

# KILLINGS OF CIVILIANS: SUMMARY EXECUTIONS AND ATTACKS ON INDIVIDUAL CIVILIANS IN KYIV, CHERNIHIV, AND SUMY REGIONS IN THE CONTEXT OF THE RUSSIAN FEDERATION'S ARMED ATTACK AGAINST UKRAINE

24 FEBRUARY — 31 OCTOBER 2022

7 December 2022



UNITED NATIONS  
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OFFICE OF THE HIGH COMMISSIONER

Ukraine

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## I. EXECUTIVE SUMMARY

1. This report by the Office of the United Nations High Commissioner for Human Rights (OHCHR) addresses killings of civilians, encompassing both summary executions and attacks on individual civilians, committed in parts of Kyiv, Chernihiv and Sumy regions of Ukraine between 24 February and 6 April 2022, while under military control of the Russian Federation. The report documents certain killings and, in so doing, aims to contribute to victims' right to truth and accountability, as well as to deter future violations of international human rights, humanitarian and criminal law in the context of the continuing international armed conflict in Ukraine. It also advocates for enhanced efforts to bring the perpetrators to justice and to provide victims with remedy and reparations.<sup>1</sup>
2. With the start of the armed attack of the Russian Federation on Ukraine on 24 February 2022, Russian troops entered ten regions of Ukraine, including Kyiv, Chernihiv and Sumy regions to the north and northwest of the capital. In early April, after several weeks of fighting with Ukrainian armed forces, they retreated from those three regions. Soon afterward, the bodies of dead civilians started to be recovered in considerable numbers in various towns and villages of the three regions. A significant number of the bodies bore signs indicating that the victims may have been intentionally killed.
3. As of 31 October 2022, OHCHR – through the United Nations Human Rights Monitoring Mission in Ukraine (HRMMU)<sup>2</sup> – had documented summary executions and attacks on individual civilians in 102 villages and towns of the three regions between 24 February and 6 April 2022. The acts in question were committed by Russian armed forces<sup>3</sup> in control of these areas and led to the deaths of 441 civilians (341 men, 72 women, 20 boys and 8 girls). One hundred of those killings are analysed in this report and its Annex, as illustrative examples of the suffering borne by civilians in these areas.
4. Information available to OHCHR indicates that the total number of summary executions and lethal attacks directed against individual civilians by Russian armed forces in the three regions during the reporting period is likely considerably higher.<sup>4</sup>
5. OHCHR found that the killings of civilians were not confined to specific locations, although some areas were more affected than others. For example, the town of Bucha (Kyiv region), which was under control of Russian troops from 5 to 30 March 2022, suffered from particularly high numbers of killings. By 31 October 2022, OHCHR had documented the killings of 73 civilians (54 men, 16 women, 2 boys, and 1 girl) in Bucha, and was in the process of corroborating an additional 105 alleged killings (85 men, 11 women and 9 adults whose sex is yet unknown).

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<sup>1</sup> Victims may include the immediate family or dependents of the direct victim. See Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law (hereinafter Basic Principles and Guidelines), para. 8.

<sup>2</sup> Deployed from 14 March 2014 at the invitation of the Government of Ukraine, HRMMU is mandated to “monitor the human rights situation in the country, with particular attention to the Autonomous Republic of Crimea, Eastern and Southern regions of Ukraine, and provide regular, accurate and public reports by the High Commissioner on the human rights situation and emerging concerns and risks”. HRMMU is also mandated to “recommend concrete follow-up actions to relevant authorities of Ukraine, the UN and the international community on action to address the human rights concerns, prevent human rights violations and mitigate emerging risks”.

<sup>3</sup> For the purpose of the report, armed forces also include the National Guard of the Russian Federation – Rosgvardiya.

<sup>4</sup> As of 31 October 2022, OHCHR was in the process of corroborating an additional 198 alleged killings of civilians in the three regions that occurred between 24 February and 6 April 2022.

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6. Fifty-seven of the 100 killings presented in the report and its Annex are assessed as summary executions (48 men, 7 women, and 2 boys). Thirty of those took place in places of detention and the other 27 victims were summarily executed on the spot, shortly after coming under the control of the perpetrators. OHCHR found that men and boys were overwhelmingly targeted, comprising 88 per cent of all victims of summary executions. In most cases, Russian soldiers detained civilians on suspicion of participating in hostilities or otherwise contributing to the war effort. The periods of detention prior to the executions varied from a few hours to several weeks. Civilians were detained in houses, basements, garages, industrial or office compounds, or other premises occupied by Russian troops. In most cases, victims of killings in places of detention were found with their hands cuffed or bound by duct-tape, and with injuries suggesting torture or other ill-treatment before being killed. In at least one case, the body of one of the victims showed signs consistent with sexual violence. The circumstances of the summary executions provide strong indications that these killings may amount to the war crime of wilful killing, a grave breach of the Geneva Conventions.
  7. In the other 43 killings presented in the report and its Annex (representing 27 men, 13 women, and 3 boys), civilians were killed while moving within or between settlements on foot or by bicycle, car or van. Most victims were targeted while commuting to work, delivering food to others, visiting neighbours or relatives, or while attempting to flee the hostilities. In some cases, soldiers of the Russian armed forces opened fire on civilian households. In all documented cases, OHCHR found that the perpetrators made no apparent attempt to respect the principle of distinction or the obligation to take all feasible precautions to spare civilians.
  8. By 31 October 2022, the parties to the conflict had made little progress in holding the direct perpetrators and their commanders to account. While the Government of Ukraine has allocated significant human and technical resources for this purpose, and is benefiting from international expert support, ensuring prompt and thorough investigations remains a challenge given the sheer volume of allegations, the difficulties in apprehending suspects and the practical complexities of investigating serious crimes in theatres of conflict. OHCHR found no indication that the Russian Federation has started or is intending to start investigations and prosecutions of the members of its armed forces or associated personnel alleged to be involved in the killings. International criminal investigation mechanisms have yet to yield results. As men comprised the majority of victims, surviving family members – many of them women – are left behind to cope, often on their own, with limited family income, increased caregiver burdens, and intense mental trauma and distress. OHCHR recommends that the Government of Ukraine consider national programmes for reparation and other practical assistance for victims of such crimes, without awaiting the outcomes of formal legal proceedings.<sup>5</sup>

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<sup>5</sup> “States should endeavour to establish national programmes for reparation and other assistance to victims in the event that the parties liable for the harm suffered are unable or unwilling to meet their obligations”. Basic Principles and Guidelines, para. 16.

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## II. METHODOLOGY

9. Due to the extensive hostilities in Kyiv, Chernihiv and Sumy regions in late February and March 2022, OHCHR initially conducted remote monitoring of these regions. Following the retreat of Russian armed forces from the three regions in early April 2022, OHCHR was able to access the areas and conducted site visits and in-person interviews.
10. This report is based on information gathered during OHCHR field visits to those areas, including through interviews with victims and witnesses, as well as other relevant material. The information obtained through interviews was further cross-checked and corroborated by other sources, including official records, open-source documents, audio and photo materials, forensic reports, criminal investigation materials, court documents, and other relevant sources assessed as credible and reliable in line with established methodology.
11. Findings are included in the report where they meet the “reasonable grounds to believe” standard, namely where, based on a body of verified information, an ordinarily prudent observer would have reasonable grounds to believe that the killing took place as described, and where legal conclusions are drawn, that these facts meet all the elements of a violation.
12. Information in this report gathered from OHCHR interviews is used with the full and informed consent of all sources. Furthermore, OHCHR strictly adhered to the “do no harm” principle in its work, including with regard to interviews with individuals who may suffer from trauma, and directed them towards psycho-social support services, when available and with their consent.
13. While OHCHR’s monitoring covered the full range violations by all parties to the conflict, the scope of this report was ultimately shaped by the prevalence of allegations of killings of civilians in these three regions and OHCHR’s enhanced ability to verify and document them given its operational access to these areas. In accordance with regular practice, OHCHR shared the draft report with the concerned States for factual comments.

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### III. LEGAL FRAMEWORK

14. OHCHR analysed factual events covered by this report considering applicable norms and standards of international human rights law, international humanitarian law, and international criminal law. All three bodies of law apply concurrently in a situation of armed conflict.
15. International human rights law guarantees the right to life to every human being, and prohibits the arbitrary deprivation of life.<sup>6</sup> States have an obligation to respect and ensure the right to life of all persons who are within their territory and subject to their jurisdiction, that is, all persons over whose enjoyment of the right to life it exercises power or effective control.<sup>7</sup> States have a duty to investigate and to hold accountable those responsible for violations of the right to life.<sup>8</sup>
16. International humanitarian law distinguishes between members of armed forces and civilians, and affords specific protections to civilians against the dangers arising out of military operations.<sup>9</sup> Civilians cannot be made the object of attack unless and for such time as they take direct part in hostilities.<sup>10</sup> In the conduct of military operations, all feasible precautions must be taken to avoid, and in any event to minimize, loss of civilian life and injury to civilians.<sup>11</sup> International humanitarian law also prohibits murder. Additional Protocol I includes the prohibition of murder among fundamental guarantees,<sup>12</sup> and this is also an established norm of customary international law.<sup>13</sup>
17. Wilful killing – a killing of one or more protected persons – is a grave breach of the Geneva Conventions<sup>14</sup> and a war crime under the Rome Statute of the International Criminal Court (ICC).<sup>15</sup> The killing itself could be committed by act or omission, intentionally or recklessly.<sup>16</sup> The killing must take place in the context of an armed conflict. The perpetrator must be aware of the existence of an armed conflict and the protected status of the victim.<sup>17</sup>
18. Both Ukraine and the Russian Federation are bound by their obligations under international human rights law. In particular, both are parties to the International Covenant on Civil and Political Rights. A state's human rights obligations also apply extraterritorially to those within the power or effective control of its forces acting outside its territory.<sup>18</sup> As parties to an international armed conflict, they are also bound by treaty and customary international humanitarian law. Both are parties to all four

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<sup>6</sup> Universal Declaration of Human Rights, art. 3; International Covenant on Civil and Political Rights (ICCPR), art. 6(1); Human Rights Committee, General Comment No. 36 (2018). See also the Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR), art. 2 which prohibits intentional deprivation of life save for a narrow set of circumstances. On 16 September 2022, the Russian Federation ceased to be a party to the ECHR.

<sup>7</sup> Human Rights Committee, General Comment No. 36 (2018), para. 63.

<sup>8</sup> ICCPR, art. 2(3); Human Rights Committee, General Comment No. 31 (2004); Basic Principles and Guidelines, para. 4.

<sup>9</sup> Additional Protocol I, art. 51(1); International Committee of the Red Cross (ICRC), Customary International Humanitarian Law, Vol. 1, Rule 1.

<sup>10</sup> Additional Protocol I, art. 51(2)-(3); ICRC, Customary International Humanitarian Law, Vol. 1, Rule 6.

