resolution [78/221](#) and provides options and recommendations for improving its implementation.

* [A/79/150](#).



I. Introduction

1. The present 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 to it at its seventy-ninth session a report on the progress made in the implementation of the resolution, including options and recommendations to improve its implementation.

2. In its resolution 68/262 and other relevant resolutions, including resolution ES-11/6, the General Assembly reaffirmed its commitment to the territorial integrity of Ukraine within its internationally recognized borders. In the present report, the Autonomous Republic of Crimea and the city of Sevastopol is referred to as “Crimea”, and certain areas of Kherson, Zaporizhzhia, Donetsk and Luhansk regions, Ukraine, temporarily controlled or occupied by the Russian Federation, are referred to as “temporarily controlled or occupied territories of Ukraine” in line with General Assembly resolution 78/221. The organs and officials of the Russian Federation established in the temporarily controlled or occupied territories of Ukraine are referred to in the present report as the “occupying authorities of the Russian Federation”.

3. This is the eleventh report of the Secretary-General on the human rights situation in Crimea and the second report to also cover other parts of Ukraine temporarily controlled or occupied by the Russian Federation following its full-scale invasion of Ukraine on 24 February 2022. The tenth report of the Secretary-General, submitted to the Human Rights Council, covered the human rights situation in areas of Kherson, Zaporizhzhia, Donetsk and Luhansk regions of Ukraine temporarily controlled or occupied by the Russian Federation from 24 February 2022 to 31 December 2023 and the situation in Crimea from 1 July 2023 to 31 December 2023.¹ The present report covers the period from 1 July 2023 to 30 June 2024 for both Crimea and the areas of Kherson, Zaporizhzhia, Donetsk and Luhansk regions of Ukraine temporarily controlled or occupied by the Russian Federation.

II. Methodology

4. In its resolution 78/221, the General Assembly requested the Secretary-General to continue 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 by 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, so as to enable them to carry out their mandates. In accordance with that resolution, on 4 March 2024, 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 controlled or 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 of the Office in which, with reference to any resolutions of the General Assembly or the Human Rights Council, “the Republic of Crimea, the city of Sevastopol, as well as the new Russian regions are unlawfully referred to as ‘occupied territories’”. OHCHR has so far not been able to find a

¹ A/HRC/56/69 (forthcoming).

modality under which to access the temporarily controlled or occupied territories of Ukraine.

5. Unless otherwise specified, the information in the present report was collected and verified by OHCHR. Findings in the present report are based on information collected from sources that are assessed as credible and reliable, according to OHCHR methodology. Information is included where the “reasonable grounds to believe” standard of proof has been 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, which have been further verified using other sources, including interviews with relatives of victims, witnesses, human rights defenders, lawyers and representatives of civil society, along with information obtained from court documents, official records, the analysis of relevant legislation and from open sources.

III. Conduct of the Russian Federation as occupying Power

Respecting the laws in force

6. International humanitarian law requires an occupying Power to 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.² Since 24 February 2022, the Russian Federation has gradually imposed its own political, legal and administrative systems in those areas of Kherson, Zaporizhzhia, Donetsk and Luhansk regions of Ukraine temporarily controlled or occupied by the Russian Federation, as it has done in Crimea since January 2015.³ The European Court of Human Rights has held that the wholesale extension of Russian legislation to Crimea, in violation of international humanitarian law, also breaches the obligations of the Russian Federation under the Convention for the Protection of Human Rights and Fundamental Freedoms.⁴

7. During the reporting period, the Russian Federation continued applying its legal system in those areas of Kherson, Zaporizhzhia, Donetsk and Luhansk regions of Ukraine temporarily controlled or occupied by the Russian Federation. On 19 September 2023, the Supreme Court of the Russian Federation announced that the Russian court system would operate in those areas and appointed 258 judges from the Russian Federation to the courts.

Prohibition on compelling the population of an occupied territory to swear allegiance

8. International humanitarian law prohibits an occupying Power from compelling the population of an occupied territory to swear allegiance to the hostile Power.⁵ One way of compelling the population to swear allegiance is to force it to obtain the occupying Power’s citizenship.

9. While the occupying authorities have not automatically imposed Russian citizenship on the residents of those areas of Kherson, Zaporizhzhia, Donetsk and Luhansk regions of Ukraine temporarily controlled or occupied by the Russian

² Regulations respecting the Laws and Customs of War on Land of 1907 (the Hague Regulations), art. 43; see also Geneva Convention relative to the Protection of Civilian Persons in Time of War (Fourth Geneva Convention), art. 64.

³ A/HRC/56/69 (forthcoming).

⁴ European Court of Human Rights, *Ukraine v. Russia (re Crimea)* (applications nos. 20958/14 and 38334/18), judgment of 25 June 2024, paras. 945–946.

⁵ Hague Regulations, art. 45.

Federation in the same manner as they did in Crimea in 2014,⁶ the limitations imposed on residents without Russian passports in the newly occupied territories have, in practice, compelled many residents to obtain Russian citizenship. Residents without Russian passports have increasingly faced discrimination in the enjoyment of their rights to work and social security, property rights, liberty of movement and in their access to health care and public services.

10. Pressure to obtain Russian citizenship appeared to increase during the reporting period. Many of those who left the temporarily controlled or occupied territories of Ukraine during the reporting period described difficulties in accessing health care without a Russian passport or intimidating requests from the occupying authorities to obtain Russian citizenship for school-age children.⁷ Those interviewed by OHCHR linked this increased pressure to the decree of the President of the Russian Federation No. 307 of 27 April 2023, according to which legal provisions of the Russian Federation related to “foreigners” will be applicable to people without Russian citizenship in “the Donetsk People’s Republic, the Luhansk People’s Republic, the Zaporizhzhia region, and the Kherson region” after 1 July 2024 (later extended to 31 December 2024), including the possibility of administrative deportation.⁸

11. Entry into force of this decree would require Ukrainians living in these areas, inter alia, to obtain a residence permit to remain in their homes, thereby creating additional bureaucratic barriers to employment and property ownership. Several people who recently left these temporarily controlled or occupied territories mentioned fears of being removed from temporarily controlled or occupied territories or of their property being confiscated if they did not become Russian citizens by the deadline.

