

ZMIŃA



HOW THE PRACTICE OF ARBITRARY DETENTION AND ENFORCED DISAPPEARANCE HAS EVOLVED UNDER OCCUPATION

**AN ANALYSIS OF DOCUMENTED
CASES, 2023–2024**

“How the Practice of Arbitrary Detention and Enforced Disappearance Has Evolved Under Occupation. An Analysis of Documented Cases, 2023–2024”: Analytical report / B. Petruniok; ed. Ye. Sokurenko, O. Syniuk, T. Pechonchyk. — Kyiv, 2025. 40 p.

The report is dedicated to analysing the practice of arbitrary detentions and enforced disappearances of civilians in the temporarily occupied territories of Ukraine in 2023–2024. The research focuses on the motives behind the crimes, how they have changed since the start of the full-scale Russian invasion, and the impact on the civilian population under occupation. The report examines how, over the course of the occupation, the motives for detention have shifted from suppressing resistance to systematic persecution of individuals with pro-Ukrainian views. The report is based on testimonies of victims collected by the Human Rights Centre ZMINA, as well as an analysis of normative and legal changes introduced by the Russian Federation in the occupied territories of Ukraine.

Author of the report:

Borys Petruniok, War Crimes Documenter and Analyst of the Human Rights Centre ZMINA

Editors:

Yelyzaveta Sokurenko, Head of War Crimes Documentation Department of the Human Rights Centre ZMINA

Onysiia Syniuk, Legal Analyst of the Human Rights Centre ZMINA

Tetiana Pechonchyk, Head of the Board of the Human Rights Centre ZMINA

Peer review: **Daria Svyrydova**, Partner at the law firm AZONES

For the purposes of illustration, the report employs artistically processed screenshots from video recordings depicting demonstrative detentions of Ukrainian civilians by Russian forces.



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The Human Rights Centre ZMINA is a Ukrainian human rights organisation working to protect freedom of speech, combat discrimination, prevent torture and cruel treatment, support human rights defenders and civil activists, as well as document international crimes and protect the rights of victims of war.

Website of the organisation: zmina.ua

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LIST OF ABBREVIATIONS

- AFU** – Armed Forces of Ukraine. In a broad, informal sense, this refers to any units of Ukraine's Defence Forces.
- AR of Crimea** – The Autonomous Republic of Crimea, occupied by the Russian Federation in 2014
- ATO** – An anti-terrorist operation launched by Ukraine in response to Russia's attempted occupation of the eastern regions (in accordance with the decision of the National Security and Defence Council of Ukraine of 13 April 2014 "On urgent measures to overcome the terrorist threat and preserve territorial integrity of Ukraine", enacted by Presidential Decree No. 405/2014). ATO soldier – former military personnel, participant in the ATO.
- CAO RF** – Code of Administrative Offences of the Russian Federation
- CC RF** – Criminal Code of the Russian Federation
- CPC RF** – Criminal Procedure Code of the Russian Federation
- "DPR"** – Certain districts of the Donetsk region occupied by the Russian Federation before 2022 (the so-called "Donetsk People's Republic"; the abbreviation is also used to refer to illegal armed groups originating from this area)
- FKZ** – Federal Constitutional Law of the Russian Federation. A type of normative legal act adopted on matters regulated by the Constitution of the Russian Federation.
- FSB RF** – Federal Security Service of the Russian Federation
- IHL** – International Humanitarian Law
- Investigative Committee of the Russian Federation**
- (IC RF)** – a federal state body in the Russian Federation that exercises powers in the field of criminal justice and other functions in accordance with the law.
- "LPR"** – Certain districts of the Luhansk region occupied by the Russian Federation before 2022 (the so-called "Luhansk People's Republic"; the abbreviation is also used to refer to illegal armed groups originating from this area)
- MIA, MIA RF** – Ministry of Internal Affairs (of the Russian Federation). In a broad sense, the term is used to refer to the institutions and personnel of this body.
- OMCT** – World Organisation Against Torture
- RF** – Russian Federation
- SIZO** – Pre-trial detention centre, a penitentiary facility for temporary detention; the term can be used to refer to a place of detention in general
- TOT** – Temporarily occupied territories
- ZMINA** – NGO the Human Rights Centre ZMINA

