

## **UKRAINE: Systematic torture of civilian hostages in territories under Russian control**

**Submitted by the Human Rights Centre ZMINA (Kyiv, Ukraine), the Media Initiative for Human Rights (Kyiv, Ukraine) and the World Organisation Against Torture (Geneva, Switzerland)**

### ***Executive Summary***

The present general allegation letter addresses torture and ill-treatment of Ukrainian civilians in the territories of Ukraine, occupied by the Russian military in February-April 2022 and liberated later in 2022.

Having taken control over the Ukrainian territories in 2022, the Russian military has started to extensively target civilians who did not support occupation and had negative attitude towards Russian troops, political leadership, and the Russian-imposed ideological concept of the “Russian world”<sup>1</sup> both openly and latently or were perceived having such opinions. This group of civilians has been perceived by the Russian military as an obstacle to control civilian population and the occupied territories.

Once identified, the disloyal civilians were subjected to enforced disappearances, arbitrary detention, torture and ill-treatment by the Russian-controlled armed forces in a systematic and pre-planned way. The aim of this treatment was to force these civilians to cooperate, to punish for their position and/or disclose information about other disloyal civilians.

Torture and ill-treatment were used during interrogations, arrests, transfers between places of detention, and in detention. Many victims reported regular mass torture of other detainees. Victims were as well kept in inhumane conditions, including denial of medical care, lack of access to food, water, and sanitary facilities, for periods ranging from a few days to several months.

Once victims agreed to cooperate or they could not provide any information and were not seen as dangerous, they were released. In some cases, the victims died due to torture or were taken to Russia.

The implementation of this policy involved various military units controlled by the Russian Ministry of Defence, the Federal Security Service, the Federal Penitentiary Service, the Federal Service of National Guard Troops, units of the so-called “Donetsk People's Republic” (DPR) and “Luhansk People's Republic” (LPR) being under effective control of Russia<sup>2</sup>, and other state actors.

The patterns identified indicate that these violations may qualify as crimes against humanity due to their systematic and pre-planned nature, coordination by senior military leadership and being aimed at the common political goal.

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<sup>1</sup> On 5 September 2022, Russian President Vladimir Putin approved a new foreign policy doctrine based on the ideological concept of the “Russian world”. The concept recognizes post-Soviet states as a zone of Russian influence and substantially denies them the rights to have geopolitical and cultural choices: <https://www.reuters.com/world/putin-approves-new-foreign-policy-doctrine-based-russian-world-2022-09-05/>; <https://dgap.org/en/events/russskiy-mir-russian-world>

<sup>2</sup> <https://hudoc.echr.coe.int/eng-press#%7B%22itemid%22:%5B%22003-7550165-10372782%22%7D>

***Recommendations to the UN Special Rapporteur on Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment:***

- Condemn the systematic practice of torture and ill-treatment of civilians by the Russian-controlled armed forces against civilians in the territories of Ukraine under their control;
- Urge Russian authorities to respect their obligations towards civilians and prisoners of war (POWs) within international humanitarian law and human rights law, especially to guarantee freedom from torture and inhuman treatment and ensure access of the ICRC and other humanitarian and human rights mechanisms to places of detention;
- Promote accountability of alleged perpetrators of human rights violations and international crime of torture and ill-treatment of civilians and POWs;
- Encourage the Ukrainian authorities to ensure effective investigation of torture and ill-treatment committed by both sides to the armed conflict, including implementation of the Manual on the Effective Investigation and Documentation of Torture (Istanbul Protocol);
- Advocate for the development and launch of the state-run rehabilitation programmes for torture survivors in Ukraine

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## ***Introduction and methodology***

Since the beginning of Russia's full-scale invasion of Ukraine, the Russian troops and security services have committed serious violations of international humanitarian law and human rights law against civilians in territories that have been or remain under Russian control since 24 February 2022<sup>3</sup>. The violations include among others torture and ill-treatment, enforced disappearances, arbitrary detentions, and deportations of the civilian population.

The purpose of this general allegation letter is to present patterns of torture committed by the Russian armed forces against civilians in the territories of Ukraine that fell under Russian control since 24 February 2022. The document does not include information about torture of prisoners of war. The analysis is based on 49 in-depth interviews with civilians who had been victims and witnesses of violence by the Russian army conducted by the Human Rights Centre ZMINA, the Media Initiative for Human Rights and the World Organisation Against Torture (OMCT) during the period of November 2022 to February 2023, including during the mission to the Kharkiv region from 30 January to 4 February 2023.

We qualify 32 out of 49 cases as torture as defined by the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the Rome Statute of the International Criminal Court. The other cases are qualified as ill-treatment and are used to analyse the context and to reconstruct the full picture of the treatment of civilians by the Russian military in the occupied territory.

Among 32 documented cases, 27 interviewees were victims of torture, three of them witnessed torture and two were relatives of persons who died as a result of torture. 22 cases took place in the Kharkiv region, four cases in the Kherson region, two cases each in the Zaporizhzhya and the Donetsk region and one case each in the Kyiv and the Chernihiv region. Interviewees reported violations occurring in at least sixteen places of detention. These violations cover the period from 1 March to 14 September 2022. Despite the limited number of interviewees, a number of patterns have been identified in all cases and presented below.