12. Another decree made it easier for the occupying authorities to impose Russian citizenship on certain categories of vulnerable people. Decree of the President of the Russian Federation No. 11 of 4 January 2024 allowed guardians, caretakers and heads of children’s institutions (for example, orphanages) to apply for Russian citizenship on behalf of people in their care under a simplified procedure. OHCHR has documented cases in which the Russian authorities have imposed Russian citizenship both on children who had been transferred to the Russian Federation and on children who were still in the temporarily controlled or occupied territories.⁹

13. During the reporting period, the Human Rights Committee found that the automatic naturalization as citizens of the Russian Federation imposed on Ukrainian citizens who permanently resided in Crimea at the beginning of the occupation of the peninsula in March 2014 also constituted discrimination on the grounds of national origin.¹⁰

Transfers of civilians

14. Under international humanitarian law, individual or mass forcible transfers, as well as deportations of protected persons from occupied territory to the territory of

⁶ See Office of the United Nations High Commissioner for Human Rights (OHCHR), “Situation of human rights in the temporarily occupied Autonomous Republic of Crimea and the city of Sevastopol (Ukraine)”, issued pursuant to General Assembly resolution 71/205 and covering the period from 22 February 2014 to 12 September 2017.

⁷ See OHCHR, “Report on the human rights situation in Ukraine, 1 March 2024–31 May 2024”, 3 July 2024, para. 45.

⁸ In May 2024, the deadline was extended until 31 December 2024.

⁹ See OHCHR, “Report on the human rights situation in Ukraine, 1 August 2023–30 November 2023”, 12 December 2023, para. 55.

¹⁰ Human Rights Committee, Views adopted by the Committee under article 5 (4) of the Optional Protocol, concerning communication No. 3022/2017 (Bratsylo, Golovko and Konyukhov v. Russian Federation), CCPR/C/140/D/3022/2017.

the occupying Power, or to that of any other country, are prohibited, regardless of their motive.¹¹

15. After the beginning of the occupation, the authorities in those areas of Kherson, Zaporizhzhia, Donetsk and Luhansk regions of Ukraine temporarily controlled or occupied by the Russian Federation transferred civilians, including children, within the temporarily controlled or occupied territories of Ukraine to the Russian Federation.¹²

16. Many of those transferred to the Russian Federation shortly after the full-scale invasion continued to face difficulties in returning to Ukraine during the reporting period. While some children were returned to Ukraine, OHCHR documented bureaucratic obstacles that had prevented or delayed others from returning. The majority of children transferred from the temporarily controlled or occupied territories to the Russian Federation remained there as at the end of the reporting period.

17. International humanitarian law also provides that protected persons accused of offences shall be detained in the occupied country and, if convicted, shall serve their sentences therein.¹³ During the reporting period, OHCHR documented cases of the Russian authorities having transferred at least 15 civilian detainees from the temporarily controlled or occupied territories to detention facilities in the Russian Federation.¹⁴

18. In September 2023, two men, who had been previously detained by armed groups in the so-called “Donetsk People’s Republic” in 2018, were moved to stand trial in a military court in Rostov-on-Don on espionage charges against the Russian Federation. In August 2023, the occupying authorities transferred a Crimean Tatar activist from a pretrial detention facility in Simferopol to a penal colony in Vladimir in the Russian Federation, far from his family and community. He had a life-threatening heart disease and was in urgent need of surgery.¹⁵ In October 2023, two Crimean Tatar activists were transferred from a pretrial detention facility in Simferopol to a penal colony in Krasnoyarsk, Russian Federation, which is more than 5,000 km away from their families.

19. During the reporting period, the occupying authorities continued to transfer residents of Crimea without Russian passports, whom they consider “foreigners”, out of the occupied territory.¹⁶ While such transfers in the past have included people with Ukrainian citizenship, OHCHR has not been able to verify that the transfers during the reporting period included the transfer of Ukrainian citizens, owing to redactions and limited access to court decisions.¹⁷

20. International humanitarian law also prohibits the occupying Power from deporting or transferring parts of its own civilian population into the territory it occupies. The International Court of Justice has stated that this prohibition also

¹¹ Fourth Geneva Convention, art. 49.

¹² For example, OHCHR has collected information regarding some 200 children from Donetsk, Kharkiv, Kherson and Kyiv regions who were transferred, individually or in groups, to other regions in the temporarily occupied territories, to the Russian Federation, or to Belarus. See OHCHR, “Report on the human rights situation in Ukraine, 1 February–31 July 2023”, October 2023, paras. 91–92.

¹³ Fourth Geneva Convention, art. 76; *Commentary on the Geneva Conventions of 12 August 1949*, Jean Pictet (ed.), vol. IV (Geneva, International Committee of the Red Cross, 1952), p. 363.

¹⁴ See para. 33 below.

¹⁵ The Committee against Torture, in its letter to the complainant dated 22 February 2023, called upon the Russian Federation to suspend his sentence.

¹⁶ [A/78/340](#), para. 39.

