

# UKRAINE 2022 HUMAN RIGHTS REPORT

*Note: The human rights situation in territories occupied by Russia at the time of writing, including Crimea and parts of Donetsk, Kherson, Luhansk, and Zaporizhzhya Oblasts, are covered in a separate subreport. The main body of this report covers the human rights situation in Ukrainian government-controlled territory as of the end of 2022; thus, abuses committed by Russia's forces on territory liberated from Russian control during the reporting period are included in the main body of this report.*

## EXECUTIVE SUMMARY

Ukraine is a republic with a semi-presidential political system composed of three branches of government: a unicameral legislature; an executive led by a directly elected president who is head of state and commander in chief; and a prime minister, who is chosen through a legislative majority and as head of government leads the Cabinet of Ministers; and a judiciary. In 2019, voters elected Volodymyr Zelenskyy president in an election considered free and fair by international and domestic observers. In 2019, the country also held early parliamentary elections that observers considered free and fair.

The Ministry of Internal Affairs is responsible for maintaining internal security and order and oversees police and other law enforcement personnel. The Security Service of Ukraine is responsible for state security broadly defined, nonmilitary intelligence, counterintelligence, and counterterrorism matters. The Ministry of Internal Affairs reports to the Cabinet of Ministers, and the Security Service reports directly to the president. The State Border Guard Service, which falls under the Ministry of Internal Affairs, implements state policy regarding border security, while the State Migration Service, also under the Ministry of Internal Affairs, implements state policy regarding migration, citizenship, and registration of refugees and other migrants. Civilian authorities generally maintained effective control over security forces in the territory controlled by the government. There were reports that members of the security forces committed some abuses in the context of Russia's full-scale invasion.

On February 24, the president of the Russian Federation, Vladimir Putin, launched an unlawful and unprovoked full-scale invasion of Ukraine, resulting in war crimes, crimes against humanity, and other atrocities committed by members of Russia's forces. International organizations and nongovernmental organizations, including Amnesty International, Human Rights Watch, the Organization for Security and Co-operation in Europe, and the UN Human Rights Monitoring Mission in Ukraine, issued periodic reports documenting abuses committed by Russia's forces during the war; however, Russia's forces and their proxies throughout the war methodically obstructed, harassed, and intimidated international monitors denying them sufficient access.

Following the start of its full-scale invasion in February, Russia's forces continued to escalate attacks on civilians. Russia mobilized, armed, trained, and led proxy forces from territories under its occupation (including parts of Donetsk, Kherson, Luhansk, and Zaporizhzhya oblasts and Crimea). Through the end of the year, Russia's forces continued to conduct hostilities, including launching missile and drone strikes throughout Ukraine, hitting critical infrastructure, including power, water, and heating facilities. They struck at least 261 hospitals and clinics as well as 501 schools by December. Amnesty International and the Organization for Security and Cooperation in Europe characterized these attacks as relentless and indiscriminate; during the year, more than 13 million residents were displaced and thousands of civilians killed, including 429 confirmed deaths among children, with experts assessing the actual number was likely much higher. The UN Office of the High Commissioner for Human Rights noted that widespread attacks by Russia's forces against critical infrastructure during the coldest months of the year caused the humanitarian situation to further deteriorate, leading to mass displacement of civilians.

Serious human rights abuses committed by Russia's forces in occupied areas involved severe and wide-ranging cases and included credible reports of: mass and unlawful killings, including extrajudicial killings; forced disappearances; torture and cruel, inhuman, or degrading treatment or punishment, including of children; arbitrary arrest or detention; political prisoners or detainees, particularly during "filtration" operations involving interrogation, torture, forced separation of families, forced deportation and adoptions of Ukraine's children to Russian

families; unjust interference with privacy; punishment of family members for alleged offenses of a relative; serious abuses in a conflict, including atrocities, abductions, torture and physical abuses; serious restrictions on freedom of expression, including for members of the media, including violence or threats of violence against journalists, unjustified arrests or prosecutions of journalists, censorship, and the existence of criminal libel; serious restrictions on internet freedom; substantial interference with freedom of peaceful assembly and freedom of association, including overly restrictive “laws” on the organization, funding, or operation of nongovernmental organizations and civil society organizations; severe restrictions of religious freedom; restrictions on freedom of movement; inability of citizens to vote in free and fair elections; serious and unreasonable restrictions on political participation; serious restrictions on or harassment of domestic and international human rights organizations; lack of investigation of and accountability for gender-based violence; crimes involving violence or threats of violence targeting members of national/racial/ethnic minority groups, or members of Indigenous groups, including Crimean Tatars and ethnic Ukrainians; and crimes involving violence or threats of violence targeting lesbian, gay, bisexual, transexual, queer, and intersex persons. (See Russia-occupied areas section for abuses committed by Russian military, security, and proxy forces in those territories Russia occupied at year’s end.)

The Russian Federation conducted sham referenda in Donetsk, Kherson, Luhansk, and Zaporizhzhya oblasts from September 23 to 27. President Putin proclaimed the so-called annexation of these four oblasts into the Russian Federation on September 30. On March 3 and October 12, UN General Assembly resolutions condemned both Russia’s invasion and the purported annexation of Ukrainian territories.

There were also significant human rights issues involving Ukrainian government officials, although not comparable to the scope of Russia’s abuses, which included credible reports of: unlawful or arbitrary killings; forced disappearances; torture and other cruel, inhuman, or degrading treatment or punishment; harsh or life-threatening prison conditions; arbitrary arrest or detention; serious problems with the independence of the judiciary; restrictions on freedom of expression, including for members of the media, violence or threats of violence against journalists,

unjustified arrests or prosecutions of journalists, and censorship; serious restrictions on internet freedom; refoulement of refugees to a country despite risks they would face torture or persecution; serious acts of government corruption; lack of investigation of and accountability for gender-based violence; crimes or threats of violence motivated by antisemitism; crimes involving violence or threats of violence targeting persons with disabilities, members of ethnic minority groups, and lesbian, gay, bisexual, transgender, queer, and intersex persons; and the existence of the worst forms of child labor.

The government generally did not take adequate steps to prosecute or punish officials who committed abuses, resulting in a climate of impunity. The government took some steps to identify, prosecute, and punish officials involved in corruption.

## **Section 1. Respect for the Integrity of the Person**

### **a. Arbitrary Deprivation of Life and Other Unlawful or Politically Motivated Killings**

There were reports indicating the government or its agents possibly committed arbitrary or unlawful killings. The State Bureau of Investigations (SBI) is responsible for investigation of crimes allegedly committed by law enforcement agencies. On March 5, Denys Kireyev, a member of a Ukrainian delegation that conducted early negotiations with Russia, was allegedly killed during his arrest by the Security Service of Ukraine after it obtained a recording of Kireyev allegedly implicating himself in treason. Senior government sources have since disputed any claims of treason by Kireyev. According to the Organization for Security and Cooperation in Europe (OSCE), the circumstances of Kireyev's death remain unclear. An SBI investigation into the killing continued as of December.

Human rights organizations and media outlets reported deaths resulting from torture or negligence by police or prison officers. There were no updates to proceedings opened in 2021 in cases involving the death of inmate Oleg Bereznyi, which observers assess were likely caused by abuse at the Zhytomyr Pretrial Detention Facility.

The investigation of the August 2021 death of exiled Belarusian human rights activist Vitaly Shyshou (often reported as Vitaly Shishov) continued at year's end. Shyshou disappeared in August 2021 after leaving his Kyiv home and his body was found hanged from a tree the following day. He had been in Kyiv since fall 2020 and helped found Belarus House, a nongovernmental organization (NGO) that assists Belarusians fleeing the regime of Alyaksandr Lukashenka. Belarus House representatives stated they believed Shyshou's death was an act of transnational repression by the Belarusian State Security Committee in line with the Lukashenka regime's crackdown and repression against civil society activists.

Law enforcement agencies continued to investigate killings and other crimes committed during the Revolution of Dignity protests in Kyiv in 2013-14. Human rights groups criticized the low number of convictions and frequent delays despite the existence of considerable evidence and the SBI's establishment in 2020 of a special unit to investigate malfeasance of high-ranking government and law enforcement officials. The Office of the UN High Commissioner for Human Rights Monitoring Mission in Ukraine (HRMMU) noted some progress had been made in investigating the killings during 2021 criminal proceedings but Russia's full-scale invasion hampered further investigations during the year. There were more than 60 alleged perpetrators of Revolution of Dignity killings, most of whom had absconded and were wanted.

There were extensive civilian casualties in connection with Russia's full-scale invasion of Ukraine (see section 1.g. and the Russia-Occupied Areas subreport).

## **b. Disappearance**

There were no reports of disappearances by or on behalf of government authorities.

There have been significant numbers of missing persons in Ukraine since Russia's initial invasion in 2014. According to the International Commission on Missing Persons, more than 15,000 individuals were missing as of November. In order to establish a single focal point for investigating missing persons, parliament in April amended the Law on Legal Status of Missing Persons and appointed Oleh Kotenko Commissioner for Missing Persons under Special Circumstances. The government next planned to launch a national registry to unify all information on missing

persons.

In connection with abuses during the 2013-14 Revolution of Dignity, eight additional suspects were charged in absentia of the abduction and torture of activist Ihor Lutsenko and the abduction and killing of Yuriy Verbitsky. Public protests that began on November 21, 2013, on Independence Square in Kyiv lasted until mid-February 2014. The protests were sparked by the Ukrainian government's decision to suspend the signing of an association agreement with the European Union and resulted in the removal of former Ukrainian President Yanukovich from office and triggered presidential elections in 2014.

According to the HRMMU, Russia-affiliated forces were involved in 34 cases of enforced disappearance and arbitrary detention of civilians in Kharkiv oblast. Seven released detainees told the HRMMU they were abused in detention, including instances of malnutrition, torture, beatings, and sexual assault.

### **c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment, and Other Related Abuses**

Although the constitution and law prohibit torture and other cruel and unusual punishment, there were reports law enforcement authorities engaged in such abuse. Under normal circumstances, courts cannot legally use confessions and statements made under duress to police by persons in custody as evidence in court proceedings, but the institution of martial law since the start of Russia's full-scale invasion permits this. There were reports law enforcement and military officials abused and, at times, tortured persons in custody to obtain confessions, usually related to collaboration with Russia (see section 1.g.).

Impunity for abuses committed by Ukrainian law enforcement and the Security Service of Ukraine remained a problem, and they were often not held accountable.

For example, on January 6, Ukrainian State Security officers came to the homes of Kazakh activists Zamanbek Tleuliyev and Yeldos Nasypbekov and threatened them with deportation. Tleuliyev said officers beat him, knocking out four of his teeth. In both instances, security officers presented no documents of imminent deportation.

The UN Office of the High Commissioner for Human Rights (OHCHR) documented a case of a man who was abused by the Security Service of Ukraine in May. The man traveled to Zaporizhzhya Oblast in early May to file a complaint against members of Russia's armed forces who had allegedly detained and tortured him during a previous visit. When he arrived at the local Security Service building, unknown men in masks beat, undressed, and searched him. His assailants then blindfolded him, held him in detention, and continued to beat him. He was held incommunicado until May 24, when he was accused of collaboration with Russia and remanded in custody.

Law enforcement agencies continued to investigate killings and other crimes committed during the Revolution of Dignity protests in Kyiv in 2013-14. On December 5, the Pechersky court in Kyiv convicted Berkut riot police officer Ihor Sadovnychenko of beating a protester at the building of the Presidential Administration and sentenced him to eight years in prison. The investigation and trial were held in absentia because the suspect allegedly fled to Russia in 2015.

According to multiple sources, investigators and reporters found retreating Russian troops left signs of mass torture across at least five provinces (Chernihiv, Kharkiv, Kherson, Kyiv, and Mykolaiv) often in residential and civilian buildings. These same sources reported mass graves in Izyum (Kharkiv Oblast), and Lyman (Mykolaiv Oblast). In Bucha (Kyiv Oblast), men were abused and executed in the basement of a children's summer camp. In Izyum, Russia's soldiers used a kindergarten and a medical clinic to conduct abuses. Those detained relay similar accounts: some were taken from their homes, from the street, or from an outdoor market, and held for up to 14 days. Survivors said they were beaten with fists, rifle butts, metal pipes, plastic pipes, a rubber hose, and in one instance a stick with a bag of sand at the end. One was detained five times and tortured multiple times during each detention. Survivors described being subjected to electric shock, waterboarding, severe beatings, threats at gunpoint, and being forced to hold stress positions for extended periods.

In its December report, OHCHR noted 422 bodies were discovered by investigators in Bucha. The same report documented that at least 73 civilians in Bucha were killed by Russia's armed forces; more than 100 additional killings were being investigated. Most of the victims were either summarily executed or

shot while leaving their homes. According to multiple sources, Russia's forces systematically tortured a subset of civilians and POWs prior to execution.

### **Prison and Detention Center Conditions**

Prison and detention center conditions remained poor, did not meet international standards, and at times posed a serious threat to the life and health of prisoners. Physical abuse, lack of proper medical care and nutrition, poor sanitation, and lack of adequate light were persistent problems.

**Abusive Physical Conditions:** By mid-March approximately 30 penal institutions were located in areas of active conflict between Russian and Ukrainian forces. In April, the Ministry of Justice announced the evacuation of prisoners from 40 facilities as well as 2,500 inmates from Kharkiv, Donetsk, and Zaporizhzhya oblast prisons. Some institutions, such as the detention center in Chernihiv, were damaged during shelling. Overcrowding remained a problem in some pretrial detention facilities, although human rights organizations reported overcrowding at such centers decreased because of reforms in 2016 that eased detention requirements for suspects.

Monitors from the Ombudsperson's Office, the National Preventive Mechanism, and the Kharkiv Human Rights Protection Group (KHPG) reported poor conditions at a Kyiv detention center, a correctional colony in Bila Tserkva, Kyiv Oblast, and in the medical unit of Dniprovskaya Penitentiary 4, Dnipropetrovsk Oblast, during January visits. The facilities were crowded and lacked adequate lighting, walls were damp and covered with mold, and frayed and exposed electrical wires posed a danger to the life and health of detainees. While authorities generally held adults and juveniles in separate facilities, there were reports juveniles and adults were held together in some pretrial detention facilities.

Physical abuse by guards was a problem. On July 7, Deputy Head of the Polytska correctional colony in Rivne Oblast, Oleksandr Muzyka, allegedly beat a prisoner with a rubber baton. Muzyka was charged with exceeding his official authority. The State Bureau for Investigations was investigating the case as of early October.

There were reports of prisoner-on-prisoner violence. On July 25, convicts rioted in Polytska correctional colony No. 76 in Rivne Oblast; seven prisoners suffered



bodily injuries, and one was transferred to the prison medical unit. Representatives of the Ombudsperson's Office conducted a monitoring visit and established inmates were injured by other convicts. The KHPG reported prison staff routinely allowed "duty prisoners," a select group of prisoners appointed by staff to maintain discipline, to punish newly arrived prisoners who refused to comply with their orders. In September, KHPG monitors visited Sofiyivska correctional colony No. 45 in Dnipropetrovsk Oblast. They observed duty prisoners enjoyed greater privileges and abused inmates with disabilities. Monitors recorded duty prisoners allegedly injured elderly convicts in medical units.

Most detention facilities were old and needed renovation or replacement. According to a KHPG report, conditions in many places of detention constituted inhuman or degrading treatment. The KHPG reported some cells and facilities had very poor sanitary conditions. Some detainees reported their cells were poorly ventilated and infested with insects. Conditions in police temporary detention facilities and pretrial detention facilities were harsher than in low and medium security prisons. Temporary detention facilities often had insect and rodent infestations and lacked adequate sanitation and medical facilities. Detainees in temporary detention facilities often had to take turns sleeping due to a lack of beds, according to the KHPG.

The quality of food in prisons was generally poor. According to the 2019 report of the UN special rapporteur on torture and other cruel, inhuman, or degrading treatment or punishment, inmates received three meals a day, although in most places the food was described as "inedible," leading inmates to rely on supplementary food they received through parcels from family. According to the Committee on the Prevention of Torture (CPT), in some prisons, inmates had access to showers only once a week. According to the KHPG, most hygiene products, including toilet paper, soap, and feminine hygiene products, were not provided, and detainees relied on supplies provided by family or donated by humanitarian organizations. In some facilities, cells had limited access to daylight and were not properly heated or ventilated.

The United Nations and other international monitors documented systemic problems with the provision of medical care in prisons. The CPT observed a lack of medical confidentiality, poor recording of injuries, and deficient access to

specialists, including providers of gynecological and psychiatric care. There was a shortage of all medications, with an overreliance on prisoners and their families to provide most of the medicines. Conditions in prison health-care facilities were poor and unhygienic. Bureaucratic and financial impediments prevented the prompt transfer of inmates to city hospitals, resulting in their prolonged suffering and delayed diagnoses and treatment.

On June 20, KHPG monitors visited Korosten Correctional Colony No. 71 in Zhytomyr Oblast. Medical staff diagnosed an inmate with late-stage cancer, but the prison administrative staff was negligent in providing proper documentation to the Korosten city court so he could be released. The inmate later died in prison. The condition of prison facilities and places of unofficial detention in Russia-occupied areas remained harsh and life threatening (see section 1.g. and the Russia-Occupied Areas subreport).

**Administration:** Although prisoners and detainees may file complaints concerning conditions in custody with the Ombudsperson's Office, human rights organizations stated prison officials continued to censor or discourage complaints and penalized and abused inmates who filed them. Human rights groups reported laws and regulations did not always provide for confidentiality of complaints, and authorities did not always conduct proper investigations of complaints. During a February visit to prison No. 45 in Dnipropetrovsk Oblast, KHPG monitors received information prison authorities did not allow inmates to file complaints regarding their treatment or conditions of custody. Inmates complained prison authorities and so-called assistants from the inmate population used cruel and degrading treatment, as well as physical and sexual violence.

While officials generally allowed prisoners, except those in disciplinary cells, to receive visitors, prisoner rights groups noted some families had to pay bribes to obtain permission for visits to which they were entitled by law.

**Independent Monitoring:** The government generally permitted independent monitoring of prisons and detention centers by international and local human rights groups, including the CPT, Ombudsperson's Office, and HRMMU.

#### **d. Arbitrary Arrest or Detention**

The constitution and law prohibit arbitrary arrest and detention and provide for the right of any person to challenge the lawfulness of his or her arrest or detention in court, but the government did not always observe these requirements. The OHCHR claimed the Security Service of Ukraine may have violated the due process rights of many of the more than 1,000 individuals it reportedly arrested between February 24 and May 15 on suspicion of supporting Russia's forces. HRMMU's update on December 2, covering the period of August 1 to October 31, documented that Ukrainian armed forces and law enforcement bodies committed 53 cases of arbitrary detention.

#### **Arrest Procedures and Treatment of Detainees**

By law authorities may detain a suspect for 72 hours before a judge must authorize continued detention. Authorities in some cases detained persons for longer than three days without a warrant. In accordance with martial law introduced in February, the period of lawful detention without a warrant was extended from 72 hours to 260 hours and stayed in effect until August 25, when it reverted to 72 hours. Article 177 of the Criminal Procedure Code establishes a bail system. A court may, in lieu of detention, order house arrest; release on personal recognizance; release on the guarantee of a high official; or limit liberty (house arrest, travel ban) pending trial.

**Arbitrary Arrest:** The OHCHR documented that the country's law enforcement agencies and armed forces were responsible for arbitrary detentions and enforced disappearances on government-controlled territory. Seven unofficial places of detention were reported, including private apartments, basements, and abandoned buildings.

Arbitrary arrest of civilians was widespread in Russia-occupied parts of the country. According to the OHCHR, Russia and its proxies held victims incommunicado in unofficial places of detention, including warehouses and barns, without access to relatives and lawyers. Some of these individuals were later transferred to Russian territory (see section 1.g.).

**Pretrial Detention:** Under law, pretrial detention should generally not exceed six

months for minor crimes and 12 months for serious ones, but it often reportedly did for many individuals. Persons have the right to consult a lawyer upon their detention. According to the law, prosecutors may detain suspects accused of terrorist activities for up to 30 days without charges or a bench warrant. Under the law citizens have the right to be informed of the charges brought against them. Authorities must promptly inform detainees of their rights and immediately notify family members of an arrest. Police often did not follow these procedures. Police at times failed to keep records or register detained suspects, and courts often extended pretrial detention to allow police more time to obtain confessions.

The KHPG noted pretrial detention often lasted two months but could be extended. When cases were delayed beyond two months, precautionary measures were usually eased, such as permitting house arrest or temporary release. Courts sometimes imposed travel restrictions as an alternative to pretrial confinement.

The NGO Association of Ukrainian Monitors on Human Rights in Law Enforcement continued to report a widespread practice of unrecorded detention, in particular the unrecorded presence in police stations of persons “invited” for “voluntary talks” with police and noted several allegations of physical mistreatment that took place during a period of unrecorded detention. Authorities occasionally held suspects incommunicado, in some cases for several weeks.