INTRODUCTION

As of 2025, the Russian occupation of regions of Ukraine seized after a full-scale invasion has been ongoing for more than three years. From the very beginning of the occupation, Russian military and law enforcement officials have committed crimes against the civilian population in these territories. Previous research and reports by Ukrainian and international human rights organisations and independent mechanisms show widespread cases of arbitrary detention, enforced disappearances, torture and cruel treatment. These actions are systematic and widespread, and show signs of a coordinated state policy¹.

The Russian Federation openly declares its intention to annex the temporarily occupied regions of Ukraine. In fact, the occupying authorities continue their armed aggression with the aim of establishing control over the entire territory of the Kherson, Zaporizhzhia, Donetsk and Luhansk regions within their administrative borders. At the same time, the formation of Russian administrative structures, including law enforcement agencies, courts and administrative bodies, has been completed in the already occupied areas. This significantly increases the risk of politically motivated criminal prosecution of the civilian population remaining under the control of the occupation regime.

On 18 March 2014, following the so-called “all-Crimean referendum,” the Russian Federation declared the annexation of the Crimean Peninsula. As a result, Russian legislation (including criminal law) was unlawfully extended to the Autonomous Republic of Crimea and the city of Sevastopol, accompanied by the introduction of a range of administrative practices and state policies that violated the rights of the local population.

Human rights organisations documented systematic cases of arbitrary detention and enforced disappearance, politically motivated criminal prosecutions, violations of property rights, persecution of Ukrainians and Crimean Tatars, the closure of independent media outlets², and other abuses. On 25 June 2024, the European Court of Human Rights delivered its judgment on the merits in the inter-State case *Ukraine v. Russia (re Crimea)*, confirming the existence of compelling evidence of large-scale, systematic human rights violations in occupied Crimea³.

1 This is specifically stated in the report of the Independent International Commission of Inquiry on Ukraine, established on 4 March 2022 by the UN Human Rights Council, dated 19 March 2025:

“The Commission has concluded that Russian authorities committed enforced disappearances and torture as crimes against humanity. Both were perpetrated as part of a widespread and systematic attack against the civilian population and pursuant to a coordinated state policy”. - Report of the Independent International Commission of Inquiry on Ukraine to the Human Rights Council (A/HRC/58/67) <https://www.ohchr.org/sites/default/files/documents/hrbodies/hrcouncil/sessions-regular/session58/advance-version/a-hrc-58-67-a-uv-en.pdf>

Arbitrary deprivation of liberty of Ukrainian civilians started in the occupied and unlawfully annexed Crimea in spring 2014, and quickly spread to the areas of the Donetsk and Luhansk regions controlled by the so-called People’s Republics. Since the outbreak of the full-scale invasion on 24 February 2022, this practice has become pervasive in all the areas that have got under the temporary occupation of the Russian Federation [...] the overall scheme of the Russian Federation arbitrarily detaining large numbers of Ukrainian civilians both in the initial and prolonged stage of the temporary occupation remains constant and appears to be a defining feature of the Russian Federation’s policy in the temporarily occupied territory. - REPORT ON VIOLATIONS AND ABUSES OF INTERNATIONAL HUMANITARIAN AND HUMAN RIGHTS LAW, WAR CRIMES AND CRIMES AGAINST HUMANITY, RELATED TO THE ARBITRARY DEPRIVATION OF LIBERTY OF UKRAINIAN CIVILIANS BY THE RUSSIAN FEDERATION / 25.04.2024 <https://www.osce.org/uk/odihr/568018>

2 See, for example: “*The peninsula of fear: five years of unfreedom in Crimea* / Edited by O. Skrypnyk. — Third edition, revised and expanded. — Kyiv: Paperovyi Zmyi-OPT, 2019. — 138 p. URL: https://crimeahrg.org/wp-content/uploads/2019/06/poluoostrov-straha-angl-book_en.pdf

3 *Ukraine v. Russia (re Crimea)* [GC], Applications nos. 20958/14 and 38334/18, Judgment of 25 June 2024, Grand Chamber. Available at: <https://hudoc.echr.coe.int/eng?i=002-14347>.