¹⁷ According to the court registry of the Russian Federation, courts in Crimea issued at least 850 decisions resulting in transfer orders or administrative sanctions in the reporting period. Data on the citizenship of those who were issued transfer orders had been deleted in 263 decisions uploaded on the courts’ websites and analysed by OHCHR. A total of 126 decisions had not been uploaded on the courts’ websites.

applies to “any measures taken by an occupying Power in order to organize or encourage transfers of parts of its own population into the occupied territory”.¹⁸

21. During the reporting period, Russian authorities continued to appoint citizens of the Russian Federation to posts in the temporarily controlled or occupied territories, particularly within the law enforcement and justice system. For example, the majority of the judges appointed to courts in those areas of Zaporizhzhia, Kherson, Donetsk and Luhansk regions of Ukraine temporarily controlled or occupied by the Russian Federation were relocated directly from courts in the Russian Federation. As at 30 June 2024, 13 of the 74 judges of the Supreme Court of Crimea had been directly appointed from courts in the Russian Federation.¹⁹

Prohibition on forced conscription

22. International humanitarian law provides that the occupying Power may not compel protected persons to serve in its armed or auxiliary forces, and that no pressure or propaganda which is aimed at securing voluntary enlistment is permitted.²⁰ Steps taken to compel residents of the temporarily controlled or occupied territories to obtain Russian citizenship in practice resulted in the potential conscription of such residents into the Russian armed forces.²¹

23. In October 2023 and April 2024, the Russian Federation conducted two conscription campaigns, including in the temporarily controlled or occupied territories of Ukraine. In Crimea, the campaign in April 2024 was the nineteenth such campaign since the beginning of the occupation in 2014.

24. As from January 2024, the Russian Federation also changed the age range for conscription from 18 to 27 years to 18 to 30 years,²² thus increasing the number of men subject to compulsory military service in the temporarily controlled or occupied territories of Ukraine. In the same month, the Government of the Russian Federation adopted a decree²³ providing that, with effect from 1 November 2024, draft summonses to eligible conscripts would be sent electronically, thus making it easier to reach them, including in Crimea and other temporarily controlled or occupied territories of Ukraine. The same decree gives the Federal Security Service access to the registry of conscripts, which will be regularly updated based on the data provided by the tax service and other authorities registering businesses and real estate agreements.

25. According to OHCHR, the occupying authorities also targeted men from the areas of Donetsk and Luhansk regions of Ukraine temporarily controlled or occupied by the Russian Federation who had been mobilized against their will into armed groups in the so-called “Donetsk People’s Republic” and “Luhansk People’s Republic” in 2022. After the integration of those armed groups into the Russian armed forces at the end of 2022, individuals were coerced into signing military service contracts through the use of threats, intimidation, harassment, including of their relatives, deprivation of liberty and physical violence. During the reporting period,

¹⁸ International Court of Justice, *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, Advisory Opinion, ICJ Reports 2004*, para. 120.

¹⁹ This verification is based on an analysis of judges’ rulings in the court registry of the Russian Federation as at 30 June 2024.

²⁰ Fourth Geneva Convention, art. 51, first paragraph.

²¹ OHCHR, “Human rights situation during the Russian occupation of territory of Ukraine and its aftermath, 24 February 2022–31 December 2023”, 20 March 2024, paras. 123–126.

²² Decree of the President of the Russian Federation dated 31 March 2024. Available at publication.pravo.gov.ru/document/0001202403310001.

²³ Decree No. 506 of the Government of the Russian Federation, adopted on 19 April 2024.

those who did not sign contracts and voluntarily left their military units were placed on federal wanted lists, detained and prosecuted for desertion.

26. The occupying authorities continued to prosecute residents of Crimea for draft evasion, which is punishable with fines, correctional labour and up to two years in prison under Russian law.²⁴ OHCHR recorded 65 prosecutions for draft evasion against Crimean men during the reporting period, 49 of which resulted in convictions.²⁵ Men were typically convicted for failure to report at their local military draft commission upon receiving an official summons and fined between 5,000 to 60,000 roubles (approximately between \$55 to \$624). As at 30 June 2024, OHCHR had documented a total of 432 court-imposed sanctions for draft evasion since prosecutions began in 2017.

27. With the imposition of the Russian educational system in the temporarily controlled or occupied territories (see below), the occupying authorities introduced mandatory classes and extracurricular activities designed to inculcate “patriotic” values and prepare children for military service. These include exhibitions, field trips and trainings facilitated by pro-Russian youth groups, and frequent visits and presentations by active members of the Russian armed forces about the benefits of joining the military or enrolling into military universities. For example, members of the National Guard of the Russian Federation held several classes in those areas of Zaporizhzhia and Kherson regions of Ukraine temporarily controlled or occupied by the Russian Federation on 23 February (Day of the Defender of the Fatherland in the Russian Federation) and actively encouraged children to apply to military universities.²⁶

IV. Right to life, physical and mental integrity, liberty and security

28. International human rights law and international humanitarian law prohibit arbitrary detention, torture and cruel, inhuman or degrading treatment.²⁷

29. The vast majority of former civilian detainees held by the Russian Federation interviewed by OHCHR during the reporting period described being subjected to severe beatings, including with batons, rifle butts, plastic and wooden sticks, electric shocks, stress positions for long periods, strangling, pistol shots with rubber bullets, mock executions and threats. While many of these cases of torture and ill-treatment occurred before the reporting period, accounts from civilians detained during the reporting period showed that the practice of torture and ill-treatment continued.

30. In one case, a man from Kherson region was detained by Russian armed forces for five days in the fourth quarter of 2023 on suspicion of aiding the Ukrainian armed forces. He was held in various basements and subjected to extensive torture, including electric shocks, mock execution, the removal of teeth with pliers and beatings with a pipe over his entire body. In addition, the perpetrators tied his hands behind his back and suspended him from a pipe where he was left hanging overnight. He was subsequently transferred to a hospital and instructed by the perpetrators to tell hospital personnel that he had sustained his injuries falling off his bicycle.

²⁴ Criminal Code of the Russian Federation, art. 328.

²⁵ This compares with 112 such cases in 2022 and 123 cases documented in 2021.