## **e. Denial of Fair Public Trial**

While the constitution provides for an independent judiciary, courts were inefficient and remained highly vulnerable to political pressure and corruption. Confidence in the judiciary remained low, except for the High Anti-Corruption Court.

Despite efforts to reform the judiciary and the Office of the Prosecutor General, systemic corruption among judges and prosecutors persisted. Civil society groups continued to report weak separation of powers between the executive and judicial branches of government. Some judges claimed high-ranking politicians pressured them to decide cases in their favor, regardless of the merits. Some judges and prosecutors reportedly took bribes in exchange for legal determinations. Russia’s invasion slowed down judicial proceedings, while other factors, such as lengthy

court proceedings, particularly in administrative courts, inadequate funding and staffing, and the inability of courts to enforce rulings impeded fair trial guarantees.

Attacks on lawyers were often associated with their defense of clients in politically sensitive criminal cases. Such attacks undermined the ability of lawyers to adequately perform their duties and advocate for the rights of their clients. The Kyiv Bar Association reported in February unknown persons fired a grenade launcher at defense lawyers' offices in Kyiv. Police were investigating the incident at year's end.

In previous years judges, defendants, and defense lawyers reported instances of intimidation by members of violent radical groups, but according to the Zmina Human Rights Center, no cases were recorded during the year. Zmina attributed this to constraints on protests due to martial law and conscription.

Outcomes of trials sometimes appeared predetermined by government or other interference. Court-monitoring groups criticized procedural violations in investigations and trials, including improper reliance on hearsay evidence and written witness testimony. Human rights NGOs attributed these alleged violations to possible biases of the judges and political pressure from senior justice and law enforcement officials.

## **Trial Procedures**

The constitution and criminal code provide for the right to a fair and public trial. Human rights groups noted judges and defense lawyers' reliance on ineffective investigations and misuse of trial extensions sometimes caused undue trial delays. The National Bar Association criticized amendments to the Criminal Code pursuant to the institution of martial law in February, claiming the changes compromised the objectivity of investigations and significantly weakened the due-process rights of defendants. The law presumes defendants are innocent, and they cannot be legally compelled to testify or confess, although some pointed to high conviction rates as a reason to call into question the legal presumption of innocence.

The criminal code allows investigations to be conducted in absentia, removing what human rights groups considered a key obstacle to investigating human rights

abuses.

Authorities failed to effectively investigate and prosecute perpetrators for interfering in investigations and manipulating court proceedings. Court monitoring groups reported judges sometimes admitted hearsay as evidence and allowed witnesses to submit testimony in writing rather than appear in person, although the Criminal Code does have provision to admit hearsay if a witness is absent from the country or medically not able to testify.

Trials are open to the public, but some judges prohibited media from observing proceedings. While procedures require trials to start no later than three weeks after charges are filed, prosecutors seldom met this requirement. Human rights groups reported officials occasionally monitored meetings between defense attorneys and their clients.

### **Political Prisoners and Detainees**

There were no reports of political prisoners or detainees in the government-controlled area of Ukraine.

### **Civil Judicial Procedures and Remedies**

The constitution and law provide for the right to seek redress for any decisions, actions, or omissions of national and local government officials that violate citizens' human rights. An inefficient and corrupt judicial system limited the right of redress. Individuals may also file a collective legal challenge to legislation they believe may violate basic rights and freedoms. Individuals may appeal to the Office of the Ombudsperson and to the European Court of Human Rights after exhausting domestic legal remedies.

### **Property Seizure and Restitution**

The country endorsed the 2009 Terezin Declaration on Holocaust Era Assets and Related Issues but had not passed any laws dealing with the restitution of private or communal property, although the latter was partly resolved through regulations and decrees. In recent years most successful cases of restitution took place because of tacit and behind-the-scenes lobbying on behalf of Jewish groups.

For information regarding Holocaust-era property restitution and related issues, please see the Department of State's *Justice for Uncompensated Survivors Today (JUST) Act* report to Congress, released publicly in July 2020, at <https://www.state.gov/reports/just-act-report-to-congress/>.

## **f. Arbitrary or Unlawful Interference with Privacy, Family, Home, or Correspondence**

The constitution prohibits such actions, but there were reports authorities generally did not respect the prohibitions.

By law the Security Service may not conduct surveillance or searches without a court-issued warrant. The Security Service and law enforcement agencies, however, sometimes conducted searches without a proper warrant, which human rights groups partially attributed to the Security Service's wide mandate to conduct both law enforcement and counterintelligence tasks. In an emergency, authorities may initiate a search without prior court approval, but they must seek court approval immediately after the investigation begins. Citizens have the right to examine any dossier in the possession of the Security Service that concerns them; they have the right to recover losses resulting from an investigation. There was no implementing legislation, and authorities generally did not respect these rights. Many citizens were not aware of their rights or that authorities had violated their privacy.

Law enforcement bodies monitored the internet, at times without appropriate legal authority, and took significant steps to block access to websites based on "national security concerns" (see section 2.a.).

## **g. Conflict-related Abuses**

Russia's full-scale invasion of Ukraine in February significantly raised the level of violence and scope of abuses throughout the country. Russia armed, trained, and led proxy forces it formed from those mobilized in territories under its occupation (including parts of Donetsk, Kherson, Luhansk, and Zaporizhzhya Oblasts and Crimea). Russia's forces and its proxy forces throughout the conflict methodically obstructed, harassed, and intimidated international monitors, denying them access

to systematically record abuses. International organizations and NGOs, including Amnesty International, Human Rights Watch, the OSCE, and the HRMMU, issued periodic reports documenting abuses committed by Russia and Ukraine during the war. (See the Russia-occupied areas section for abuses by Russia and Russia's proxy forces committed in occupied areas.)

In July the OSCE suspended all activities in Ukraine due to the Russian Federation's blocking of consensus in the OSCE's Permanent Council to extend the Special Monitoring Mission, which was tasked with observing and reporting on the security situation in Ukraine. Some activities resumed by September 29, when Ukraine's first deputy minister of foreign affairs and the OSCE's secretary general held a letter exchange ceremony. This included the launch of a new donor-funded Support Programme for Ukraine, which provides support to both immediate challenges to civilians posed by the war as well as the long-term democratic and social resilience of Ukrainian institutions.

Russia's full-scale invasion in February significantly increased the number of internally displaced persons (IDPs) in Ukraine, according to the International Organization for Migration. By year's end, there were more than five million IDPs and eight million Ukrainian refugees outside the country.

The HRMMU noted hostilities continued to affect the lives of civilians throughout the country, but particularly those residing in or near the Russia-occupied areas. Regular exchanges of fire across the line of contact exposed those residents to the constant threat of death or injury, while their property and critical infrastructure continued to be destroyed or damaged in the fighting.

On October 18, the UN's Independent Commission of Inquiry on Ukraine concluded that an array of war crimes and violations of human rights and international humanitarian law have been committed by Russia's armed forces in Ukraine, based on its investigations of the events of Kyiv, Chernihiv, and Sumy Oblasts in late February and March.

The commission documented patterns of summary executions, unlawful confinement, torture, ill-treatment, rape, and other sexual violence committed in areas occupied by Russia's armed forces. Russia's forces also detained and



unlawfully deported populations to the Russian Federation, including tens of thousands of children, including at least 2,000 orphans, and many were still reported missing. Sexual violence was widespread and affected survivors of all ages. Family members, including children, were sometimes forced to witness the crimes.

**Killings:** As of December 11, the OHCHR recorded 17,362 civilian casualties, following Russia's full-scale invasion; 6,755 killed and 10,607 injured. Of those killed, 4,005 were in Donetsk and Luhansk Oblasts (see Russian-Occupied Areas section). The OHCHR estimated the actual figures were considerably higher but continued fighting constrained its documentation efforts. The OHCHR assessed most of these casualties were due to explosive weapons with wide-area effects, including heavy artillery, multiple launch rocket systems, missiles, and air strikes.

**Abductions:** In its report covering the first half of the year, the OHCHR documented 31 cases of arbitrary arrest and detention that may amount to enforced disappearances in Ukraine government-controlled territory since Russia's invasion in February. The OHCHR notes 29 of the victims were subsequently either released or their relatives received confirmation of their official detention. Ukraine's national police registered more than 9,000 missing-persons reports since Russia launched its full-scale invasion.

On March 23, members of Russia's military kidnapped Olha Sukhenko, head of the Motyzhyn village council in Kyiv Oblast, along with her husband and son. Reportedly Russia's military personnel interrogated the victims, searched their house, and stole their property. Their bodies were found 10 days later.

**Physical Abuse, Punishment, and Torture:** There were reports Ukrainian security forces and Russia's forces abused civilians and captured fighters, with the vast majority of abuses perpetrated by the Russian side. Observers noted the active hostilities and insecurity in conflict-affected territories compounded the situation and made it difficult to document abuses. Monitors noted they were able to conduct observations and had access to detention facilities, including for prisoners of war, on Ukrainian government-controlled territory.

The OHCHR documented a case involving three members of the Russian military

who approached a house in Kyiv Oblast in March and questioned a woman regarding her husband. When she said he had died, one of the soldiers ordered her to undress, threatening that if she did not comply, the situation would “get worse.” He forced her naked outside, poking his rifle at her and then resting it between her legs and buttocks. He ordered her to turn around while two other servicemen watched and laughed. He then pushed her into the house, knocked her down on the sofa with the rifle, and raped her twice.

OHCHR monitors expressed concerns regarding Ukraine’s recurring human rights and international humanitarian law violations in trials against members of Russia’s armed forces and affiliated armed groups. The OHCHR documented 27 cases of unjust detention, disappearance, torture, ill-treatment of defendants and suspects in order to compel them to testify, procedural violations for house searches or arrests, and lack of access to legal counsel during the initial period of detention and interrogation. The organization documented violations of the right not to be compelled to testify against oneself or confess one’s guilt, and the right to prepare a defense. The OHCHR reported Ukrainian prosecutors and investigators offered defendants the choice of either confessing in court, and thereby possibly being released during an exchange of prisoners, or serving long prison terms.

Prior to July, there was no procedure to offer a defendant to be exchanged, and even after the procedure was formally established, there was no guarantee a particular defendant would be included in any exchange. Those defendants who committed a grave crime were afforded an opportunity to evade standing trial and any punishment in return for a confession, depriving victims of justice and the ability to seek compensation.

The OHCHR noted defendants from Russia-affiliated armed groups captured after February 24 were sentenced to prison terms of 11 to 15 years on charges of violating territorial integrity, state treason, membership in a terrorist organization, membership in unlawful armed formations, and unlawful possession of firearms. The OHCHR noted the prosecution for state treason of persons serving in Russia-affiliated armed groups was inconsistent with the principle of combatant immunity and jeopardized eventual accountability for proceedings of those individuals.

As of July 31, the OHCHR conducted confidential interviews with 142 prisoners of

war in seven facilities run by the Ukrainian government with full and unimpeded access. As of the same date, despite requests, the OHCHR had no access to prisoners of war interned by the Russian Federation and affiliated armed groups.

The OSCE reported in April there were allegations that Russia's forces used Ukrainian civilians to protect themselves from Ukrainian resistance. According to a BBC interview with survivors, on March 14 Russia's soldiers in Obukhovychi in Kyiv Oblast rounded up civilians to use them as human shields. Approximately 150 civilians, including elderly persons and children, were removed from their hiding places at gunpoint and taken by Russia's forces to a school where they were detained for 24 hours, reportedly to be used as human shields.

As of October 31, the OHCHR documented summary executions and attacks on individual civilians by Russia's armed forces in 102 villages and towns of the Kyiv, Chernihiv, and Sumy Oblasts between February 24 and April 6 in situations not linked to active fighting.

Russia's armed forces routinely bombarded civilian areas, leading to the deaths of 441 civilians. For example, some of the heaviest casualties were reported during Russia's seizure of Bucha, from February to April. As of October 31, the OHCHR documented Russia's armed forces killed 73 civilians in Bucha and was in the process of corroborating an additional 105 alleged killings. According to the OHCHR, most of the victims were either summarily executed or shot while leaving their homes to gather supplies or seek safety.

According to multiple sources, including the OHCHR, survivors in liberated territories also recounted torture and other physical abuse at the hands of Russia's forces. Advancing Ukrainian forces found indications of torture chambers (in Pisky-Radkivski and Bucha) and mass graves (Izyum) where excavated bodies bore visible marks of torture – bound hands, knife wounds, and broken limbs. Liberating forces in Irpin (Kyiv Oblast) discovered 290 civilian bodies left behind after Russia's forces retreated in March. There were eyewitness reports of Russia's service members forcing adults and children to witness Russia's forces gang rape family members. Russia's forces evicted residents from their homes and forced them to live in basements and sheds without access to food, water, or heat, and residents were unable to bury the bodies of slain family members.

In Ukrainian government-controlled territory, the HRMMU continued to receive allegations the Security Service of Ukraine detained and abused individuals in both official and unofficial places of detention to obtain information and pressure suspects to confess or cooperate. The HRMMU reported 34 cases of government law enforcement bodies allegedly torturing and abusing detainees who were suspected of collaborating with Russia's forces or causing their disappearance. Ukrainian law enforcement bodies denied allegations of torture or brutal interrogations of detainees in liberated areas; they stated they were conducting stabilization measures to determine whether populations collaborated with Russia. Ukrainian law enforcement insist they extend due process to those whom they are screening in full compliance with applicable international human rights obligations and commitments. On October 5, former Deputy Chief of the Ukrainian State Security Service Viktor Yahun discussed the release of the Director of Zaporizhzhya Nuclear Power Plant Ihor Murashov. Yahun explained it was normal procedure for Ukrainian counterintelligence to screen and polygraph high-ranking officials with top level security clearances whom Russia had detained.

According to the HRMMU, the lack of effective investigation into previously documented cases of torture and other physical abuse by Ukrainian officials remained a concern.

During the year, the HRMMU received credible allegations of conflict-related sexual violence against civilians in areas of Kharkiv and Kherson regions over which Ukraine regained control in September, as well as areas currently occupied by the Russian Federation. Since February 24, the HRMMU has documented 86 cases of conflict-related sexual violence against women, men, and girls, including rape, gang rape, forced nudity and forced public stripping, sexual torture, and sexual abuse. The cases occurred in different regions of Ukraine and in a penitentiary facility in the Russian Federation. Russia's armed forces or law enforcement perpetrated the vast majority of the violations. In 53 cases, sexual violence was used as part of torture and ill-treatment in the context of detention.

In Ukrainian government-controlled territory, the OHCHR documented the pervasive use of extrajudicial punishment of individuals believed to have looted, stolen, or otherwise exploited the chaotic security situation following Russia's invasion. In most cases, civilians carried out the extrajudicial punishments, which

included tying individuals to trees or electricity poles in public areas, stripping them, and sometimes beating them. Public officials in some regions encouraged the extrajudicial punishments, and some National Police officers and members of the Territorial Defense Forces reportedly took part in the abuse.

On March 4, police in Novovolynsk in Volyn Oblast arrested a man for trespassing and attempted robbery at a private residence. Upon his release from police custody, local residents reportedly tied him to a pole and repeatedly struck his buttocks. The man later died while left tied to the pole in cold temperatures. Police reportedly interrogated witnesses, but no charges were brought.

**Other Conflict-related Abuse:** On October 10, Ukrainian authorities reported Russia launched missiles into Kyiv and other cities, destroying civilian infrastructure. The culture minister stated the missiles damaged several buildings at Shevchenko University as well as two foreign diplomatic missions.

The Ministry of Reintegration reported that Russia's forces forcibly transported an estimated tens of thousands of children from Ukraine to Russia, with differing degrees of consent or knowledge from their legal guardians. The exact number of children involved was unknown and estimates widely vary. On December 14, Ombudsperson Dmytro Lubinets stated that Ukraine reported more than 12,000 Ukrainian children were in Russia, of which approximately 8,600 were forcibly deported. A report by Yale's Conflict Observatory identified at least 6,000 children forcibly relocated by Russia. According to the human rights NGO Coalition Ukraine 5 A M, Russia has potentially deported as many as 260,000 to 700,000 Ukrainian children, although it is unclear how much of this population were moved through filtration operations or separated from their families.

According to the NGO Zmina, in some cases parents of the affected children initially gave permission for their children to be evacuated to so-called summer camps, ostensibly for their safety. Other deportations included children with disabilities or those living in institutions, orphanages, or other areas of fighting. Some children were then put up for adoption to Russian parents. Others were not able to leave camps once enrolled. Most camps involved an element of re-education and indoctrination into Russian language, culture, and history.

In one example, Yevhen Mezhevyi from Mariupol was separated from his three minor children at a checkpoint as they fled the besieged city. Mezhevji said authorities initially detained him on suspicion of possible military connections. When freed, he discovered his children had been sent to Moscow. Mezhevyi traveled through Russia for two days before finally reaching his children. Mezhevyi's nine-year-old daughter said she and her siblings were spoiled with gifts and were pressured to choose whether to go to an orphanage or stay with a foster family in Russia.

The Ministry of Reintegration stated Russia and Russia-led proxy forces sometimes refused to return the children to their parents when Ukrainian forces liberated formerly Russia-controlled territories.

## **Section 2. Respect for Civil Liberties**

### **a. Freedom of Expression, Including for Members of the Press and Other Media**

The constitution and law provide for freedom of expression, including for the press and other media, but authorities did not always respect these rights. President Zelenskyy signed a decree imposing martial law on February 24 following Russia's full-scale invasion of Ukraine, which permits further restrictions on the media.

The government banned, blocked, or sanctioned media outlets and individual journalists deemed a threat to national security or who expressed positions authorities believed undermined the country's sovereignty and territorial integrity. Other practices continued to affect media freedom, including self-censorship.

Government failure to investigate or prosecute attacks on human rights defenders and peaceful protesters also led to de facto restrictions on freedom of assembly and association.

**Freedom of Expression:** With few exceptions, individuals in areas under Ukrainian government control could generally criticize the government publicly and privately and discuss matters of public interest without fear of official reprisal.

The law criminalizes the display of communist and Nazi symbols as well as the manufacture or promotion of the St. George's ribbon, a symbol associated with Russia's forces in the Donbas region and Russian irredentism. On July 12, a court in Ivano-Frankivsk sentenced a woman to five years in prison for violating the law's prohibition of the display of communist symbols. The court charged the woman with disseminating symbols of Soviet communism, glorifying Lenin and Stalin, and advocating for a restoration of the Soviet Union on social media. The law prohibits statements that threaten the country's territorial integrity, promote war, instigate racial or religious conflict, or support Russia's aggression against the country, and the government prosecuted individuals under these laws (see subsections on Censorship and National Security).

**Violence and Harassment:** Violence against journalists remained a problem; however, attacks on journalists covering nonconflict-related issues dropped 50 percent as compared with 2021. Government authorities sometimes participated in and condoned attacks on journalists. The Institute of Mass Information (IMI) and editors of major independent news outlets also noted online harassment of journalists by societal actors, possibly reflecting a growing public intolerance of reporting deemed insufficiently patriotic, a development they asserted had the tacit support of the government.

There were reports of government officials attacking journalists. For example, on August 18, deputies of the Skole territorial community in Lviv Oblast allegedly attacked video blogger Volodymyr Yavdyk when he continued to film the city council meeting in contravention of a prohibition of video recording. One of the deputies knocked Yavdyk down and hit him. The police opened an investigation of the incident.

On June 30, the *Myrotvorets* website, which reportedly maintains close ties to the country's security services, revealed Sevhlil Musayeva, editor in chief of *Ukrainska Pravda*, as the source of a story that led to the dismissal of the head of the Ombudsperson's Office on the grounds of alleged abuse of office. After *Myrotvorets* posted her information, Musayeva said she and the author of the article were subjected to hate comments on social media and threatening messages on email and Telegram. The menacing comments accused Musayeva of "having been used by Russia to publish propaganda."

There were reports of attacks on journalists who reported on corruption. For example, on January 28, guests at a birthday party for the President of the National Medical Academy, Vitaliy Tsimbalyuk, smashed the professional equipment and mobile phone of *StopKor* correspondent Illia Shevchenko. The police opened an investigation on the grounds of violence against a journalist.

There were allegations the government prosecuted journalists in retaliation for their work (see section 1.e.).

**Censorship or Content Restrictions for Members of the Press and Other Media, Including Online Media:** The NGO Freedom House rated the country's press as "partly free." Independent media and internet news sites were active and expressed a wide range of views, but the government took some actions to restrict media and freedom of expression, reportedly to counter Russian disinformation and address other wartime security concerns.