Since the beginning of the full-scale invasion, the Russian Federation has — with certain modifications — replicated and scaled up these unlawful practices in other Ukrainian territories occupied after 2022⁴.

In the context of prolonged occupation, systematic documentation, monitoring and analysis of practices of persecution of the civilian population is an important task for Ukrainian researchers and human rights defenders. Such research is necessary not only to establish the truth and document evidence of international crimes in order to hold the Russian Federation accountable, but also to shape future state policy on the reintegration of the temporarily occupied territories. This includes, in particular, restoring justice, providing compensation to victims, and developing a long-term strategy for peacebuilding.

The objective of this research is to examine cases of arbitrary detentions, enforced disappearances, and torture of civilians in the temporarily occupied territories of Ukraine that occurred in 2023–2024. Particular attention is paid to changes in the nature and systematic nature of such violations compared to the period at the beginning of the full-scale invasion in 2022. The report separately analyses the impact of the institutional consolidation of the occupation authorities on the increasing risks for civilians, particularly in the context of politically motivated persecution.

Source Base of the Research

This report is based on an analysis of 23 testimonies from victims and their family members collected by the Human Rights Centre ZMINA through in-depth interviews. The interviews were conducted in accordance with international standards for documenting cases of enforced disappearances, arbitrary detentions and torture, including the recommendations of the Istanbul Protocol (Manual on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment).⁵ The methodology also takes into account the practical experience of documentation that ZMINA has been conducting since September 2022.

The core of the research consists of testimonies regarding arbitrary detentions that took place in 2023–2024, as well as certain cases of detentions in 2022 which later resulted in criminal prosecution of the victims.

Regional distribution of testimonies:

- 9 cases – Zaporizhzhia region,
- 8 cases – Kherson region,
- the remainder – other temporarily occupied territories of Ukraine, in particular the Kharkiv and Donetsk regions, as well as the Autonomous Republic of Crimea (in several cases, detentions took place outside Ukraine).

⁴ The Russian Federation did not announce the annexation of the territories of the Donetsk and Luhansk regions, which it had controlled since 2014, until 2022. This delayed formalisation shaped the specific nature of human rights violations in the region throughout 2014–2022.

⁵ Istanbul Protocol (Manual on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment) / Office of the United Nations High Commissioner for Human Rights, 2004 <https://ukraine.un.org/sites/default/files/2021-06/Istanbul%20Protocol%20in%20Ukrainian.pdf>

In 16 of the 23 cases, criminal proceedings against the victims are known to have been initiated. In other cases, no charges have been brought, although the risk of charges remains, especially if the person is being held unlawfully.

The report also draws on open source monitoring of cases of arbitrary detention, enforced disappearances and violations of the right to a fair trial of civilians in the territories of Ukraine occupied after 24 February 2022. The information collected from open sources was used in this study as a supplementary analytical resource. It made it possible to verify and corroborate the findings derived from interviews, as well as to integrate specific facts and circumstances of individual cases into the broader context of systemic patterns of persecution. Work with open sources involves continuous verification and updating of data, which ensures a higher level of accuracy and comprehensiveness of the research. For this purpose, ZMINA applies, inter alia, the **Berkeley Protocol** (a practical guide on the effective use of open-source digital information in investigating violations of international criminal, human rights law, and humanitarian law, developed by the University of California, Berkeley School of Law together with representatives of the United Nations).

As of June 2025, within the framework of ZMINA monitoring, at least **572 cases of criminal prosecution of civilians** arbitrarily detained within territories controlled by the Russian Federation have been documented, which contain signs of **political motivation**. In 183 cases, the identification of the victims is still ongoing, mainly concerning detentions that took place in 2024–2025.