The general allegation letter includes an overview of the profiles of torture survivors, the purposes, circumstances, methods, and consequences of torture as well as identification of the responsible officials and military units. While the letter is not intended to be a comprehensive legal analysis, it does include a preliminary legal assessment of the documented cases.

## ***Profiles of persons targeted***

While occupation of the Ukrainian territories, the Russian military systematically targeted five categories of local civilians: 1) veterans and former servicemen of the Ukrainian army, who were not serving at the start of full-scale invasion on February 24, 2022; 2) civilians who directly or indirectly cooperated with the Ukrainian army while the territory was/being under the control of the Russian troops; 3) persons who were openly and persistently disloyal to the Russian army and expressed this position publicly (local civic activists, volunteers, entrepreneurs, etc.); 4) heads and senior officials of local authorities who have refused to cooperate with the Russian army; 5) family members of the mentioned categories of civilians. Representatives of these groups represent 48% of the documented cases of torture.

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<sup>3</sup>[https://www.ohchr.org/sites/default/files/documents/hrbodies/hrcouncil/coiukraine/A\\_HRC\\_52\\_62\\_AUV\\_EN.pdf](https://www.ohchr.org/sites/default/files/documents/hrbodies/hrcouncil/coiukraine/A_HRC_52_62_AUV_EN.pdf)

The Russian military has also made efforts to identify other disloyal civilians outside of the above-mentioned categories by:

- getting denunciations from loyal locals, including representatives of local authorities and law enforcement agencies;
- collecting information obtained by torturing other civilian detainees;
- conducting raids with searches and checks of electronic devices of local residents;
- implementing so-called filtration procedures in the occupied territories;<sup>4</sup>
- tapping mobile phones and tracking social media activity.<sup>5</sup>

The targeting of civilians has been different in intensity in different regions depending on its perceived level of (non) support for the Russian invasion among the local population. For example, in the Kharkiv region, which borders Russia and where according to locals many supported the Russian invasion, only groups with close association with the Ukrainian resistance were targeted. The documented cases of torture in this region include mainly civilians who have friendship or family ties with Ukrainian servicemen, who served in the Ukrainian army before the full-scale invasion, who passed information to the Ukrainian army, or who were closely associated with the Ukrainian resistance in another way.

In cases documented in the Zaporizhzhia, Kherson, Donetsk, Kyiv and Chernihiv regions, the Russian military detained and tortured much wider circle of local residents perceived as suspicious and potentially dangerous, including those who: 1) lived near the Russian military positions that had recently been shelled by the Ukrainian armed forces and were perceived as possible scouts for Ukrainian artillery; 2) wore Ukrainian patriotic tattoos; 3) had Ukrainian-related content in their mobile phones (subscriptions to Ukrainian news, Ukrainian patriotic music, etc.); 4) had elements of clothing or shoes similar to the Ukrainian military uniform (socks and underwear in khaki, etc.) 5) were engaged in humanitarian aid to the local population without coordination with the Russian military; 6) were engaged in humanitairian aid to the local population without coordination with the Russian military; 7) left comments and posts in support of Ukraine in social media and others.

The most intense non-selective violence against local population has been documented in the Kyiv and Chernihiv regions, Central and Northern Ukraine. The local population in these areas was perceived as negatively disposed towards Russia<sup>6</sup>. Interviews with victims indicate that residents of these regions were widely perceived by the Russian army as hostile and dangerous, even if they did not engage in any direct hostile acts against the Russian military.

***A survivor from the village of Stary Bykiv, the Chernihiv region, Northern Ukraine:***

*“Our village was occupied during the first days of the Russian invasion. The Russian military detained and shot six or seven locals. One of those killed was a colleague of my father. The local guy, who was detained with me, said that the Russian military beat him with a machine gun and a hammer, and threatened to pour red-hot iron on him. My uncle was also beaten up. They were random civilians. Some of them were simply detained in the street or in the basements of houses where they were hiding from the shelling.*

*This started after Russian military positions near the village were shelled by the Ukrainian army. So, the Russians thought that the locals were passing information to the Ukrainian army. One of the Russian soldiers told me that **the commander allowed them to shoot locals who seemed suspicious to them**. But they could have seen anyone as suspicious”<sup>7</sup>.*

<sup>4</sup> Filtration is a system of interconnected checkpoints and places of detention, where personal belongings, documents and electronic devices were checked, interrogations were carried out and personal and biometric data was collected: [https://mipl.org.ua/wp-content/uploads/2022/07/OSCE\\_Filtration\\_eng\\_web.pdf](https://mipl.org.ua/wp-content/uploads/2022/07/OSCE_Filtration_eng_web.pdf)

<sup>5</sup> <https://www.ohchr.org/sites/default/files/documents/issues/disappearances/cfi/newtechnologies/submissions/cso/wgeid-submission-human-rights-centre-zmina.pdf>