²⁶ See <https://tavra.tv/tv/stories/sotrudniki-rosgvardii-proveli-urok-muzhestva-v-genicheskoy-shkole/> (accessed 20 May 2024).

²⁷ Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; and Convention for the Protection of Human Rights and Fundamental Freedoms, art. 3; Fourth Geneva Convention, arts. 27 and 32; Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I), art. 75 (2).

31. OHCHR continued to document the use of sexual violence against women and men in the context of detention to obtain information, extract confessions, punish, intimidate or humiliate detainees, with the majority of such instances amounting to torture. Violations ranged from rape and beating or electric shocks to the genitals to forced nudity and threats of rape or castration. OHCHR also continued to document rape and gang rape against women and girls in residential areas under the control of the Russian armed forces. The newly documented cases occurred in 2022. Because of the stigma surrounding sexual violence, cases are often documented with a delay. Since 24 February 2022, OHCHR has documented 141 cases of sexual violence against civilians (70 women, 59 men, 10 girls, 2 boys) perpetrated by members of the Russian armed forces, law enforcement officials or penitentiary staff.

32. Civilian detainees often continued to be held in unofficial places of detention. Conditions in these places were often reported to be inadequate and, in some cases, so dire that they likely amounted to torture and ill-treatment under international law. 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 as well, detainees were held in inadequate conditions.

33. As at 30 June 2024, according to OHCHR, at least 15 men and 1 woman who were transferred from Crimea to penal colonies in the Russian Federation had health conditions requiring urgent and adequate medical intervention. OHCHR has reasonable grounds to believe that, in at least four cases, the detainees' critical health condition was the result of torture and ill-treatment. Detainees' lawyers told OHCHR that the health conditions of some of these detainees had deteriorated only after they were placed in detention, which suggests a failure to ensure adequate conditions of detention, including prompt access to medical treatment.

34. Lawyers for detainees told OHCHR about especially dire detention conditions in penal colonies in the Russian Federation, in particular in prison T-2 in Vladimir (also referred to as "Vladimirskyi Tsentral"). They reported severe restriction on communication with the outside world, with civilian detainees not being allowed telephone calls or visits from their relatives or permitted to request the assistance of the Ombudsperson of the Russian Federation. Lawyers also reported that it could take several months for parcels, medication and religious books to be handed over to the detainees. In one case, the penitentiary authorities repeatedly placed a Crimean Tatar man who was deported from Crimea in solitary confinement or in a ward-type room as a disciplinary measure for his attempts to exercise his religious beliefs by praying.

35. OHCHR documented the death of at least five civilians (four men and a woman) in detention that occurred during the reporting period in those areas of Kherson, Zaporizhzhia, Donetsk and Luhansk regions of Ukraine temporarily controlled or occupied by the Russian Federation. Three of them (two men and a woman) were summarily executed and the other two men died because of injuries resulting from torture or ill-treatment. OHCHR has documented that at least 22 civilians (19 men, 2 women and 1 girl) have died in detention in temporarily controlled or occupied territories of Ukraine since 24 February 2022. At least 11 of the victims (all men) were tortured before their death, and 12 of the victims (9 men, 2 women and 1 girl) were summarily executed.

36. During the reporting period, OHCHR recorded 246 cases of arbitrary detention of civilians (195 men, 49 women and 2 boys) by the occupying authorities. Some of these cases may amount to enforced disappearances.

37. For example, in late 2023, local police arrested three male residents of a village in Kherson region without providing reasons for their arrest. Defence lawyers declined to take their cases in the absence of information regarding the charges.

Relatives were allowed to bring parcels for their loved ones to the local military administration office until early 2024, when they were told that the detainees had been “taken away”. As at 29 February 2024, the whereabouts of the three residents remained unknown, despite their relatives’ inquiries with the Russian authorities. The relatives filed a complaint with the Working Group on Enforced or Involuntary Disappearances of the Human Rights Council.

38. In January 2024, Federal Security Service officers arrested a Crimean Tatar man in Kirovske village without providing reasons for his arrest. When his mother asked when he would be released, the Federal Security Service replied that she would hear from him within three days. As at early March 2024, the victim’s fate and whereabouts remained unknown, despite his family’s and lawyer’s inquiries with the occupying authorities in Crimea, which refused to acknowledge the arrest. In late March 2024, three women were subjected to enforced disappearance in Crimea. Allegedly, the Federal Security Service conducted house searches and detained them for their pro-Ukrainian views. As at 30 June 2024, the women remained in incommunicado detention and their whereabouts unknown.

39. OHCHR also documented the enforced disappearances of two men after they were detained at checkpoints between Crimea and other parts of the temporarily controlled or occupied territories, in May and July 2023 respectively. The occupying authorities only acknowledged the detention of the man arrested in July after a month. For the man detained in May, the occupying authorities acknowledged his detention only in June 2024, nearly a year after his detention.

40. OHCHR notes that family members and relatives were often reluctant to share information publicly owing to a fear that additional harm and suffering would be inflicted on their loved ones. They reported suffering from tremendous distress, with direct effects on their physical and mental health. Women also reported additional economic hardship while having to care for children and other members of the family.²⁸

41. These violations took place in an atmosphere of near-total impunity. While OHCHR is aware of a few investigations launched by the Russian authorities into instances of alleged misconduct, including the killing of civilians and the use of torture, there appears to have been no systematic effort to prevent the violations described above or to hold perpetrators to account. On the contrary, a law signed by the President of 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.²⁹

V. Freedom of opinion, expression and religion

Freedom of expression

42. Since the beginning of the occupation of both Crimea and certain areas of Kherson, Zaporizhzhia, Donetsk and Luhansk regions, the occupying authorities have restricted freedom of expression by imposing an extensive surveillance regime, severely limiting the means for the population to collect, disseminate and receive information, and threatening and detaining journalists, media workers and individuals

²⁸ Four cases from Crimea and 16 cases from other temporarily controlled or occupied territories where, after their initial periods of detention, Russian authorities forcibly transferred individuals to Crimea.