The limitations of the research

Access to the temporarily occupied territories is severely restricted, which affects the ability to document violations. In addition, Russia has significantly complicated the process of leaving the territories for civilians, so the number of people who can provide testimony remains low.

- Direct testimonies from victims who have left the occupied territories were used in only 4 cases, meaning that neither they nor their families are at risk of persecution by the Russian Federation.
- The remaining 19 testimonies are interviews with relatives of detainees, which usually contain less information about conditions of detention, the use of torture, and similar issues. At the same time, such testimonies constitute an important source of information. They are particularly valuable in cases where relatives witnessed the arbitrary detention themselves or interacted with representatives of the occupying “law enforcement authorities” in attempts to establish the whereabouts of the victim. These testimonies help identify individuals responsible for crimes, reveal characteristic patterns of action by the occupying authorities aimed at concealing information, and demonstrate typical forms of intimidation and pressure exerted on families.

In addition, it is difficult to fully track criminal cases opened against detainees. The information available on court websites and other open sources is often incomplete. Some of these cases (in particular those under the articles on “espionage” or “high treason” of the CC RF) are heard in closed sessions.

Nevertheless, the accuracy of the facts presented in the report is confirmed by ZMINA’s previous experience in documenting and legally analysing similar crimes committed, in par-

ticular in the Kherson and Zaporizhzhia regions⁶, as well as research on the imposition of Russian citizenship on residents of the temporarily occupied territories⁷ and systematic violations of the right to a fair trial in criminal cases against civilians and prisoners of war in the temporarily occupied territories,⁸ etc.

Key terms

Torture. The concept of torture is defined in Article 1 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. According to it, “torture” means “any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from him or a third person information or a confession, punishing him for an act he or a third person has committed or is suspected of having committed, or intimidating or coercing him or a third person, or for any reason based on discrimination of any kind, when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity”⁹. The Rome Statute of the International Criminal Court defines torture as “the intentional infliction of severe pain or suffering, whether physical or mental, upon a person in the custody or under the control of the accused; except that torture shall not include pain or suffering arising only from, inherent in or incidental to, lawful sanctions”¹⁰.

Cruel treatment. Related to the concept of “torture” is the concept of “cruel, inhuman or degrading treatment or punishment”. Qualification of a fact as “cruel treatment” means that the motive or intent to inflict suffering on the victim has not been proven, while the level of suffering inflicted is less than in the case of torture. For example, inadequate conditions of detention or threats of torture (without committing it), psychological pressure can be interpreted as cruel treatment rather than torture. A combination of different circumstances of cruel treatment that reinforce each other (inadequate conditions of detention, absence of access to medical care, inadequate food, absence of access to drinking water and toilets, combined with psychological and physical violence) may be qualified as torture.

Enforced disappearances. According to Article 2 of the International Convention for the Protection of All Persons from Enforced Disappearance, “enforced disappearance” means the arrest, detention, abduction or any other form of deprivation of liberty by agents of the State or by persons or groups of persons acting with the authorization, support or acquiescence of the

6 Torture and ill-treatment of civilian population in Ukrainian territories that were under Russian occupation (on the example of Kyiv, Kharkiv, Kherson regions): analytical report / B. Petruniok, O. Hnatiuk, T. Pechonchuk; ZMINA Human Rights Centre. – Kyiv, 2023. – 60 p. https://zmina.ua/wp-content/uploads/sites/2/2023/04/torture_ukr_web.pdf
Enforced disappearances and arbitrary detentions of active citizens during the full-scale armed aggression by Russia against Ukraine (February 2022 – June 2023) / N. Okhotnikova, O. Hnatiuk, B. Petruniok; ed. O. Sinyuk; Human Rights Centre ZMINA. – Kyiv, 2023. – 106 p. https://zmina.ua/wp-content/uploads/sites/2/2023/06/lost_people_ukr_web.pdf
“You’re loyal to Ukraine – are you Nazi?” Torture and other violations as crimes against humanity by the Russian army in Ukraine OMCT, MIHR, ZMINA <https://zmina.ua/publication/ty-virnyj-ukrayini-ty-naczyst-katuvannya-ta-inshi-porushennya-yak-zlochyny-proty-lyudyanosti-z-boku-rosijskoyi-armiyi-v-ukrayini/>