<sup>6</sup> <https://www.kiis.com.ua/?lang=eng&cat=reports&id=1054&page=1>

<sup>7</sup> VA-CH-25/11/2022

***A survivor from the city of Berdyansk, the Zaporizhzhia region, Southern Ukraine:***

*“I was accused for only having subscriptions to Ukrainian news and no subscriptions to Russian channels in the Telegram messenger. During my arrest, the Russian military asked my husband and me why we didn't like the Russians. After I was detained, they took me to the commandant's office. The FSB interrogated me there, asking questions about other people who were among the subscribers of a Telegram group (the group published Ukrainian news and covered information about the movement of Russian troops in the region only to inform the local population). When I answered that I did not know these people, two FSB officers connected wires to my legs and turned on the electric current. I was screaming really hard”<sup>8</sup>.*

Among those subjected to torture on suspicion of having affiliation with the Ukrainian resistance were members of vulnerable groups. Cases of torture of two humanitarian volunteers, two women, five elderly people and one person with severe chronic illnesses have been documented. However, available information indicates that women civilian detainees have been subjected to torture less frequently than men.

### ***Purpose of torture***

83% of survivors interviewed from six different regions of Ukraine reported that they were subjected to the most severe torture during interrogations aimed at obtaining information about the Ukrainian army or about other civilians disloyal to the occupation or at coercing cooperation with the Russian army.

In many cases of torture during interrogations, the Russian military also voiced a motive to punish civilians for their real or perceived cooperation with the Ukrainian army or civilian position in support of Ukraine. A number of interviewees were forced to “confess” to carrying out artillery reconnaissance for the Ukrainian army, serving in the Ukrainian army or organising peaceful protests against the occupation. In one documented case a schoolteacher was forced to introduce Russian school curricula in a local school among other things<sup>9</sup>.

After continuous torture during interrogations, the Russian military released civilians if they agreed to cooperate. Some victims were forced to sign a written agreement or to video-record it. Another group of victims were released allegedly when the Russian military realised that they could not be useful and did not pose any threat. The average period of detention ranged from a few days to two or three months.

Two survivors from the Kyiv and Chernihiv regions were displaced from the occupied territories and transferred to places of detention in Russia shortly after being abducted. Most probably it happened due to the de-occupation of these territories. In regions that have been under occupation for longer periods, the torture victims being transferred to Russia or occupied Crimea after they “confessed” under torture helping the Ukrainian resistance<sup>10</sup>. For instance, one victim reported that six other survivors who had been held with him at the police station in Balakliia, the Kharkiv region, were taken to Russia after they “confessed” to passing information to the Ukrainian army as a result of torture<sup>11</sup>.

***The Head of the Stara Zbur'ivka village, the Kherson region, Southern Ukraine:***

*“Since I am the Head of the village, the Russian soldiers decided that I know everything about the village of 2,500 inhabitants and those who can resist them. They also asked me about neighbouring villages. I tried to*

<sup>8</sup> OZ-ZA-16/11/2022

<sup>9</sup> SN-KHE-11/2022

<sup>10</sup><https://zmina.info/news/vykradenogo-na-hersonshhyni-aktyvista-sergiya-czygipu-perevely-do-novogo-sizo-jogo-pereviryaye-fsb/>

<sup>11</sup> OR-KH-31/01/2023

*explain them that I didn't know the situation and people from neighbouring villages, but they didn't take it into account. The impression was that **they were working on the principle of taking any people and if they beat them up long enough they would tell the Russians something useful.** If there was a hitch in answering, there was an immediate series of blows that I flew off the stool to the wall, then they kept beating me.*

*Most likely they released me because my condition was already such bad that they decided to let me go home to die. Often people are released when the Russian military realise that a person may die and they would need to deal with it.*

*Before releasing me, an officer in a balaclava who looked like an FSB officer put several conditions on me: 1. I must go back to work, perform my duties as the Head of the village. 2. **If any new or suspicious people appear in the village, I must inform the Russians.** 3. If someone wants to organise pro-Ukrainian rallies, I should inform them”<sup>12</sup>.*

***Torture victim from Berdyansk city, the Zaporizhzhia region, Southern Ukraine:***

*“During interrogation I was asked about organizers of pro-Ukrainian rallies, who finances them and how much money we receive. I received a dozen blows for each answer. I did not lie that we organised the rallies ourselves and that it was our civic position. My answers did not satisfy them and they connected something to my ears and ran the current four or five times.*

*Before I was released, they said they would give me a text which I should read and stop going to the rallies. I read this text on camera. There was a man standing there with a machine gun behind the camera. **They forced me to write a handwritten agreement on cooperation with the Russian Federation**”<sup>13</sup>*

In the areas of the Kharkiv, the Kherson, the Zaporizhzhia and the Donetsk regions that had been under occupation for longer periods and where the Russian military had established administration, generally they did not aim to execute civilians and released detainees if torture resulted in life-threatening injuries. However, there were reported cases of executions or deaths in detention as a result of torture<sup>14</sup>. In the Kharkiv region, the Human Rights Centre ZMINA has documented at least one case of a local resident having died from injuries caused by torture several months after his release. One torture victim reported that during his detention in penal colony №120 in Olenivka, the Donetsk region, he saw the dead body of a detainee being taken out after he had been severely beaten during interrogation<sup>15</sup>.