Broadcast media consolidated around government-led programming since the start of Russia's full-scale invasion. In late February, six television stations (1+1, Ukraina 24, Inter, ICTV, public broadcaster National Public Broadcasting Company (UA:PBC), and a government outlet, Rada) started producing around-the-clock coverage in Ukrainian to convey to the public a unified wartime message. In March, the National Security and Defense Council under martial law issued an order to unify the country's information stream, calling on all national television channels to air a single 24-hour stream of programming. Each of the six stations producing content had several hours to fill daily; the outlets produced their own content but coordinated with one another to avoid programming the same commentators.

Media watchdogs expressed concerns the single television broadcast could eventually facilitate government control over broadcasting. *Ukrainska Pravda* reported there was mutual agreement to limit which politicians appeared on air and to feature some commentators and public figures less actively. Television stations considered to be affiliated with opposition parties, including Channel 5, Pryamyi, and Espresso, were not formally invited to participate in the unified broadcast, although the three channels voluntarily aired the 24-hour programming by the other channels at times. If a channel refused to reduce their own programming to



less than 12 hours to accommodate the livestream, officials retaliated by removing the network from national digital terrestrial frequencies. In June, Pryamyi and Channel 5 filed a lawsuit against the Broadcasting, Radiotelecommunications, and Television Concern and the State Service of Special Communication and Information Protection of Ukraine. The three channels now operate on a pay-for-view basis on the internet.

The largest and most successful privately-owned media continued to be owned by oligarchs, especially television stations. At least one media holding, however, was transferred to a journalist-owned holding company, following the 2021 passage of a “deoligarchization” law intended to reduce the political and public influence of the country’s wealthiest business figures.

Media professionals asserted they were denied access to government proceedings by state officials following reporting on sensitive issues. For example, on February 7, representatives of the Odesa Municipal Guard, a subdivision of Odesa City Council’s Department of Public Order, refused entry to the city council building to Yevhen Kogan, a journalist from the Center for Public Investigations. Kogan was attempting to cover a meeting of the Standing Commission on Ecology, Emergency Situations, Communication, and Information Technologies. According to IMI, on February 2 and January 25, other investigative journalists were also not allowed to attend Odesa City Council meetings.

There were reports of continuing financial and political pressure on UA:PBC to align with and support government policies. UA:PBC was created to provide an independent, publicly funded alternative to oligarch-controlled television channels. Local UA:PBC branches claimed senior representatives from the Office of the President and other government bodies lobbied the broadcaster’s supervisory board to support favored candidates for key leadership positions. Despite this reported pressure, however, the selection process remained transparent and unbiased, according to media watch dogs.

There were instances in which the government practiced censorship, restricted content, and penalized individuals and media outlets for reportedly having pro-Russia views and disseminating disinformation from Russia, through imposing financial sanctions, banning websites, and blocking television channels.

Throughout the conflict, both independent and state-owned media periodically engaged in self-censorship when reporting stories that might be deemed insufficiently patriotic by the public or used by Russia for propaganda purposes.

On February 12, President Zelenskyy signed a decree in accordance with the National Security and Defense Council decision to impose sanctions on a number of companies, including a group of Nash television channels owned by pro-Russia former member of parliament Yevhen Murayev.

**Libel/Slander Laws:** Libel is a civil offense. While the law limits the monetary damages a plaintiff may claim in a lawsuit, local media observers continued to express concern over high monetary damages awarded for libel. Government offices and public figures used the threat of civil suits, sometimes based on alleged damage to a person's "honor and integrity," to influence or intimidate the press.

**National Security:** In the context of Russia's full-scale invasion and concurrent increase in disinformation campaigns and cyber-attacks, authorities took measures to prohibit, regulate, and occasionally censor information alleged to be a national security threat, particularly content emanating from Russia and promoting pro-Russia lines or disinformation. Authorities also sanctioned media figures and outlets, as well as banned websites, and prevented media outlets and websites whose messages were deemed to be counter to national security interests from advertising on Facebook, YouTube, and other social media platforms.

Some media freedom groups claimed the government used national security pretexts to silence outlets for being "pro-Russia" and for being critical of its national security policy. On February 10, the National Council on TV and Radio Broadcast announced unscheduled inspections of six television channels: Ukraine, Channel 5, Pryamiy, Ukraine 24, Espresso, and Channel 4, claiming their broadcasts contained information constituting a state secret or other information protected by the law.

**Nongovernmental Impact:** There were reports nongovernment actors attacked journalists. On February 13, armed men accompanying well-known businessman Oleksandr Petrovskyy attacked *Ukrainska Pravda* journalists in Dnipro. The attackers threatened *Ukrainska Pravda* video operator Yaroslav Bondarenko at

knife point, forcing him to turn over his mobile phone, and deleted all his recorded videos. Another man attacked a *Ukrainska Pravda* driver and police at the scene did not intervene. Journalist Mykhailo Tkach alleged Petrovskyy personally threatened the cameraman. Police classified the incident as “hooliganism” and opened an investigation. The case was transferred to a Dnipro court in July. As of December, the court was hearing the case.

## **Internet Freedom**

There were instances in which the government censored online content, mostly under the guise of wartime national security. Law enforcement bodies monitored the internet, at times without appropriate legal authority, and took significant steps to block access to websites reportedly based on security concerns.

Ukrainian internet providers continued to block websites in accordance with government orders from prior years based on national security concerns. As of mid-August, 854 sites were blocked in the country on such grounds.

The *Myrotvorets* website, which reportedly maintains close ties to the security services, hosts a database of personal information of journalists and public figures whose statements and activities have been deemed unpatriotic.

There were reports of attacks on journalists who reported on corruption. For example, on January 28, guests at a birthday party for the President of the National Medical Academy, Vitaly Tsimbalyuk, smashed the professional equipment and mobile phone of *StopKor* (Stop Corruption) correspondent Illia Shevchenko. The police opened an investigation on the grounds of violence against a journalist.

On May 10, the IMI website was out of service for more than three hours due to a powerful distributed denial of service attack. Hackers previously attacked the IMI website, but the May incident was the first time the website was completely inaccessible.

After Russia’s full-scale invasion, at least 215 broadcasters as well as online and print media (national, regional, and local) ceased their activities completely or partially due to the difficulties of operating under hostilities and occupation. These were mainly regional media from Zaporizhzhya, Kherson, Khmelnytsky, and Odessa.

Kharkiv, Kyiv, Donetsk, Mykolayiv, Sumy, Luhansk, and Chernihiv Oblasts.

Freedom House noted in its annual *Freedom on the Net* report in October a decline in the country's internet freedom environment, underscoring the detrimental impact of Russia's full-scale invasion on internet freedom in Ukraine. In particular, Freedom House cited the damage to Ukraine's internet infrastructure from Russia's attacks, Russia's attempts to reroute internet traffic in occupied parts of Kherson Oblast through Russia's networks in order to block websites, and Russia's attacks on journalists as reasons for the decline in Ukraine's internet freedom. Human Rights Watch documented reports of Russia's soldiers forcing Ukrainians to surrender mobile phones by threatening to kill those who did not comply.

## **b. Freedoms of Peaceful Assembly and Association**

The constitution provides for the freedoms of peaceful assembly and association, and the government generally respected these rights. Martial law restricted movement, peaceful assembly, and media, and introduced curfews. In war time, the country derogated from a number of its international human rights law obligations including those relating to peaceful assembly.

### **Freedom of Peaceful Assembly**

The constitution provides for the freedom of peaceful assembly. Mass gatherings, however, were restricted during the year due to the imposition of martial law. Even prior to the introduction of martial law in February, authorities had wide discretion under a Soviet-era directive to grant or refuse permission for assemblies on grounds of protecting public order and safety. Organizers were required to inform authorities in advance of demonstrations.

There were reports of police restricting and failing to protect freedom of peaceful assembly. For example, on January 25, more than 20 persons, including police officers, were injured in Kyiv during clashes between protesters and law enforcement officers during a SaveFOP rally. Police launched a criminal investigation into the incident. The SaveFOP movement insists on the implementation of a presidential decree to introduce a moratorium on inspections of micro businesses and the creation of a separate body for the development of

micro business.

## **Freedom of Association**

The constitution and law provide for freedom of association, and the government generally respected this right.

Attacks against civil society, however, remained prevalent and often were not sufficiently investigated. International and domestic human rights NGOs remained concerned regarding the lack of accountability for these attacks, which they believed created a climate of impunity. Human Rights NGOs documented 13 cases of violence against civil society representatives in the first nine months of the year, but comprehensive data were unavailable, as many NGOs shifted to documenting conflict-related abuses once the war began.

## **c. Freedom of Religion**

See the Department of State's *International Religious Freedom Report* at <https://www.state.gov/religiousfreedomreport/>.

## **d. Freedom of Movement and the Right to Leave the Country**

The constitution and civil code provide citizens with freedom of internal movement, foreign travel, emigration, and repatriation. The government, however, restricted these rights, particularly in the eastern part of the country near the zone of conflict. Under martial law, men aged 18 to 60 were prohibited from leaving the country.

**In-country Movement:** The government and Russia's forces strictly controlled movement between government-controlled areas and Russia-occupied areas. Crossing the line of contact remained arduous, with Russia's forces at times indiscriminately firing on civilian vehicles.

## **e. Protection of Refugees**

The government cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in providing protection and assistance to IDPs, refugees, returning refugees, asylum seekers, and other

persons of concern. International and domestic organizations reported the system for protecting asylum seekers, stateless persons, and other persons of concern did not operate effectively.

**Access to Asylum:** The country is a party to the 1951 Refugee Convention, and has legislation granting refugee or complementary protection status, as well as legal protection mechanisms. Protection for refugees and asylum seekers was insufficient, however, due to gaps in the law and the system of implementation.

The State Migration Service stopped accepting and processing asylum applications following Russia's full-scale invasion. Humanitarian organizations expressed concern that this limited access to asylum for vulnerable Belarusians and citizens of Russia, who faced barriers to renewing residency in Ukraine and risked deportation.

Most Belarusian nationals in Ukraine either fled Belarus or were forcibly exiled by the government. Some human rights groups claimed the low number of Belarusian asylum cases relative to the number of those seeking refuge in Ukraine was due to inefficiencies in Ukraine's asylum system, specifically the inability of asylees to lawfully work while their case was being reviewed.

Human rights groups asserted that the refugee law falls short of international standards due to its restrictive implementation of the refugee determination procedure. The law permits authorities to reject many asylum applications without a thorough case assessment. In other instances, government officials reportedly declined to accept initial asylum applications without a legal basis, leaving asylum seekers without documentation and vulnerable to frequent police stops, fines, detention, and exploitation. Asylum seekers in detention centers were sometimes unable to apply for refugee status within the prescribed time limits and had limited access to legal and other assistance. Asylum seekers have five days to appeal an order of detention or deportation.

A lack of access to qualified interpreters also hampered the full range of asylum procedures. International observers noted that while the government allocated sufficient funding for interpretation, there was a shortage of interpreters trained in some of the languages required by asylum seekers.

**Refoulement:** There were reports the government deported individuals to a country where their life or freedom would be threatened on account of their race, religion, nationality, membership of a particular social group, or political opinion. Some human rights experts expressed concern that vulnerable citizens of Russia and Belarus were at risk of refoulement due to the cancellation of residence permits and inability to file for asylum.

**Abuse of Migrants and Refugees:** Authorities frequently detained asylum seekers for extended periods, including in locations near armed conflict. The OHCHR and human rights activists expressed concern regarding the safety of migrants held in detention centers in Mykolayiv and Volyn Oblasts. According to Human Rights Watch, detainees said guards told them they could leave the facilities if they joined the Ukrainian war effort, and that the guards promised them they would be granted Ukrainian citizenship and documentation if they joined.

According to Human Rights Watch, the Ukrainian Armed Forces took control of parts of the Zhuravychi detention center in Volyn Oblast shortly after Russia's full-scale invasion, relocating all detainees into one building at the facility. Human rights groups reported the center had no air raid or bomb shelter, and the power outlets in its cells no longer worked, making communication with the outside world and the exchange of information increasingly difficult. Detainees reportedly protested their continued detention, but guards refused to open the gate and instead forcibly quelled the protest and beat the detainees with their batons. Detainees from the Chernihiv temporary migrant detention center in Chernihiv Oblast were allowed to leave promptly after it became clear they were in danger; the center was hit by munitions on March 30.

**Employment:** The law provided refugees access to employment, but administrative obstacles and lack of employer awareness regarding refugee employment rights contributed to some working illegally, increasing their risk of exploitation. On September 21, parliament adopted a law that enables asylum seekers and recognized stateless persons to apply for work permits free of charge and without a time limit so they can access the labor market.

**Access to Basic Services:** The government has a national plan on the integration of refugees but did not allocate resources for its implementation.

Temporary accommodation centers had a reception capacity of 421 persons, which the government temporarily increased to accommodate Afghan refugees in 2021. Asylum seekers living outside an official temporary accommodation center often experienced difficulties obtaining residence registration, and authorities regularly levied substantial fines. According to the State Migration Service, refugees could receive residence registration at homeless shelters for up to six months.

According to the UNHCR, gaps in housing and social support for unaccompanied children left many without access to state-run accommodation centers or children's shelters. Some children without access to state-run children's shelters had to rely on informal networks for food, shelter, and other needs and remained vulnerable to abuse, trafficking, and other forms of exploitation.

**Temporary Protection:** The government provided complementary protection to individuals who may not qualify as refugees. As of September 1, authorities had provided complementary protection to 13 persons.

## **f. Status and Treatment of Internally Displaced Persons**

According to the International Organization for Migration, as of December more than five million persons were displaced within the country. The United Nations welcomed the government's commitment to evacuating individuals from war-affected to safer areas where they had access to essential services.

The government granted social entitlements only to persons who had registered as IDPs either with social protection departments and centers for provision of administrative services or through Diia, a mobile app. On March 20 the government approved a new order providing financial aid to IDPs. From March 21-April 30 the government allocated 3,000 hryvnias (\$75) monthly for persons with disabilities and children and 2,000 hryvnias (\$50) monthly for all other IDPs. For this period, assistance was provided automatically if IDPs were enrolled as of March 1. Beginning May 1, equal assistance was available to IDPs whose housing was destroyed, who lived in conflict zones, or lived in areas under Russian occupation.

IDPs were required to present appropriate documents to social protection bodies or through the Diia app. Individuals who remained in the areas of active hostilities or



whose homes were not destroyed were ineligible for financial support. The OHCHR expressed concern that, even though the government simplified the registration procedure for IDPs, some still had difficulty accessing benefits, particularly persons without smartphones or digital access, e.g., some older persons, and individuals without identification documents.

According to the HRMMU, IDPs were largely economically and socially marginalized because of a lack of national integration strategy or sufficient resources. UN agencies reported the influx of IDPs led to tensions with local residents due to competition for scarce resources. The OHCHR reported many older women and families returned to unsafe areas due to the high cost of living in peaceful areas. Consequently, they were at risk from shelling and were without basic services. Returnees reported they were unprepared for the scale of contamination from unexploded ordnance and other explosive remnants of war in their communities.

NGOs reported employment discrimination against IDPs. IDPs continued to have difficulty obtaining medical care and necessary documents. According to the law, the government should provide IDPs with housing, but authorities did not take effective steps to do so. On March 19, the government passed a resolution to compensate families who provided free-of-charge accommodation to IDPs and to local authorities who provided shelter in schools, kindergartens, and community centers. Temporary housing solutions provided by the government and international and national humanitarian organizations addressed the immediate needs of IDPs, but long-term housing solutions remained unresolved.

Sparse employment opportunities and the generally weak economy particularly affected IDPs, forcing many to live in inadequate housing, such as collective centers or temporary accommodations. IDPs also lived with host families, volunteers, and in private accommodations, although affordable private accommodations were often in poor condition. Some IDPs, particularly those in government-controlled areas of Donetsk and Luhansk Oblasts, lacked sufficient sanitation, shelter, and access to potable water.

Romani activists expressed concern that some Roma could not afford to flee conflict areas, while others had no choice but to leave their homes.

## **g. Stateless Persons**

The UNHCR estimated there were more than 35,000 stateless persons and persons with undetermined nationality in the country. Persons who were either stateless, at risk of statelessness, or with undetermined nationality included Roma, unhoused persons, current and former prisoners, as well as nationals of the former USSR who resided in Ukraine in 1991 but never obtained an endorsement in their Soviet passport indicating they were citizens of Ukraine.

The law requires those without a passport endorsement to establish their identity through a court procedure, proving their residence in Ukraine in 1991, which could be costly and cumbersome, thereby discouraging some applicants. The UNHCR reported Roma were at particular risk for statelessness since many did not have birth certificates or any other type of documentation to verify their identity. Unhoused persons had difficulty obtaining citizenship because of a requirement to produce a document testifying to one's residence.

The law allows stateless persons to stay in the country and obtain a residence permit and stateless identity card, which facilitates foreign travel. The law also allocates free legal aid for applicants for the statelessness determination.

## **Section 3. Freedom to Participate in the Political Process**

The constitution and law provide citizens the ability to choose their government in free and fair periodic elections held by secret ballot and based on universal and equal suffrage.

### **Elections and Political Participation**

**Recent Elections:** The country last held parliamentary elections in 2019. A joint international election observation mission by the OSCE Office for Democratic Institutions and Human Rights (ODIHR), the OSCE Parliamentary Assembly, the NATO Parliamentary Assembly, and the European Parliament assessed that “fundamental rights and freedoms were overall respected, and the campaign was competitive, despite numerous malpractices, particularly in the majoritarian races.” The administration of the election was regarded as generally competent and effective, despite the short time available to prepare the elections. In sharp

contrast, the campaign was marked by widespread vote buying, misuse of incumbency, and the practice of exploiting all possible legislative loopholes, skewing equality of opportunity for contestants. Intertwined business and political interests dictated media coverage of elections and allowed for the misuse of political finance, including at the local level, according to international observers.

The country last held a presidential election in two rounds in 2019. The joint international election observation mission assessed the election “was competitive, voters had a broad choice and turned out in high numbers. In the pre-electoral period, the law was often not implemented in good faith by many stakeholders, which negatively impacted trust in the election administration, enforcement of campaign finance rules, and the effectiveness of election dispute resolution.” The election mission reported candidates could campaign freely, although numerous and credible indications of misuse of state resources and vote buying undermined the credibility of the process. While election day was assessed positively, some procedural problems were noted during the count, and conditions for tabulation were at times inadequate.

Martial law states that the president maintains his position if his powers expire during martial law. Scheduled presidential or regular elections may be held only after the termination of martial law. In case of the early termination of the president’s term, the speaker of the parliament would assume those authorities. Likewise, parliamentarians would remain in their seats should their powers expire during martial law.

**Political Parties and Political Participation:** In May, a law allowing the government to ban political parties came into force. As of December, 12 political parties were banned due to persistent collaboration with the Russian Federation. On September 15, the Supreme Court rejected the appeal of the pro-Russia Opposition Platform – For Life political party, the only pro-Russia party represented in parliament, banning its activities in Ukraine. Its parliamentary faction was dissolved in May and former members of the faction formed a new parliamentary deputy group, Platform for Life and Peace.

**Participation of Women and Members of Minority Groups:** No laws limit the participation of women or members of minority groups, including lesbian, gay,

bisexual, transexual, queer, and intersex (LGBTQI+) and Indigenous persons (see section 6), from voting or otherwise participating in the political process, and they did participate. According to ODIHR, citizens found by a court to be incapacitated “on the basis of intellectual or psychosocial disability” were ineligible to vote. The Central Election Commission estimated this restriction affected 36,000 voters.

In the October 2020 local elections, women accounted for 43 percent of candidates on party lists and won approximately 30 percent of seats on local councils. No woman was elected mayor of a major city. Twenty-five Romani candidates stood for election, and 10 were elected to municipal councils, although ODIHR estimated 20,000 to 40,000 Roma were unable to register to vote because they lacked identity documents. In the 2019 parliamentary elections, women accounted for 23 percent of the candidates and won 21 percent of the seats.

## **Section 4. Corruption and Lack of Transparency in Government**

The law provides criminal penalties for corruption, but authorities did not always effectively implement the law, and many officials engaged in corrupt practices with impunity. During the year the nation’s priorities shifted to the war and martial law stifled transparency. On March 3, parliament suspended the requirement of asset disclosures for public officials during the period of martial law, to prevent Russia financially targeting Ukrainian leaders. The suspension undermined the system of monitoring and control over incomes, expenditures, and assets of public officials. Anticorruption institutions reported a hampered capacity to investigate and prosecute corruption cases due to budget cuts and a decrease in staff as personnel voluntarily mobilized to the frontlines. The Specialized Anticorruption Prosecutor’s Office reported six of its 12 lead prosecutors willingly mobilized at the onset of the war but did not have a mechanism to return. Civil society also recognized the public appetite for criticizing corruption diminished as the country rallied together to support the cause of Ukraine’s fight against Russia.

While the number of reports of government corruption was low according to the National Corruption Bureau of Ukraine (NABU), observers noted corruption remained common at all levels in the executive, legislative, and judicial branches.