7 Imposing citizenship of the Russian Federation on the citizens of Ukraine in the occupied territory of Ukraine and in the Russian Federation / Authors: Yurii Mykytyn, Oleh Kolesnichenko, Olha Lototska-Kolesnichenko, Nadiia Vaskivska, Liubov Smachylo, Kateryna Rashevskia https://zmina.ua/wp-content/uploads/sites/2/2024/03/passport_web.pdf

8 Denial of the Right to a Fair Trial as an International Crime during Russia’s War against Ukraine: Context, Practice, Law and Prospects / Marchuk I., aOstaf S., Svyrydova D., Tymochko M.; The Human Rights Centre ZMINA, The Media Initiative for Human Rights – Kyiv, 2025. P. 152 https://zmina.ua/wp-content/uploads/sites/2/2025/05/zvit_all_web-ukr-finnal.pdf

9 Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment: https://zakon.rada.gov.ua/laws/show/995_085#Text

10 ROME STATUTE OF THE INTERNATIONAL CRIMINAL COURT
https://zakon.rada.gov.ua/laws/show/995_588#Text

State, followed by a refusal to acknowledge the deprivation of liberty or by concealment of the fate or whereabouts of the disappeared person, which place such a person outside the protection of the law¹¹.

Unlawful detention. According to Paragraphs 10-12 and 23 of the UN Human Rights Committee's General Comment No. 35, "unlawful detention" is a restriction of liberty that occurs outside the framework of established laws and international standards. In particular, detention can be characterised as unlawful when it contains elements of unfairness, unjustified, unpredictability and failure to respect the procedural guarantees of the detainee¹².

Politically Motivated Criminal Prosecution. Criminal cases may be considered politically motivated where prosecution is carried out under the following circumstances:

- 1.1. with the violation of at least one fundamental right, in particular those guaranteed by the European Convention on Human Rights and its Protocols — for example, the right to freedom of expression, freedom of speech, freedom of peaceful assembly — as well as where the standards of a fair trial are not respected;
- 1.2. solely for political reasons, without any connection to an actual offence;
- 1.3. on a discriminatory basis, as compared to other individuals;
- 1.4. exclusively for non-violent activities aimed at defending human rights and fundamental freedoms;
- 1.5. under the criminal legislation of the Russian Federation for acts that are not punishable under the law of Ukraine.

Cases may also be regarded as politically motivated where:

- for political reasons, the duration of imprisonment, conditions of detention, or severity of punishment are manifestly disproportionate to the offence of which the person is accused or suspected;
- conviction for charges connected to support (whether real or perceived) for Ukraine as a party to the conflict has taken place in violation of fundamental guarantees of international humanitarian law¹³.

11 International Convention for the Protection of All Persons from Enforced Disappearance https://zakon.rada.gov.ua/laws/show/995_154#Text

12 UN Human Rights Committee / General Comment No. 35 <https://documents.un.org/doc/undoc/gen/g14/244/53/pdf/g1424453.pdf?OpenElement>

13 See, for instance, the definition of "political prisoners" in paragraph 3 of the Parliamentary Assembly of the Council of Europe Resolution 1900 (2012), The definition of political prisoner. URL: <https://pace.coe.int/en/files/19150/html>; For criteria of politically motivated prosecution, see, for example, pp. 12–13 in The Crimean Process: Problems of Compliance with Fair Trial Standards.



CHAPTER 1.