<sup>11</sup> Additional Protocol I, art. 57(1)-(2); ICRC, Customary International Humanitarian Law, Vol. 1, Rule 15.

<sup>12</sup> Additional Protocol I, art. 75(2)(a)(i).

<sup>13</sup> ICRC, Customary International Humanitarian Law, Vol. 1, Rule 89.

<sup>14</sup> Geneva Convention I (hereinafter abbreviated as GC), art. 50; GC II, art. 51; GC III, art. 130; GC IV, art. 147.

<sup>15</sup> Rome Statute, art. 8(2)(a)(i).

<sup>16</sup> The International Criminal Tribunal for the former Yugoslavia, *Orić* Trial Judgment, 2006, paras. 345-46. *Kvočka* Appeal Judgement, para. 261; *Čelebići* Appeal Judgement, paras. 422-423; *Brđanin* Trial Judgement, para. 381; Elements of Crimes of the Rome Statute, art. 8(2)(a)(i).

<sup>17</sup> Elements of Crimes of the Rome Statute, art. 8(2)(a)(i).

<sup>18</sup> Human Rights Committee, General Comment No. 31 (2004), para. 10.

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Geneva Conventions and Additional Protocol I. All parties to the Geneva Conventions have the responsibility to respect and ensure respect for the rules of international humanitarian law.<sup>19</sup> Furthermore, the Rome Statute of the International Criminal Court applies to the situation in Ukraine.<sup>20</sup>

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<sup>19</sup> GC IV, art. 1; Additional Protocol I, art. 1(1).

<sup>20</sup> See below, para. 84.

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## IV. CONTEXT

19. On 24 February 2022, the Russian Federation launched a large-scale armed attack against Ukraine. Russian forces launched strikes across the entire country and entered the territory of Ukraine in ten regions: Kyiv, Chernihiv, Donetsk, Kharkiv, Kherson, Luhansk, Mykolaiv, Sumy, Zaporizhzhia and Zhytomyr. The attack was supported by Russian-affiliated armed groups.<sup>21</sup> The incursion marked a destructive new chapter in the armed conflict and resulted in a sharp increase in civilian casualties and destruction of civilian objects – far exceeding those suffered in the conflict areas of eastern Ukraine from 2014 to 2021.
20. The Russian ground offensive towards the capital Kyiv on the northern front started with multiple incursions from territory of the Russian Federation, and of the Republic of Belarus. The attack was primarily led by units of the Eastern Military District of the Russian Armed Forces, including elements of the 29<sup>th</sup>, 35<sup>th</sup>, and 36<sup>th</sup> Combined Arms Armies and the National Guard. On 24 February 2022, Russian military helicopters crossed the Belarus-Ukraine border in an attempt to seize the Antonov airport northwest of the capital. This was followed by a ground incursion of troops through the Kyiv region along the west bank of the Dnipro River. Russian troops quickly seized territory and settlements along the way, approaching the north-western outskirts of the capital in early March 2022.
21. East of the Dnipro River, on 24 February 2022, Russian and associated ground forces opened the north-eastern front led by elements of the Central Military District, including the 41<sup>st</sup> and 2<sup>nd</sup> Combined Arms Armies and the National Guard. These forces entered northern and north-western parts of the Chernihiv region and moved to surround the regional capital. On the same day, in Sumy region, Russian armed forces advanced towards the regional capital in one push, while seizing the strategic M02 highway in another. By early March 2022, Russian forces had crossed from Chernihiv city into Kyiv region and approached the eastern outskirts of Kyiv city.
22. After approximately one month, the multiple-pronged offensive towards Kyiv city had stalled. Ukrainian armed forces also managed to keep control over Chernihiv and Sumy cities. Suffering increasingly large casualties inflicted by Ukrainian armed forces, Russian troops started retreating from the three regions. By early April 2022, Russian armed forces had entirely withdrawn from Kyiv, Chernihiv and Sumy regions.
23. From 24 February to 6 April 2022, the Russian Federation effectively controlled large parts of the three regions.

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<sup>21</sup> Armed groups of the self-proclaimed 'Donetsk people's republic' and the self-proclaimed 'Luhansk people's republic'.

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## V. SCALE AND CIRCUMSTANCES OF KILLINGS

24. Soon after the retreat of Russian troops from various towns and villages of the three regions, local residents, authorities and law enforcement began to recover bodies of dead civilians in considerable numbers. Bodies were found in the streets; in fields, parks and forested areas; in homes; in debris of destroyed houses; in destroyed or burned vehicles on the roads and highways; in basements and pits; and in numerous improvised graves, individual or collective.
25. In Kyiv region alone, National Police claimed to have recovered 1,084 bodies of civilians by 22 April.<sup>22</sup> By 20 October 2022, this number had increased to 1,365.<sup>23</sup> In at least 650 cases the deaths were caused by gunshot wounds.<sup>24</sup>
26. Available forensic and circumstantial information allowed OHCHR to determine that hundreds of civilians whose bodies were recovered in the three regions were killed in the course of hostilities (mostly those with injuries caused by explosives or recovered from debris)<sup>25</sup>, or died non-violent deaths as indirect casualties<sup>26</sup> or from natural causes. At the same time, a considerable number of civilian bodies bore signs, notably bruises and cuts, bullet wounds, bound hands and burns, indicating that the victims may have been deliberately killed.
27. As of 31 October 2022, OHCHR had documented 441 killings of civilians (341 men, 72 women, 20 boys and 8 girls) that occurred between 24 February and 6 April 2022 in 102 towns and villages of Kyiv, Chernihiv, and Sumy regions. All were attributable to Russian forces. An additional 198 alleged killings in the three regions continued to be corroborated. The report presents in detail 10 selected cases of killings of 21 civilians documented by OHCHR, and provides summaries of 79 other documented killings in the Annex. In no case did OHCHR find information indicating that, at the time of the killing, the victims could have been lawfully targeted under the applicable rules of international humanitarian law.
28. The 100 killings presented in the report can be broadly characterised in two general categories. The first consists of civilians who were summarily executed, either in places of detention or immediately on the spot. The second consists of civilians who were killed when they were attacked, usually while they were moving on foot, by bicycle or in vehicles.

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<sup>22</sup> Main Department of the National Police in Kyiv region, "Politseiski Kyivshchyny vstanovyly osobu liudyny, zahybloi pid chas okupatsii", 20 October 2022, available at [https://www.facebook.com/pol.kyivregion/posts/pfbid0m47dtrc59SKp5mZk3YwrLKvHzGhLoCfUuXaMXBbLo4nqRNeEQqT4zzyTBLzAQQ6Ql?\\_rdr](https://www.facebook.com/pol.kyivregion/posts/pfbid0m47dtrc59SKp5mZk3YwrLKvHzGhLoCfUuXaMXBbLo4nqRNeEQqT4zzyTBLzAQQ6Ql?_rdr)

<sup>23</sup> In addition, as of 1 September 2022, 207 civilian residents of Kyiv region were considered missing. See Main Department of the National Police in Kyiv region, "Zviazaly ruky, zakryly ochi: politsiia Kyivshchyny vyavyla tilo vbytoho okupantamy myrnoho zhytelia", 1 September 2022, available at [https://www.facebook.com/watch/?v=852834479035487&\\_rdr.2&\\_rdr](https://www.facebook.com/watch/?v=852834479035487&_rdr.2&_rdr)

<sup>24</sup> Main Department of the National Police in Kyiv region, "Andrii Niebytov: Irpin i Bucha staly tsentramy ahresii armii rosiiskoi federatsii. Ponad 3 tysiachi voiennykh zlochyniv okupanta vzhe zadokumentuvala politsiia Kyivshchyny", 10 June 2022, available at <https://www.facebook.com/pol.kyivregion/posts/pfbid0XyMmGuwZKU7UH9QJpYSqXS1y4wJmizmRp7v9BEHcbgrg3yXnLSHWiwXnM9HxPaez/>

<sup>25</sup> Artillery shelling, missile and air strikes, and by crossfire from small arms and light weapons.

<sup>26</sup> Indirect casualties are taken as deaths resulting from a loss of access to essential goods and services that are caused or aggravated by the situation of war or armed conflict.

	Adults			Children			Total
	Men	Women	Total	Boys	Girls	Total	
<b>Summary executions – in places of detention</b>	27	3	30	0	0	0	<b>30</b>
<b>Summary executions – on the spot</b>	21	4	25	2	0	2	<b>27</b>
<b>Attacks on individual civilians</b>	27	13	40	3	0	3	<b>43</b>
<b>Total</b>	<b>75</b>	<b>20</b>	<b>95</b>	<b>5</b>	<b>0</b>	<b>5</b>	<b>100</b>

29. Adult men comprised 75 per cent of the victims. For summary executions, the percentage of male victims, both adults and boys, rises to 88 per cent. It appears that Russian armed forces generally perceived men a more serious threat than women, and often targeted civilian men and boys with lethal force, despite their status as protected persons.

	Region			Total
	Kyiv	Chernihiv	Sumy	
<b>Summary executions – in places of detention</b>	16	10	4	<b>30</b>
<b>Summary executions – on the spot</b>	19	8	0	<b>27</b>
<b>Attacks on individual civilians</b>	31	6	6	<b>43</b>
<b>Total</b>	<b>66</b>	<b>24</b>	<b>10</b>	<b>100</b>

30. As the above figures show, killings of civilians in parts of Kyiv, Chernihiv and Sumy regions under the military control of the Russian armed forces were not incidental but reflected wider phenomena not confined to specific locations, although the cases documented by OHCHR show that some areas were more affected than others. Within the context of this report, the majority of killings, according to presently available evidence, occurred in the town of Bucha and the Buchanskyi district.

## Killings of civilians in Bucha

Bucha is a town with an estimated pre-war population of 40,000, located five kilometers to the north-west of Kyiv. Since the first days of the large-scale Russian armed attack against Ukraine, Bucha witnessed hostilities involving the use of heavy weapons and episodes of street fighting, which peaked on 3 and 4 March 2022. Russian forces took full control of the town by 5 March and remained there until 30 March.<sup>27</sup> By then, an estimated 5,000 residents remained in the town.<sup>28</sup>

Entering the town on 2 April, Ukrainian security forces and Ukrainian and foreign journalists saw dozens of dead bodies, first on the streets and then in many other locations: in yards, apartments, basements, vehicles, forested areas and improvised individual and collective graves. Many bodies bore signs of summary executions, such as bruises, cuts, bullet wounds, bound hands and burns. Two collective graves containing over 100 bodies were uncovered near the town church, and dozens of improvised graves were exhumed across the town. By 7 April, more than 300 civilian bodies had been recovered; by 13 September their number had reached 422.<sup>29</sup>

OHCHR first visited Bucha on 9 April, and then undertook 11 additional visits until October 2022. While working on cases in Bucha, OHCHR took every effort to prevent re-traumatization of relatives, survivors, and witnesses, and took due account of documentation and investigative activities by other actors, including law enforcement, human rights NGOs, and media personnel.