²⁹ Russian Federation, law No. 270-FZ on peculiarities of criminal liability of individuals participating in the special military operation, adopted on 24 June 2023. See OHCHR, “Report on the human rights Situation in Ukraine: 1 February to 31 July 2023”, October 2023, paras. 128–129.

holding or perceived to hold pro-Ukrainian views.³⁰ During the reporting period, the occupying authorities continued to use various legal provisions to restrict freedom of expression in the temporarily controlled or occupied territories. Because court records in Crimea are publicly accessible, more comprehensive information is available about the situation there.

43. According to publicly accessible court records, courts in Crimea convicted 421 people (232 men and 189 women) during the reporting period for the administrative offence of “discrediting the Russian armed forces”,³¹ and 122 people (87 men and 35 women) for “displaying Nazi symbols or showing disrespect for the Russian state”.³² OHCHR considers that, in many cases, the alleged offences would be viewed as legitimate exercise of freedom of expression under international human rights law.³³

44. Crimean residents were convicted, *inter alia*, for various verbal and non-verbal expressions, such as mentioning the Russian occupation of the peninsula, criticizing the attack of the Russian Federation on Ukraine, revealing anti-war views, wearing clothes with Ukrainian national symbols or the colours of the Ukrainian flag or displaying such colours on their social media accounts. They were sentenced to pay fines between 30,000 and 50,000 roubles (approximately \$340 to \$565) and prison terms ranging from 12 months to 18 months. There was a progressive increase in convictions throughout the reporting period: the number doubled in comparison to 189 convictions in the previous reporting period.³⁴ In its general comment no. 35 (2014), the Human Rights Committee states that: “Arrest or detention as punishment for the legitimate exercise of the rights as guaranteed by the Covenant is arbitrary, including freedom of opinion and expression (art. 19), freedom of assembly (art. 21), freedom of association (art. 22), freedom of religion (art. 18) and the right to privacy (art. 17).”³⁵

45. The occupying authorities also used other legislative provisions to restrict freedom of expression. During the reporting period, the Centre for Combating Extremism of the Ministry of Internal Affairs of the Russian Federation prosecuted a prominent lawyer in Crimea for “abuse of freedom of media” after he criticized, in a chat group, the conscription procedures of the occupying authorities.³⁶ He was subsequently convicted and fined 30,000 roubles (approximately \$340).

46. On 20 February 2024, the Ministry of Justice of the Russian Federation designated “Radio Free Europe/Radio Liberty”, including its regional outlet “Crimea Realities”, as an “undesirable organization”.³⁷ The designation resulted in the application of a range of restrictions (with retroactive effect) not only to the media outlet but also to its

³⁰ OHCHR, “Human rights situation during the Russian occupation of territory of Ukraine and its aftermath, 24 February 2022–31 December 2023”, 20 March 2024, paras. 50–56.

³¹ Russian Federation, Code of Administrative Offences, art. 20.3.3.; Russian Federation, Criminal Code, art. 207.3 and art. 280.3.

³² Russian Federation, Code of Administrative Offences, art. 20.3 (1) “Propaganda or public display of Nazi paraphernalia or symbols, or paraphernalia or symbols of extremist organizations, or other paraphernalia or symbols, the propaganda or public display of which is prohibited by federal laws” and art. 20.1 (3).

³³ See also OHCHR, “Ten years of occupation by the Russian Federation: human rights in the Autonomous Republic of Crimea and city of Sevastopol, Ukraine”, 28 February 2024.

³⁴ [A/78/340](#), para. 27.

³⁵ The application of such legislation in Crimea may also limit the right to form and hold opinions without interference, as set out in the International Covenant on Civil and Political Rights, art. 19 (1), and the International Convention on the Elimination of All Forms of Racial Discrimination, art. 5 (d) (viii).

³⁶ The lawyer was prosecuted for “abuse of freedom of the media”. Russian Federation Code of Administrative Offences, art. 13.15.

³⁷ Decree of the Ministry of Justice of the Russian Federation No 212-p adopted on 20 February 2024.

readers. A person who shares or comments on any material produced by the media outlet can be charged with “participation in an undesirable organization”.³⁸

47. On 17 April 2024, a court in Simferopol fined a journalist and activist 2,000 roubles (approximately \$23) under the law on “foreign agents” for her social media posts because she had mentioned the media outlet “Radio Liberty” without specifying that it had been designated a “foreign agent” under Russian law.³⁹

48. On 17 May 2024, the occupying authorities searched the house of the editor-in-chief of the Crimean Tatar newspaper “Qirim” («КЪЫРЫМ»). Following the search, the man was charged with the administrative offence of “discrediting the Russian armed forces” for having published an article urging Crimean residents not to participate in the “special military operation” of the Russian Federation in Ukraine. On 18 June 2024, a court in Simferopol convicted the man for this offence and fined him 100,000 roubles (or approximately \$1,100). In addition, he was charged with the “dissemination of unreliable socially significant information” for having referred to the report of the Secretary-General on the situation of human rights in the temporarily occupied Autonomous Republic of Crimea and the city of Sevastopol, Ukraine (A/HRC/53/64), which “created a threat of ... mass violation of public order and public safety”. This was not the first time that the editor-in-chief had been sanctioned for making reference to the reports of the Secretary-General on Crimea.⁴⁰

49. There is more comprehensive information about the use of Russian legislation to restrict freedom of expression in Crimea than in the other temporarily controlled or occupied territories. Nevertheless, OHCHR also documented similar attempts to restrict freedom of expression in the other temporarily controlled or occupied territories. In the areas of the Kherson region of Ukraine temporarily controlled or occupied by the Russian Federation, for example, the authorities launched criminal investigations against at least two women for social media posts “justifying terrorism” and amounting to “calls against the security of the Russian Federation”.