NORMATIVE AND INSTITUTIONAL FRAMEWORK FOR THE PERSECUTION OF THE CIVILIAN POPULATION UNDER OCCUPATION

Russia's full-scale invasion of Ukraine in 2022 and its occupation of several territories from the very beginning were accompanied by crimes against the civilian population. Russian forces systematically subjected both prisoners of war and civilians to enforced disappearances, arbitrary detention, torture and cruel treatment.

During the period covered by this report (2023–2024), the Russian Federation established both a normative (legislative) and institutional (functional) framework for the systematic persecution of civilians in the occupied territories of Ukraine. Criminal practices that were typical of the Russian military and special services from the beginning of the invasion have, over time, taken on an official form — they have been incorporated into Russian legislation and reinforced by the actions of state institutions under Russian control.

In a manner typical of the RF, the legislative framework was designed to give apparent “legitimacy” to repression against the civilian population by expanding the scope of criminal offences, criminalising peaceful behaviour and restricting access to legal protection¹⁴.

¹⁴ *Crimea after Annexation. State Policy, Challenges, Decisions and Actions. White Book* / Tyshchenko Yu., Kazdobina Yu., Huchakova T., Smirnov O., Horobchyshyna S., Duda A.; edited by Yu. Tyshchenko. — Kyiv: Agency “Ukraine” LLC, 2016. — 148 p. Available at: <http://www.ucipr.org.ua/ua/publikatsii/vydannia/krim-p-slya-aneks-derzhavna-pol-tika-vikliki-r-shennya-ta-d-b-la-kniga>

The policy of extending Russian legislation and governance structures to the occupied territories¹⁵, as well as the persecution of Ukrainian citizens in these territories — who are a protected category of persons — for expressing dissent against the occupation, demonstrating loyalty to their own state, and/or refusing to pledge allegiance to the Russian Federation¹⁶, constitutes a violation of international humanitarian law, in particular the law of occupation.

The Russian Federation's policy of unlawful detentions, incommunicado confinement, and unlawful judicial prosecution is systematic in nature. In the case of the occupied territories of the east of Ukraine¹⁷ and Crimea¹⁸, it has been recognised as constituting administrative practices that violate the European Convention on Human Rights.

The report systematically outlines the main elements of the normative framework for the persecution of the civilian population: from general conceptual provisions to the mechanisms applied by Russian law enforcement and judicial authorities in the occupied territories of Ukraine.

1.1. Attempts to legitimise the annexation: laws on “accession” and amendments to the Constitution of the Russian Federation

On 4 October 2022, four federal constitutional laws (Nos. 5-FKZ, 6-FKZ, 7-FKZ, 8-FKZ)¹⁹, which ratified the so-called “treaties” on the “accession to the RF” of the Kherson and Zaporizhzhia regions, as well as the so-called “DPR” and “LPR” as new subjects. All documents were drawn up using a single standard template.

These FKZs established the general normative framework of Russia's occupation policy in the occupied territories. Even a cursory article-by-article analysis shows that their provisions essentially “programmed” violations of civilian rights. They created the conditions under which residents of the occupied territories could be held accountable in situations where they did not commit any actions that could be considered illegal.

Article 3 in each of the four federal constitutional laws defines the boundaries of the territory of the “new subjects” of the RF within the boundaries of administrative-territorial units of Ukraine. In other words, the “federal subject the Zaporizhzhia region” allegedly fully includes

15 IV Hague Convention Respecting the Laws and Customs of War on Land and its Annex: Regulations concerning the Laws and Customs of War on Land, 18 October 1907, Article 43. Available at: https://zakon.rada.gov.ua/laws/show/995_222#Text.

16 V Hague Convention Respecting the Laws and Customs of War on Land and its Annex: Regulations concerning the Laws and Customs of War on Land, 18 October 1907, Article 44. Available at: https://zakon.rada.gov.ua/laws/show/995_222#Text. Geneva Convention relative to the Protection of Civilian Persons in Time of War, 12 August 1949, Articles 47, 64. Available at: https://zakon.rada.gov.ua/laws/show/995_154#Text.