By 31 October 2022, OHCHR had documented the killings of 73 civilians (54 men, 16 women, 2 boys and 1 girl) in Bucha between 4 and 30 March 2022. Out of those cases, 24 killings are presented in detail in this report.<sup>30</sup> As of 31 October 2022, OHCHR was in the process of corroborating 105 additional alleged killings of civilians (85 men, 11 women and 9 adults whose sex is yet unknown) in the town.

The majority of killings in Bucha were clustered around a few streets, such as Novoyablonska, Sklozavodska, Tarasivska, Tsentralna, Vodoprovodna, Vokzalna, and especially Yablunska. These streets were near the adjacent town of Irpin, over which Russian troops were seeking to gain control in March, and which had a particularly high presence of Russian armed forces. Local residents risked being shot at for merely

<sup>27</sup> Publicly available information has identified the following units as having operated in Bucha area: 64<sup>th</sup> Separate Guards Motor Rifle Brigade; 104<sup>th</sup>, 234<sup>th</sup>, and 237<sup>th</sup> Air Assault Regiments of 76<sup>th</sup> Guards Air Assault Division; 137<sup>th</sup> Guards Airborne Regiment of the 106<sup>th</sup> Guards Tula Airborne Division; 331<sup>st</sup> Guards Airborne Regiment of the 98<sup>th</sup> Guards Airborne Division; 14<sup>th</sup> and 45<sup>th</sup> Guards Spetsnaz (Special Purpose) Airborne Brigade; 155<sup>th</sup> Separate Naval Infantry Brigade; 604<sup>th</sup> Red Banner Special Purpose Centre "Vityaz" and other units of the National Guard; and Special Purpose Mobile Unit (OMON) "Akhmat-Grozny".

<sup>28</sup> Focus, "U Buchi lyshylosia 5000 osib. Yak zhyve okupovane misto", 30 March 2022, available at <https://focus.ua/voennye-novosti/510819-kak-zhivet-okkupirovannaja-bucha>

<sup>29</sup> Main Department of the National Police in Kyiv region, "422 tila vbytykh okupantamy myrnykh zhyteliv vyivayly v misti pislia deokupatsii. Mistsia masovykh strat politseiski Kyivshchyny znakhodyly v pidvalakh, na vulytsiakh, v harazhakh", 13 September 2022, available at <https://www.facebook.com/watch/?v=766527297938115>

<sup>30</sup> See paras. 33-36, and 45-52 of the report, and paras. 95, 103 and 120 of the Annex.

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appearing on the street. At least 14 civilians (10 men, 3 women and 1 girl) were shot dead and left where they fell over a 150-meter stretch of Yablunska Street.

Individuals driving vehicles inside the town or nearby, and those trying to leave Bucha, were regularly shot at and killed for no apparent reason. Residents were urged (by threats of weapons and verbal intimidation) to remain in basements and in their homes. Basements and households were regularly raided, and 'suspicious' individuals, especially men, were questioned about alleged affiliations (current or previous) with Ukrainian armed forces and law enforcement bodies, and about alleged "spying", notably as to transmitting information about positions of Russian troops. Some civilians were killed on the spot, while others were detained and executed later. As one Russian soldier who had been to Bucha reportedly said: "if locals came to our positions, they were apprehended, interrogated and killed almost immediately".<sup>31</sup> Local residents reported that some killings seemed completely arbitrary.

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<sup>31</sup> BBC, "'Ya tudy bil'she ne pidu'. Yak rosiiski kontraktnyky zнову otrymuiut povistky na viinu", 28 September 2022, available at <https://www.bbc.com/russian/features-63049481>

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## VI. SUMMARY EXECUTIONS

### A. Summary executions in places of detention

31. During the reporting period, as the Russian armed forces sought to establish control over the three regions, they endeavoured to quash any security threat, whether real or perceived. This involved efforts to identify and neutralize anyone perceived to be a combatant or otherwise assisting Ukrainian armed forces. While international humanitarian law allows parties to take measures of control and security regarding civilians<sup>32</sup> – such as assigned residence or internment<sup>33</sup> – due process guarantees still apply, including the obligation to inform such persons of the reasons for the measures taken.<sup>34</sup> The prohibition of murder and torture of detainees is absolute.<sup>35</sup> OHCHR is concerned that the Russian armed forces took control of parts of the territory of Ukraine without an adequate framework, procedures and resources to appropriately address any potential security risks that some local individuals may have represented. Such risks could have been addressed through specific measures permitted under international humanitarian law. The lack of framework, procedures and resources increased the risk of violations being committed against protected persons, including summary executions by Russian troops.
32. While OHCHR could not establish the exact reasons for detention in all 30 cases presented in the report and its Annex, in most cases, Russian forces detained civilians on suspicion of being combatants or otherwise participating in hostilities. Adult men were prime suspects, although not exclusively. Personal belongings such as camouflage clothing, suspicious phone content, a previous military service record, or perceived participation in the preparation of war efforts, such as making Molotov cocktails, had grave and fatal consequences. In the cases documented by OHCHR, the periods of detention ranged from a few hours to several weeks and ended with summary execution. Civilians were detained in houses, basements, garages, a post office, agricultural compounds, or other premises occupied by Russian troops. Bodies were found in makeshift detention facilities, and in most cases, with cuffed or duct-taped hands and injuries such as gunshot wounds in extremities or groin area, stab wounds, and mutilated limbs, suggesting the victims were tortured before being killed. In at least one documented case, the body of the victim bore injuries that suggested sexual violence. In some cases, witnesses observed Russian armed forces apprehending the victim before the eventual summary execution. In others, Russian troops admitted to having detained the victim. Some victims were detained and executed in their hometown, while the bodies of others were found in neighbouring settlements.

#### Kyiv region

##### *Killing on Naberezhna Street in Bucha*

33. On 7 March 2022 around noon, four Russian soldiers entered the house that a 27-year-old man shared with his mother on Ivana Franka Street.<sup>36</sup> The soldiers started ransacking the house and found a camouflage uniform, which raised their suspicion. The man's mother explained that the uniform belonged to her deceased husband, a veteran of the Ukrainian armed forces. The soldiers

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<sup>32</sup> GC IV, art. 27.

<sup>33</sup> Ibid., art. 78.

<sup>34</sup> Additional Protocol I, art. 75(3).

<sup>35</sup> Ibid., art. 75(2)(a)(i)-(ii).

<sup>36</sup> HRMMU interviews, 18 July 2022.

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demanded to see the family's mobile phones and found messages on the man's phone about the movement of Russian forces. They decided to detain him.

34. The man was then brought by a larger group of soldiers to a neighbour's house on nearby Naberezhna Street. The soldiers asked the residents of the house whether they knew the man. After receiving an affirmative reply, the soldiers started shouting and accusing the man of being a "banderovets".<sup>37</sup> Residents of the house, interviewed by OHCHR, claimed that the soldiers were from Chelyabinsk, but also included some ethnic Buryats. There was at least one officer. The officer threatened to execute the man on site, as a lesson to residents. The soldiers did not carry out the threat but took the man to a neighbouring house on the same street, where he remained until his death.
35. On the morning of 8 March 2022, the man's mother approached the house where he was detained. She saw her son in the yard, but the soldiers did not allow him to leave. His hand was injured. She told OHCHR that her son looked terrified. The soldiers that were present assured her that they would bring her son to "an investigator", and if everything went well, he would be released "in two weeks". That was the last time she saw her son alive. She came back to the house in the subsequent days, but the soldiers stationed there threatened to shoot her and told her to go away.
36. On 30 March 2022, Russian troops left the area. The next day, the man's body was found in the basement of the house where he was last seen detained. He was found lying on a mattress with a gunshot wound and a severely injured hand.

## Chernihiv region

### *Killing in Levkovychi village*

37. In Levkovychi village, OHCHR documented the killing of a 38-year-old man who worked in a local agro-industrial factory.<sup>38</sup> As Russian forces entered Chernihiv region on 24 February 2022, the management of the factory decided to form a security unit that would stay on the factory grounds to prevent looting. They assigned the man to that security unit.
38. On 4 March 2022, the man and his co-worker were on the security shift. Due to artillery firing nearby, the two hid in a workshop building. Soon thereafter, a group of four to five soldiers arrived at the facility. Their faces were uncovered, and a witness interviewed by OHCHR described them as Slavic in appearance. They wore green camouflage and were armed with AK assault rifles. The soldiers entered the workshop building, found the two men, and ordered them to undress and to hand over their phones. The soldiers did not find anything of interest on the phone of the co-worker. After searching the victim's phone, however, they accused him of directing artillery fire against Russian forces in the area, stating, "It is because of you that so many of our guys died". The soldiers then told the co-worker to leave. That was the last time he saw his colleague alive.
39. After Russian soldiers left the area, the man's body was found on 7 April 2022 near trenches, in a wooded area on the outskirts of Levkovychi. The autopsy report received by the family concluded that the cause of death was a penetrating injury to the skull caused by a gunshot. The condition of the body indicated that the victim had been executed approximately one week earlier, suggesting that he spent approximately three to four weeks in detention before being killed.

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<sup>37</sup> A term used loosely to describe Ukrainian nationalists.

<sup>38</sup> HRMMU interviews, 2 August 2022.

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## Sumy region

### *Killing in Trostianets town*

40. One victim was a 40-year-old man residing in Boromlia, a neighbouring town north of Trostianets.<sup>39</sup> Once the hostilities started in Sumy region, the man used his car to deliver milk and medicine from Sumy city to residents of Boromlia and Trostianets. The man may have used the trips to monitor the movement of Russian troops and share the information with the Ukrainian armed forces.
41. On the morning of 10 March 2022, he was on his way out of Trostianets where he had visited his sister. Russian forces stopped the man at a checkpoint located on the H12 road, next to the “Malibu” restaurant. At the time, civilians used the road to evacuate from Trostianets. Four Russian soldiers pulled the man out of his car, forced him to the ground and started kicking him. After searching his phone, they cuffed his hands and used duct-tape to tape his eyes shut. They then picked him up from the ground and led him behind a nearby building. That was the last time the man was seen alive.
42. After receiving information that the man was detained, his relatives called his mobile phone. The person who picked up the call introduced himself as a member of the Russian armed forces and stated, “If you want to see him alive, tell him to tell everything”. The relatives were not given a chance to talk to the victim.
43. After the retreat of Russian troops from Trostianets, an employee of the town council found the victim’s body in a garage on Blahovishchenska Street, lying in a car repair pit. He described the victim’s face as “unrecognizable”. The victim’s hands were tied with duct tape and his badly mutilated body had gunshot wounds to the head. The Sumy regional bureau of forensics identified the cause of death as multiple skull fractures resulting from gunshots.