From January 1 to August 3, NABU launched 238 investigations that resulted in 27 indictments against 80 individuals. Accused individuals included public officials, heads of state-owned enterprises, and a judge. The Prosecutor General's Office stated six judges were convicted during the first seven months of the year of soliciting bribes and received various sentences of three to seven years in prison. NABU and the Specialized Anticorruption Prosecutor's Office continued to conduct investigations and prosecutions, despite the wartime context and hurdles. Three out of the five specialized anticorruption bodies remained without permanent leadership during the year, posing a major challenge to the effectiveness of the anticorruption system. The selection processes for these positions are usually competitive and based on merit but have been paused due to the war.

Corruption continued to be a significant influence on justice, the work of law enforcement institutions, the management of state property and state companies, and state regulation.

Antireform elites and oligarchs continued to pressure anticorruption bodies by using misinformation campaigns and political maneuvering to undermine public trust. Human rights groups called for increased transparency and discussion regarding proposed changes to these bodies, particularly respecting procedures for appointments to leadership positions.

Human rights groups claimed another threat to the anticorruption infrastructure came from the Constitutional Court, where they alleged antireform interests unduly influenced judges. In January 2021, the State Bureau of Investigations informed the Head of the Constitutional Court Oleksandr Tupytskyy that he was being charged with fraud and witness tampering. In March 2021, Tupytsky left the country for Austria. In July 2021, the Supreme Court overturned President Zelenskyy's decree to remove Tupytskyy from office. The following month, the Podolskyy District Court ruled to arrest Tupytskyy in absentia, allowing Tupytskyy's extradition from Austria. On May 27, the State Bureau of Investigations stated that Tupytskyy was added to the international wanted list.

The Constitutional Court was reviewing the constitutionality of the High Anticorruption Court law at year's end.

On July 13, parliament adopted legislation to relaunch the High Qualification Commission of Judges and the High Council of Justice (HCJ). These bodies respectively control the hiring of judges and oversee judicial self-governance. Judicial reform groups characterize corrupt interests as influencing both bodies. The HCJ Ethics Council nominated qualified candidates to both bodies. On August 15, parliament approved the appointment of the council's nominations of Roman Maselko and Mykola Moroz for two HCJ positions. Civil society supported both nominees whom they deem well qualified. As of December however, 13 HCJ vacancies remained.

**Corruption:** While the government publicized several attempts to combat corruption, it remained a serious problem for citizens and businesses alike.

On July 12, detectives of the National Anticorruption Bureau charged Anton Yanchuk, a former head of the Asset Recovery and Management Agency, with abuse of power and embezzlement of more than 426 million hryvnias (\$10.6 million); four others were also notified of their prosecution in connection with the case.

On February 23, the High Anticorruption Court convicted the former deputy minister of the temporarily occupied territories for extorting 44 million hryvnias (\$1.1 million) in bribes, sentenced him to 10 years in prison, and confiscated his assets. On April 20, the court convicted former First Deputy Director General of the State Titanium Research and Design Institute Andrii Rachkov of abuse of office for transferring 52 million hryvnias (\$1.3 million) of institute funds to offshore accounts for services that were not provided. The court sentenced him to 10 years of prison, confiscated his assets, and banned him from holding public office for three years.

Law enforcement agencies often failed to appropriately investigate cases of attacks against journalists, human rights defenders, and activists, particularly those who focused on exposing corruption (see section 2.a.).

On February 3, a war veteran and activist in Dnipropetrovsk Oblast started a hunger strike after police reportedly attacked him and authorities failed to investigate his complaint. He ended his hunger strike after a local official was

suspended.

## **Section 5. Governmental Posture Towards International and Nongovernmental Investigation of Alleged Abuses of Human Rights**

The government was generally cooperative and responsive to domestic and international human rights groups. They generally operated without government interference with their investigations and publications of findings on human rights cases. In some instances, the government publicly criticized international organizations engaging on international humanitarian law.

**Government Human Rights Bodies:** The constitution provides for a human rights ombudsperson, officially designated as the parliamentary commissioner on human rights. On May 31, parliament dismissed Parliamentary Commissioner on Human Rights (Ombudsperson) Lyudmyla Denisova in a vote of no confidence. On July 1, parliament appointed Dmytro Lubinets to the post. The Ombudsperson's Office cooperated with NGOs on projects to monitor human rights practices in various institutions, including detention facilities, orphanages, and boarding schools for children, and geriatric institutions. The office advocates for political prisoners held by Russia, Crimean Tatars, Roma, IDPs, and persons with disabilities.

## **Section 6. Discrimination and Societal Abuses**

### **Women**

**Rape and Domestic Violence:** The law prohibits domestic violence and rape of a person, regardless of gender, including spousal rape. The penalty for rape is three to 15 years' imprisonment. Sexual assault and rape continued to be significant problems. The law prohibits domestic violence, which is punishable by fines, restraining orders (from one day to six months) administrative arrest, and community service.

On June 20, parliament ratified the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul

Convention) and the law came into effect on November 1.

Human rights groups reported police often failed to effectively enforce these laws. Domestic violence against women remained a serious problem. In the first eight months of the year, police received 95,000 domestic violence complaints. Intimate partner violence was common. According to the Office of the Prosecutor General, approximately 1,400 cases of domestic violence were investigated during the first eight months of the year. Human rights groups noted the ability of agencies to detect and report cases of domestic violence was limited.

On February 21, in Drohobych, Lviv Oblast, a man stabbed his partner nine times in her house. Her children, ages seven and five, along with an infant, witnessed the stabbing. On July 13, Drohobych city court sentenced the man to 13 years in prison.

According to La Strada Ukraine, an NGO working on antitrafficking and domestic violence, Russia's invasion led to a surge in gender-based violence across the country. Human rights groups attributed the increase in violence to post-traumatic stress experienced by IDPs fleeing the conflict and by soldiers returning from combat. IDPs reported instances of rape and sexual abuse; many said they fled areas controlled by Russia forces because they feared sexual abuse.

Conflict-related sexual violence was rampant in Russia-occupied areas (see section 1.g.).

In June, Solomyanskyy district court in Kyiv started hearing the first case in closed session of an alleged wartime rape. The accused were tried in absentia. According to eyewitness accounts, on March 9, Russian soldier Mikhail Romanov, accompanied by a younger soldier, broke into a private residence in the village of Bohdanivka, Kyiv Oblast. Romanov killed a man and repeatedly raped a woman living there. Romanov was charged with violating the laws and customs of war, and the brutal treatment of the civilian population. The Solomyanskyy district court heard the case in early December, and the case was pending at year's end. According to the criminal code such crimes may result in a sentence of 10 years to life imprisonment.

As of late September, the government operated 43 shelters for survivors of



domestic violence and 31 centers for social and psychological aid as well as 36 crisis rooms across the country for survivors of domestic violence and child abuse.

**Sexual Harassment:** While the law prohibits coercing a person to have sexual intercourse, legal experts stated safeguards against harassment were inadequate. The law puts sexual harassment in the same category as discrimination and sets penalties ranging from a fine to three years in prison. Women's rights groups reported continuing and widespread sexual harassment, including coerced sex, in the workplace. Women rarely sought legal recourse because courts declined to hear their cases and rarely convicted perpetrators.

**Reproductive Rights:** There were no reports of coerced abortion or involuntary sterilization on the part of government authorities.

According to the ombudsperson, many health workers either were internally displaced during the war or left for other countries, with the result being reduced or nonexistent reproductive and other essential health services for those who needed them. As of mid-November, the World Bank documented 703 attacks on health facilities and personnel. During the same period, the Ministry of Health reported 1,000 attacks on hospitals, 144 of which were destroyed. The HRMMU reported that attacks on medical facilities directly impacted access of the right to health care for women in need of perinatal care. Many services were offered online, especially in war affected areas, but those in need often lacked internet access. This disproportionately affected women in rural areas. Women with disabilities and minorities often did not have access to medical care and in particular reproductive health care.

Romani women sometimes faced barriers in managing their reproductive health, including segregation in maternity wards and other forms of discrimination. Government policy does not bar access to contraception.

The government provided access to sexual and reproductive health services for survivors of sexual violence, and emergency contraception was available as part of the clinical management of rape.

Human rights groups stated, however, these services were sometimes unreliable and often did not reach Romani communities. According to UN Women, health-

care providers sometimes refused to provide adequate reproductive health services for LGBTQI+ women due to anti-LGBTQI+ animus or lack of expertise.

**Discrimination:** While the law provides that women enjoy the same rights as men, women experienced discrimination in employment (see section 7.d.). According to the Ministry of Economy, men earned on average 20 percent more than women. The Ministry of Health maintained a list of 50 occupations still closed to women. Women experienced discrimination in employment, pay, and in access to retirement and pension benefits.

## **Systemic Racial or Ethnic Violence and Discrimination**

The constitution prohibits any restriction of rights based on race, skin color, religious beliefs, language, and other characteristics, while the law criminalizes intentional acts provoking hatred and hostility based on nationality, religion, or race. The law also provides for designating racial, national, or religious enmity as aggravating circumstances to criminal offenses. Laws protecting members of racial or ethnic minorities from violence and discrimination were not effectively enforced. Human rights groups reported police often failed to properly apply these laws when investigating attacks on members of minority groups.

Mistreatment of members of minority groups and harassment of foreigners of non-Slavic appearance remained a problem. Human rights organizations stated the requirement to prove actual intent, including proof of premeditation, to secure a conviction made it difficult to apply the laws against offenses motivated by racial, national, or religious hatred. Police and prosecutors continued to prosecute racially motivated crimes under laws against hooliganism or related offenses.

In July, a provision of a 2019 law promoting the use of the Ukrainian language went into effect. All entities registered in the country must use Ukrainian language on their social media or websites or face a fine.

The most frequent reports of societal violence against national, racial, and ethnic minorities were against Roma. Human rights activists remained concerned regarding the lack of accountability in cases of attacks on Roma and the government's failure to address societal violence and harassment against them.

Roma continued to face governmental and societal discrimination and significant barriers accessing education, health care, social services, and employment. According to Council of Europe experts, 60 percent of Roma were unemployed, 40 percent had no documents, and only 1 percent had a university degree.

According to the Romani women's foundation, Chirikli, local authorities erected barriers to prevent issuing national identification documents to Roma. Authorities hampered access to education for persons who lacked documents and segregated Romani children into special schools or lower-quality classrooms. Officials also expressed anti-Roma sentiments and encouraged discrimination.

Chirikli reported that since February, approximately 100,000 Roma fled war to another European country. Reportedly Roma fleeing the country were refused access to transport and resources offered by volunteers welcoming refugees at the border. Roma often faced discrimination from other refugees. Many Roma fled settlements in areas controlled by Russia-led forces and moved elsewhere in the country. According to Chirikli, Roma were among the most vulnerable members of the country's IDP population. Many Romani IDPs lacked documents, and obtaining IDP assistance, medical care, and education was especially difficult. Romani IDPs from Odesa and Zaporizhzhya Oblasts complained about biases against them or their children based on ethnicity. A Chirikli survey revealed that local authorities, social services, medical and educational facilities representatives were prejudiced toward Roma. According to the HRMMU, Roma women faced specific hardships in gaining access to economic and social opportunities, housing, and medical care. During evacuation and settlement in host communities they faced hardships as they often have large families and care for elderly family members with disabilities.

The ombudsperson cooperated with NGOs to draft policies and legislation to protect members of racial and ethnic minorities from discrimination.

## **Indigenous Peoples**

Crimean Tatars continued to experience serious governmental and societal violence and discrimination in Russia-occupied Crimea (see Crimea subreport).

## Children

**Birth Registration:** Birth in the country or to Ukrainian parents conveys citizenship. A child born to stateless parents residing permanently in the country is also a citizen. The law requires that parents register a child within a month of birth, and failure to register sometimes resulted in denial of public services.

Registration of children born in Crimea or other Russia-occupied areas remained difficult. Authorities required hospital documents to register births. Russian occupation authorities or Russia-led forces routinely kept such documents if parents registered children in territories under their control, making it difficult for the child to obtain a Ukrainian birth certificate. In addition, Ukrainian authorities did not recognize documents issued by Russian occupation authorities in Crimea or in territories controlled by Russia-led proxy forces. Persons living in Crimea and parts of the Donbas had to present documents obtained in Russia-occupied territory to Ukrainian courts to receive Ukrainian government-issued documents. The courts were obliged to make rulings in 24 hours; these decisions were then carried out by the registry office. Due to the lack of judges in local courts, Ukrainians living in regions under Russian control faced serious difficulty in obtaining Ukrainian documents.

**Child Abuse:** The law criminalizes child abuse, with penalties ranging from three years to life, depending on severity. The law criminalizes sexual relations between adults and persons younger than 16; violations are punishable by imprisonment of up to five years. The criminal code qualifies sexual relations with a person younger than 14 as rape. The Prosecutor's Office reported 1,800 underage victims of criminal offense, with 66 of them victims of rape or attempted rape. Human rights groups noted authorities lacked the capability to detect violence against children and refer victims for assistance. Preventive services remained underdeveloped. There were also instances of forced labor involving children.

Authorities did not take effective measures to protect children from abuse and violence and to prevent such problems. According to the law, parents were the legal representatives of their children, even if they perpetrated violence against them. There is no procedure for appointing a temporary legal representative for a child while parents are being investigated for alleged parental violence.

According to press reports, in January, a man killed his son, age three, in the town of Kurakhove, in a part of Donetsk Oblast under Ukrainian control, while two other children were in the house. The father then buried the child, who was disabled, in the garden. Police detained the father, who if convicted faces 10 to 15 years to life in prison. The father at year's end was awaiting trial.

**Child, Early, and Forced Marriage:** The minimum age for marriage is 18. A court may grant a child as young as 16 permission to marry if it finds marriage to be in the child's interest. Romani rights groups reported early marriages involving girls younger than 18 were common in the Romani community.

**Sexual Exploitation of Children:** The law prohibits the commercial sexual exploitation of children, the sale of children, offering or procuring a child for commercial sex, and practices related to child pornography, and authorities enforced the law. The minimum prison sentence for rape of a child is eight years. Molesting a child younger than 16 is punishable by imprisonment for up to five years. The same offense committed against a child younger than 14 is punishable by imprisonment for five to eight years. The age of consent is 16.

According to the law, making the deliberate use, production, sale, or distribution of child pornography is punishable by imprisonment for up to three years. Sexual exploitation of children remained significantly underreported. Commercial sexual exploitation of children remained a serious problem. In Kyiv a woman filmed pornographic videos with her children, ages nine and 14. According to an article from *368 Media* dated August 26, she sold photographs and videos of explicit pornographic content involving children on the internet. The children were removed from the family. By year's end the mother was awaiting trial.

Domestic and foreign law enforcement officials reported a significant amount of child pornography on the internet continued to originate in the country. The International Organization for Migration reported children from socially disadvantaged families and those in state custody continued to be at high risk of trafficking, including for commercial sexual exploitation and the production of pornography. For example, in July, police in Ivano-Frankivsk detained a man for allegedly molesting his daughter, age five. He reportedly filmed his actions and distributed it on the internet. The man faces up to 10 years in prison. On February

22, the Zhmerynka district court in Vinnytsia Oblast convicted a local resident and sentenced him to seven years in prison for molesting children and distributing pornographic images with children. The investigation established that the man systematically invited children ages 12 to 14 to his apartment. He treated them to sweets, gave them small amounts of money, and took pornographic videos with them. He reportedly did this with 11 children.

**Institutionalized Children:** The child welfare system continued to rely on long-term residential care for children at social risk or without parental care, although the number of residential-care institutions continued to drop. Government policies to address the abandonment of children reduced the number of children deprived of parental care.

On March 17, the government created the Coordination Headquarters for the Protection of the Rights of the Child in Conditions of Martial Law. This body identified a list of institutions (including penitentiaries and remand centers for juveniles and women with children) and foster families for those deprived of parental care to be evacuated. On March 28, the government approved a procedure to temporarily relocate children and persons who lived in or were enrolled in child-care institutions from 12 areas of armed conflict to safe places in or outside of the country. Human rights groups and media reported unsafe, inhuman, and sometimes life-threatening conditions in some institutions. Officials of several state-run institutions and orphanages were allegedly complicit or willfully negligent in the sex and labor trafficking of girls and boys under their care. On January 19, the ombudsperson cited finding inadequate privacy in sleeping and bathing areas, lack of hygiene products, and a cockroach infestation during a visit to Bilopillia boarding facility in Sumy Oblast.

## **Antisemitism**

According to census data and international Jewish groups, the Jewish population was approximately 105,000, constituting approximately 0.25 percent of the total population. According to the Association of Jewish Organizations and Communities, there were approximately 300,000 persons of Jewish ancestry in the country, including President Zelenskyy.

In September 2021, parliament passed a law defining the concept of antisemitism and establishing punishment for crimes motivated by antisemitism. The law also establishes punishment for making false or stereotypical statements regarding persons of Jewish origin, producing, or disseminating materials containing antisemitic statements or content and denying the facts of the persecution and mass killing of Jews during the Holocaust. In February, parliament adopted an amendment adding displays of antisemitism to the list of punishable hate crimes listed in the criminal code.

The National Minority Rights Monitoring Group recorded three suspected cases of antisemitic vandalism as of September 1, compared with four incidents during the same period in 2021.

On March 31, a man stabbed Ihor Perelman, the head of the Jewish community in Ivano-Frankivsk. According to the victim, the attacker used insults and derogatory language against Jews.

Graffiti swastikas continued to appear in Dnipro (Dnipropetrovsk Oblast), Khmelnytsky (Khmelnytsky Oblast), Lysychansk (Luhansk Oblast) and other cities. According to press reports, surveillance videos captured a man defacing the Jewish community center in Khmelnytsky on May 16. On January 18, unknown persons desecrated the memorial sign to the victims of the Holocaust at the cemetery in Lysychansk, Luhansk Oblast. Police were investigating both incidents.

## **Trafficking in Persons**

See the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

## **Acts of Violence, Criminalization, and Other Abuses Based on Sexual Orientation, Gender Identity or Expression, or Sex Characteristics**

**Criminalization:** The law does not criminalize same-sex sexual conduct between adults. There were no reports of other facially neutral laws that were disproportionately applied to LGBTQI+ persons to justify arrest.

**Violence against LGBTQI+ Persons:** After the full-scale Russian invasion began on February 24, the LGBT Human Rights Center stated law enforcement at times perpetrated or condoned violence against members of the LGBTQI+ community.

LGBTQI+ activist Marko Krapka, who identifies as nonbinary and uses they/their pronouns, claimed that on June 12, they were beaten by police officers near Holosiyivskyy Park. Police conducted an internal investigation, but Krapka did not provide sufficient information to identify the alleged assailants, nor did Krapka provide any medical examination records to support the beating allegations.

LGBTQI+ rights NGO Nash Svit documented several cases of servicepersons treating civilians in a homophobic manner. Such cases often occurred when Territorial Defense members were performing the duties of law enforcement officers, i.e., during patrols and document checks. Members of radical groups often perpetrated violence against LGBTQI+ persons, and authorities often did not adequately investigate these cases or hold perpetrators to account. Nash Svit noted that criminal proceedings for attacks against members of the LGBTQI+ community were rarely classified under criminal provisions pertaining to hate crimes, which carry heavier penalties.

On April 14, a man attacked a prominent LGBTQI+ and women's rights activist, Olena Shevchenko, with pepper spray in Lviv. As of late December, a police investigation was underway.

**Discrimination:** The law does not discriminate based on sexual orientation, gender, or identity. The labor code prohibits workplace discrimination based on sexual orientation or gender identity; however, discrimination was reportedly widespread in employment, housing, education, and other sectors for members of the LGBTQI+ community. Same-sex marriages are not recognized by law.

Some public figures made discriminatory comments against LGBTQI+ individuals, while others were supportive. On April 29, the mayor of Ivano-Frankivsk stated that “a gay cannot be a patriot” in an interview with a local news platform. In his article for *Der Spiegel*, Minister of Foreign Affairs of Ukraine Dmytro Kuleba condemned the Russian policy of spreading hatred and oppression, mentioning LGBTQI+ persons among Russia's victims. The Ministry of Foreign Affairs'



English-language Instagram site posted positive posts concerning the participation of LGBTQI+ persons in the resistance to Russia's aggression (see section 2.b.).

A national sociological study published in May indicated a sharp improvement in the public perception of LGBTQI+ persons, with those holding a “generally negative” view of LGBTQI+ persons dropping from 60.4 percent of respondents in 2016 to 38.2 percent.

**Availability of Legal Gender Recognition:** Legal gender recognition is available in the country. Medical intervention is required under the law. Legal gender may be changed upon obtaining a medical certificate based on medical-biological and socio-psychological indications. Although the law permits it, transgender persons often reported difficulties obtaining official documents reflecting their gender identity, resulting in discrimination in health care, education, and other areas.