## ***Circumstances of torture***

### ***Arrest and interaction with perpetrators***

In 72% of documented cases, victims were arrested at their houses or workplace by a group of 7-15 Russian servicemen or representatives of the security services. During the arrests, their houses were searched, and documents and electronic devices were seized. In the other cases, the detentions took place in the streets of the residential areas where victims lived, at Russian checkpoints during filtration procedures, or near Russian military vehicles.

Perpetrators made efforts not to be identified during arrest, transportation, detention and interrogations. Most victims were blindfolded with a bag over their heads immediately after arrest, in places of detention when being taken to an interrogation room and during transportation between places of detention. When the Russian military did not have a bag, they covered the victims' eyes with jackets or put hats on them, which were secured with duct tape wrapped around their heads. Most victims noted that even in those rare moments when they could interact with the Russian military, servicemen wore balaclavas covering their faces.

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<sup>12</sup> VM-KHE-08/09/2022

<sup>13</sup> ANON-ZA-20/05/2022

<sup>14</sup> <https://zmina.info/news/dytyachogo-pysmennyka-volodymyra-vakulenko-zastrelyly-z-pistoleta-makarova/>

<sup>15</sup> VG-DO-27/7/2022

In some documented cases, the arrest of civilians was accompanied by threats of weapons, insults, strip-searches, beatings with hands or a machine gun. In the Kharkiv region, in one documented case a local resident died as a result of injuries caused by beatings during arrest<sup>16</sup> and in the other cutting off an earlobe and torture by drowning was reported during the arrest.

When victims were arrested during filtration procedures<sup>17</sup>, they were beaten, not fed for several days while being transported between filtration points, forced to stay outside in freezing temperatures with their hands tied and not allowed to use the toilet for many hours<sup>18</sup>.

Almost all documented cases of torture relate to enforced disappearances or incommunicado detention, and several cases relate to arbitrary detention. Victims were subjected to enforced disappearances or incommunicado detention in the absence of any legal procedures:

- they were not explained grounds and reasons for the arrest;
- they did not have access to a lawyer (in one documented case the administration of the temporary detention centre in Donetsk forced detainees at night to sign a statement that they did not need a lawyer)
- there was no decisions of courts or military administrations (excluding detention in so-called “DPR”)
- relatives were not informed about detention and grounds for it, and the place of detention (when relatives inquired the administrations of places of detention where the victims were held, the administration denied detention)
- the ICRC was not allowed to visit the detainees

### ***Places of detention***

Immediately or a few days after the arrest, victims were transferred to places of centralised detention of civilians that had specific torture chambers.<sup>19</sup> The detention mostly took place in police stations, penal colonies, pre-trial detention centres and administrative or infrastructural civilian buildings. In some cases when victims were arrested in smaller settlements, they were kept in garages and basements of private and commercial civilian facilities for the first few days and transported to the larger detention center later.

Documented testimonies indicates that the Russian military aimed to concentrate and place victims near command centres (military command headquarters and commandant's offices in large cities) or filtration facilities, where military personnel specialising in interrogations were present.

For instance, in the Kharkiv region, three victims detained in villages were taken to the police station in Balakliia, the nearest town where the command headquarters was located<sup>20</sup>. They were tortured to obtain information there. In the Donetsk region, interrogations mainly took place in police departments and detention centres within the filtration facilities. Key interrogations with torture took place in the so-called “department for combating organised crime of the Ministry of Internal Affairs of the Donetsk People's Republic”. The victims detained in the Kyiv and the Chernihiv regions were interrogated after being taken to Russia, as the Russian military was withdrawing from these territories.

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<sup>16</sup> AV-KH-02/02/2023

<sup>17</sup> [https://mipl.org.ua/wp-content/uploads/2022/07/OSCE\\_Filtration\\_eng\\_web.pdf](https://mipl.org.ua/wp-content/uploads/2022/07/OSCE_Filtration_eng_web.pdf)

<sup>18</sup> IT-DO-11/2022

<sup>19</sup> Torture chambers - cells or rooms that have been used for numerous interrogations with the use of torture

<sup>20</sup> <https://www.reuters.com/investigates/special-report/ukraine-crisis-russia-base/>

There was a clear division of roles of the perpetrators in at least three places of detention in the Kharkiv and the Zaporizhzhia regions (*Balaklia town police department, the Kharkiv region; Iziium city police department, the Kharkiv region; Berdyansk penal colony № 77, the Zaporizhzhia region*). There have been: 1) guards and convoys 2) interrogators 3) torturers 4) supervisors. In some cases, the roles of interrogators and torturers were performed by the same military personnel. Supervisors were FSB officers who coordinated arrests and detention, supervised the guards<sup>21</sup>, and participated in interrogations. There is a lack of information in relation to other places of detention.

In most cases documented in the Kharkiv, the Zaporizhzhia, the Kherson and the Donetsk regions, the scenario of detention included:

- one or a series of interrogations with use of torture to obtain information as a main objective
- keeping the victim in cruel and inhuman conditions between interrogations
- the release of the victims upon obtaining information, *or* when the military realized it was impossible to obtain information, *or* displacement to Russian territory/territories occupied before 2022, *or* death of the victims as a result of torture

### ***Torture methods***

Torture methods, circumstances of torture and deliberate inhumane conditions of detention are common across different regions and places of detention. 63% of survivors interviewed reported torture by electricity (in most cases, a special device known as a “tapik” was used), 81% reported “professional” beatings, and 70% reported torture by starvation. Almost all interviewees reported that the most prolonged and brutal episodes of torture were related to interrogations.