## B. Summary executions on the spot

44. Aside from summary executions in places of detention, in 27 cases presented in this report and Annex, the perpetrators summarily executed victims on the spot, shortly after detaining them. Most of these executions took place during the so-called ‘zachistka’, door-to-door security raids carried out by soldiers. In these cases, the victims were summarily executed in their own houses, in front of residential buildings, and in the adjacent yards. Other summary executions took place after the perpetrator established physical control over the victim, even when the latter was clearly incapacitated or manifested an intent to surrender, for example, by complying with instructions, halting any movement, freezing or raising their hands.

## Kyiv region

### *Killing on Tarasivska Street in Bucha*

45. In one documented case, three civilians – a young woman and an older couple – were killed in the yard of a private house on Tarasivska Street in Bucha.<sup>40</sup> The older couple – a 64-year-old woman and 65-year-old man – were the owners of the house.

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<sup>39</sup> HRMMU interviews, 8 June, 31 August, and 2 September 2022.

<sup>40</sup> HRMMU interviews, 13 and 25 July 2022.

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46. On 16 March 2022, a young Russian soldier brought the third victim, a 23-year-old woman, into the yard of the house. She appeared to be injured and bleeding from the groin area.<sup>41</sup> He installed her on a sofa outside the house and attempted to stop her bleeding. The female owner of the house emerged and helped to treat the victim with a makeshift tourniquet. The soldier then left the yard and went out to the street.
  47. Soon thereafter, an officer in a uniform of a sandy colour approached the house from another direction. He entered the yard and immediately opened fire on the two women. Both were killed instantly. Hearing the shots, the male owner of the house rushed outside, and was also shot dead. The officer then left the yard and started shouting at the group of Russian soldiers standing in the street.
  48. The daughter of the victims indicated to OHCHR that the bodies of her parents and the young woman were buried in a makeshift grave. She stated that they were later exhumed on 15 or 16 April 2022, and the forensics report concluded that her parents were killed by gunshots.

#### *Killing on Sklozavodska Street in Bucha*

49. OHCHR documented a case where two men were killed in front of a residential apartment building on Sklozavodska Street in Bucha.<sup>42</sup> One of the victims, a 55-year-old man, had decided to stay with his wife in their apartment on Sklozavodska Street to take care of her bed-ridden mother. After Russian troops moved to Sklozavodska Street on 3 March 2022, they briefly detained and interrogated him.
50. As the humanitarian situation in Bucha deteriorated, he and his friend, a 57-year-old man, decided to assist the local civilian population with water and food deliveries. They initially made deliveries on foot, and then switched to using a white van, which could allow transportation of a much larger water tank.
51. On 28 March 2022, at approximately 8:30, the two men were cutting firewood, cooking, and preparing water deliveries in the yard of the apartment building on Sklozavodska Street. A group of Russian soldiers then entered the yard. One of the victims stayed next to the fire, while the other ran to the van. The soldiers shot the first man at close range, then opened fire on the van. Upon hearing the shots, the wife of the second victim waited for approximately five minutes, then exited the apartment building. She saw her husband's friend lying dead on the ground, with a gunshot wound to the head. She found her husband dead inside the nearby parked van, with a gunshot wound to the chest.
52. The wife buried both victims in the yard the same day. The bodies were exhumed sometime in April 2022.

### **Chernihiv region**

#### *Killing of youths in Mokhnatyn village*

53. OHCHR documented the death of three youths – an 18-year-old man and 17-year-old twin boys – in Mokhnatyn village.<sup>43</sup> OHCHR interviewed a resident of Mokhnatyn who witnessed the killing.

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<sup>41</sup> Although it remains unclear, the nature of the injuries suggest that the victim may have been a victim of sexual violence as well.

<sup>42</sup> HRMMU interviews, 11 and 12 August 2022.

<sup>43</sup> HRMMU interview, 2 August 2022.

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54. As hostilities spread across Chernihiv region, Mokhnatyn became a transit village for the Russian armoured columns moving in and out of battles around Chernihiv city. At the time, the locals were wary of venturing outside, using the roads, or even looking at the Russian troops passing by. Russian armoured vehicles had previously fired upon residential houses when they saw someone looking over the fence.
  55. On the morning of 14 March 2022, a Russian column proceeded southwards towards the fighting. The witness interviewed by OHCHR observed the movement of the column and predicted it would come back through Mokhnatyn the same day, if repelled by Ukrainian forces around Chernihiv city.
  56. The armoured column did return the same day, passing through Mokhnatyn. As the column entered the village, the three youths were walking on the road in the opposite direction. They stopped on the side of the road as they saw the column approaching. The first vehicle of the column stopped, aimed its cannon at the 18-year-old, and opened fire. The victim was killed instantly, with the force of the impact tearing parts of his body away. The two boys froze on the side of the road and raised their hands in surrender. Russian soldiers emerged from other armoured vehicles in the column and shot both boys with small arms.
  57. As soon as the column had passed, the residents rushed to the victims and tried to administer first aid. The first victim was dead; the cannon rounds had severed his head and arm. The grass around the impact site was on fire. Regarding the other two boys, one soon passed away at the site. The second boy could communicate and asked, "Does it look bad?" referring to his injuries. His mother arrived and attempted to bring her son to a hospital, but he died en route.

#### *Killing of four men in Levkovychi village*

58. Four men were killed in a single case documented in Levkovychi village.<sup>44</sup> OHCHR interviewed three residents who described how some men had started preparing to defend the village after hostilities broke out. Although they did not have guns, they prepared Molotov cocktails and hid them in buildings next to the crossroads and bridges. A group of men would usually meet late in the evenings, next to a cross monument in the village centre, to talk and discuss the security situation.
59. Two witnesses informed OHCHR that on 28 February 2022, after 17:00, a Russian military convoy entered the village centre near the monument where the men would usually meet. At approximately 18:00, the witnesses heard small arms gunfire coming from the direction of the monument. One of the witnesses claimed to have heard more gunfire later, at approximately 20:00. As it was dark, no one dared to go outside to check what had happened.
60. The wife of one of the victims told OHCHR that her husband had left home at approximately 17:00 that day. He called her shortly thereafter, informing her that all was well. He did not return home that evening.
61. On the morning of 29 February 2022, the villagers found the dead bodies of four local men next to the monument. The victims were aged 33, 34, 46 and 51. Two witnesses said that the victims had both gunshot wounds and stab wounds, and that their hands were injured and dirty. The wounds suggest that the victims were tortured and then executed on the spot. The wife of one of the victims said that her husband's body was topless; his jacket had been folded and placed under his head, as if he were sleeping.

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<sup>44</sup> HRMMU interviews, 2 August 2022.

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62. The wife of one of the victims stated that a few days after the killing, Russian soldiers arrived at her house and asked where the Molotov cocktails were stored. She denied any knowledge of their preparation and storage.

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## VII. ATTACKS ON INDIVIDUAL CIVILIANS

63. Forty-three killings through attacks on individual civilians are presented in the report and its Annex. Most victims were targeted while moving on foot or while using bicycles, cars or vans. They were gunned down while commuting to work, delivering food to others, visiting neighbours or relatives, or attempting to flee the hostilities. Some of the vehicles struck were marked with white flags or had signs on windshields indicating that there were children on board. In other cases, soldiers opened fire on households, piercing the walls with high calibre rounds or tank shells. In all documented cases, there did not appear to be any attempt to respect the principle of distinction or the obligation to take all feasible precautions to spare civilians.

### Kyiv region

#### *Killing of evacuees from Makariv town*

64. In one case, three members of the same family – one man, one woman and one child – were killed while evacuating in a civilian convoy from Makariv town.<sup>45</sup> OHCHR interviewed a relative of the victims and another person who were both part of the same civilian convoy.
65. On 27 February 2022, Russian troops entered the neighbourhood of Makariv and immediately placed military vehicles inside the yards of civilian houses. They parked an armoured personnel carrier in the yard of the family's house and installed a Buk surface-to-air missile system close to it. Despite an escalation of the hostilities in early March 2022, the family hesitated to evacuate because many roads were closed.
66. On 12 March 2022, Russian soldiers came to the family house and claimed that someone from the neighbourhood was sending the coordinates of Russian positions to the Ukrainian armed forces. They ordered the entire family to leave or be shot. The road accessing the main Kyiv-Zhytomyr highway was closed off, so the soldiers told the family to proceed northwards to Korolivka, through the village of Lypivka.
67. The same day, six cars from the neighbourhood gathered for evacuation. The victims' relative tied a white cloth to the family car to function as a white flag and put a sign "CHILDREN" on the windows of the vehicle. Four members of her family sat in the car: her 60-year-old husband, 35-year-old daughter-in-law, and two grandsons aged 11 and 6. The civilian convoy then proceeded to Lypivka where Russian soldiers waved the convoy through and told the drivers to follow other cars, due to the danger of mines.
68. As the cars were proceeding towards Korolivka, the victims' relative saw a Russian armoured vehicle in a field to her right. The armoured vehicle opened fire, hitting the convoy, killing her husband, daughter-in-law, and 11-year-old grandson. She and her surviving grandson managed to crawl out of their vehicle and saw other civilians trying to crawl to the nearest shelters in the field. As she had injuries to her head and her grandson had injuries to his legs and stomach, they could not go far and lay on the ground until Ukrainian soldiers arrived and helped them evacuate to a hospital in Brusyliv, Zhytomyr region.

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<sup>45</sup> HRMMU interviews, 1 May 2022.

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## Chernihiv region

### *Killing of cyclists near Pryputni village*

69. OHCHR documented the killing of two civilians near Pryputni village.<sup>46</sup> OHCHR interviewed a local official who stated that after the outbreak of hostilities, Russian armed forces stationed artillery units next to the village. Although the soldiers did not establish positions in Pryputni itself, large Russian military convoys often passed through the village.
70. On 27 March 2022, a Russian armoured column moving from Vyshnivka towards Pryputni opened fire on two cyclists moving in the opposite direction, severely injuring them. One of the victims, a 52-year-old woman from Pryputni, managed to call the village official. She informed him that she and her 55-year-old husband had been attacked by a Russian armoured column, while on their way to a funeral, and were lying injured on the side of the road.
71. The village official and the local ambulance team proceeded to the indicated location. They found the two victims approximately one kilometre away from the village. The man had gunshot wounds to his pelvis area, while the woman had gunshot wounds in her stomach. The ambulance brought the victims to a hospital in Ichnia where they soon died from their injuries.

## Sumy region

### *Killing in Spartak village*

72. OHCHR interviewed a local resident of Spartak village who witnessed a Russian armoured column fire on and kill a 58-year-old man.<sup>47</sup>
73. On 4 March 2022, at around noon, a large column of Russian armoured vehicles stopped in front of Spartak village, approximately 400 meters from the victim's house. The column was proceeding along the road from Chemodanivka towards Khoruzhivka. There was no fighting in the village at that time and witnesses speculated that the column stopped due to technical difficulties.
74. The victim and two other residents of the village were observing the column from a nearby church. After a few minutes, they turned away from the column and started walking towards the victim's house. As they approached the house, the column opened machine gun fire at them. The rounds hit the victim in the back, killing him instantly. OHCHR found no information indicating that the victim was directly participating in hostilities at the time of the killing.