17 Case of Ukraine and the Netherlands v. Russia, Judgment (Merits), 09.07.2025. URL: <https://hudoc.echr.coe.int/eng?i=001-244292>

18 Case of Ukraine v. Russia (re Crimea), Judgment (Merits), 25.06.2024. URL: <https://hudoc.echr.coe.int/ukr?i=001-235139>

19 Federal Constitutional Law No. 5-FKZ of 4 October 2022 “On the Admission of the Donetsk People's Republic to the Russian Federation and the Formation of a New Subject of the Russian Federation – the Donetsk People's Republic” <http://publication.pravo.gov.ru/document/0001202210050005>

Federal Constitutional Law No. 6-FKZ of 4 October 2022 “On the Admission of the Luhansk People's Republic to the Russian Federation and the Formation of a New Subject of the Russian Federation – the Luhansk People's Republic” <http://publication.pravo.gov.ru/document/0001202210050006>

Federal Constitutional Law No. 7-FKZ of 4 October 2022 “On the Admission of the Zaporizhzhia Region to the Russian Federation and the Formation of a New Subject of the Russian Federation – the Zaporizhzhia Region” <http://publication.pravo.gov.ru/document/0001202210050007>

Federal Constitutional Law No. 8-FKZ of 4 October 2022 “On the Admission of the Kherson Region to the Russian Federation and the Formation of a New Subject of the Russian Federation – the Kherson Region” <http://publication.pravo.gov.ru/document/0001202210050008>

the territory of the Zaporizhzhia region. Similarly, the RF claims the territories of the Kherson, Donetsk and Luhansk regions, which it does not control. In this way, the RF establishes the minimum goals of armed aggression in the Constitution.

Article 4 of each Federal Constitutional Law establishes that, as a general rule, the legislation and other normative legal acts of the RF apply in the territories of the “new subjects” from 4 October 2022. That is, the occupying power arbitrarily imposes its legislation in the occupied regions, pointing to temporary exceptions, “transitional periods”, etc. Article 7 regulates the issues of military duty and military service. In particular, it stipulates that conscription of Russian “citizens” in these regions begins in 2023. Article 8 defines the procedure for the formation of local “authorities”, Article 9 – prosecutor’s offices, Article 10 – the procedure for the establishment of courts of the Russian Federation and the “administration of justice during the transitional period”, etc.

In addition, other federal constitutional laws regulate a wide range of issues related to the functioning of the occupation administration, giving it the appearance of “stability” and legal consistency with all-Russian administrative standards. All of this, in fact, forms the legal infrastructure for repressive policies against the civilian population and legitimisation of actions that violate international law.

As a result of the adoption of these Federal Constitutional Laws, amendments were made to the Constitution of the Russian Federation, including an expansion of the list of federal subjects set out in Article 65.

1.2. Imposition of Russian citizenship on the population of temporarily occupied territories

The imposition of Russian citizenship became not only a political tool for the integration of the occupied territories, but also allowed the occupation administration to use the provisions of Russian legislation to bring the residents of the TOT to criminal responsibility for crimes that can only be committed by Russian citizens. In addition, the failure to obtain a passport became a sign of disloyalty: refusal or delay in issuing it automatically aroused suspicion among representatives of the occupation law enforcement agencies.

The first statements by Russian officials that residents of the occupied territories of the Zaporizhzhia and Kherson regions “would be able to receive” Russian passports appeared in early May 2022. At that time, it was referred to as a proposal²⁰. Later, obtaining a Russian passport became an unconditional requirement.