Freedom of religion

50. Religious communities continued to be affected by the occupation. All congregations of the Jehovah’s Witnesses religious group remained under a blanket prohibition as “extremist organizations”.⁴¹ During the reporting period, OHCHR documented that 11 members of the Jehovah’s Witnesses (10 men and 1 woman) were prosecuted in Crimea for their religious practices. One was convicted and sentenced to two years of forced labour in April 2024. The other prosecutions were ongoing at the time of writing. According to law enforcement officials of the occupying authorities, the Jehovah’s Witness adherents were charged with “extremist activities” because they conducted worship gatherings and discussed religious literature. Because of the pending prosecutions, three of them (all men) felt compelled to leave occupied territory.

51. Religious groups and individuals also continued to be prosecuted for offences related to proselytizing. OHCHR recorded four prosecutions in Crimea in 2024 for proselytizing-related offences against two men who identified as Muslim and Tatar. The cases stemmed from the application of the anti-extremist laws of the Russian Federation and an overly broad interpretation of prohibited “missionary activities”.

³⁸ The violations could fall into the scope of the Russian Code of Administrative Offences, art. 20.33, and of the Russian Criminal Code, art. 284.1.

³⁹ Code of Administrative Offence of the Russian Federation, art. 13.15 (2.1).

⁴⁰ A/76/260, para. 22.

⁴¹ A/HRC/44/21, para. 35.

52. In February 2024, Federal Security Service officers searched the houses of Crimean Tatar men, adherents of the independent Muslim community “Eski Qirim” in Crimea. As a result, one of them was prosecuted⁴² for performing the Jum‘ah prayer at the mosque without an official document authorizing him to “conduct missionary activities” on behalf of the religious organization.

53. According to the Head of the Orthodox Church of Ukraine (formerly the Ukrainian Orthodox Church of the Kyiv Patriarchate) in Crimea, the church has effectively ceased to exist on the peninsula owing to various measures undertaken by the occupying authorities. All clergy of the Orthodox Church of Ukraine left the peninsula for fear of persecution and forced conscription into the Russian armed forces. The occupying authorities also prevented the Orthodox Church of Ukraine community from using its main cathedral in Crimea.⁴³ Having previously seized the cathedral, the Russian Federal Bailiffs Service dismantled the dome of the cathedral on 8 April 2024.

VI. Economic, social and cultural rights

54. The imposition of Russian systems of governance and administration in the temporarily controlled or occupied territories also affected the economic, social and cultural rights of Ukrainians, particularly the right to express their own identity and culture and their right to education in the Ukrainian language.

Right to education

55. Under international human rights law, States are obligated to provide education that is “culturally appropriate”,⁴⁴ respects the child’s “own cultural identity, language and values”,⁴⁵ and does not discriminate on the basis of race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.⁴⁶ International humanitarian law also requires an occupying Power, with the cooperation of the national and local authorities, to facilitate the proper working of all institutions devoted to the care and education of children, but it may not, in any case, change their personal status, nor enlist them in formations or organizations subordinate to it.⁴⁷

56. On 15 January 2024, the Minister of Enlightenment of the Russian Federation said in an official statement that the total integration of the temporarily controlled or occupied territories into the Russian education system would take place within the next two years.⁴⁸

⁴² Punishable under the Russian Federation Code of Administrative Offences, art. 5.26.

⁴³ A/HRC/47/58, paras. 24–25.

⁴⁴ Committee on Economic, Social and Cultural Rights, general comment No. 21 (2009) on The right of everyone to take part in cultural life, para. 26, and general comment No. 13 (1999) on the right to education, para. 6.

⁴⁵ Convention on the Rights of the Child, art. 29; Committee on the Rights of the Child, general comment No. 1 (2001) on the aims of education, para. 4; Committee on Economic, Social and Cultural Rights, general comment No. 21 (2009), para. 15. See also Committee on the Rights of the Child, general comment No. 1 (2001), para. 9, regarding the quality of education, which specifies that “the curriculum must be of direct relevance to the child’s social, cultural, environmental and economic context”.

⁴⁶ International Covenant on Economic, Social and Cultural Rights, art. 2; Convention on the Rights of the Child, art. 2.

⁴⁷ Fourth Geneva Convention, art. 50.

⁴⁸ Ministry of Enlightenment of the Russian Federation, official communication, 15 January 2024, available at <https://edu.gov.ru/press/8036/integraciyu-novyh-regionov-v-rossiyskuyu-sistemu-obrazovaniya-planiruetsya-osuschestvit-v-techenie-dvuh-let/> (accessed 15 March 2024).

57. On 31 January 2024, the International Court of Justice found that the legislative and other practices of the Russian Federation with regard to school education in the Ukrainian language in Crimea constituted a pattern of racial discrimination.⁴⁹ The Court also stated that the Russian Federation had not demonstrated that it had complied with its duty to protect the rights of ethnic Ukrainians from disparate adverse effects based on their ethnic origin by taking measures to mitigate the pressure resulting from the “reorientation of the Crimean educational system towards Russia” on parents whose children had until 2014 received their school education in the Ukrainian language.⁵⁰ The Court concluded that the way in which the Russian Federation implemented its educational system in Crimea after 2014 with regard to school education in the Ukrainian language violated its obligations under article 2, paragraph 1 (a), and article 5 (e) (v) of the International Convention on the Elimination of All Forms of Racial Discrimination.⁵¹

58. According to the most recent official statistics of the Russian Federation, 197 students (0.1 per cent) in Crimea were taught subjects in Ukrainian and about 3,000 students learned Ukrainian as a regular subject, an elective course or an extracurricular activity.⁵² There is now only one Ukrainian-language school in Crimea. This school provides instruction only up to grade 9 and it is not possible to continue with Ukrainian in grades 10 and 11. There was previously one Ukrainian class offered in a Russian-language school in Simferopol. During the reporting period, however, the occupying Power removed this class with no alternative option provided to the children.⁵³ By comparison, before the temporary occupation of Crimea, 5.5 per cent of children received instruction in Ukrainian.⁵⁴