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<sup>46</sup> HRMMU interview, 3 August 2022.

<sup>47</sup> HRMMU interview, 31 August 2022.

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## VIII. ACCOUNTABILITY

75. As parties to the Geneva Conventions and Additional Protocol I, the Russian Federation and Ukraine have obligations to effectively investigate allegations of unlawful killings, including wilful killings of protected persons and attacks directed against individual civilians, and to prosecute any person alleged to have committed, or to have ordered to be committed such acts.<sup>48</sup> The obligation to investigate and to prosecute war crimes is also an established norm of customary international law.<sup>49</sup> The obligation extends to other war crimes that may have preceded wilful killings, such as torture or sexual violence. While perpetrators and their commanders may be held individually criminally responsible for such killings or attacks, a state is responsible for violations of international humanitarian law committed by its armed forces.<sup>50</sup> A State is responsible for all acts committed by persons forming part of its armed forces, and is liable, if the case demands, to pay compensation for violation of its humanitarian law obligations.<sup>51</sup>
76. There are numerous ongoing efforts by Ukrainian authorities and international bodies to establish accountability for the killing of civilians in Ukraine. The Russian authorities have issued denials of any wrongdoing or targeting of civilians, at multiple levels of Government.

### A. National investigations and trials

#### Ukraine

77. The wilful killing of civilians is a war crime under the Criminal Code of Ukraine, which punishes 'premeditated murder' in violation of the 'rules of warfare' with up to life imprisonment.<sup>52</sup> The Criminal Code sanctions both the direct perpetrators and those who ordered the commission of the crime.<sup>53</sup>
78. As of 21 September 2022, the Office of the Prosecutor General of Ukraine had registered more than 35,000 incidents involving violations of 'the rules of warfare' by the Russian Federation.<sup>54</sup> Information available on the state courts' register suggests that there are 101 cases involving the wilful killing of civilians before the courts of Ukraine, including 21 in Kyiv region, 23 in Chernihiv region, and none in Sumy region.<sup>55</sup>
79. As of 21 September 2022, there has been only one successful prosecution and conviction of a soldier for the killing of a civilian. On 23 May 2022, Vadim Shishimarin, a sergeant in the 13<sup>th</sup> Guards Tank Regiment of the Russian Army's 4<sup>th</sup> Guards Tank Division, was convicted of killing an unarmed civilian, Oleksandr Shelipov, in Sumy region.<sup>56</sup> The court sentenced Shishimarin to life

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<sup>48</sup> GC III, art. 130; GC IV, art. 46; Additional Protocol I, art. 85.

<sup>49</sup> ICRC, Customary International Humanitarian Law, Vol. 1, Rule 158.

<sup>50</sup> 1907 Hague Convention (IV), art. 3; Additional Protocol I, art. 91; ICRC, Customary International Humanitarian Law, Vol. 1, Rule 149.

<sup>51</sup> Additional Protocol I, art. 91.

<sup>52</sup> Criminal Code of Ukraine, art. 438(2).

<sup>53</sup> Ibid., art. 438(1).

<sup>54</sup> Office of the Prosecutor General of Ukraine, "Zlochyny vchyneni v period povnomashtabnoho vtorhnennia RF", 11 October 2022, available at <https://warcrimes.gov.ua/en/all-crimes.html>.

<sup>55</sup> Unified State Register of Court Decisions, available at <https://reyestr.court.gov.ua/>.

<sup>56</sup> Solomianskyi District Court of Kyiv, case No. 760/5257/22, judgment, 23 May 2022, available at <https://reyestr.court.gov.ua/Review/104432094> (in Ukrainian).

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imprisonment, but his sentence was reduced on appeal to 15 years in prison.<sup>57</sup> The court found that Shishimarin, while riding in a car with other Russian soldiers, opened fire on a civilian talking on the phone on the side of the road. After examining the circumstances of the case, the court concluded that Shishimarin had not received an order to open fire on the victim. He nevertheless decided to do so with the intent to kill the victim, despite the victim's civilian status. Shishimarin, a professional contract soldier, stated in court that he and the military personnel had not been provided with any guidance or instruction in the laws of armed conflict during his military service. This testimony raised questions regarding the extent to which the Russian Federation had met its obligation to adequately teach and disseminate rules of international humanitarian law to all its armed forces and associated personnel.<sup>58</sup>

80. Ukraine is facing numerous challenges in investigating and prosecuting cases involving the alleged wilful killings of civilians. The sheer number of allegations requires the state to mobilize substantial resources. Currently, there are numerous initiatives to assist Ukraine with accountability, including through coordinating national, regional, and international documentation efforts. One such initiative is the establishment of the Dialogue Group, one function of which is to map the technical needs of the national authorities and provide capacity building and targeted assistance.<sup>59</sup> Absorbing new resources into existing structures, however, will take time.
81. Forensic expertise and training are areas where technical assistance is particularly needed. In some cases documented for this report, official certificates issued to the victims' families contained erroneous information, such as the wrong date or cause of death. The absence of accurate records risks making accountability more difficult to achieve in the future. As new mass burial sites are uncovered in areas formerly controlled by the Russian armed forces, forensic experts are under strain to identify victims' remains and to determine and properly document the causes of death. Investigating torture and sexual violence presents additional challenges if bodies are exhumed in states of advancing decomposition.
82. Interviews conducted by OHCHR illustrate further difficulties in identifying those responsible. Although witnesses generally recall some of perpetrators' features, such as apparent markers of ethnicity or origin (such as "Slavic-looking", "Buryat", "Chechen"), type of weapons, camouflage patterns, vehicle markings ("V", "Z", "O") and occasionally call-signs, such information is rarely sufficient to identify the exact perpetrator or to make a link to the specific unit. The lack of cooperation of the Russian authorities also makes it difficult for Ukraine to question or to arrest any suspects.

## Russian Federation

83. The Criminal Code of the Russian Federation punishes both murder<sup>60</sup> and war crimes.<sup>61</sup> The Code specifies that members of Russian military units shall bear criminal responsibility for their crimes committed in the territories of foreign states.<sup>62</sup> Despite the large volume of information, including on open sources, implicating members of the Russian armed forces in the killings of civilians, OHCHR

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<sup>57</sup> Appeals decision not yet published at the time of writing.

<sup>58</sup> GC I, art. 47; GC II, art. 48; GC III, art. 127; GC IV, art. 144.

<sup>59</sup> Political Declaration of the Ministerial Ukraine Accountability Conference, 14 July 2022, available at <https://www.government.nl/ministries/ministry-of-foreign-affairs/documents/diplomatic-statements/2022/07/14/political-declaration-of-the-ministerial-ukraine-accountability-conference>.

<sup>60</sup> Criminal Code of the Russian Federation, art. 105.

<sup>61</sup> *Ibid.*, art. 356.

<sup>62</sup> *Ibid.*, art 12(2).

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found no information that the Russian authorities have been actively investigating or prosecuting any such cases.

## B. Investigations by international bodies

84. Neither Ukraine nor the Russian Federation are States Parties to the Rome Statute of the ICC.<sup>63</sup> Ukraine, however, has lodged two declarations accepting ICC jurisdiction with respect to alleged crimes committed on Ukrainian territory from 21 November 2013 onwards.<sup>64</sup> Since 1 March 2022, numerous States Parties of the Rome Statute have additionally referred the situation in Ukraine to the Office of the Prosecutor of the ICC.<sup>65</sup> On 2 March 2022, the ICC Prosecutor confirmed that his Office was opening an investigation into the situation in Ukraine.<sup>66</sup>
85. On 4 March 2022, the United Nations Human Rights Council established an Independent International Commission of Inquiry on Ukraine.<sup>67</sup> The Commission has the mandate to investigate all alleged violations and abuses of human rights and violations of international humanitarian law and to identify the responsible individuals and entities. The Commission comprises three human rights experts appointed by the President of the United Nations Human Rights Council, whose work complements, consolidates, and builds upon the work of HRMMU.<sup>68</sup> In its first report, among other violations, the Commission documented attacks on civilians<sup>69</sup> and summary executions<sup>70</sup>. The Commission noted a strong need for justice for family members who have lost loved ones and stated that, moving forward, it would make recommendations concerning forms of accountability that supplement criminal accountability, including measures such as reparation.<sup>71</sup>

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<sup>63</sup> International Criminal Court (ICC), The States Parties to the Rome Statute, available at <https://asp.icc-cpi.int/states-parties>

<sup>64</sup> ICC, Ukraine's declaration of 9 April 2014, available at <https://www.icc-cpi.int/sites/default/files/itemsDocuments/997/declarationRecognitionJurisdiction09-04-2014.pdf>; Ukraine's declaration of 8 September 2015, available at [https://www.icc-cpi.int/sites/default/files/iccdocs/other/Ukraine Art 12-3 declaration 08092015.pdf](https://www.icc-cpi.int/sites/default/files/iccdocs/other/Ukraine%20Art%2012-3%20declaration%2008092015.pdf)

<sup>65</sup> ICC, Referral by the Republic of Lithuania, 1 March 2022, available at <https://www.icc-cpi.int/sites/default/files/2022-04/1041.pdf>; ICC, Referral by 38 States Parties, 2 March 2022, available at <https://www.icc-cpi.int/sites/default/files/2022-04/Article-14-letter.pdf>

<sup>66</sup> ICC, Statement of ICC Prosecutor, Karim A.A. Khan QC, on the Situation in Ukraine: Receipt of Referrals from 39 States Parties and the Opening of an Investigation, 2 March 2022, available at <https://www.icc-cpi.int/news/statement-icc-prosecutor-karim-aa-khan-qc-situation-ukraine-receipt-referrals-39-states>

<sup>67</sup> A/HRC/RES/49/1.

<sup>68</sup> Ibid., para. 11.

<sup>69</sup> A/77/533, paras. 56-59.

<sup>70</sup> Ibid., paras. 65-74.

<sup>71</sup> Ibid., paras. 111 and 115.