**Involuntary or Coercive Medical or Psychological Practices Specifically Targeting LGBTQI+ Individuals:** The state did not conduct nor ban involuntary or coercive medical or psychological practices on LGBTQI+ persons. According to Freedom House's 2020 survey on the nature and distribution of conversion therapy in the country, leaders of religious groups (89 percent) and family members (75 percent) were the main promoters of conversion therapy. According to the respondents, the main “doctors” were representatives of religious groups (84 percent), “traditional doctors” (57 percent), and private psychological and psychiatric clinics (45 percent). The survey noted “conversion therapy” was primarily aimed at LGBTQI+ adolescents under the age of 18 (67 percent), and the main forms of “treatment” were religious rites (59 percent), prayer (54 percent), and a stay in a special institution (51 percent). Non-binary persons also mentioned physical violence as a form of such “therapy” (60 percent). According to the survey, “conversion therapy” in the country is based on the belief that homosexuality is a medical or psychological problem that can be “cured.”

**Restrictions of Freedom of Expression, Association, or Peaceful Assembly:** According to a Nash Svit report on conditions for LGBTQI+ persons in 2021, the police improved protection of mass public events from violent far-right attacks but continued to ineffectively investigate hate crimes. In 2021, prior to the Russian

full-scale invasion that led to the imposition of martial law, major LGBTQI+ events took place without significant incident.

## **Persons with Disabilities**

The law requires employers to provide reasonable accommodations for employees with disabilities, but the government generally did not enforce the law. Persons with disabilities were often unable to access public venues, health services, information, communications, transportation, the judicial system, or opportunities for involvement in public, educational, cultural, and sporting activities on an equal basis with others.

Advocacy groups maintained that, despite the legal requirements, most public buildings remained inaccessible to persons with disabilities.

By law employers must set aside 4 percent of employment opportunities for persons with disabilities. NGOs noted that many of those employed to satisfy the requirement received nominal salaries but did not actually perform work at their companies.

The law provides every child with a disability the right to study at mainstream secondary schools (which usually include primary, middle, and high school-level education) as well as for the creation of inclusive groups in preschool facilities, secondary and vocational schools, and colleges. According to the Ministry of Education and Science, during the 2020-2021 academic school year, more than 32,600 children with disabilities (out of 3.9 million children) attended mainstream schools. During the year, due to the war, the majority of students with disabilities attending school did so online.

Patients in psychiatric institutions remained at risk of abuse, and many psychiatric hospitals continued to use outdated and unsafe methods and treatments. On June 9, a monitoring group from the Ombudsperson's Office identified abuses at the Panyutyn psychoneurological boarding school in Kharkiv Oblast. The monitors observed 20 residents confined to the facility's gated exercise yard, which lacked toilets; residents needing to relieve themselves reportedly had to use a bucket and lacked privacy. The monitors also reported poor living conditions and low-quality food provided for the residents.

Law enforcement agencies generally took appropriate measures to punish those responsible for violence against persons with disabilities.

## **Section 7. Worker Rights**

### **a. Freedom of Association and the Right to Collective Bargaining**

The constitution provides for freedom of association as a fundamental right and establishes the right to participate in independent trade unions. The law provides the right for most workers to form and join independent unions, to bargain collectively, and to conduct legal strikes. The law, however, establishes low penalties for noncompliance with collective bargaining agreements by employers. The low penalties are insufficient to ensure employers comply with collective bargaining agreements, making it easier to pay a penalty than to launch negotiations.

There are no laws or legal mechanisms to prevent antiunion discrimination, although the labor code requires employers to provide justification for layoffs and firings, and union activity is not an acceptable justification. Legal recourse is available for reinstatement, back wages, and punitive damages, although observers described court enforcement as arbitrary and unpredictable, with damages too low to create incentives for compliance on the part of employers.

The law contains several limits to freedom of association and the right to collective bargaining. Worker organizations consider several laws excessively complex and contradictory. Two laws establish the status of trade unions as legal entities only after state registration. Under another law, a trade union is considered a legal entity upon adoption of its statute. The inherent conflict between these laws created obstacles for workers seeking to form trade unions. Unions also reported significant bureaucratic hurdles in the registration process, including the payment of notary fees and requirements to visit as many as 10 different government offices.

Due to the war, information was not available regarding the effectiveness of enforcement of laws providing for freedom of association and collective bargaining, including the frequency of when penalties were applied and whether

penalties were commensurate with those under other laws involving denials of civil rights.

Worker organizations stated the legal procedure to initiate a strike is complex and significantly hindered strike action, artificially lowering the numbers of informal industrial actions. The legal process for industrial disputes requires initial consultation, conciliation and mediation, and labor arbitration allowing involved parties to draw out the process for months. Workers may vote to strike only after completion of this process, a decision the courts may still block. The requirement that a large percentage of the workforce (two-thirds of general workers' meeting delegates or 50 percent of workers in an enterprise) must vote in favor of a strike before it may be called further restricts the right to strike. The government may also deny workers the right to strike on national security grounds or to protect the health or "rights and liberties" of citizens. The law prohibits strikes by broad categories of workers, including personnel in the Office of the Prosecutor General, the judiciary, the armed forces, the security services, law enforcement agencies, the transportation sector, and the public-service sector.

Martial law restricts the constitutional rights and freedoms of citizens and specifically prohibits workers from public protest and strikes. On March 24, the Law on Organizing Labor Relations under Martial Law came into effect, clarifying relevant restrictions on constitutional rights and freedoms. In accordance with this law, employers may suspend certain provisions of the collective bargaining agreement.

On August 17, President Zelenskyy signed a law removing collective bargaining rights for workers for any employer with 250 or fewer employees. The law empowers employers to negotiate almost all conditions of employment (including but not limited to wages, hours, leave, and conditions of work) through individual contracts with employees. The law also allows employers to ignore terms of existing collective agreements in individual employment contracts. Ukrainian and European trade unions suggested it could "infringe upon international labor standards." The law was passed with an amendment that it would only apply during martial law, and governing party members of parliament insisted the law was passed as a stop-gap wartime measure. Mykhailo Volynets, a member of the *Batkivshchyna* Party and chairman of the Confederation of Free Trade Unions,

argued, however, “It is clear that no one will be able to undo this situation later,” and called the law “a brazen violation of international norms and standards in the field of labor.”

There were no reports of the government or employers using violence to target union leaders and members.

## **b. Prohibition of Forced or Compulsory Labor**

The law prohibits all forms of forced or compulsory labor. The law criminalizes forced and compulsory labor for minors but does not specifically criminalize forced labor for adults. The government did not effectively enforce the law. Resources, inspections, and remediation were inadequate to enforce the law sufficiently.

The government continued to rely on international organizations and NGOs with international donor funding to identify victims and provide most of the victim protection and assistance.

Also see the Department of State’s *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

## **c. Prohibition of Child Labor and Minimum Age for Employment**

See the Department of Labor’s *Findings on the Worst Forms of Child Labor* at <https://www.dol.gov/agencies/ilab/resources/reports/child-labor/findings>.

## **d. Discrimination with Respect to Employment and Occupation**

The labor code prohibits workplace discrimination based on race, color, political, religious, and other beliefs, sex, gender identity, sexual orientation, ethnic, social and foreign origin, age, health, disability, HIV or AIDS status, refugee or stateless status, family and property status, or linguistic or other grounds.

The government did not effectively enforce the law, and employment discrimination reportedly occurred with respect to gender, disability, nationality, race, minority status, sexual orientation or gender identity, and HIV or AIDS status. The agriculture, construction, mining, heavy industry, and services sectors

had the most work-related discrimination complaints. The law provides for civil, administrative, and criminal liability for discrimination in the workplace. Penalties were commensurate with those for similar violations but were not sufficient to deter violations. Due to the war, statistics were unavailable on the frequency of penalties applied against violators. The burden of proof in discrimination cases is on an employee.

Women are barred from working at night and are legally prohibited from working in some industries, such as those involving underground work. Further, the law prohibits women from work that involves lifting and moving heavy objects. Additionally, the labor code does not permit pregnant women and women with children younger than three on weekends, to work overtime, or to take business trips.

The country does not mandate equal pay for equal work. Women received lower salaries due to limited opportunities for advancement and the types of industries that employed them. According to the Ministry of Economy, men earned on average 20 percent more than women. The ministry stated the gap was not caused by direct discrimination in the setting of wages, but by horizontal and vertical stratification of the labor market; women were more likely to work in lower-paid sectors of the economy and in lower positions (see section 6, Women). Women held fewer elected or appointed offices at the national and regional levels.

## **e. Acceptable Conditions of Work**

**Wage and Hour Laws:** The minimum wage is set simultaneously in monthly and hourly amounts. The minimum wage is a state social guarantee, mandatory throughout the country for enterprises of all forms of ownership and management and individuals who use the labor of employees, under any system of payment. The minimum wage is set at an amount not lower than the minimum subsistence level for able-bodied persons. The amount of the minimum wage is established by parliament at the request of the Cabinet of Ministers at least once a year.

The law provides that normal working hours of employees may not exceed 40 hours per week. During martial law, a normal workweek may be increased to 60 hours for critical workers in infrastructure with a proportional salary increase; the

shortened workweek may be increased to 40 hours for critical workers in infrastructure with a proportional salary increase (except children). On August 5, the president signed a law introducing private contracts between employers and employees and removing previously stringent restrictions on firing. It permits all employers to hire up to 10 percent of their workforce on contracts with nonfixed work time, or “zero-hour” contracts. While previous legislation established minimum hours for employees and limited the employment of short-term or temporary workers, the new law allows 10 percent of employees to be assigned as little as 32 hours per month, and to be “on call” each day for all work assigned. Employers are not required to guarantee employment on a permanent basis and will be able to call up workers on short notice. On-call work and nonfixed working times typically have significant fluctuations in working hours, little or no input into the timing of the work, limit control over working conditions, and impact work-life balance, and income security. Variable schedules also make it difficult to take on a second job even when the first job pays very little.

**Occupational Safety and Health:** The law requires employers to provide appropriate occupational safety and health (OSH) standards. Employers sometimes ignored these regulations due to the lack of enforcement or strict imposition of penalties. The law provides workers the right to remove themselves from dangerous working conditions without jeopardizing their continued employment. Employers in the metal and mining industries often violated the rule and retaliated against workers by pressuring them to quit.

Despite active fighting with Russia’s forces, especially in the Ukrainian government-controlled industrial areas of eastern and southern Ukraine, enterprises involved in mining, energy, media, retail, clay production, and transportation continued to operate. The armed conflict resulted in huge damages to mines and plants, the loss of electricity, destroyed transformers, physical damage from shelling, and alleged intentional flooding of mines by combined Russia-led forces. Miners were especially vulnerable, as losses of electrical power could strand them underground. The loss of electrical power also threatened the operability of mine safety equipment that prevented the buildup of explosive gases.

**Wage, Hour, and OSH Enforcement:** The State Labor Service (SLS) is responsible for enforcing wage and hour as well as OSH laws. The government

did not effectively enforce OSH laws, and penalties were not commensurate with those of other similar crimes. While statistics were unavailable on the number of inspectors and funding available to enforce compliance, in previous years both were insufficient.

During wartime, labor inspectors did not conduct labor inspections to enforce wage, hour, and occupational safety and health laws. Statistics on workplace injuries and fatalities were not available.

Under martial law, the SLS was allowed to perform labor inspections under certain circumstances, but during the war it did not perform any physical visits to the enterprises and companies to inspect them. Instead, the SLS provided information and advised employees and employers regarding the requirements of the legislation on labor and labor protection under martial law. More than 320,000 persons have used its online consulting service “Interactive Inspector.” Most often, employees address the SLS with such issues as nonpayment of salaries, illegal dismissal, or suspension of the employment contracts, and forced leave without pay. There are also active information campaigns on preventing undeclared work and human trafficking for the purpose of labor exploitation. Labor inspectors conducted nearly 125,000 informational “visits” to employers.

**Informal Sector:** Due to the war, up-to-date statistics on the informal sector are unavailable. In 2021, the Ombudsperson’s Office and State Statistics Service estimated the informally employed population (ages 15 to 70) numbered three million. Due to Russia’s full-scale invasion and resulting elimination of jobs and mass internal and external migration, it is likely that the number of individuals employed in the informal sector remained the same or was higher than in previous years. Informal workers are not covered by wage, hour, and occupational safety and health laws and inspections.

## **RUSSIA-OCCUPIED AREAS**

In February 2014, Russia's forces entered and occupied Ukraine’s Crimean Peninsula. In March 2014, Russia claimed that the peninsula had become part of the Russian Federation following a sham referendum that violated Ukraine’s constitution and international law. The same year Russia’s proxies set up so-called



independent republics in Ukraine's Luhansk and Donetsk oblasts.

On February 24, following the “recognition of the independence” of these so-called republics, Russia launched a full-scale invasion of Ukraine under spurious pretenses. Russia again conducted sham referenda in Luhansk, Donetsk, Zaporizhzhya, and Kherson Oblasts on September 24 that violated Ukraine's constitution and international law. On September 30, Russia's President Putin signed the accession paperwork that purported to recognize the four additional territories as part of Russia.

UN General Assembly Resolution 68/262 on the Territorial Integrity of Ukraine of March 27, 2014; Resolution 76/179 on the Situation of Human Rights in the Temporarily Occupied Autonomous Republic of Crimea and the City of Sevastopol, Ukraine, of December 16, 2021; and Resolution 76/70 on the Problem of the Militarization of the Autonomous Republic of Crimea and the City of Sevastopol, Ukraine, as Well as Parts of the Black Sea and the Sea of Azov of December 9, 2021, called on states and international organizations not to recognize any change in Crimea's status and affirmed the commitment of the United Nations to recognize Crimea as part of Ukraine. In 2014, parliament adopted a law attributing responsibility for human rights violations in Crimea to the Russian Federation as the occupying state. In August, 58 countries adhered to the Joint Statement of the International Crimea Platform Participants, declaring their commitment to Ukraine's sovereignty, political independence, unity, and territorial integrity within its internationally recognized borders, extending to its territorial waters. They resolved to maintain pressure on Russia to end the temporary occupation of the Autonomous Republic of Crimea and the city of Sevastopol without delay to restore Ukraine's control over its territory. Occupying authorities have applied Russian law in Crimea since the Russian occupation and purported “annexation” of the peninsula; however, the United States, EU, and UN General Assembly have all adopted a policy of nonrecognition of Russia's claims.

On February 27, the UN Security Council held an emergency UN General Assembly session on Ukraine following Russia's full-scale invasion. On March 4, the UN Human Rights Council adopted Resolution 49/1. It decided to urgently establish an Independent International Commission of Inquiry, comprising three human rights experts, to be appointed by the president of the Human Rights

Council for one year. The Commission of Inquiry was mandated to complement, consolidate and build upon the work of the Human Rights Monitoring Mission Ukraine and the Office of the United Nations High Commissioner for Human Rights. On October 12, the UN General Assembly adopted a resolution condemning the Russian Federation's attempted illegal annexation of Donetsk, Kherson, Luhansk, and Zaporizhzhya Oblasts of Ukraine and demanding the immediate withdrawal of its military forces from Ukrainian territory.

For detailed information on the laws and practices of the Russian Federation, see the *Country Report on Human Rights* for Russia. As a description of Russia's forces abuses in Ukrainian territory liberated from Russian control during the reporting period is offered in the main body of the Ukraine country report, it is not duplicated here.

## **EXECUTIVE SUMMARY**

After Russia's purported annexation of Crimea in 2014, a local occupation authority installed by the Russian government administers occupied Crimea. This authority is led by Sergey Aksyonov as "prime minister" of the "state council of the Republic of Crimea." The "state council" is responsible for day-to-day administration and other functions of governing. Russia's September 2021 nationwide Duma elections included seats allocated for purportedly annexed Crimea, a move widely condemned by the international community and that contravened the Ukrainian constitution.

Russian government agencies, including the Ministry of Internal Affairs, Federal Security Service, Federal Investigative Committee, and Office of the Prosecutor General, applied and enforced Russian law in Crimea as if it were a part of the Russian Federation. The Federal Security Service also conducted security, counterintelligence, and counterterrorism activities and combated organized crime and corruption. A "national police force" operated under the aegis of the Russian Ministry of Internal Affairs. Russian authorities maintained control over Russian military and security forces deployed in Crimea. There were reports that members of the security forces committed numerous abuses.

The Russian Federation adopted legal acts purporting to formally extend the

application of Russian legislation to the territory of Donetsk, Kherson, Luhansk, and Zaporizhzhya oblasts on September 30. This action mandated that, as a matter of Russian law, all Ukrainian citizens and stateless persons permanently residing in these regions would be recognized as citizens of the Russian Federation, excluding those who refused. Residents who did not take Russian citizenship may be excluded from pensions, social security, and health insurance. On October 19, President Putin signed decree No. 756 that imposed martial law in Donetsk, Kherson, Luhansk and Zaporizhzhya oblasts. While the exact scope of martial law was not determined as of year's end, the decree provides for a wide range of measures that may be implemented "if required," including curfews, property seizures, internment, and restrictions on freedom of movement, freedom of association, and activities of political parties and other public associations.

Significant human rights issues in the occupied areas included credible reports of egregious cases of: crimes against humanity; war crimes; unlawful and mass killings, including by Russia's forces or Russia-led proxies; enforced disappearances by Russia's forces or Russia-led proxies; torture and cruel, inhuman, or degrading treatment or punishment by Russia's forces or Russia-led proxies, including punitive psychiatric incarceration; harsh and life-threatening prison conditions and transfer of prisoners to Russia; unjust detention; political prisoners or detainees; serious problems with the independence of the occupation judiciary; unjust interference with privacy; serious abuses in a conflict, including attacks on civilian infrastructure and cities, resulting in widespread civilian death, torture, or physical abuse; serious restrictions on freedom of expression, including for members of the media, including violence or threats of violence against journalists, unjustified arrests or prosecutions against journalists, censorship, and criminal libel laws; serious restrictions on internet freedom; substantial interference with the freedom of peaceful assembly and freedom of association, including overly restrictive laws on the organization, funding, or operation of nongovernmental and civil society organizations; severe restrictions of religious freedom; restrictions on freedom of movement; inability of citizens to vote in free and fair elections; serious and unreasonable restrictions on political participation, including unelected authorities and elections that were not genuine, free, or fair; serious acts of corruption; serious restrictions on or harassment of domestic and international human rights organizations; crimes involving violence or threats of

violence targeting members of national/racial/ethnic minority groups or Indigenous persons, including Crimean Tatars and ethnic Ukrainians; and crimes involving violence or threats of violence targeting lesbian, gay, bisexual, transgender, queer, and intersex persons.

## **Section 1. Respect for the Integrity of the Person**

### **a. Arbitrary Deprivation of Life and Other Unlawful or Politically Motivated Killings**

There were numerous, documented reports of Russia's forces or their proxies committing arbitrary or unlawful killings in Crimea after Russia purported to annex it in 2014, by Russia-led proxy forces in Donetsk and Luhansk after 2014, and in newly occupied areas after Russia's full-scale invasion on February 24. In its February 1-July 31 report, the OHCHR documented that civilians in Russia-occupied areas after the invasion were shot while fleeing in vehicles, while crossing the road on foot, or while gathering basic foodstuffs. Most victims were men, but many women and children were also killed, often while in search of either supplies or opportunities to evacuate.

Impunity for Russia's forces' past killings in Crimea remained a serious problem. The Russian government tasked the Russian Investigative Committee with investigating whether security force killings in occupied Crimea were justifiable and whether to pursue prosecutions. The HRMMU reported the Russian Investigative Committee failed to take adequate steps to prosecute or punish officials who committed abuses, resulting in a climate of impunity. The Office of the Prosecutor of the Autonomous Republic of Crimea also investigated security force killings from its headquarters in Kyiv, but de facto restrictions on access to occupied Crimea limited its effectiveness. Human rights observers reported that families frequently did not challenge findings in such cases due to fear of retaliation.

On September 6, human rights groups reported two men killed a local resident in Yalta. The perpetrators attacked the victim and continued beating him after he fell on the ground. They stabbed him 30 times and then loaded his lifeless body into the trunk of their car on which a "Z" symbol was painted. The letters "Z," "V,"

and “O” are painted on Russia’s military vehicles and equipment involved in the invasion of Ukraine and quickly became a sign of support for Russia’s aggression against Ukraine. One of the suspects reportedly was a member of Russia’s armed services and the other was a member of the local “militia,” who was immediately released by the occupation police.

On December 4, activist and lawyer Serhiy Sternenko said Russia’s forces were executing civilians in the Luhansk region and posted photos of the bodies on his Telegram channel. He said, “It is significant for everyone to see it. And the world needs to see that. A real vile Russian face of [inhumans] flaunting their atrocities.” The photos showed bodies, heads covered with bags labeled “traitors of the Lugansk people,” hanging from the rafters of a destroyed building.