### **Torture during interrogations included:**

- *multiple uses of electric current* with a stun gun or a special device (“tapik”) for 20-30 minutes. Wires were connected to the ears, fingers, feet and other parts of the body;
- *severe and prolonged beatings* with hands, feet, iron and plastic truncheons, bats, hammers and other items. The blows were aimed at the liver, kidneys, heart, buttocks, and back, as well as at head, arms, and legs. In some cases, victims noted that they were beaten professionally not to leave any marks (at their kneecaps and heels). One victim described the technique that caused him to feel concussed (severe simultaneous blows to two ears with the palms of the torturers);
- *holding victims in stressed positions* for several hours, including at night (“swallow pose” with the victim handcuffed behind their backs; handcuffing arms to a 24kg kettlebell; hanging victims by their feet; forcing to squat or be in a thigh-back position; forcing to sleep standing);
- *strangulating* while the victim's hands are tied;
- *mock executions* such as single or multiple gunshots near the head, putting the muzzle of a gun in the victim's mouth, forcing the victim to dig his own grave, etc.;
- *traumatic immobilisation* by prolonged holding with tightly bound or handcuffed hands;
- *keeping undressed* at a low temperature for 3-4 hours;
- *torture with a bright light*. A lamp with bright pulsating light was pointed at the eyes of detainees during interrogations;
- *threats*, including threats of sexual violence (threats of use stun guns to the genital area and threats of rape with a truncheon), threats to kill the victim or other detainees, threats of mutilation, treats to subject victim’s relatives to torture, etc.);
- *ethnically motivated violence* (beatings for speaking Ukrainian or for self-identifying as Ukrainian in the face of torturers, beatings accompanied by the torturer's denial of Ukraine's existence as a State)

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<sup>21</sup> OZ-ZA-16/11/2022



- *coercion to commit degrading acts* (recording videos to be posted on social media of torturers being beaten; jumping around for hours after beating; shouting praises to Russian political and military commanders and others)

***A survivor from Balakliia town, the Kharkiv region, Eastern Ukraine:***

*“I was brought back for interrogation from the cell and they did not remove the bag from my head anymore. The bag was very thick and it was hard for me to breathe. They immediately started beating me with hands, feet and truncheons. They connected wires to my body and switched on the electricity. I was tied to a chair. They also started firing a shotgun near me. They threatened to shoot me in the kneecap, cut off my ears and fingers, and pull out my fingernails. They put a gun in my mouth and beat me with a machine gun. I was beaten for about two hours. I lost consciousness several times, they poured water on me to bring me back to my senses. After that, they made me jump and shout “Those who do not jump - are Russian”, while giving me electric shocks. They filmed all this on their mobile phones and laughed. This went on for about an hour and a half. I was jumping badly because of the beatings, and they switched on the electric current harder. When I started to fall down from the current, they said they would beat me even more if I fell down”<sup>22</sup>.*

***A resident of Berdyansk city, the Zaporizhzhia region, Southern Ukraine:***

*“When I was detained in the commandant's office, we could not sleep at night because we heard the torture of other detainees during their interrogations around the clock. This especially intensified after the intense arrest of civilians on Fridays and Saturdays. There was a moment when the FSB arrived and they beat a man badly during interrogation. He was shouting a lot, the sound of a stun gun could be heard. We were all sitting scared and crying”<sup>23</sup>*

Victims were held in inhumane conditions between interrogations. That included:

- *overcrowded cells with a lack of sleeping places.* There was a documented case when 53 detainees were held in a cell for 6 people, so that detainees could only sit with their legs tucked in and could hardly move;<sup>24</sup>
- *low or high temperatures in places of detention.* Many victims reported that it was very cold in the cells. One victim testified that he was kept inside a metal container for five days while the temperature outside was around +30 degrees Celsius;<sup>25</sup>
- *poor feeding.* Many victims noted that they were not fed for 3-7 days. Other days, they were fed 1-2 times a day with small portions of food which the victims described as barely edible and/or served in dirty dishes. In Olenivka penal colony №120, the Donetsk region, victims were given 1.5 minutes to eat. Survivors also had limited or no access to drinking water (technical water or water from the river);
- *limited access to the toilet.* In almost all cases, victims were allowed to go to the toilet once or twice a day or were forced to relieve themselves inside the cell using a plastic bottle;
- *prolonged detention in a cell without light and with bright lights 24 hours a day.* Several victims reported that they had been held in a cell without light for periods from 6 days to a month. In one case, detention in complete darkness varied with bright lighting, which was not switched off even at night;<sup>26</sup>
- *lack of access to showers, hygiene items and outdoor exercise* during the entire period of detention (up to several months);
- *incomunicado detention*, including the inability to contact relatives and inform them about the victims' detention;
- *denial of medical assistance*, including after severe beatings and other torture

A witness who was detained in the Kherson pre-trial detention centre reported that the administration of the detention centre had a regular collective torture “ritual”. Civilian male detainees were forced to

<sup>22</sup> AT-KH-13/01/2023

<sup>23</sup> OZ-ZA-16/11/2022

<sup>24</sup> IT-DO-11/2022

<sup>25</sup> SN-KHE-11/2022

<sup>26</sup> AL-KH-02/02/2023

shout praises about the Russian military and political command and were beaten and subjected to torture with stun guns for refusing to do so every time guards opened their cells<sup>27</sup>.