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## IX. CONCLUSIONS AND RECOMMENDATIONS

86. While the full scale of killing of civilians in Kyiv, Chernihiv, and Sumy regions is slowly but surely becoming apparent, it may take years for State authorities, assisted by international partners, to identify and document each possible case. Serious challenges remain in locating the remains of victims and establishing the factual circumstances behind each death. This has been compounded by the uncovering of more burial sites after Russian armed forces retreat from other parts of Ukraine. Graves uncovered in Iziium, Kupiansk and other settlements in the east of Kharkiv region since September 2022 are among the latest examples. Only thorough investigative and forensic work can show how many of the deceased may also be victims of summary executions.
87. The cases examined in this report permit several conclusions to be drawn. First, there are strong indications that the summary executions documented in this report may amount to the war crime of wilful killing. Men and boys comprised 88 per cent of the victims of summary executions, indicating that they were disproportionately targeted on the basis of their gender, including due to socially-constructed gender roles. The surviving family members – many of them women – face trauma and distress caused by the untimely and violent death of their loved ones, exacerbated by lacking family incomes (especially in case of the loss of the main breadwinner) and increased caregiver burdens.
88. Second, the failure by the Russian armed forces to consistently respect the rules on the conduct of hostilities and on the treatment of persons who fall within their power raises serious concerns about the extent of instructions and training on international humanitarian law provided to servicepersons prior to and during military deployment. It also points to a lack of an effective command and control as well as of sufficient disciplinary system to address the violations of such rules.
89. Third, the absence of meaningful investigation of allegations of serious violations of international humanitarian law and prosecution of suspects casts doubt on the willingness of the Russian Federation to fully abide by its international legal obligations, including under the Geneva Conventions. Despite the widespread and well-documented cases of summary executions, OHCHR could not identify any case in which a member of the Russian armed forces – soldier or commander in rank – was held accountable by Russian authorities for carrying out or failing to punish the killings.
90. Finally, an overview of accountability efforts to date highlights that much still needs to be done to hold perpetrators accountable and provide remedy and reparation to victims. National programmes for reparation and other assistance to the victims may need to be considered if the parties liable for the harm are unwilling to meet their obligations.<sup>72</sup> Given the uncertainty and length of legal proceedings, these programmes may be necessary to ensure timely medical, psychosocial and other forms of support to the victims. OHCHR urges the immediate implementation of the recommendations listed below.
91. To the Russian Federation:
- a) **Respect and ensure respect, at all times and in all circumstances, for international humanitarian law, including fundamental guarantees in relation to treatment of detainees enshrined in Article 75 of the Additional Protocol I.**
  - b) **Ensure full respect for the principle of distinction, and refrain from directing attacks against civilians and civilian objects.**

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<sup>72</sup> Basic Principles and Guidelines, para. 16.

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- c) Ensure timely and effective investigations into all allegations of unlawful killings, including wilful killings, and related violations such as torture and sexual violence, and ensure that all alleged perpetrators are duly prosecuted in accordance with all fair trial rights, including persons with command responsibility.**
  - d) Ensure the dissemination of international humanitarian law, including through adequate instruction of the armed forces of the Russian Federation.**
  - e) Issue clear orders and instructions to members of the Russian armed forces and affiliated armed groups and private military personnel to respect international human rights law and international humanitarian law.**

92. To Ukraine:

- f) Conduct thorough investigations of all alleged cases of killings of protected persons, regardless of the affiliation of the alleged perpetrator or victim.**
- g) Ensure that victims and survivors have fair, effective and prompt access to justice. Consider national programmes of reparation providing necessary medical, psychosocial, financial and other forms of assistance to victims.**
- h) Ensure timely and thorough forensic analysis, including the issuance of accurate death certificates and forensic reports.**

93. To the international community:

- i) Support all efforts to ensure accountability, at the national, regional and international levels, for alleged violations of international humanitarian law, including wilful killings of civilians. Contribute, as appropriate, to the effective coordination and coherence between accountability actors at national and international levels.**
- j) Support national institutions by providing resources and strengthening their capacities, including in forensic expertise, to investigate allegations of serious violations of international humanitarian law and gross violations of international human rights law, including the wilful killings of protected persons, and to prosecute those responsible.**
- k) Support national institutions and civil society organizations that provide psychosocial support and other forms of assistance to surviving members of the victims' families and witnesses of killings.**

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## ANNEX. ADDITIONAL CASES OF KILLINGS OF CIVILIANS

94. The annex lists additional cases of killings of civilians documented by OHCHR.

### A. Summary executions in places of detention

#### Kyiv region

95. In Bucha:

- a. From 12 to 31 March 2022, Russian troops occupied two houses on Ridzanycha Street which belonged to two brothers aged 60 and 66.<sup>73</sup> After the retreat of Russian troops on 31 March 2022, two witnesses found the bodies of the brothers in a nearby ditch. From the state of decomposition of the bodies, it appeared that the victims had been executed less than a week before, suggesting they had likely been detained for a period of time. The forensic analysis concluded that one victim died from a gunshot to the heart, and the other from a gunshot to the head.
- b. On 18 March 2022, Russian troops detained three civilians – a 31-year-old man, a 42-year-old man, and a 36-year-old woman – in the Yablunka area of Bucha.<sup>74</sup> The mother of one of the detainees approached a Russian military unit stationed in the area. The soldiers had military vehicles with “V” markings and were allegedly paratroopers. They informed the mother that her son “was taken to the basement”. A week later, the mother found the bodies of her son and two other victims in an open ‘barn’ on Tsentralna Street. All three bodies bore gunshot wounds to the head.
- c. In the last week of March 2022, a 30-year-old man left his apartment on Vodoprovodna Street in Bucha.<sup>75</sup> His body was found a week later in a building on Tsentralna Street. The victim had a gunshot wound to the mouth and his body bore torture marks.
- d. On 7 April 2022, a resident of Vokzalna Street returned to his house and found the naked body of a 34-year-old woman in his basement.<sup>76</sup> Her body was covered with a fur coat. The woman had a gunshot wound to the head and her body bore torture marks, including on her breasts, suggesting that she may have been a victim of sexual violence. Witnesses interviewed by OHCHR said that the house had been occupied by Russian troops.

96. On 29 March 2022, in Stoianka village, Russian soldiers entered a house on Hrybna Street.<sup>77</sup> The owner of the house was sheltering two neighbours – men aged 53 and 66 – whose house had been destroyed by shelling on 10 March 2022. He told OHCHR that the soldiers ordered his two neighbours to accompany them to the destroyed house. On 31 March 2022, another witness interviewed by OHCHR found the bodies of the two men, as well as that of a 44-year-old man, on the basement stairs of a nearby house. The three bodies were badly mutilated: gunshots in the groin area, stab wounds, burn marks and broken fingers. The victims’ hands were tied.

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<sup>73</sup> HRMMU interviews, 30 April, 19 July, and 8 August 2022.

<sup>74</sup> HRMMU interviews, 9 April and 18 July 2022.

<sup>75</sup> HRMMU interview, 9 April 2022.

<sup>76</sup> HRMMU interviews, 18 July 2022.

<sup>77</sup> HRMMU interviews, 15 and 24 June 2022.

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97. On 1 March 2022, in Peremoha village, Russian soldiers arrested a 40-year-old man on the street after inspecting the contents of his mobile phone.<sup>78</sup> They brought him to a local village council building for further examination. Shortly thereafter, eight Russian soldiers took the man and another detainee, a 34-year-old man accused of preparing Molotov cocktails, to a nearby post office building. After the retreat of Russian forces from Peremoha, the remains of the two detainees were found in the basement pit of the post office. Their bodies had been mutilated by an explosion.

### Chernihiv region

98. On 27 February 2022, Russian forces entered Staryi Bykiv village and then while moving on the nearby H07 highway, their military convoy came under sniper fire.<sup>79</sup> At around 17:00, Russian soldiers approached a man on Zaozerna Street and questioned him about the attack on the convoy and the presence of military-aged men in the area. They then proceeded to check the houses on the street and arrested two local men, aged 27 and 39. According to a witness, the soldiers did not speak Russian among themselves, but she could not identify the language. The soldiers took the two detainees to a nearby facility known as 'bania' (sauna), which they used as a temporary base. At approximately 17:20, a relative of one of the detainees and a neighbour approached the base to inquire about the detainees. The soldiers said they would be "interrogated and released". At approximately 18:00, the relative and the neighbour heard screaming and gunshots coming from the facility. On the morning of 28 February, they returned to the base. The soldiers were gone. A few hundred meters away, they found the bodies of six local men, including those of the two men arrested the previous day. The bodies bore gunshot wounds and torture marks.
99. On 15 March 2022, Russian soldiers entered the house of a 38-year-old man on Shevchenko Street in Zolotyinka village.<sup>80</sup> The soldiers searched his mobile phone and ordered him to show them where one of his neighbours, a 56-year-old man, lived. The soldiers took both men away. When the victims' relatives approached a Russian command post to inquire about the detainees' whereabouts, they were told that the men were "on the way to the Russian Federation". The soldiers told the mother of one of the detainees that her son had surrendered "the wrong phone, not the one he used to make calls". On 30 March 2022, Russian forces retreated from Zolotyinka and the nearby areas. Soon thereafter, the bodies of the two detainees were found in the neighbouring settlement of Yahidne. They bore multiple gunshot wounds, including to the head.
100. After entering Zolotyinka village, Russian soldiers moved into a house on Shevchenko Street, forcing the owner, a beekeeper, to leave his house.<sup>81</sup> Despite his house being occupied by Russian soldiers, the man tried to check on his beehives every few days. On 21 March 2022, he went to check, but did not return from his property. In response to a neighbour's inquiry about his whereabouts, the Russian soldiers said that the man was detained and would not be released anytime soon. According to the victim's family, his body was found on 16 April 2022 in a shallow grave in Yahidne. The body bore multiple gunshot wounds, including to the head.

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<sup>78</sup> HRMMU interviews, 4 and 6 July 2022. HRMMU received competing information that the detention could have taken place a day before, on 28 February 2022.

<sup>79</sup> HRMMU interviews, 23 June 2022.

<sup>80</sup> HRMMU interview, 16 August 2022.

<sup>81</sup> HRMMU interviews, 16 August 2022.

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## Sumy region

101. In Trostianets town:

- a. On 19 May 2022, the severely decomposed body of a 53-year-old woman was found in a shallow grave on the grounds of an agricultural production facility in Trostianets.<sup>82</sup> The body bore gunshot wounds to the head. The victim had been brought to the facility, which was used as an operational base and a makeshift detention facility by Russian forces while they controlled Trostianets. Russian soldiers executed the victim before withdrawing from the facility.
- b. On 22 March 2022, four Russian soldiers in a “Z”-marked “Lada” vehicle arrived at a house on Radishcheva Street.<sup>83</sup> They had a detainee with them, a 55-year-old man who lived at the address. The soldiers invited the man’s wife to come outside to look at her husband. He was sitting in the car, with his hands tied behind his back and his mouth partially shut with duct tape. He managed to whisper: “Tell them you know me, or else they will kill me”. There were traces of blood on his face. After searching the house and inspecting everyone’s documents, the soldiers left with the detainee. His body was found with gunshot wounds on 25 March 2022 next to a house on Hoholia Street; the house had been previously occupied by Russian forces.
- c. On 30 March 2022, Ukrainian emergency services found the body of a 53-year-old man in a dumpster on Lunina Street.<sup>84</sup> The victim had three visible gunshot wounds to the back and his hands were taped behind his back. The victim lived next to the Trostianets station, which at the time was used as a makeshift detention facility by Russian forces. On 18 March 2022, he had informed his neighbours of his intention to leave Russian-controlled Trostianets through a ‘green corridor’. He was not seen alive after this.