## **b. Disappearance**

There were reports that Russia and Russia-led occupation authorities abducted and disappeared residents in Crimea and territories Russia purportedly annexed. Occupation authorities denied international monitors, including the OHCHR and the OSCE, access to the occupied areas, which made it impossible for monitors to investigate disappearances properly. Human rights groups reported that police often refused to register reports of disappearances and intimidated and threatened with detention those who tried to report it. The Ukrainian government and human rights groups believed Russian security forces kidnapped individuals for opposing Russia’s occupation to instill fear in the population and prevent dissent.

The OHCHR reported occupation authorities had not prosecuted anyone in relation to the forced disappearances from Crimea since 2014. NGO and press reports indicated occupation authorities were responsible for the disappearances. For example, in 2014 Revolution of Dignity activists Ivan Bondarets and Valeriy Vashchuk telephoned relatives to report police in Simferopol, Crimea, had detained them at a railway station for displaying a Ukrainian flag. Relatives had no communication with them since, and the whereabouts of the two men remained unknown.

The Yale School of Public Health Humanitarian Research Lab’s (HRL) November report documented allegations of Russia’s detention and disappearance of 226

residents from Kherson Oblast. It found Russia's actions consistent with an intentional and targeted campaign. The report noted of the 226 residents detained, 32 were Crimean Tatars and of those, more than 10 were accused of membership in the Noman Çelebichian Battalion, a Crimean Tatar group Russia declared as a terrorist organization during the year. The HRL noted that while no definitive number of detained or disappeared persons could be established, human rights organizations asserted that hundreds of individuals have disappeared from Kherson since the full-scale invasion began.

The HRL noted the disappearances and detentions in Kherson Oblast were distinct from the filtration system used in Donetsk Oblast. In Donetsk the system appeared intended to process the entire population, whereas in Kherson Russia and Russia-led forces appeared to target specific individuals based on their perceived identity, social role, or activity.

According to the Human Rights Center Zmina, as of June 12, there were 300 cases of forced disappearances of civilians by Russia's forces from Zaporizhzhya Oblast since February 24. On June 7, Oleksandr Olenchenko disappeared from Orlyanske village, Zaporizhzhya Oblast. On June 8, Russia's forces kidnapped Halyna Prystenska at the Vasylivka checkpoint, Zaporizhzhya Oblast. On June 10, Russia's military kidnapped Yergeshova Svitlana from Berdyansk, Zaporizhzhya Oblast. There was no information concerning the whereabouts and condition of the abductees. According to Zmina, Zaporizhzhya Oblast is one of the regions where Russian kidnappings of civilians was the highest.

### **c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment, and Other Related Abuses**

There were numerous reports of Russia's forces' and Russia-led forces' inhuman and degrading treatment of those they detained. Human rights NGOs and UN reports noted that Russia's forces tortured and committed other physical abuses, including degrading treatment, against detainees in Crimea, Donetsk, Kherson, Luhansk, and Zaporizhzhya Oblasts (see section 1.g.). Human rights monitors reported that occupation authorities also threatened individuals with violence or imprisonment if they did not testify in court against individuals whom authorities believed were opposed to the occupation.

According to the Crimean Human Rights Group, “The use of torture by the FSB [Federal Security Service] and the Russia-led forces against Ukrainian citizens became a systematic and unpunished phenomenon after Russia’s occupation of Crimea.” Human rights monitors reported that Russia’s occupation authorities particularly subjected Crimean Tatars and ethnic Ukrainians to physical abuse. For example, FSB officers reportedly beat Crimean Tatar Enver Krosh for an hour and a half when he refused to unlock his telephone after his arrest on August 11.

On March 27, Russia’s forces reportedly captured and tortured three members of the Kherson territorial defense unit. Denys Myronov reportedly died from injuries suffered during beatings in detention. The body of Vitaliy Lapchuk was reportedly found on May 22 in the Bay of Kherson with his arms tied and a weight attached to his legs. The third person was freed through a prisoner swap on April 28.

According to Ukrainian news sources, Russia’s forces abducted individuals from Zaporizhzhya Oblast who did not support occupying forces and interrogated and tortured them in the basement of the Zaporizhzhya nuclear power plant. According to these reports, Russia’s forces poured a chlorine solution on victims’ feet in a closed cell, tortured them with electric current, and suffocated them with plastic bags.

### **Prison and Detention Center Conditions**

Prison and detention center conditions in Crimea, and in Donetsk, Kherson, Lugansk, and Zaporizhzhya Oblasts reportedly remained harsh and life threatening due to overcrowding, poor conditions, lack of heating and medical care, poor food quality, and insufficient potable water.

**Abusive Physical Conditions:** According to the Media Initiative for Human Rights, there was an extensive network of unofficial detention centers in the Russia-occupied areas located in basements, sewage wells, garages, and industrial enterprises. According to Human Rights Watch, women detainees were denied medical care, including sexual and reproductive health care.

According to a June report by the UN secretary-general on the situation in Crimea, “Detainees face cruel, inhuman or degrading treatment and intimidation from prison staff or law enforcement officers.” According to the report, detainees

complained of systematic beatings and humiliating strip searches by prison guards.

According to the Crimean Human Rights Group, detainees held in the Simferopol, Crimea, pretrial detention center diagnosed with HIV as well as with tuberculosis and other communicable diseases were kept together in a single cell. There were reports detainees were denied medical treatment, even for serious health conditions.

Prison authorities reportedly retaliated against detainees who refused Russian Federation citizenship by placing them in smaller cells or in solitary confinement.

**Administration:** Authorities generally did not investigate allegations of torture and mistreatment. Authorities sometimes did not allow prisoners and detainees access to visitors or religious observance. According to defense lawyers, prisoners considered Russian citizens by the Russian Federation were denied Ukrainian consular visits, and some Crimean residents were transferred to prison facilities in Russia without Ukrainian passports.

**Independent Monitoring:** Occupation authorities did not permit independent nongovernmental observers or international organizations to monitor prison or detention center conditions. Occupation authorities appointed a proxy “ombudsperson,” Lyudmyla Lubina, and permitted her access to prisoners in Crimea. Human rights activists regarded Lubina as representing the interests of Russia’s occupation authorities and did not view her as credible. The HRMMU and OHCHR continued to be denied access to detainees in Crimea or those held by Russia-led forces in Donetsk, Kherson, Luhansk, and Zaporizhzhya, preventing investigations of what these organizations described as credible claims of torture and abuse in detention centers with conditions that did not meet international human rights standards.

## **d. Unjust Detention**

### **Procedures and Treatment of Detainees**

See the *Country Reports on Human Rights* for Russia for a description of the relevant Russian laws and procedures that the Russian government applied and enforced in Crimea and the occupied parts of Donetsk, Kherson, Luhansk, and



Zaporizhzhya oblasts.

**Unjust Detention:** Unjust detention of civilians was endemic in Russia-occupied areas of Ukraine. According to the OHCHR, victims of unjust detentions by Russia and its proxies after Russia's full-scale invasion were held incommunicado in unofficial places of detention, including warehouses and barns, without access to relatives and lawyers. Some of these individuals were later transferred to Russian territory. Observers described unjust detention as a policy tool to instill fear, stifle opposition, and inflict punishment on those who opposed the occupation. According to the HRMMU, Russia's forces focused on members of the Crimean Tatar community and raided homes of adherents of the Jehovah's Witness community.

From February 24 until early September, the HRMMU documented that Russia's forces or Russia affiliated armed groups were responsible for 416 unjust detentions or disappearances of Ukrainians within occupied territories. Of those unjustly detained or disappeared, 16 were found dead and 166 were released.

On August 11, the FSB conducted mass searches of homes of Crimean Tatar activists in Dzhankoy district, Crimea. Human rights groups reported occupation authorities prevented those detained and their family members from calling lawyers during the raids. Occupation authorities detained six men on charges of participating in Hizb ut-Tahrir, which is banned in Russia as a "terrorist" group but is legal in Ukraine. The occupation authorities failed to properly identify themselves and refused to inform family members where the men were being taken. Ukrainian government officials rejected the charges against the men as politically motivated. The HRMMU noted that justifications underpinning the detention of alleged members of "terrorist" or "extremist" groups often provided little to no evidence that the suspect posed an actual threat to society by planning or undertaking concrete actions.

Failure to submit to conscription into Russia's armed forces was also used as a basis for unjust detentions. Since 2015 Russia conducted annual spring and fall conscriptions in Crimea, and failure to comply is punishable by criminal penalty. As of September 30, Crimean Platform estimated more than 36,000 persons had been conscripted to service in Russia's forces since the beginning of 2014, and up

to 5,000 of those were likely Crimean Tatars. As of mid-September, the Crimean Human Rights Group documented 397 criminal cases brought against Crimean residents for evading military service in Russia's armed forces. Crimea SOS noted in its November situation report that Russia planned a new wave of mobilizations on December 10, due to "unsatisfactory results" of earlier official mobilizations.

On May 13, unknown men in balaclavas abducted Iryna Horobtsova, a pro-Ukrainian activist from Kherson. A few months later her parents discovered she was kept in a Simferopol, Crimea, remand facility. Occupation authorities reportedly denied Horobtsova access to a lawyer until late June. According to the ombudsperson, there were grounds to believe occupation authorities tortured her (see section 1.c.).

#### **e. Denial of Fair Public Trial**

Under Russia's occupation authorities, the judicial system was neither independent nor impartial. Judges, prosecutors, and defense attorneys were subject to political directives, and the outcomes of trials appeared predetermined by occupation authorities. The HRMMU noted that lawyers defending individuals accused of extremism or terrorism risked facing harassment or similar charges themselves. On May 27, Crimean police detained lawyers Ayder Azamatov and Emine Avamileva, who defended Crimean Tatar activist Nazim Sheikhmambetov. They were charged with organizing a mass gathering of citizens in a public place, which led to a violation of public order. Ayder Azamatov was detained for eight days, and Emine Avamileva had five days of administrative detention.

On June 9, a Russia-backed tribunal in Donetsk sentenced two British and one Moroccan citizen to death after finding them guilty of "mercenary activities and committing actions aimed at seizing power." The three men served in the International Legion for the Defense of Ukraine before the British members surrendered to Russia's proxy forces in the southern port of Mariupol, Donetsk Oblast, in mid-April. The Moroccan citizen was captured in mid-March in Volnovakha, Donetsk Oblast. The OHCHR noted significant violations of fair trial guarantees, including violations of the presumption of innocence, the right not to be compelled to testify against oneself or to confess guilt, and the right to a public hearing, raising serious doubts concerning the independence and impartiality of the

“courts.”

On September 29 the “supreme court” of Luhansk found Dmytro Shabanov, an employee of the OSCE, guilty of treason and sentenced him to 13 years in prison. Shabanov was a security assistant at the OSCE mission's forward patrol based in Kadiivka, Luhansk Oblast. Russia-led forces detained him in mid-April. Later, he was accused of “transferring classified information to representatives of foreign secret services.” On September 15, the head of the OSCE and the OSCE Secretary General condemned the legal proceedings against the OSCE staff and called for the immediate release of Shabanov.

The OHCHR expressed concern that “courts” in occupied areas “continued to sentence civilians for conflict-related crimes in proceedings that did not meet international fair trial standards and could thus amount to war crimes.” Human rights groups reported that de facto occupation authorities widely practiced intimidation, pressure, and harassment of lawyers for their professional activities.

The Simferopol District “court” in Crimea fined lawyer Edem Samedlyayev 75,000 rubles (\$1,230) for “liking” a social media article concerning the Russian Army in Ukraine. Samedlyayev denied reading or tagging the article.

## **Trial Procedures**

Occupation authorities did not observe the right to a trial without undue delay and the right to legal counsel. The Ukrainian government’s lack of access to Russia-occupied areas complicated investigations into human rights violations and abuses there. Perpetrators of such violations and abuses were rarely held accountable. Russia and Russia-led forces terminated Ukrainian court system functions in areas under their control. Donetsk and Luhansk did not have an independent judiciary, and the right to a fair trial was systematically restricted. The HRMMU reported that in many cases individuals were not provided with any judicial review of their detention and were detained indefinitely without any charges or trial.

In cases of suspected espionage or when individuals were suspected of having links to the Ukrainian government, closed-door trials by military “tribunals” were held. The “courts” widely relied on confessions reportedly obtained through torture and other forms of coercion. There were nearly no opportunities to appeal

the verdicts of these tribunals. Observers noted that subsequent “investigations” and “trials” appeared to create a veneer of legality to the “prosecution” of individuals believed to be associated with Ukrainian military or security forces. The HRMMU reported that Russia-led forces generally impeded private lawyers from accessing clients and that “court”-appointed defense lawyers generally made no effort to provide an effective defense and participated in efforts to coerce guilty pleas. Occupation authorities intimidated witnesses to influence their testimony.

Defendants in politically motivated cases in Crimea were increasingly transferred to the Russian Federation for trial. (See the *Country Reports on Human Rights* for Russia for a description of the relevant Russian laws and procedures that the Russian government applied and enforced in occupied Crimea.)

Occupation authorities limited the ability to have a public hearing. According to the HRMMU, occupation authorities banned family members and media from the courtroom for hearings related to charges of Hizb ut-Tahrir membership and other activities deemed subversive under Russia’s laws. The courts justified the closed hearings by citing vague concerns regarding the “safety of the participants.” The courts failed to publish judgments in these cases.

Occupation authorities interfered with defendants’ ability to access an attorney. According to the Crimean Human Rights Group, defendants facing terrorism or extremism-related charges were often pressured into dismissing their privately hired lawyers in exchange for promised leniency. The HRMMU reported that occupation authorities retroactively applied Russia’s laws to actions that took place before the occupation of the Crimean Peninsula began.

### **Political Prisoners and Detainees**

According to the Crimean Human Rights Group, as of early December, 130 Crimeans were being deprived of freedom in occupied Crimea or in Russia on political or religious charges, 92 of whom were Crimean Tatar Muslims charged with terrorism. According to the Ministry of Reintegration of Temporary Occupied Territories, as of late September there were more than 2,500 detained military personnel and civilians in various places of detention in the territories controlled by Russia’s forces or its proxies.

Charges of extremism, terrorism, or violation of territorial integrity were particularly applied to opponents of the occupation, such as Crimean Tatars, Jehovah's Witnesses, independent journalists, and individuals expressing dissent on social media. Most of those detained in the Donbas (Donetsk or Luhansk Oblasts) were either captured members of the Ukrainian Armed Forces, those who demonstrated pro-Ukrainian opinions, those suspected of collaborating with the Security Service of Ukraine, civilians suspected of "subversive acts," those who violated curfew hours, or those who had been held for ransom.

## **f. Unjust Interference with Privacy, Family, Home, or Correspondence**

See the *Country Reports on Human Rights* for Russia for a description of the relevant laws of Russia and procedures that Russia's government applied and enforced in Russia-occupied areas. Occupation authorities and others engaged in electronic surveillance, entered residences and other premises without warrants, and harassed relatives and neighbors of perceived opposition figures.

Occupation authorities routinely conducted raids on homes to intimidate the local population, particularly Crimean Tatars, ethnic Ukrainians, and members of Jehovah's Witnesses, ostensibly on the grounds of searching for weapons, drugs, or "extremist literature." According to the Crimean Tatar Resource Center, occupation authorities conducted 15 raids between January and June; 14 were in the households of Crimean Tatars.

Human rights groups reported that Russia's authorities exercised widespread authority to tap telephones and read electronic communications and had established a network of informants to report on suspicious activities. Occupation authorities reportedly encouraged state employees to inform on their colleagues who might oppose the occupation. According to human rights activists, eavesdropping and visits by security personnel created an environment in which persons were afraid to express any opinion contrary to the occupation authorities, even in private.

Occupation authorities regularly used recorded audio of discussions concerning religion and politics, obtained through illegal wiretapping of private homes and

testimonies from unidentified witnesses, as evidence in court. For example, on September 9, the southern district military court in Crimea sentenced Yashar Shykhametov to 11 years in a high-security prison on terrorism charges for alleged membership in Hizb ut-Tahrir. Authorities accused Shykhametov of possessing prohibited literature after police raided his home during a mass search of Crimean Tatar households in 2021. The prosecution presented testimony of FSB officers and interrogation of anonymous witnesses, whose words could not be confirmed in the court, and recorded conversations of the defendant with other men.

In Myrnska territorial community and surrounding villages in Kherson Oblast, Russia-led forces broke into private homes, raided the premises, and checked whether children were attending Ukrainian classes online. Russia-led forces looted, threatened men with forced mobilization, and terrorized and intimidated individuals in various ways.

### **g. Conflict-related Abuses**

After Russia's full-scale invasion on February 24, the levels of violence and scope of abuses significantly increased throughout the country; Russia continued to control the level of violence. Russia continued to arm, train, lead, and fight alongside forces it had mobilized in territories it occupied. Russia and Russia-led forces throughout the conflict denied access to international monitors, who did not have the access necessary to record systematically violations or abuses committed by Russia and Russia-led forces.

The UN Commission of Inquiry documented patterns of summary executions, unlawful confinement, torture, ill-treatment, rape, and other sexual violence committed in areas occupied by Russia across the four regions on which it focused. Individuals were detained, some were unlawfully deported to the Russian Federation, and many were still reported missing. Sexual violence affected victims of all ages. Family members, including children, were sometimes forced to witness the crimes.

**Killings:** As of December 11, the OHCHR recorded 17,362 civilian casualties, with 6,755 of those killed and 10,607 injured following Russia's full-scale invasion. Of the total of those killed, 4,005 were in Donetsk and Luhansk Oblasts.

The OHCHR estimated the actual figures were considerably higher, but continued fighting constrained its documentation efforts. The OHCHR assessed most of these casualties were the result of the use of explosive weapons with wide area effects and assessed just under 10 percent of them were caused by Ukrainian Armed Forces.

Russia's forces continued to use land mines without fencing, signs, or other measures to mitigate civilian casualties in areas under their control. Russia's forces reportedly mined roads, streets, fields, urban buildings such as hospitals and civic centers, as well as household objects, including toys and other items children would handle. In at least two instances, victim-activated booby traps were placed on dead bodies. According to survivors in liberated areas, mass media, and Ukrainian law enforcement, retreating forces of Russia left behind mined areas in disregard for civilian life. Ukrainian law enforcement officials maintained that, in some cases, the mining of territory has complicated the discovery of mass burials that offer evidence of what they characterized as war crimes by Russia's forces.

On April 8, an air strike by Russia's forces on Kramatorsk's central train station in Donetsk Oblast killed 60 civilians, including seven children, and injured 111. Civilians were gathered at the train station to evacuate from the city following government warnings that fighting would soon intensify in the region. According to Pavlo Kyrylenko, head of the Donetsk Regional Military Administration, Russia's forces struck the train station with two Tochka-U missiles. The UN high commissioner for human rights called the attack "emblematic of the failure to adhere to the principle of distinction, the prohibition of indiscriminate attacks, and the principle of precaution enshrined in international humanitarian law."

On March 16, Amnesty International reported Russia's forces struck the Donetsk Regional Academic Drama Theater in Mariupol, where hundreds of civilians were sheltering. An Amnesty International investigation concluded-at least 12 civilians were killed in the attack, but additional fatalities likely remain unreported. The OHCHR confirmed the cause of the destruction was most likely an air strike by Russia's forces and noted the word "children" was clearly marked in Cyrillic letters on the ground outside the front and rear entrances of the theater and was clearly distinctive and visible from the sky.

On November 17, a Dutch court convicted in absentia two citizens of Russia and a pro-Moscow Ukrainian fighter of murder for their role in shooting down a Malaysia Airlines passenger jet with a surface-to-air missile of Russian manufacture on July 17, 2014. The plane was shot down as it flew over a separatist-controlled region of eastern Ukraine. The presiding judge stated evidence presented by prosecutors in the trial, which lasted more than two years, proved pro-Russian Ukrainian fighters brought down the Boeing 777 with a missile. The three men convicted were former intelligence agents of Russia Igor Girkin and Sergey Dubinskiy, and Leonid Kharchenko, a Ukrainian pro-Russian leader. All three are fugitives and believed to be in Russia. A fourth suspect, Oleg Pulatov of Russia, was acquitted on all charges. In 2018 a joint investigation group concluded that the surface-to-air missile system used to shoot down the airliner over Ukraine, killing all 298 persons on board, came from Russia's forces.

**Abductions:** Russia and its proxies carried out widespread abductions of public officials, local authorities, human rights defenders, journalists, and individuals suspected of supporting the government in areas controlled by Russia. The OHCHR documented 407 cases of disappearances by Russia's forces or Russia-led forces during the first half of the year, the vast majority of such cases. The majority of victims were active or former public officials of local authorities, human rights defenders, civil society activists, journalists and media workers. The OHCHR documented 18 victims found dead after their disappearance during the year, some of them with signs of a violent death, and others who died in detention due to lack of medical care. At least 232 victims remain arbitrarily deprived of their liberty, most in unknown locations with unknown conditions of detention. An additional 160 victims were released from detention, escaped, or were left behind when Russia's forces retreated, and a further 15 victims were released during exchanges of prisoners of war.