**Transfers between places of detention.** Interviewees from the Kyiv, the Chernihiv and the Donetsk regions reported that they were beaten with hands and machine guns, threatened with death and mutilation and not fed while transported to places of detention in Russia or so-called “DPR”.

Victims taken to Russia during the Russian withdrawal from central and northern Ukraine had especially harsh conditions of detention. They were kept in tents in freezing temperatures, not fed for days and beaten. The victims did not have proper access to sanitary facilities. In addition, one case of forced blood donation of a civilian for the needs of the Russian military was documented.

***A resident of the village of Andriivka, the Kyiv region, Central Ukraine:***

*“There were about ten detained locals with me. The Russian soldiers were transporting us to where they were going themselves. We did not know where we were. They kept us in a tent for seven or eight days, forced us to take our shoes off in freezing temperatures. I got frostbite on my leg. One detainee tried to refuse to take his shoes off, but they threatened to shoot his leg. They also poured water into our boots, beat my legs with a machine gun and kept me for seven days with my hands tied tightly. One of my hands still does not work because of this.*

*We were brought to the village of Myrne, the Kyiv region, then. **The Russian soldiers took blood from me forcibly. I wondered how much they would take, they kept taking.** When we were being transported through Belarus later, a doctor examined me and told me **I had a stroke**”<sup>28</sup>.*

**Torture in places of detention in Russia and the so-called “DPR”.** There is very limited information on the fate and conditions of civilian victims of torture who have been taken to Russia after being subjected to enforced disappearances or arbitrary detentions in the occupied territories. This is due to the fact that very few people have been released since the start of the full-scale invasion. Some victims of enforced disappearances have been subjected to politically motivated criminal prosecution<sup>29</sup>.

The female victim transferred to pre-trial detention centre №1 in Kursk, Russia, after her abduction, testified about the brutal mass torture and interrogation of all detainees during the registration procedure at the detention centre. About 150 Ukrainian civilian detainees and prisoners of war (POWs) were held in a separate block of this detention facility. According to her, the women were kept incommunicado for many months, not provided with a change of clothes or hygiene items, forbidden to sit or lie on the bed during the day and forced to sing the Russian national anthem every day. A survivor also reported that one of the female civilian detainees had two suicide attempts due to being held incommunicado and unable to contact her infant daughter and elderly father. In addition, a witness regularly heard the screams of male detainees being beaten and tasered. Ukrainian civilian detainees and POWs were held together in mixed cells in this detention facility, so it can be assumed that regular beatings of male detainees may have affected civilians as well<sup>30</sup>. The beating of civilian men during interrogations was confirmed by another survivor who was released from this pre-trial detention centre<sup>31</sup>.

Detainees who were held in penal colony №120 in Olenivka, the Donetsk region, also testified to severe beatings with hands, feet and truncheons during the registration procedure.

<sup>27</sup> NS-KHE-18/01/2023

<sup>28</sup> MS-KY-11/2022

<sup>29</sup><https://mipl.org.ua/en/ukrainian-hostages-who-disappeared-in-crimea-the-story-of-one-cell-in-the-simferopol-pre-trial-detention-center/>

<sup>30</sup> VA-CHE-30/11/2022

<sup>31</sup> MS-KY-11/2022

***A female resident of Stary Bykiv village, the Chernihiv region, Northern Ukraine:***

*“During registration in pre-trial detention centre № 1 in Kursk I was taken to interrogation. The special forces officers did not even ask me anything and started hitting me on the head. I cried and asked why they were beating me. **They said it was to make me cooperate with them.** They took me to the corridor and started beating me with a truncheon. I fell. One of the officers put his foot on my back and said: “Stand up or tell your heart to stop working”. **I was also beaten with a stun gun on my legs, arms, shoulder blades and other parts of my body, forced to sing the Russian anthem and kiss the Russian flag.** After beatings everyone had to go to the sanitary room in a position - “hands behind your back and torso is bent at a 90-degree angle”.*

*After that, they put a fire extinguisher hose in my mouth and threatened to turn it on. I was taken out of the cell and placed in a metal cage. The officers said that they would burn me alive in this cage. They set fire to paper, threw it at me and closed the cage. **I heard one of them tell the other to turn on the gas in the cage to burn me.** After a few minutes, they opened the cage and got me out of there”<sup>32</sup>*

Many victims reported that they were forced to write a statement or be video recorded saying that no violence had been used against them and that they had no claims against the Russian Federation. Those released from pre-trial detention facility №1 in Kursk, Russia, testified that the administration prohibited them to complain about the beatings under the threat of more severe torture before the visit of the civil prosecutor to the detention centre.