## B. Summary executions on the spot

### Kyiv region

102. On 2 March 2022, in Andriivka village,<sup>85</sup> a group of approximately 20 Russian soldiers accompanied by a tank arrived at a residential house on Melia Street. The soldiers were dressed in black and included members of the Chechen “Kadyrovtsy” troops. The soldiers on the tank opened small arms fire on the building. The victim went out to the yard with his hands raised and asked the soldiers to stop shooting. The soldiers took him to the street. After hearing shots, the victim’s wife ran outside and saw her husband lying in a blood pool. The soldiers trained their guns at her. They then searched the house and confiscated her husband’s phone, a radio transmitter, and three laptops. The victim’s wife said that her husband had sent coordinates of the Russian armed forces stationed in the area to the Ukrainian authorities.

103. In Bucha:

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<sup>82</sup> HRMMU interviews, 8 June 2022.

<sup>83</sup> HRMMU interviews, 29 August 2022.

<sup>84</sup> HRMMU interviews, 6 September and 29 August 2022.

<sup>85</sup> HRMMU interviews, 30 June and 20 October 2022.

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- a. On 5 March 2022, Russian soldiers raided a house on Yablunska Street.<sup>86</sup> They confiscated the residents' phones, searched the house, and asked: "Where are the Nazis?" They then took one resident, a 40-year-old man, to the street and ordered him to undress. The victim's wife did not hear any gunshot, but shortly thereafter, she went out and saw the body of her husband lying on the ground with a gunshot wound to the head. The soldiers then ordered the rest of the family to leave in five minutes or be killed. "There will be a zachistka", the soldiers said. The victim's wife stated that the soldiers had silencers on their rifles and spoke Russian with an accent.
  - b. On 10 March 2022, Russian soldiers executed a former Ukrainian serviceman next to his residence on Rodyny Krasovskiyh Street (formerly Proletarska).<sup>87</sup> The 40-year-old man was preparing to leave Bucha to join the Ukrainian armed forces. He had packed two bags: one with food and the other with clothing, including a camouflage uniform. Russian soldiers arrested and searched the victim. A neighbour heard gunshots ring out soon afterwards. About an hour later, he went to inspect the area where the gunshots came from and saw the body of the victim lying on the ground, bearing gunshot wounds.
  - c. On 10 March 2022, at around 10:00 a.m., five Russian soldiers led three men (aged 30, 30 and 35) to the junction of Yablunska and Yaremchuka streets.<sup>88</sup> The victims' hands were tied behind their backs. The Russian soldiers shot all victims dead on the street. A witness interviewed by OHCHR said that one perpetrator had the call-sign "Tsygan" ("Gypsy"). The moments before the execution were recorded on video by another witness; OHCHR received a copy of this footage. The bodies were not picked up until April 2022.
  - d. On 29 March 2022, a group of four to five Russian soldiers raided a house on Ostapa Vyshni Street where three civilians were sheltering from hostilities in the basement.<sup>89</sup> The soldiers accused the 58-year-old owner of the house of membership in the territorial defence forces and took him out of the house. A neighbour heard gunshots ring out and went out to inspect the area. He saw the body of the victim with a gunshot wound to the head. The body seemed partly burned.
  - e. On 29 March 2022, at approximately 9 a.m., Russian soldiers entered the yard of a multi-story residential building on Yablunska Street and, without warning, opened fire on two civilian men who were boiling water outside.<sup>90</sup> One victim, a 50-year-old man was injured but managed to crawl away and hide. He heard the Russian soldiers fire more gunshots. The body of the other victim, a 69-year-old man, was later found with gunshot wounds.
104. On 7 March 2022, in Makariv, a Russian soldier entered a house on Ozerna Street, shot a 58-year-old man in the abdomen, and attempted to rape his wife.<sup>91</sup> The victim succumbed to his wounds two days later.
105. On 15 March 2022, a 37-year-old man was driving a car, a silver "VAZ-2110", towards his house on Nikolaeva Street when Russian soldiers in armoured vehicles stopped him and ordered the driver

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<sup>86</sup> HRMMU interview, 25 July 2022.

<sup>87</sup> HRMMU interviews, 13 and 14 July 2022.

<sup>88</sup> HRMMU interviews, 13 and 14 July 2022.

<sup>89</sup> HRMMU interviews, 9 April and 22 August 2022.

<sup>90</sup> HRMMU interviews, 18 August 2022.

<sup>91</sup> HRMMU interview, 1 May 2022.

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out of the car.<sup>92</sup> The man complied and raised his arms to show he was not resisting. Shortly thereafter, there were three shots. The victim's body was later found on the road with gunshot wounds to the head.

106. On 17 March 2022, Russian soldiers briefly detained a 57-year-old resident of Borodianka and took him to their commander's office on Yevropeiska Street. They released him after questioning. The man then approached a Russian checkpoint at the junction of Kyivska, Vokzalna, and Tsentralna Streets to ask the soldiers for a cigarette.<sup>93</sup> After receiving a cigarette, he turned and walked on Kyivska Street towards his apartment. Approximately 50 meters from the checkpoint, the same soldiers opened fire on him. Despite being hit in the back, the victim managed to make his way back home and recounted the incident to his family. He died from his injuries the following day.
107. On 19 March 2022, Russian soldiers conducted house-to-house searches in Blystavytsa village.<sup>94</sup> A local resident heard multiple shots at approximately 14:00. She hesitated to leave the house, but later walked out on the street and noticed that the door of her 63-year-old neighbour's house was open. The next day, another neighbour passed by to tell her that the door of her neighbour's house was still open. They both went to check. Inside, they found the victim lying face down on the floor. He had a gunshot wound to the back of his head. His passport lay open on the table.
108. In Irpin, on 25 March 2022, Russian soldiers with armoured vehicles showed up at a residential building on Mechnykova Street. They ordered all the residents into the basement.<sup>95</sup> In the morning, one of the residents came out of the basement and found the body of a 40-year-old man, another resident of the building, in the yard. The body had a gunshot wound to the head.
109. On 27 March 2022, Russian military forces were withdrawing from Bucha through Mykulychi village.<sup>96</sup> While in the village, soldiers stationed several "Z"-marked armoured vehicles and tanks on Starosilska Street and conducted door-to-door searches. At around 9:30, two Russian soldiers knocked on the yard gate of a house. As the victim, a 42-year-old man, opened the gate, his daughter heard two shots. The rest of the family sheltered in the kitchen. The soldiers then entered the house and told the family that "[their] father is no more". One soldier threatened to throw a hand grenade into the room but eventually left. Two family members found the victim's body in the yard with a gunshot wound behind the ear. They also discovered the body of their neighbour, a 57-year-old man, with a gunshot wound.
110. On 31 March 2022, around 12:30, two Russian soldiers showed up at a house on Nezalezhnosti Street in Zahaltsy village.<sup>97</sup> They asked the owner a few questions and then left. After five to ten minutes, the owner heard four gunshots – and then approximately ten more. He waited for the Russian soldiers to leave the area and then rushed to the place from where the gunshot sounds originated. He entered the neighbouring yard of his niece's house and found the bodies of his 75-year-old wife and 69-year-old niece. His wife had been shot in the head, while his niece received multiple shots in the body. The two had planned to have lunch together that day.

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<sup>92</sup> HRMMU interview, 17 August 2022.

<sup>93</sup> HRMMU interview, 26 July 2022.

<sup>94</sup> HRMMU interview, 25 October 2022.

<sup>95</sup> HRMMU interview, 7 April 2022.

<sup>96</sup> HRMMU interviews, 27 October 2022.

<sup>97</sup> HRMMU interview, 20 October 2022.

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## Chernihiv region

111. On 12 March 2022, two residents of Nova Basan intending to join the territorial defence forces drove in a white van to Kozelets in Government-controlled territory.<sup>98</sup> At the junction of Yakubivka Street and T2526 Road, Russian soldiers occupying a house nearby opened fire on the van as soon as it approached the junction. The van immediately caught fire. One victim, a 23-year-old man, managed to escape with a gunshot injury. The Russian soldiers pulled the other victim, a 30-year-old man, out of the driver's seat, interrogated him for a few minutes, and then executed him with an assault rifle. Despite their intention to join the territorial defence forces, OHCHR found no information that could indicate that the two victims were directly participating in hostilities when the Russian soldiers opened fire on their van.

## C. Attacks on individual civilians

### Kyiv region

112. On 24 February 2022, at approximately 18:00, a Russian armoured column moving from the Chernobyl exclusion zone to Orane through Dytiatky opened fire on a civilian vehicle traveling in the opposite direction.<sup>99</sup> The fire instantly killed a 37-year-old man and his 13-year-old son. Their bodies were badly mutilated by the impact of the rounds. Residents had to wait until the next day to remove the bodies, during a pause between the movements of military convoys. There were no active hostilities in the area at the time the victims were killed.
113. On 25 February 2022, two men were driving a van from a neighbouring village back to Ivankiv.<sup>100</sup> On Zaprudska Street, a Russian armoured column opened fire on the vehicle even though it had stopped at the side of the road and started to reverse. The soldiers continued firing at the van, gravely injuring the 48-year-old driver. He eventually died from his injuries.
114. On 25 February 2022, in Katiuzhanka, a Russian infantry fighting vehicle opened fire on the white "Tavria" of a 42-year-old man who was trying to leave for Dyer.<sup>101</sup> He was entering Kyivska Street from Tarasa Shevchenko Street when Russian troops shot a 30 mm round at his car. The explosion tore off part of the victim's head, killing him instantly, and set the vehicle on fire.
115. In Shybene:
- a. On 28 February 2022, a Russian armored column passing through the village opened fire on a 35-year-old man who was standing in front of a local shop.<sup>102</sup> He died instantly. The body had at least 10 bullet wounds.
  - b. On 1 March 2022, a Russian armoured column moving through Pionerska Street opened fire on a 42-year-old civilian man who had left his house to buy cigarettes.<sup>103</sup> The victim was killed instantly. The victim sustained three bullet wounds to the stomach.

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<sup>98</sup> HRMMU interviews, 1 August 2022.

<sup>99</sup> HRMMU interviews, 18 and 21 October 2022.

<sup>100</sup> HRMMU interview, 29 September 2022.

<sup>101</sup> HRMMU interview, 18 October 2022.

<sup>102</sup> HRMMU interview, 29 September 2022.

<sup>103</sup> HRMMU interviews, 15 and 29 September 2022.