Russia's forces reportedly tortured and mistreated abductees to compel confessions or cooperation with occupation authorities, including through beatings, electrical shock, mock executions, and confinement in cramped spaces, according to survivors' testimony and physical evidence discovered in areas liberated from Russian occupation or control.

Iryna Danylovich, an activist of the medical trade union movement and citizen



journalist, was kidnapped on her way home from work in Koktebel, Crimea. On May 11, her lawyer learned that Danylovich was held in the basement of the FSB building in Simferopol, Crimea. Russia's FSB charged Danylovich with the illegal possession of explosives. According to her lawyer, FSB officers beat and choked her, fed her only once a day and did not allow her to use the toilet for extended periods. Danylovich was interrogated, polygraphed, and threatened by interrogators that they would “take her to the forest in Mariupol.” The Feodosiya “court” in Crimea began hearing the case in November.

On March 12, Russia’s forces abducted Oleh Baturin, a journalist with the Kherson newspaper *Novy Den* and an associate of the Center for Journalistic Investigations, from a bus station in Kakhovka in Kherson Oblast. Over the following eight days, Russia’s security forces repeatedly beat, humiliated, and threatened to execute Baturin during interrogations. Baturin, who was released on March 22, claimed his interrogators repeatedly asked him for the names of the organizers of antioccupation rallies in Kakhovka, Nova Kakhovka, and Kherson in Kherson Oblast.

**Physical Abuse, Punishment, and Torture:** Russia’s forces perpetrated the overwhelming majority of cases of systemic abuses including the most severe ones, such as rape and torture, as reported and documented by the OHCHR and other human rights organizations. Observers noted that Russia’s forces and Russia-supported forces systematically denied access to independent observers, complicating the documentation of abuses in areas occupied by Russia. In August, the International Committee of the Red Cross stated it would continue to request access to Ukrainian prisoners of war held in Olenivka or elsewhere and were ready to expand work in Olenivka if the necessary security guarantees were received.

Abuses by Russia’s forces reportedly included beatings, torture, mock executions, sexual violence, deprivation of food and water, refusal of medical care, and forced labor. The OHCHR documented reports of Russia’s forces subjecting prisoners of war to torture and interrogation sessions at the Olenivka penal colony in Donetsk Oblast and the Kursk and Taganrog detention facilities in Russia. Prisoners of war were reportedly punched, kicked, beaten with batons, electrocuted, strangled, forced into stress positions, and threatened with sexual violence upon entering these and other Russian facilities.

In Russia-occupied territory conditions in detention centers were harsh and life-threatening (see section 1.c.). Sexual violence was more prevalent in “unofficial” detention facilities, where in some cases women and men were not separated. The HRMMU reported that, based on the percentage of cases in which detainees reported being sexually abused, the total number of survivors of sexual violence while under detention by Russia-led forces could be between 170 and 200, even prior to Russia’s full-scale invasion. As of May 15, the OHCHR was aware of 108 allegations of acts of conflict-related sexual and gender-based violence, including 78 allegations of rape. Most of the survivors were women and girls. The actual number of survivors is likely to be significantly higher based on the stigma of reporting such abuses.

Reported forms of abuse included rape, threats of rape, threats of castration, intentional damage to genitalia, threats of sexual violence against family members, sexual harassment, forced nudity, coercion to watch sexual violence against others, forced prostitution, and humiliation.

**Other Conflict-related Abuse:** There were reports that Russia’s forces forcibly relocated thousands of civilians from Russia-occupied areas to Russia. According to the OHCHR, civilians seeking to escape from Mariupol during Russia’s attack on the city in March felt compelled to evacuate in any direction possible, even if they did not want to enter Russia. Russia’s forces reportedly subjected deportees to interrogations at “filtration camps,” where individuals with perceived links to the Ukrainian government or armed forces were reportedly beaten and tortured.

According to a Human Rights Watch article on September 1, “filtration” is a form of compulsory security screening, in which Russia’s forces typically collected civilians’ biometric data, including fingerprints and front and side facial images; conducted body searches, and searched personal belongings and mobile phones; and questioned them regarding their political views. Ukrainian civilians were effectively detained as they waited to undergo this process, with many reporting they were housed in overcrowded and squalid conditions, for periods as short as several hours to up to almost a month.

Ukrainian children trapped in war zones faced death, injuries, separation from their families and deportation to Russia. According to the Office of the UN High

Commissioner for Human Rights, since the start of Russian's invasion, 429 children were killed and 800 injured as of December 27.

According to a report issued by the Yale's Conflict Observatory, Russian officials deported more than 6,000 Ukrainian children to Russia or Russia-held territories, at times without or with coerced parental consent, where they were held in "summer camps" and received "patriotic re-education." This involved linguistic and ideological education as well as military training. Some of the children with unclear guardianship, particularly those living in orphanages or state institutions, were later transferred to Russian foster families for adoption.

In May, Russian President Putin signed a decree making it easier for to adopt and obtain Russian citizenship for Ukrainian children without parental care, making it more difficult for surviving relatives to return adopted children to Ukraine.

According to an Associated Press investigation, Russia also prepared a register of suitable Russian families for Ukrainian children and offers payment for each child who gets citizenship, up to \$1,000 for those with disabilities. The Ukrainian Ministry of Reintegration documented 13,876 Ukrainian children deported to Russia as of year's end. According to human rights organizations from the Ukraine 5 AM Coalition, Russian authorities deported as many as 260,000 to 700,000 Ukrainian children; it is unclear how many of these children were relocated with their legal guardians as part of Russia's filtration efforts.

Russia's forces routinely bombed hospitals, resulting in civilian deaths. On February 24, a Russia-launched ballistic missile struck near a hospital in Vuhledar in the Ukrainian-controlled part of Donetsk, killing four civilians and wounding 10; six health-care workers were injured in the attack. Amnesty International's Crisis Evidence Lab determined the projectile was a 9M79 Tochka ballistic missile, and Human Rights Watch stated the missile was equipped with a cluster munition warhead.

On March 9, Russia's aircraft bombed Hospital No. 3 in Mariupol, destroying the medical complex's maternity ward and children's clinic. Ukrainian officials stated five persons were killed, including a pregnant woman and the baby she was carrying, and 16 were injured, including staff members and maternity ward patients. The *New York Times* verified videos showing the damaged and destroyed

hospital buildings with several wounded persons being evacuated, noting it was not clear whether the hospital was fully operational or had been partially evacuated at the time of the strike. The United Nations verified a strike by Russia's forces destroyed the hospital and noted several sources in Mariupol, including local authorities, and determined the hospital was clearly identifiable and operational at the time it was struck.

The *Kyiv Independent* reported on November 3 that Russia's forces continued to patrol Mariupol, conduct identification checks, and look in residents' houses and on personal mobile phones for pro-Ukrainian photos, symbols, or posts on social networks. The *Independent* also reported that, on average, five out of 30 filtered persons disappeared after being arrested at the police station.

## **Section 2. Respect for Civil Liberties**

### **a. Freedom of Expression, Including for Members of the Press and Other Media**

In occupied areas Russia's forces suppressed freedom of expression, including for members of the press, through harassment, intimidation, abductions, and physical assaults on journalists and media outlets. They also prevented the transmission of Ukrainian and independent television and radio programming in areas under their occupation.

Occupation authorities failed to investigate or prosecute physical assaults or other attacks on human rights defenders and peaceful protesters, restricting the enjoyment of freedoms of peaceful assembly and association.

See the *Country Reports on Human Rights* for Russia for a description of the relevant Russian laws and procedures the Russian government applied and enforced in occupied territories.

**Freedom of Expression:** The HRMMU noted occupation authorities placed “excessive limitations on the freedoms of opinion and expression.” On March 4, Russia's parliament passed a law imposing a jail term of up to 15 years for spreading intentionally “fake” news regarding Russia's military. Occupation authorities also applied a new administrative article outlawing “public actions

aimed at discrediting the Russian army” to prosecute those expressing dissent with actions taken by Crimean occupation authorities.

In 2020, occupation authorities began enforcing a law that prohibits the unauthorized dissemination of information damaging to the FSB’s reputation without the organization’s approval. Enforcement of this law in Crimea further deprived residents of the ability to exercise freedom of expression, by preventing them from publicly criticizing and disseminating information concerning reportedly unlawful actions of FSB officers and alleged violations or abuses of human rights.

Individuals could not publicly criticize Russia’s occupation without fear of reprisal. Human rights groups reported the FSB engaged in widespread surveillance of social media, telephones, and electronic communication and routinely summoned individuals for “discussions” for speaking or posting opposition to the occupation. These unlawfully obtained recordings were often used against those who were unjustly detained in closed trials.

Occupation authorities often deemed expressions of dissent “extremism” and prosecuted individuals for them. On March 16, occupation authorities detained Crimean Tatar human rights activist Abdureshit Dzhepparov at his home in Belogorsk, charging him with the use of Nazi symbols. The basis for the charge was a video posted on his Facebook page in 2019 that criticized Soviet propaganda by highlighting its similarities to Nazism. He was found guilty and sentenced to 15 days of administrative arrest. Dzhepparov’s supporters gathered near his house after the detention. A dispute broke out with Russia’s security forces; consequently, two other Crimean Tatars, Fevzi Yakubov and Muhammad-Ali Dzhepparov Yusuf Oglu, were detained. Supporters say Dzhepparov’s detention was likely retaliation for an interview he gave in March, in which he said Crimean Tatars are looking forward to the returning of Crimea to Ukraine. On March 11, the Crimean Human Rights Group documented the first fine for an antiwar slogan under the new regulation outlawing public actions aimed at discrediting Russia’s army. The police issued an administrative offense citation and a fine of 35,000 rubles (\$580) to a resident of Simferopol, Crimea, who laid a blue-and-yellow cardboard sign with the words “No to War” at the monument of Ukrainian poet Taras Shevchenko.

On October 12, Russia's forces shot dead musician and conductor of the Kherson Music Drama theater Yuriy Kyrpatenko when he refused to participate in a concert the occupying authorities planned to demonstrate "peaceful life" in the city.

Occupation authorities continued to ban the display of Ukrainian or Crimean Tatar symbols as "extremist." Human rights groups claimed violations of this law were rare during the year because of fewer residents displaying such symbols than in previous years, reportedly to avoid prosecution. Occupation authorities deemed expressions of support for Ukrainian sovereignty over Crimea to be equivalent to undermining Russia's territorial integrity. There were multiple reports that occupation authorities detained and prosecuted individuals seeking to film raids on homes or court proceedings. On February 18, press reports indicated that Russia's occupation authorities detained 15 Crimean Tatars, including journalist Aziz Azizov, who had gathered outside a court in Bakhchisaray to observe a hearing of a Crimean Tatar. Azizov, who was reporting on and filming the gathering, was charged with administrative offenses related to the violation of public order.

**Violence and Harassment:** The Institute of Mass Information (IMI) reported that Russia committed 462 crimes against journalists and media in Ukraine during the first nine months of its full-scale invasion. As of November 24, Russia's military killed 42 journalists in Ukraine, eight of whom were killed while performing their professional duties. Another 14 journalists were injured.

There were numerous cases of Russia's security forces harassing activists and detaining journalists in connection with their civic or professional activities. On February 11, Russia's occupation authorities detained three credentialed journalists near the Crimean garrison military court in Simferopol, Crimea. The journalists came to highlight the case of two Crimean Tatar political prisoners. Journalists Ali Suleimanov, Amar Abdulgaziev and Rustem Useinov were detained without explanation and taken to the police station in Simferopol.

French journalist Frederic Leclerc-Imhoff was fatally shot while on a humanitarian bus alongside fleeing civilians on May 30.

On February 17, occupation authorities searched the house of the delegate of the Kurultai of the Crimean Tatar people, Edem Dudakov. Dudakov had called

attention to the deliberate destruction of Crimean Tatar architectural objects as well as historical and cultural monuments by Russia's forces and Russia-led forces. After the search police took him to the Bakhchisaray "center for countering extremism." Dudakov was not allowed to consult with his lawyer either during the search or while he was questioned. Authorities charged him with incitement to hatred and on February 18, the "court" sentenced Dudakov to 10 days of administrative arrest.

**Censorship or Content Restrictions for Members of the Press and Other Media, Including Online Media:** Following Russia's occupation of Crimea, journalists resorted to self-censorship to continue reporting and broadcasting. In partially occupied oblasts, Russian television and internet monopolized the communication space.

There were reports occupation authorities sought to restrict access to or remove internet content concerning Crimea they disliked. As of August 2021, occupation authorities had blocked 27 Ukrainian websites in Crimea, including the websites of the Crimean Tatar Mejlis, Jehovah's Witnesses, Hizb ut-Tahrir, the Ministry of Integration of the Temporarily Occupied Territories of Ukraine, leading human rights NGOs, and major independent Ukrainian news outlets, among others. On May 6, Russia's authorities declared the activities of the Crimean Human Rights Group "undesirable" and determined that it "posed a threat to the Constitutional order and security of the Russian Federation." Censorship of independent internet sites was widespread (see Internet Freedom).

Occupation authorities banned most Ukrainian and Crimean Tatar-language broadcasts, replacing the content with programming from Russia. For example, Yuriy Rodionov played a Ukrainian patriotic song in a cafe in Shcholkino, Kerch Oblast and on August 14, a Russia-controlled district "court" found Rodionov guilty of committing an administrative offense under propaganda or public demonstration of Nazi paraphernalia charges and sentenced him to 10 days of administrative arrest.

According to the IMI, during the first six months of Russia's full-scale invasion at least 215 broadcasters, online and print media in Zaporizhzhya, Kherson, Kharkiv, Kyiv, Donetsk, Mykolaiv, Sumy, Luhansk, and Chernihiv Oblasts had to cease

their activities due to hostilities or occupation.

According to the National Council for TV and Radio Broadcast, as of mid-June Russia's forces took control of radio frequencies and television channels in Zaporizhzhia, Luhansk, and Kherson. The occupiers used property of the Ukrainian public broadcaster and the existing broadcasting network (in particular, 196-meter television towers in Mariupol, Donetsk and Melitopol, Zaporizhzhya) to organize broadcasting. Russia's forces seized and disconnected Ukrainian television channels and radio stations and replaced them with channels from the Russian Federation or the self-proclaimed "republics" of Donetsk and Luhansk.

IMI reported the media landscape of Zaporizhzhya Oblast changed radically beginning with Russia's full-scale invasion. Since Russia's forces controlled most of the oblast's key cities, many media outlets were forced to close. According to the IMI, there were no newspapers left in Melitopol, Berdyansk, Polohy, Tokmak, and Energodar (all in Zaporizhzhya Oblast). Many online media stopped operating. Pro-Ukrainian television channels in occupied areas also stopped broadcasting. Instead, Russia's propaganda television channels broadcast in occupied areas.

**National Security:** Occupation authorities cited laws protecting national security to justify retaliation against opponents of Russia's occupation.

The Russian Federal Financial Monitoring Service included prominent critics of the occupation on its list of extremists and terrorists. Inclusion on the list prevented individuals from holding bank accounts, using notary services, and conducting other financial transactions.

Occupation authorities frequently used the threat of "extremism," "terrorism," or other purported national security grounds to justify harassment or prosecution of individuals in retaliation for expressing opposition to the occupation. For example, on May 17, a local resident was detained after he splashed the entrance of a building in Yevpatoriya (a structure that previously housed the Mejlis of the Crimean Tatar people) with yellow and blue paint on May 16. Authorities first charged him with intentional destruction or damage of property but later added vandalism and terrorism. Russia's occupation authorities included him in a "list of



terrorists and extremists.” In October, the Simferopol, Crimea, district “court” extended his detention period until January 2023. As of mid-October, he was held in the Simferopol pretrial detention center. According to the Crimean Human Rights Group, investigators used illegal methods of investigation, namely pressure, intimidation, threats, and obstruction of the defense lawyer’s work.

## **Internet Freedom**

As of June 1, Russia’s occupation forces reportedly blocked access to Ukrainian mobile operators and the internet in almost all the occupied areas. Residents were deprived of widely used social media platforms and messaging applications, such as Facebook, Instagram, and Viber. Human rights groups and journalists who were critical of Russia’s aggressive actions in the eastern and southern part of the country reported their websites were subjected to malicious cyber activities, such as coordinated denial of service incidents and unauthorized attempts to obtain information from computers as well as coordinated campaigns of trolling and harassment on social media. Russia’s occupation authorities restricted free expression on the internet (see section 2.a. of the *Country Reports on Human Rights* for Russia) by imposing repressive Russian Federation laws on Crimea. Security services routinely monitored and controlled internet activity to suppress dissenting opinions. According to media accounts, occupation authorities interrogated and harassed residents of Crimea for online postings, including those that demonstrated pro-Ukrainian views, opposition to Russia’s occupation and the actions of occupation authorities, and support for groups occupation authorities deemed “extremist” (see Censorship or Content Restrictions, above).

## **Restrictions on Academic Freedom and Cultural Events**

Occupation authorities engaged in a widespread campaign to suppress the Crimean Tatar and Ukrainian languages (see section 6, Systemic Racial or Ethnic Violence and Discrimination).

## **b. Freedoms of Peaceful Assembly and Association**

### **Freedom of Peaceful Assembly**

In Russia-occupied territory, occupation authorities commonly prevented

individuals from openly participating in peaceful assemblies, especially those protesting the occupation. Numerous antioccupation rallies took place in Kherson Oblast. For example, on April 27, during a peaceful pro-Ukrainian rally on Freedom Square in downtown Kherson, Russia's forces used tear gas and stun grenades against civilians. At least four persons were injured.

Russia-led forces in the occupied areas continued to implement "laws" requiring all religious organizations except the Ukrainian Orthodox Church-Moscow Patriarchate to undergo "state religious expert evaluations" and reregister with them. According to the HRMMU, most religious groups recognized under Ukrainian law continued to be unable to reregister because of stringent legal requirements under "laws" in the occupied territories that mirrored Russia's legislation preventing or discouraging reregistration of many religious communities (see the Department of State's *International Religious Freedom Report* at <https://www.state.gov/religiousfreedomreport/>).

According to the June UN secretary-general's special report, "The expression of dissenting political or alternative views through participation in public assemblies continued to be curtailed in Crimea. In particular, freedom of peaceful assembly was undermined by the blanket requirement of prior authorization by the occupation authorities for any assembly."

Human rights monitors reported that occupation authorities routinely denied permission to hold assemblies based on political beliefs, notably to opponents of the occupation, or those seeking to protest the actions of the occupation authorities. Those who gathered without permission were regularly charged with administrative offenses. Expansive rules regarding types of gatherings that required permits and selective enforcement of the rules made it difficult for protesters to avoid such offenses.

Occupation authorities brought charges for "unauthorized assemblies" against single-person protests, even though preauthorization is not required for individual protests. For example, according to Crimean Solidarity, on March 25, a resident of Simferopol, Crimea, came to the building of the "State Council of Crimea" holding a poster with anti-war slogans. She was charged with "public actions aimed at discrediting Russia's army" and fined 30,000 RUR (\$500).

There were reports authorities used a ban on “unauthorized missionary activity” to restrict public gatherings of members of religious minority groups. On March 23, Imam Emir Medzhitov received a subpoena for “violation of missionary activity.” On May 12, a Russia-controlled court in Dzhankoy fined him 20,000 rubles (\$330) for “carrying out missionary activities in violation of the requirements of legislation on freedom of conscience, freedom of religion and religious associations.”

A “regulation” limits places where public events may be held to 366 listed locations, which, as the HRMMU noted, restricted the ability to assemble to a shrinking number of “specially designated spaces,” a move that appeared “designed to dissuade” peaceful assembly.

There were reports occupation authorities charged and fined individuals for allegedly violating public assembly rules in retaliation for gathering to witness security force raids on homes.

See the *Country Reports on Human Rights* for Russia for a description of the relevant Russian laws and procedures that the Russian government applied and enforced in occupied Crimea.

## **Freedom of Association**

According to the HRMMU, Russia’s and Russia-led forces did not permit domestic and international civil society organizations, including human rights defenders, to operate freely in occupied areas. Residents informed the HRMMU they were being prosecuted (or feared being prosecuted) by the “ministry of state security” for their pro-Ukrainian views or previous affiliation with Ukrainian NGOs. If human rights groups attempted to work in those areas, they faced significant harassment and intimidation. The HRMMU also noted some Russia-led civil society organizations appeared to require certain persons, such as public-sector employees, to join.

See the *Country Reports on Human Rights* for Russia for a description of the relevant Russian laws and procedures that the Russian government applied and enforced in occupied Crimea.