### ***Consequences of torture***

As a result of torture, ill-treatment and poor conditions of detention, victims suffered severe physical traumas: bruises, hematomas, open wounds, severe damage to internal organs, fractures and cracks in bones, extreme weight loss of 10-20 kg, sensory and motor impairment, stroke, exacerbation of chronic diseases, etc.

Most of the victims and their relatives are in an extremely difficult psychological state resulted from their experience. Some of them cried during the interviews with the authors of the report, remembering their experiences. One of the victims reported hallucinations as a result of torture and poor detention conditions<sup>33</sup>. Victims complained of intrusive memories, poor sleep when they scream and wake up several times during the night, and inability to return to their normal lifestyle. After being released, some victims minimized their contact with others and withdrew into themselves, while others began to regularly abuse alcohol.

In the vast majority of cases, victims remain incapacitated for at least several months and have financial problems. At the same time, in most cases, the victims did not seek qualified medical care and do not have medical documents because they were initially afraid to seek first aid during occupation, and after liberation of the territory, they did not have financial resources to pay for examination and treatment.

### ***Responsible officials: chain of command and perpetrators***

Most victims from the Kharkiv, the Kherson and the Zaporizhzhia regions reported that their arrest and/or torture interrogation was supervised by one or a few senior servicemen, who coordinated other perpetrators involved. When the senior one was present during interrogations, he asked questions to the victims and gave commands to other soldiers directly carrying out acts of torture<sup>34</sup>.

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<sup>32</sup> VA-CH-25/11/2022

<sup>33</sup> MS-KH-03/02/2023

<sup>34</sup> VS-KH-01/02/2023

In several cases victims noted that those leading their arrest and/or interrogating them were “well-spoken”, conducted the interrogation “like trained psychologists” and had a “clean” Russian accent typical of residents of the Central European part of Russia. In these cases, their subordinate servicemen who conducted arrests and/or directly carried out torture had accents typical of the North Caucasian, Far Eastern and Siberian parts of Russia (such as Buryats, Dagestanis, Chechens, Ingush, Ossetians, Tuvinians and others).

Also, some victims noted that the interrogators were well prepared to interrogate a particular victim (e.g. aware of the victims' past civil activities, details of victims' personal lives, their relatives, etc.). One victim who had been subjected to torture at the police station in Balakliia, the Kharkiv region, pointed out that specific interrogators were “responsible” for the specific victims. If a particular interrogator was absent for several weeks, the victims they dealt with were not called in for the interrogation until he returned<sup>35</sup>.

Most of the victims subjected to torture in the Kharkiv, the Kherson and the Zaporizhzhya regions suggested that their arrest, interrogations and numerous torture incidents in places of detention were led by FSB officers. Victims drew such conclusions based on the fact that the “leading” servicemen were differed from the others in their uniforms, full equipment and manner of communication. In six cases (18% of documented cases of torture), these servicemen introduced themselves as FSB officers or this was said about them by representatives of other units.

*A resident of Berdyansk city, the Zaporizhzhia region, South Ukraine, reported that she was subjected to interrogation and torture allegedly by the FSB at the local commandant's office. Afterwards, she was placed in penal colony № 77 in Berdyansk:*

*“The guards in the colony were from the Russina Guard (Federal Service of National Guard Troops of the Russian Federation). The guard who was in charge of our part of the colony told us that **these issues (contextually referring to searches, detentions and interrogations with torture) in our city were handled by FSB counter-intelligence.** There was a moment when one of the guards opened the women prisoners' cells and allowed them to walk around. Then the senior officer told him: **“Why are you letting them out? The FSB will come, there will be trouble, you will sit in the cell next to the detainees and we will sit together with you”**”<sup>36</sup>.*

*A resident of Balakliia town, the Kharkiv region, Eastern Ukraine:*

*“I was detained at home by representatives of the “LPR” or “DPR”. They were dressed in military uniform, but wearing sneakers. The Russian military usually wear better uniforms and military shoes. They took me to the police station. The guard there said that the cells were overcrowded and there was no room for me. The men who detained me replied that **they had been told to bring me in today.** They put a bag on my head and took me to a cell after an hour.*

*I was interrogated by an FSB officer who was Russian (note: a native of the Central European part of Russia). While he was interrogating me, the Caucasians (note: natives of the North Caucasian part of Russia) were beating me. **We had FSB specialists in the torture chamber who brought people from different parts of the region**”<sup>37</sup>.*

*Note: The presence of FSB officers in the places of detention of Izium and Balakliia towns in the Kharkiv region is confirmed by documents found by credible Ukrainian journalists in the Russian army headquarters in Balakliia after Ukrainian control over this territory was regained<sup>38</sup>.*

<sup>35</sup> AT-KH-13/01/2023

<sup>36</sup> OZ-ZA-16/11/2022

<sup>37</sup> AT-KH-13/01/2023

<sup>38</sup> <https://www.radiosvoboda.org/a/skhemy-sekretna-fleshka-okupantiv/32260312.html>