59. According to the same statistics, the number of students receiving instruction in Crimean Tatar remained largely unchanged from previous years.⁵⁵

60. During the reporting period, four women who used to work in managerial positions in educational institutions in Crimea told OHCHR that after the beginning of the occupation in 2014, all of them were presented with the ultimatum to either apply for Russian citizenship or lose their positions. Teachers who refused to apply for a Russian passport were fired. In one case, all the educational workers were gathered in a room of their school and instructed to fill out the application for a Russian passport in the presence of armed men. In another case, one teacher who had not filed an application was issued a Russian passport, nonetheless. Teachers were immediately sent for advanced training on the Russian curriculum while schools were presented with new history and geography books in which Crimea was portrayed as part of the Russian Federation. One interlocutor informed OHCHR that children at the educational facility where she worked damaged the new Russian books and placed Ukrainian flags around the institution in protest. This caused them and their parents to be issued warnings from the occupying authorities.

⁴⁹ *Application of the International Convention for the Suppression of the Financing of Terrorism and of the International Convention on the Elimination of All Forms of Racial Discrimination (Ukraine v. Russian Federation)*, judgment, 31 January 2024, para. 369.

⁵⁰ *Ibid.*, para. 363.

⁵¹ *Ibid.*, para. 370.

⁵² See www.monm.rk.gov.ru/ru/structure/210. Statistics cited in this section refer to the academic year 2022–2023 and exclude the city of Sevastopol.

⁵³ By contrast, 222,800 of 230,300 (96.7 per cent) students receive their education in Russian.

⁵⁴ 12,694 students out of 230,300. See OHCHR, “Report on the situation of human rights in the temporarily occupied Autonomous Republic of Crimea and the city of Sevastopol, Ukraine, 13 September 2017 to 30 June 2018”, para. 69.

⁵⁵ www.monm.rk.gov.ru/ru/structure/210. Statistics cited in this section refer to the academic year 2022–2023 and exclude the city of Sevastopol.

Property rights

61. Under international humanitarian law, private property must be respected by parties to the conflict and cannot be confiscated, except in limited circumstances.⁵⁶ The Committee on Economic, Social and Cultural Rights has stated that land plays an essential role in the realization of a range of rights under the International Covenant on Economic, Social and Cultural Rights.⁵⁷

62. During the reporting period, the occupying authorities in Kherson, Zaporizhzhia, Donetsk and Luhansk regions of Ukraine adopted laws that set out a process for confiscating “unused” residential property.⁵⁸ Under these laws, non-payment of utilities or the lack of a record in the Russian registry of properties are considered indications that a residential property is “unused”. If no one claims the property within 30 days of it being announced as “unused”, a Russian-appointed court will decide whether ownership of the property should be transferred to local councils. Owners can only confirm their ownership of the property in person. For those who have left the occupied territories, returning is both logistically challenging and exposes them to risks of arbitrary detention.

63. The occupying authorities have publicly voiced their desire to use the confiscated properties for accommodating “the incoming specialists” from the Russian Federation, including civil servants and law enforcement officials.⁵⁹

64. The occupying authorities in Crimea continued the practice of confiscating property belonging to States and nationals of States that had committed “unfriendly acts” against the Russian Federation or its entities.⁶⁰ During the reporting period, the “State Council of the Republic of Crimea” expropriated, without compensation, at least 2,600 real estate properties, affecting 192 individuals and legal entities in Crimea.⁶¹ The nationalized property included agricultural enterprises, financial institutions, sports and rehabilitation centres and other facilities.⁶² According to the Russian-appointed head of the “Republic of Crimea”, in 2023, the occupying authorities received 2.1 billion roubles (\$24 million) in total from the sales of nationalized property in Crimea (which is an additional 416 million roubles, or \$4.7 million, compared with the previous reporting period).⁶³ The occupying authorities have indicated an intention to sell the “nationalized” property of at least 110 publicly known individuals associated with the Government of Ukraine and who expressed support for Ukraine.⁶⁴

⁵⁶ Hague Regulations, arts. 46 and 53.

⁵⁷ General comment No. 26 (2022) on land and economic, social and cultural rights, para. 1.

⁵⁸ See, for example, <https://nslr.su/zakonodatelstvo/normativno-pravovaya-baza/21550/>.

⁵⁹ See the statement available at https://vk.com/minimzso?w=wall-217308089_564 (accessed on 24 May 2024).

⁶⁰ A/HRC/53/64, para. 34. The list of States that commit “unfriendly acts” against the Russian Federation is approved by decree of the Government of the Russian Federation No. 430-r of 5 March 2022. In addition to Ukraine, it includes Albania, Andorra, Australia, Canada, Iceland, Japan, Liechtenstein, Micronesia (Federated States of), Monaco, Montenegro, New Zealand, North Macedonia, Norway, the Republic of Korea, San Marino, Singapore, Switzerland, the United Kingdom of Great Britain and Northern Ireland (including Jersey, Anguilla, British Virgin Islands and Gibraltar) and the United States of America, as well as Taiwan Province of China, and members of the European Union.

⁶¹ See resolutions of the “State Council of Crimea”, No. 1885-2/23 of 9 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, No. 2066-2/23 of 26 December 2023. See also <https://tass.ru/ekonomika/19566073>.

⁶² Ibid.

⁶³ See <https://tass.ru/ekonomika/21066569>.

⁶⁴ Ibid.