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116. In Demydiv, OHCHR documented the killing of a 49-year-old man on 5 March 2022, as he was driving with his wife on one of the main roads leading out of town.<sup>104</sup> The car, a light “VAZ” vehicle, had a white cloth tied to the frame and “CHILDREN” written on the back windshield. Russian soldiers standing on the main road opened fire on the vehicle. Despite severe wounds to his head, the man managed to park the vehicle but died from his injuries shortly thereafter.
117. On 8 March 2022, on their way back to Bohdanivka from Bobryk where they had bought fuel, three civilians in a white “VAZ-2106” vehicle encountered a Russian armoured convoy.<sup>105</sup> Just before the turn to Rudnia village, the convoy opened small arms fire on the vehicle, immediately killing a 29-year-old man and a 23-year-old woman. The third passenger, a 29-year-old man, was injured but survived.
118. On 8 March 2022, a Russian armoured convoy entered the centre of Shevchenkove village.<sup>106</sup> A tank near the town market opened machine gun fire on an Opel vehicle, instantly killing two civilians, a 37-year-old woman and a 42-year-old man.
119. On 9 March 2022, as the hostilities intensified around Havrylivka, a family decided to evacuate the village.<sup>107</sup> At approximately 10:00, the family boarded an 8-seat car, squeezing 10 persons into the vehicle, and proceeded southwest towards the village of Rakivka. Upon reaching Rakivka, the car drove a few hundred meters behind a Russian armoured column. After the latter took a right turn, a few soldiers from the last vehicle of the column dismounted and opened fire on the family’s car. The evacuees turned around and started driving away from the soldiers. A few rounds, however, pierced the car, injuring a 16-year-old girl and killing a 12-year-old boy.
120. In Bucha:
- a. On 4 March 2022, Russian soldiers raided a house on Vodoprovodna Street.<sup>108</sup> One resident had taken refuge in the cellar with her 69-year-old husband. After her husband climbed out of the cellar to make a phone call, she heard gunshots and climbed out in turn. She saw a Russian soldier with a gun, his face covered with a balaclava, who told her to get back to the cellar and stay there. Later that day, she found the body of her husband behind the house with a gunshot wound to his head.
  - b. On 5 March 2022, a Russian tank moved into a residential neighbourhood and opened fire on an apartment building on Ostrovskoho Street.<sup>109</sup> The tank fired three shells, the third of which was aimed at the apartment even though a 65-year-old woman could be seen in the window. The explosion killed her and her 75-year-old husband. OHCHR found no evidence indicating that the apartment building was being used for military purposes or that there were military objectives nearby.
  - c. On 5 March 2022, at the junction of Yablunska and Vokzalna streets, Russian soldiers opened fire on a 68-year-old man who was riding his bicycle to work.<sup>110</sup> When a neighbour attempted to approach the body, Russian soldiers also fired at him. OHCHR obtained video

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<sup>104</sup> HRMMU interview, 1 June 2022.

<sup>105</sup> HRMMU interview, 17 August 2022.

<sup>106</sup> HRMMU interview, 10 August 2022.

<sup>107</sup> HRMMU interview, 25 October 2022.

<sup>108</sup> HRMMU interview, 25 July 2022.

<sup>109</sup> HRMMU interview, 17 July 2022.

<sup>110</sup> HRMMU interviews, 9 July and 10 August 2022.

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footage of the location recorded on 7 March 2022. In the recording, the bodies of five more civilian men lay in the same stretch of the road.

- d. On 21 March 2022, a 56-year-old man was killed by multiple shots to the head and chest while walking his dog on Tarasivska Street.<sup>111</sup> The gunfire came from a nearby multiple-story housing complex allegedly used as a Russian sniper position.
- e. On 25 March 2022, Russian soldiers and accompanying infantry fighting vehicles entered Sklozavodska Street and opened fire on civilians and residential buildings.<sup>112</sup> One of the rounds pierced the door of an apartment building and hit a 70-year-old woman who was fleeing. Due to the dire humanitarian and security situation in Bucha at the time, medical assistance was unavailable, and she bled to death in the doorway.

121. In Irpin:

- a. On 5 March 2022, a woman and her adult son were in their home on Nekrasova Street when they heard shelling nearby and decided to flee to a cellar located across the yard.<sup>113</sup> As they ran outside, they saw three Russian soldiers looking over the wooden fence surrounding the house. The woman said that two were of Slavic ethnicity and the third looked like an ethnic Buryat. The latter opened fire on her son, hitting him with multiple rounds. The victim bled to death in approximately five minutes.
- b. On 16 March 2022, a 57-year-old man was hit by gunfire while crossing Muzhelovskyi Park toward Hoholia Street to deliver food to an older resident.<sup>114</sup> His 58-year-old brother rushed to the location of the shooting and was also hit by gunfire. Both men were killed. The western part of Irpin, including Muzhelovskyi Park, was under Russian control at the time. The victims' relatives were only able to pick up the bodies on 21 March 2022 after receiving permission from a Russian commander to approach the area.
- c. On 25 March 2022, a Russian armoured vehicle stationed at a checkpoint on Mechnykova Street opened fire on a house, setting it on fire.<sup>115</sup> A neighbour saw a 70-year-old woman and a 76-year-old man fleeing from the burning house. The man moved slowly, using a walking aid. As soon as he reached the street, he was hit by bullets coming from the direction of the Russian checkpoint. His wife followed him in the street and was killed immediately after, by what the forensic examination later assessed as secondary fragmentation.

122. On 12 March 2022, Russian forces in Novyi Korohod village opened fire on a civilian convoy evacuating from Havrylivka, killing a 44-year-old woman.<sup>116</sup> On that day, more than 30 cars gathered to leave Havrylivka and many more joined on the way; the convoy stretched for more than a kilometre. When the convoy was driving past Novyi Korohod, they came across several Russian armoured vehicles parked next to a crossroad. They were marked with "Z". The soldiers signalled the convoy to stop. The convoy complied, but a machine gunner on top of one of the armoured vehicles opened fire on the cars. The bullets hit the car driven by one of the witnesses. One round hit his mother on the temple, killing her instantly.

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<sup>111</sup> HRMMU interview, 13 July 2022.

<sup>112</sup> HRMMU interviews, 13 July, 11 and 18 August 2022.

<sup>113</sup> HRMMU interview, 7 April 2022.

<sup>114</sup> HRMMU interviews, 7 April and 6 June 2022.

<sup>115</sup> HRMMU interview, 7 August 2022.

<sup>116</sup> HRMMU interviews, 25 October 2022.

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123. On 14 March 2022, a tank in a Russian armoured column moving along Zaliska Street in Velyka Dymierka opened machinegun fire on a white Renault vehicle.<sup>117</sup> The latter was moving on Berezna Street towards the junction with Zaliska. Russian soldiers opened fire without warning, killing both civilian passengers, a man and a woman aged 51.

124. In Motyzhyn:

- a. On 19 March 2022, Russian soldiers conducted a “zachistka” raid in residential areas of Motyzhyn.<sup>118</sup> A resident of Dovha Street saw an infantry fighting vehicle with dismounted troops passing by and ordered his two daughters to run and hide in a cellar across the yard. Soldiers in a neighbouring yard saw the 42-year-old daughter running to the shelter and opened fire on her. The father begged the soldiers to stop shooting. The soldiers stopped and tried to justify the shooting by saying that she was dressed in black “like the enemy”. A Russian military doctor later tried to provide aid to the victim but she died from her gunshot injuries.
- b. During the same raid, a 67-year-old woman was killed on Slobody Street.<sup>119</sup> A neighbour heard the shooting and, a few minutes after the soldiers left, went out and found the woman’s body lying face down in the street. The bullet appeared to have entered the victim’s body through the left shoulder blade.

## Chernihiv region

125. On 13 March 2022, in Voronky village, Russian soldiers with armoured vehicles arrived at the mill facility and ordered all workers outside.<sup>120</sup> One worker, a 58-year-old man, fled through the backdoor towards a nearby tree line. Two Russian soldiers ran after him and opened fire, killing the victim instantly.

126. On 14 March 2022, a 43-year-old resident of Losynivka was driving to work in Rovchak-Stepanivka.<sup>121</sup> On the way, he encountered a Russian armoured column moving in the opposite direction, from Makiivka towards Losynivka. A resident of Losynivka observed from a distance how an armoured vehicle fired 10-12 shots from its main gun, causing something to catch fire. Once the armoured column left, the resident rushed to the place of the incident and found his work colleague dead inside the burning van.

127. On 23 March 2022, in Halytsia village, four Russian soldiers accompanied by an infantry fighting vehicle were walking on the T2527 route when they saw a 71-year-old local man fleeing towards a nearby cornfield.<sup>122</sup> Two Russian soldiers opened fire on the man, injuring him. Witnesses heard the perpetrators say “the spy is no more” before leaving the area. The victim suffered gunshots to his liver and died from his injuries shortly thereafter. Although one witness said that the victim may have previously been collecting information on the movement of Russian troops, OHCHR found no evidence that the victim was directly participating in hostilities when he was shot.

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<sup>117</sup> HRMMU interview, 17 August 2022.

<sup>118</sup> HRMMU interview, 15 June 2022.

<sup>119</sup> HRMMU interviews, 15 June 2022.

<sup>120</sup> HRMMU interviews, 1 and 2 August 2022.

<sup>121</sup> HRMMU interview, 9 August 2022.

<sup>122</sup> HRMMU interviews, 9 August 2022.

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128. On 31 March 2022, a large Russian column of approximately one hundred vehicles moved through Pryputni village.<sup>123</sup> At the centre of the village, an “Ural” truck blocked one of the crossroads, likely to guard the moving convoy. At the same time, a 60-year-old local resident was riding a bicycle towards the blocked crossroads. Russian soldiers fired a shot. The man turned around and started cycling away from the soldiers, however, the Russian soldiers kept firing at him. The victim was hit in the neck and died from his injuries shortly thereafter.

### Sumy region

129. On 28 February 2022, Ukrainian forces attacked a Russian armoured column at the entrance of Chupakhivka.<sup>124</sup> Russian soldiers, stranded by the attack, tried to flag down a civilian car. When the vehicle drove by, they opened fire. The car caught fire and the victim, a 60-year-old male, died inside.
130. On 15 March 2022, just before the entrance to the village of Hratske, Russian armoured vehicles opened fire on a car, wounding two civilians, a 57-year-old woman and a 59-year-old man from Hrebenyivka.<sup>125</sup> The victims were on their way to deliver bread. A Russian military medic later administered aid to the victims, but the man died from his injuries.
131. On 24 March 2022, a large column of Russian armoured vehicles entered the village of Velykyi Sambir and stopped at the crossroad of Deptivska and Lisova streets.<sup>126</sup> A man and a woman, both aged 62, exited their house to observe the column. Russian soldiers opened fire on them, hitting the man in the head and the woman in the stomach. Both victims died instantly.
132. On 31 March 2022, a Russian armoured column passed through Duboviazivka town.<sup>127</sup> When it approached the local alcohol production factory, a Russian “Tigr” combat vehicle opened machine gun fire on three local men who were fixing the fire alarm system. All three men were injured and evacuated by ambulance hours later. One of them, a 35-year-old man, died from his injuries.

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<sup>123</sup> HRMMU interviews, 3 August 2022.

<sup>124</sup> HRMMU interview, 2 September 2022.

<sup>125</sup> HRMMU interview, 1 September 2022.

<sup>126</sup> HRMMU interviews, 30 and 31 August 2022.

<sup>127</sup> HRMMU interviews, 31 August 2022.