On February 7, 2022 *Radio Free Europe/Radio Liberty* reported<sup>39</sup> that after regaining Ukrainian control over the town of Balakliia, the Kharkiv region, their journalists found a flash drive with confidential documents of the Russian military command in the abandoned command headquarters. *Reuters*, who also had access to the flash drive, verified and confirmed the authenticity of the documents<sup>40</sup>. The flash drive contained lists of Russian military operating in the area who had received state awards from the Russian Federation, including orders of the Ministry of Defence. RFE/RL's journalists reported that at least three servicemen were mentioned in these documents as those who received state awards "*for organising work with the local population to identify and detain persons negatively disposed towards the Russian Federation Armed Forces*"<sup>41</sup>, namely:

- *Colonel Nikolai Klimanov, the Deputy Commander for military and political work, 11th Army Corps, Russian Baltic Fleet*
- *Vladimir Chernev, the Commander of a Rifle Company of the 202nd Rifle Regiment, Southern Military District of the Russian Federation*
- *Captain Pavel Kashirskii, the Senior Operative of the Department of the Federal Security Service of the Russian Federation, Military Unit 46443*

The award letters were signed by vice-admiral V. Lina, major-general Andrei Ruzinski, A. Pankov, the Head of the Department of the FSB, Military Unit №34621, and major Dmitri Meleshenko, Senior Commissioner of the Baltic Fleet Directorate of the FSB.

This information indicates that torture of civilians disloyal to the Russian troops in the area was allegedly carried out with the knowledge and encouragement of the highest military command of the Russian armed forces, including the FSB.

Testimonies of victims and witnesses indicate that military units of the so-called "DPR" and "LPR", the "Ministry of Internal Affairs of the DPR", a special rapid response unit of the Federal National Guard Service from Orenburg city, Russia, a special police unit of the Federal National Guard Service from Akhtubinsk town, Russia, and other unidentified Russian military units were also involved in torturing local residents in the recently occupied territories of Ukraine. Civilians who were moved to places of detention in the "LPR"/ "DPR" and Russia reported that representatives of the Russian Federal Penitentiary Service were involved in torture.

### ***The excess of the perpetrator***

In 10-13% of the documented testimonies, the whole scenario from the time of arrest to the release of the victim is very different and does not contain all or most of the patterns described above. In one such case, the wife of a torture victim described the military who detained her husband as "*not the ones who took people into basements*"<sup>42</sup>. In another case, a victim described the interrogation: "*There was silly talk at the interrogation, they asked if I swore at the Russian military*"<sup>43</sup>. Another survivor reported: "*Those who detained me were without balaclavas and poorly equipped. In the basement, they got drunk and beat up the detainees. They did not interrogate me and did not want anything from me. They just beat me because I served in the Ukrainian army a few years ago*"<sup>44</sup>. After five days of beatings, this

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<sup>39</sup> <https://www.radiosvoboda.org/a/skhemy-sekretna-fleshka-okupantiv/32260312.html>

<sup>40</sup> <https://www.reuters.com/investigates/special-report/ukraine-crisis-russia-base/>

<sup>41</sup> <https://www.radiosvoboda.org/a/news-skhemy-viyskovi-rf-kuratory-fsb/32260409.html>

<sup>42</sup> KA-KH-31/01/2023

<sup>43</sup> VN-KH-01/02/2023

<sup>44</sup> VK-KH-19/10/2022

detainee was transferred to Russian military positions, where he was subjected to forced labour, but has not been subjected to torture and provided with proper conditions of detention.

These cases indicate that a number of torture cases could be the excess of the perpetrator when rank-and-file soldiers detained and subjected civilians to torture without coordination by higher commanders and outside a common political purpose.

### ***Legal assessment and conclusions***

Cases of torture committed by Russian armed forces in territories under their control and against civilians under their control are systematic and linked by a common political purpose. This indicates that they may be qualified as crimes against humanity.

Torture and related violations are directed against the civilian population. Documented cases indicate that the Russian troops and security services targeted specific groups of the civilian population, namely: 1) those perceived as an obstacle to gaining control of the population and territory *or* 2) opinion leaders useful to the Russian army to set up administration and control of the local population and territory.

The patterns of the documented cases indicate that these acts were systematic, interconnected and carried out as part of a common plan, coordinated by senior military leaders and aimed at achieving a common political goal. Most of these patterns are visible in almost all documented cases of torture occurring in sixteen detention facilities across six regions of Ukraine in the typical manners of arrests; attempts of perpetrators to hide their faces not to be identified; detention of victims in facilities located near Russian command centres or in filtration facilities; the chain of command of perpetrators involved in arrests, detention and interrogations with torture; organised structure in many detention center, including organizing of torture chambers; leading role of the FSB in coordinating violence against civilians; state awards to perpetrators; similar interrogation scenarios; similar torture methods and circumstances of torture.

While it is impossible to draw comprehensive conclusions about the scale of the attack at this stage, the broad determination of target groups for the attack by the Russian military suggests that the number of victims could be significant. According to one testimony, around 30 Ukrainian army veterans were abducted and tortured in only one village with a population of 2,500 in the Kharkiv region<sup>45</sup>.

Almost all interviewees reported witnessing torture of others. 50% interviewees reported that they had seen and heard mass torture in places of detention, when all or almost all detainees were subjected to torture on multiple occasions. 40% interviewees had witnessed torture of several detainees who were held in the same cell.

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<sup>45</sup> AV-KH-02/02/2023