Occupation authorities broadly restricted the exercise of freedom of association for individuals who opposed the occupation. For example, there were numerous reports of authorities taking steps to harass, intimidate, arrest, and imprison members of Crimean Solidarity, an unregistered movement of friends and family of victims of repression by occupation authorities that opposes Russia's occupation of Crimea. During the year the Crimean Human Rights Group documented multiple cases in which police visited the homes of Crimean Solidarity activists to threaten them or warn them not to engage in "extremist" activities. On May 17, the "prosecutor's office" of Feodosia handed Suleiman Kadyrov a letter warning him against participating in gatherings related to the May 18 Day of Remembrance for the Victims of the Crimean Tatar Genocide, as they might constitute "extremist" activities. At least five other Crimean Tatar activists and journalists received similar "preventive warnings" in advance of the Day of Remembrance, as well as in advance of Crimean Tatar Flag Day on June 26.

According to human rights groups, Russia's security services routinely monitored prayers at mosques for any mention that Crimea remained part of Ukraine. Russia's security forces also monitored mosques for anti-Russia sentiment and as a means of recruiting police informants, whose secret testimony was used in trials of alleged Hizb ut-Tahrir members.

The Mejlis of the Crimean Tatar people remained banned for purported "extremism" despite a decision by the International Court of Justice holding that occupation authorities must "refrain from maintaining or imposing limitations on the ability of the Crimean Tatar community to conserve its representative institutions, including the Mejlis." Following the 2016 ban on the Crimean Tatar Mejlis as an "extremist organization," occupation authorities banned gatherings by Mejlis members and prosecuted individuals for discussing the Mejlis on social media.

### **c. Freedom of Religion**

See the Department of State's *International Religious Freedom Report* at <https://www.state.gov/religiousfreedomreport/>.

#### **d. Freedom of Movement**

Occupation authorities restricted freedom of movement.

**In-country Movement:** Occupation authorities maintained a state “border” at the administrative boundary between mainland Ukraine and occupied Crimea and the other four purportedly annexed territories. According to the HRMMU, the administrative boundary and the absence of public transportation between Crimea and mainland Ukraine continued to undermine freedom of movement to and from the peninsula, affecting mainly the elderly and individuals with limited mobility. Children younger than 16 were allowed to cross the administrative boundary between mainland Ukraine and Crimea both ways if accompanied by one parent. Children between the ages of 14 and 16 could cross the administrative line both ways unaccompanied if they studied at an educational institution located in mainland Ukraine and resided or were registered in Crimea.

There were reports occupation authorities selectively detained and at times abused persons attempting to enter or leave Crimea. According to human rights groups, occupation authorities routinely detained adult men at the administrative boundary for additional questioning, threatened to seize passports and documents, seized telephones and memory cards, and questioned them for hours. After February, there were reports that Crimean Tatars were targeted for conscription.

Crossing from the occupied areas into Ukraine was cumbersome and dangerous. On May 17, members of Russia’s military fired at civilian cars near the checkpoint in the village of Davydiv Brid, Kherson Oblast. On the same date, a column of vehicles heading to Kryvyi Rih, which remained in the “gray zone” between the Ukrainian and Russian checkpoints, came under fire from Russia’s forces. Reportedly three persons were killed and at least six wounded. By October, the sole entry point to cross from the occupied areas into Ukraine was the checkpoint near Vasylivka, in Zaporizhzhya Oblast. All other crossing points were closed due to the military conflict.

On September 30, Russian S-300 missiles struck a humanitarian column killing up to 31 persons and wounding 118 on the outskirts of Zaporizhzhya city. The column-had planned to enter the occupied parts of Zaporizhzhya Oblast to deliver

humanitarian aid and escort out relatives from the occupied area.

At the beginning of October, Russian occupation authorities imposed additional requirements on travelers crossing from the occupied areas into other parts of Ukraine. Travelers needed to obtain a special permit issued by military forces and were required to provide detailed information concerning their plans. In-person permit applications could only be submitted in several cities of Zaporizhzhya Oblast. Residents of Kherson Oblast only had the option to apply online, but there were reports that entry passes could be obtained at the crossing point. Crossing the line of control by bus was no longer an option since carriers were required to get a Russian license to render transportation services. Those who had been helping residents evacuate were sometimes detained themselves. In July, Russia-led forces detained Azat Azatyan for 43 days while he was transporting persons from the temporarily occupied parts of Kherson. According to Azatyan, he was beaten with batons and tortured with electric current every day in captivity.

Volunteers said the permit procedures slowed crossings, thereby reducing the flow of persons into Ukraine. According to media reports in August, individuals spent nights in tents, cars or in the nearest villages for several days waiting to cross. As of August 10, 10 individuals died waiting in line. The HRMMU noted in its December 2 report persons often had to queue for up to three days at the crossing point, and the permits (which were only valid for one to two days) often expired before they could cross, forcing them to turn back and reapply.

**Citizenship:** Russia's occupation authorities required all residents of occupied areas to accept Russian passports and offered them incentives to move to Russia. On July 11, Russian President Putin signed a decree fast tracking Russian citizenship to all citizens of Ukraine, not just those in purportedly annexed territories. On August 27, the Russian president signed two decrees to assist "stateless" persons and residents of Ukraine to live and work in the Russian Federation. The first decree allows Ukrainian residents to work in Russia without a permit if they acquire a Russian identification card within 30 days of the decree. The second decree orders social services to provide payments to individuals who leave Ukraine. Those who refuse Russian passports could be subject to arbitrary expulsion. According to the Crimean Human Rights Group, since Russia's occupation there in 2014, approximately 2,000 Ukrainians were prosecuted for not

having Russian documents, and approximately 530 persons were ordered to be “deported.”

Residents of Crimea who chose not to accept Russian passports were considered foreigners, but in some cases, they could obtain a residency permit. Persons without Russian passports holding a residency permit were deprived of key rights and could not own agricultural land, vote or run for office, register a religious congregation, or register a vehicle. Occupation authorities denied those who refused Russian passports access to “government” employment, education, and health care as well as the ability to open bank accounts and buy insurance, among other limitations.

According to the Crimean Human Rights Group, Russian authorities prosecuted private employers who continued to employ Ukrainians. Fines could be imposed on employers for every recorded case of employing a Ukrainian citizen without a labor license. Fines in such cases amounted to several million dollars.

In some cases, authorities compelled Crimean residents to surrender their Ukrainian passports, complicating international travel, because many countries did not recognize “passports” issued by Russian occupation authorities.

#### **e. Protection of Refugees**

Not applicable.

#### **f. Status and Treatment of Internally Displaced Persons**

Approximately 53,000 residents of Crimea were registered as IDPs by the Ukrainian government on the mainland, according to the Ministry of Social Policy. The Mejlis and local NGOs, such as Crimea SOS, believed the actual number could be as high as 100,000, as most IDPs were unregistered. Most of these individuals fled due to fear of persecution by occupation authorities because of their work as political activists or journalists. Muslims, Greek Catholics, and Evangelical Christians who left Crimea said they feared discrimination due to their religious beliefs.

On July 18, the Ukrainian parliament amended the law so that the term “territory of

Ukraine temporarily occupied by the Russian Federation” would be used in legislation regarding IDPs from Crimea, and regions of Donetsk and Luhansk.

Crimean Tatars, who made up the largest number of IDPs from Crimea, said they left because of pressure on their community, including an increasing number of arbitrary searches of their homes, surveillance, and discrimination. In addition, many professionals left Crimea because Russia’s occupation authorities required them to apply for Russian professional licenses and adopt Russian procedures in their work.

### **Section 3. Freedom to Participate in the Political Process**

**Elections:** Russia’s occupation authorities have prevented Crimean residents from voting in Ukrainian national and local elections since Crimea’s occupation began in 2014. Russia’s occupation authorities permitted Crimean residents to vote in the September 2021 Russia State Duma elections. Occupation authorities claimed a voter turnout rate of 49.75 percent. Independent observers and elections experts alleged massive electoral fraud, including coerced voting by state employees and ballot stuffing, among other irregularities. Ukraine’s Ministry of Foreign Affairs condemned Russia’s elections in Crimea as illegal and stated it would hold responsible those who organized and conducted the illegal voting there.

Russia-led forces facilitated residents’ acquisition of Russian passports to enable voting in Donetsk and Luhansk in Russia’s September 2021 Duma elections. According to independent observers, these elections were neither free nor fair. Russia-occupied areas of eastern Ukraine were one of the few places where residents were able to vote online.

From September 23 to September 27, Russia’s occupation authorities held sham “referenda” in Donetsk, Luhansk, Kherson, and Zaporizhzhya Oblasts on joining the Russian Federation. On September 30, the president of the Russian Federation signed the so-called Treaties on the Accession of the Donetsk, Kherson, Luhansk, and Zaporizhzhya Regions to the Russian Federation. On October 4, the Russian Federation adopted federal constitutional laws on accession and purported to formally recognize these four Ukrainian regions as separate “subjects” of the Russian Federation. Ukrainian media reported that in all four oblasts, Russian



soldiers went to Ukrainian homes to encourage them to participate in “voting” and Russian mobile brigades reportedly showed up at places of work to get out the “vote.”

In Luhansk Oblast, Bilovodsk, a company that employs local residents, told all employees they must vote or lose their jobs or have their names passed to proxy authorities who investigated “terrorism.” Russia's forces stopped pedestrians in the street to demand that they vote. When one resident said he did not have his passport with him, a member of Russia-affiliated forces said, “You don’t need one; we already know you.” In Kherson Oblast, press alleged that “voters” were brought in by Russia’s forces from Crimea and from the Rostov region of Russia to take part in the “elections.” There were also allegations that residents were paid to “check certain blocks on voting ballots.” A Ukrainian mayor from a Russia-occupied part of Zaporizhzhya said Russia’s forces went door to door with a mobile voting box with assault rifles in hand.

## **Section 4. Corruption and Lack of Transparency in Government**

**Corruption:** There were some reports of systemic corruption among Russia’s appointed proxy “office holders” in occupied areas, including through embezzlement of Russian state funds allocated to support the occupation. On July 7, Russian authorities detained the military commissar of Crimea, Yuriy Lyomar. He was charged with abuse of power and soliciting bribes and placed under house arrest for two months. According to the FSB, Lyomar gave illegal instructions to his subordinates to release citizens from conscription for military service for a monetary reward.

## **Section 5. Governmental Posture Towards International and Nongovernmental Investigation of Alleged Abuses of Human Rights**

Russia-led forces and proxies in Russia-occupied areas routinely denied access to domestic and international civil society organizations. Human rights groups attempting to work in those areas faced significant harassment and intimidation

(see section 2.b., Freedom of Association). Most independent human rights organizations ceased activities in Crimea following Russia's occupation in 2014. Occupation authorities refused to cooperate with independent human rights NGOs, ignored their views, and harassed human rights monitors and threatened them with fines and imprisonment.

Russia continued to deny access to the Crimean Peninsula to international human rights monitors from the OSCE and the United Nations. There were no independent NGOs working in Donetsk, Kherson, Luhansk, and Zaporizhzhya Oblasts.

## **Section 6. Discrimination and Societal Abuses**

### **Women**

**Rape and Domestic Violence:** Domestic violence remained a serious problem in occupied Crimea; however, occupation authorities' restrictions on human rights organizations made it difficult to assess its prevalence. There was no information available on this issue from Donetsk, Kherson, Luhansk, and Zaporizhzhya Oblasts.

**Sexual Harassment:** There was not sufficient information available to assess the prevalence of sexual harassment nor the enforcement of any relevant laws.

**Reproductive Rights:** There were no reports of coerced abortion or involuntary sterilization on the part of occupation authorities.

Women in Crimea accessed reproductive health care through services funded by the Russian occupation authorities, private insurance, and NGO programs; however, no Ukrainian or international monitors had access to Crimea or other occupied Russian areas, making it difficult to assess the state of reproductive health care there.

**Discrimination:** This information was not available given the restriction of independent NGOs working in the Russia-occupied areas.

## **Systemic Racial or Ethnic Violence and Discrimination**

Since the beginning of its occupation of the Crimean Peninsula in 2014, Russian authorities singled out Crimean Tatars and ethnic Ukrainians for discrimination, abuse, deprivation of civil liberties and religious and economic rights, and violence, including killings and abductions (see sections 1.a., 1.d., 1.f., 2.a., 2.b., and 2.d.). The August 2021 UN secretary-general's report noted, "The activities of the Mejlis remained prohibited in Crimea."

There were reports that Russian occupation authorities openly advocated for discrimination against Crimean Tatars. Occupation authorities harassed Crimean Tatars for speaking their language in public and forbade speaking it in the workplace, and teachers reportedly prohibited it in schools. In March, a Russia-occupied court in Crimea prohibited defendant Imam Raif Fevziyev from speaking the Crimean Tatar language in court. Crimean Tatars were prohibited from celebrating their national holidays and commemorating victims of previous abuses (see section 2.b.).

Occupation authorities prohibited the use of Crimean Tatar and Ukrainian flags and symbols (see section 2.a.). In early September, a teacher from Sevastopol, Crimea, was fired after she decorated her classroom with balloons of blue and yellow, the colors of the Ukrainian flag.

Russian occupation authorities prohibited Crimean Tatars affiliated with the Mejlis from registering businesses or properties as a matter of policy.

Ethnic Ukrainians also faced discrimination by occupation authorities. Ukrainian as a language of instruction was removed from educational institutions in occupied areas. In 2017 the International Court of Justice ruled on provisional measures in proceedings brought by Ukraine against the Russian Federation, concluding unanimously that the Russian Federation must "ensure the availability of education in the Ukrainian language."

Occupation authorities did not permit churches linked to ethnic Ukrainians, in particular the Orthodox Church of Ukraine (OCU) and the Ukrainian Greek Catholic Church, to register under Russian law. Occupation authorities harassed and intimidated members of these churches and used court proceedings to force the

OCU to leave properties it had rented for years.

The largest OCU congregation in Crimea closed in 2019 following a ruling by occupation authorities that its cathedral located in Simferopol must be “returned to the state.” The church was shut down after repeated refusals by authorities to allow it to register.

## **Children**

**Birth Registration:** Under both Ukrainian law and laws imposed by Russian occupation authorities, either birthplace or parentage determines citizenship. Russia’s occupation and purported annexation of Crimea complicated the question of citizenship for children born after February 2014, and after February 24, since the full-scale invasion made it more difficult for parents to register a child as a citizen with Ukrainian authorities. Registration in the country requires a hospital certificate, which is retained when a birth certificate is issued. In occupied areas, new parents could only obtain a Russian birth certificate and did not have access to a hospital certificate. The Ukrainian government instituted a process whereby births in Russia-occupied areas could be recognized with documents issued by occupation authorities.

**Education:** Occupation authorities imposed Russian as the instruction language in educational institutions of all levels. They forced Ukrainian citizens to enroll their children in schools and preschool facilities that followed the Russian curriculum. Children were taught by teachers and educators who came from the Russian Federation. If parents did not agree, the occupation administration threatened to remove children from families and place them in boarding schools. The occupation administration imposed a curriculum that included a so-called patriotic education program and initial military training for schoolchildren.

## **Antisemitism**

According to Jewish groups, the Jewish population in Crimea was approximately 10,000 to 15,000, with most living in Simferopol. According to the Jewish association, there were approximately 30,000 Jewish persons living in the Donbas. There were no reports of antisemitic acts; however, Russia’s occupation

authorities' restrictions on human rights groups limited their ability to properly monitor antisemitic acts.

## **Acts of Violence, Criminalization, and Other Abuses Based on Sexual Orientation, Gender Identity or Expression, or Sex Characteristics**

**Criminalization:** According to NGO Nash Svit, in March a man was detained by Russia's forces near Mariupol (Donetsk Oblast) as he attempted to leave the city. The forces examined his belongings and found information on his mobile phone that "attested to his homosexuality." Russia's forces sentenced him to a month in Olenivka prison in Donetsk Oblast for terrorism. The administration of the prison disclosed the man's sexual orientation to all the other prisoners, after which he was subjected to repeated sexual violence.

**Violence against LGBTQI+ Persons:** The UN Human Rights Council's independent expert received reports of increased violence and discrimination against members of the LGBTQI+ community in Crimea as well as the use of homophobic propaganda employed by the occupation authorities. LGBTQI+ persons reportedly were frequently subjected to beatings in public spaces and entrapped by organized groups through social networks. The council's report noted, "This environment created an atmosphere of fear and terror for members of the community, with related adverse impacts on their mental health and well-being."

**Discrimination:** Russia's forces and Russia-led forces in occupied areas systematically failed to respect the human rights of LGBTQI+ persons. Human rights groups and LGBTQI+ activists reported that most LGBTQI+ individuals fled Crimea and Donetsk, Kherson, Luhansk, and Zaporizhzhya oblasts after Russia's occupation began. Those who remained lived in fear of abuse due to their sexual orientation or gender identity or expression.

There was not sufficient information on the treatment of members of the LGBTQI+ community in occupied eastern Ukraine.

According to the HRMMU, NGOs working on access to health care among

vulnerable groups found it impossible to advocate for LGBTQI+ persons due to fear of retaliation by occupation authorities.

**Availability of Legal Gender Recognition:** There was not sufficient information on the availability of legal gender recognition within Russia-occupied areas of Ukraine.

**Involuntary or Coercive Medical or Psychological Practices Specifically Targeting LGBTQI+ Individuals:** There was not sufficient information on coercive medical or psychological practices within Russia-occupied areas of Ukraine.

**Restrictions of Freedom of Expression, Association, or Peaceful Assembly:** On December 6, President Putin signed legislation that widely bans public expression of LGBTQI+ identity in Russia. The new law makes it illegal to spread “propaganda” regarding “nontraditional sexual relations” in the media, advertising, film, or on social media. Demonstrations of “nontraditional relationships or preferences” will also be completely barred from advertising, and from any outlet visible to children. Distributing to children any information “that causes children to want to change their sex” was also prohibited. As Russia deems occupied areas of Ukraine to be part of its sovereign territory, the new law was likely to be enforced in Crimea, and Russia-occupied parts of Donetsk, Kherson, Luhansk, and Zaporizhzhya Oblasts.

Occupation authorities prohibited any LGBTQI+ group from holding public events in Crimea, and occupation authorities were likely to enforce similar policies in Donetsk, Kherson, Luhansk, and Zaporizhzhya Oblasts. LGBTQI+ individuals faced increasing restrictions on their exercise of free expression and peaceful assembly, because occupation authorities enforced a Russian law that criminalizes the so-called propaganda of nontraditional sexual relations to children (see section 6 of the *Country Reports on Human Rights* for Russia).

## **Persons with Disabilities**

Persons with disabilities in Russia-occupied Crimea and occupied areas in eastern Ukraine faced a lack of appropriate care and education. On September 9, the UN Committee on Rights of Persons with Disabilities (CRPD) reported that persons

with disabilities trapped in Russia-occupied areas in Ukraine were being used as “human shields” by Russia’s armed forces. The CRPD’s Vice-Chair, Jonas Ruskus, revealed that the committee had learned that at least 12 persons with disabilities died in a residential institution in Russia-occupied territory. CRPD was also gravely concerned that persons with disabilities were reportedly trapped in the conflict zones and that the evacuation of the institutions in conflict areas was not prioritized.

According to reporting, the CRPD also urged Ukraine and the Russian Federation to immediately evacuate persons with disabilities who remain in residential institutions on territory under their respective control, and to ensure the evacuation process is monitored by independent parties. The United Nations reported that the CRPD was further concerned about reports that persons with disabilities who remain in residential institutions are at severe risk, as their access to basic resources, such as food, an adequate standard of living, and to heating in the winter months, are jeopardized.

According to the HRMMU’s December 2 report, the water supply in Russia-occupied areas of Donetsk Oblast sharply decreased since February, with some settlements receiving only one-fifth of the water they need. As water is delivered by trucks to specific collection points, persons with disabilities and older persons with chronic health problems or mobility challenges, face additional hurdles in accessing sufficient potable water.

## **Section 7. Worker Rights**

Occupation authorities in Crimea applied the labor laws of the Russian Federation. It was expected that Russia’s labor laws would be applied in Donetsk, Kherson, Luhansk, and Zaporizhzhya Oblasts after their purported annexation (see the *Country Report on Human Rights Practices* for Russia).

Occupation authorities imposed the labor laws and regulations of the Russian Federation on Crimean workers, limited worker rights, and created barriers to the exercise of freedom of association, collective bargaining, and the ability to strike. Trade unions are formally protected under Russia’s laws but limited in practice. Employers were often able to engage in antiunion discrimination and violate

collective bargaining rights. Occupation authorities threatened to nationalize property owned by Ukrainian labor unions in Crimea. Ukrainians who did not accept Russian passports faced job discrimination in all sectors of the economy. Only holders of Russian national identification cards were allowed to work in “government” and municipal positions. Labor activists believed unions were threatened in Crimea to accept “government” policy without question and faced considerable restrictions on advocating for their members.

**Informal Sector:** Although no official data were available, experts estimated there was growing participation in the underground economy in Crimea. Child labor in amber and coal mining remained a problem in Crimea. No information was available at year’s end regarding labor practices in Donetsk, Kherson, Luhansk, and Zaporizhzhya Oblasts.