65. In May 2024, the occupying authorities announced that Russian war veterans in Ukraine had received about 1,040 plots of land⁶⁵ and that an additional 1,500 plots of land would soon be provided to this category of individuals,⁶⁶ pursuant to a law adopted by the “State Council of the Republic of Crimea” in December 2022, which provided for the free transfer of land to Russian servicemen taking part in hostilities, those disabled due to their wounds and family members of those killed in hostilities in Ukraine.⁶⁷

VII. Conclusions and recommendations

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

67. In nine resolutions since 2018, the General Assembly has requested the Secretary-General to report on the human rights situation in Crimea. The most recent resolution also requested the Secretary-General to cover other parts of Ukraine temporarily controlled or occupied by the Russian Federation following its full-scale invasion of Ukraine on 24 February 2022. In the 10 ensuing reports, allegations of numerous violations were verified, and a number of recommendations made.

68. The present report, which is the eleventh report, highlights allegations of continued gross violations of international human rights law and violations of international humanitarian law by the Russian Federation in the temporarily controlled or occupied territories of Ukraine. These violations have occurred in an atmosphere of generalized impunity, abetted by Russian legislation that effectively grants immunity to perpetrators of human rights violations, including gross violations.

69. I continue to offer my good offices to pursue discussions with all relevant stakeholders in relation to access to, and any violations of international humanitarian law and international human rights law documented in, the temporarily controlled or occupied territories of Ukraine, and to convey the concerns raised by the General Assembly in its resolution 78/221 and in other texts. During briefings to the Security Council on the situation in Ukraine, the Secretariat has 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, political independence, unity 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.

70. The continuing lack of mutually acceptable terms to ensure meaningful access by OHCHR and other international and regional human rights monitoring mechanisms to the temporarily controlled or occupied territories 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 to reconsider the position stated in its note verbale of 14 March 2024

⁶⁵ See <https://crimea.ria.ru/20240604/kak-v-krymu-idet-protsess-vydachi-zemli-uchastnikam-svo-1137831767.html>.

⁶⁶ See <https://ru.krymr.com/a/news-tysyach-zemel-nykh-uchastkov-uchastnikam-voyny/32946969.html>.

⁶⁷ See <http://crimea.gov.ru/app/17850>.

(see sect. II, Methodology, above) and both the Russian Federation and Ukraine to make every effort to ensure unfettered access by OHCHR and other international and regional human rights monitoring mechanisms to the temporarily controlled or occupied territories, in order to enable the effective implementation of the relevant General Assembly resolutions. I will continue to seek opportunities and identify practical avenues in this regard.

71. 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, throughout the territories of Ukraine. In particular, the Russian authorities must comply fully with the absolute prohibition of torture or other forms of ill-treatment, and ensure the independent, impartial, prompt and effective investigation of all allegations of torture, ill-treatment, sexual violence, arbitrary arrest and detention, and other gross violations of international human rights law and serious violations of international humanitarian law. 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, and I call upon the occupying authorities to investigate all cases of alleged enforced disappearance effectively and promptly.

72. Individuals should be able to exercise their right to liberty of movement, unless there are reasonably justified security reasons, and should not be subjected to any arbitrary or unlawful interference with their privacy and family. I also call upon the Russian Federation not to carry out forcible transfers of protected persons within the temporarily controlled or occupied territories of Ukraine and deportations of protected persons, including detainees, from temporarily controlled or occupied territories of Ukraine. The Russian Federation should ensure that any protected persons previously transferred within or from the temporarily controlled or occupied territories of Ukraine are allowed to return to their homes.

73. I further urge the Russian Federation to ensure that the rights to freedoms of expression and opinion, association, thought, conscience and religion can be freely exercised by all individuals and groups living in the temporarily controlled or occupied territories of Ukraine, without discrimination on any grounds or unjustified interference. In particular, individuals must be able to peacefully express opinions that may be critical of the Russian authorities, the temporary control or occupation, and the war in Ukraine in a manner consistent with international human rights law, without fear of retaliation, imprisonment or other sanctions.

74. No individual should be criminally charged or detained simply for practising his or her religion or belief, without risk to others, including in the forms of collective worship and proselytizing. Religious groups in the temporarily controlled or occupied territories of Ukraine should enjoy access to their places of worship and should be able to gather freely for prayer and other religious practices. The occupying authorities must also ensure the availability of education in the Ukrainian language and ensure that instruction in and learning of the Crimean Tatar language satisfies the demand for such education options.

75. I urge the Russian Federation to immediately cease any further forcible transfers and deportations of protected persons from the temporarily controlled or occupied territories of Ukraine, to provide full information on Ukrainian children forcibly transferred or deported to the Russian Federation, and to

refrain from making any changes to the personal status, including nationality, of any forcibly transferred or deported children.

76. I urge all parties to uphold the principle of the best interests of the child, facilitate family tracing and reunification of unaccompanied and/or separated children who find themselves across borders or lines of control without their families or 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 with their parents or guardians. I also encourage Ukraine to continue its active cooperation with the United Nations on this important issue.

77. I appeal to the Russian Federation to prevent, investigate and prosecute all alleged cases of violations of international human rights law and international humanitarian law committed by its forces, including allegations of conflict-related sexual violence, hold perpetrators to account and ensure due reparations for victims and survivors according to a gender-sensitive approach. I call upon the Russian Federation to actively cooperate with relevant United Nations entities in that regard. I also encourage Ukraine to continue its active cooperation with the United Nations on this important issue.

78. I urge the Russian Federation to end the conscription of residents of the temporarily controlled or occupied territories of Ukraine into its armed forces. I also urge it to restore the property rights of all former owners deprived of their titles as a result of the “nationalization” and confiscations carried out in Crimea.

79. 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 to ensure respect for international human rights law and international humanitarian law. It remains essential for Member States to renew discussions to facilitate unimpeded access to the temporarily controlled or occupied territories of Ukraine by international and regional human rights monitoring mechanisms.