On 25.05.2022, Decree No. 304 of the President of the RF amended Decree No. 183 of 24.04.2019 “On determination in the humanitarian purposes of categories of persons having the right to file applications for admission in citizenship of the Russian Federation in the simplified procedure”. In particular, the simplified procedure for obtaining Russian citizenship was extended to residents of the Zaporizhzhia and Kherson regions, in addition to the

20 See K. Stremousov, “We will integrate as fully as possible into the Russian Federation. All citizens in the Kherson region will have the right to obtain Russian citizenship and Russian passports” / Residents of the Kherson region will have the right to Russian citizenship / RIA Novosti, 06.05.2022 <https://ria.ru/20220506/grazhdanstvo-1787326782.html>

so-called “L/DPR”²¹. On 30 May 2022, the issuance of passports, as provided for by the simplified procedure, actually began. At the time, such actions were an element of public propaganda and did not have a significant impact on the situation of residents of the occupied territories.

Later, the RF moved from encouragement to coercion in the issue of obtaining Russian passports by residents of the occupied territories. On 04.10.2022, the aforementioned federal constitutional laws (Nos. 5-FKZ, 6-FKZ, 7-FKZ, 8-FKZ) were signed.

Among other things, they determine the procedure for acquiring Russian citizenship. For example, Article 5 of each of the federal constitutional laws states that citizens of Ukraine and stateless persons residing in the territory of the new “federal subject” are recognised as citizens of the RF upon taking an oath. When applying for a Russian passport, applicants are required to undergo fingerprinting and be photographed. At the same time, “foreign citizens and stateless persons” need to go through the procedure for obtaining a residence permit in the territory of the RF.

In this way, the RF created a situation in which residents of the temporarily occupied territories faced a fake choice: either to obtain a Russian passport or to be automatically recognised as “foreigners” in the territory where they actually reside. In other words, regardless of their will, people were forced to regulate their legal status only on the basis that the RF unilaterally recognised the occupied regions as subjects of the RF.

On 20 March 2025, Russian President Vladimir Putin published another Decree (No. 159) on “Peculiarities of the situation of certain categories of foreign citizens and stateless persons in the Russian Federation”.²² The document stipulates that citizens of Ukraine who do not have legal grounds for staying (residing) in the Russian Federation are obliged to leave the RF on their own or to regulate their legal status in the RF by 10 September 2025. This decree generally continues the main line of the occupying state’s policy aimed at expelling disloyal population from the temporarily occupied territories. It should be considered in the broader context of Russia’s long-term migration policy, in particular in terms of deliberately changing the demographic composition of the population in the occupied regions²³. Previously, Russia had already used similar instruments following the illegal occupation of the Crimean Peninsula²⁴.

Automatic naturalisation (the acquisition of citizenship of a state without an individual’s consent or personal application), to which Ukrainian citizens in occupied Crimea and the city of Sevastopol were subjected, was not based on reasonable and objective criteria and was recognised by the UN Human Rights Committee as discrimination on the

21 Paragraph 1 of the Decree of the President of the RF dated 24 April 2019 No. 183 stated that residents of the occupied territories “have the right to apply for citizenship of the RF under a simplified procedure”. Decree of the President of the RF of 24 April 2019 No. 183 “On determining, for humanitarian purposes, the categories of persons who have the right to apply for admission to citizenship of the Russian Federation under a simplified manner”. <http://publication.pravo.gov.ru/Document/View/0001201904240016>

22 Decree of the President of the RF of 20 March 2025 No. 159 “On the legal status of certain categories of foreign citizens and stateless persons in the RF, and on the amendment and repeal of certain decrees of the President of the RF” <http://publication.pravo.gov.ru/document/0001202503200022>

23 Russians intensify efforts to change the demographic composition of the population in the occupied territories of Ukraine – ISW / ZMINA, 21 March 2025 <https://zmina.info/news/rosiyan-aktyvizuyut-zusylyya-shhodo-zminy-demografichnogo-skladu-naseleennya-okupovanyh-terytorij-ukrayiny-isw/>

24 REPORT ON THE RESULTS of the study of the policy of the Russian Federation on forcible change of demographic composition of the occupied Crimean peninsula – RCHR, 08.11.2021 <https://krymbezpravil.org.ua/en/issues/report-on-the-results-of-the-study-of-the-policy-of-the-russian-federation-on-forcible-change-of-demographic-composition-of-the-occupied-crimean-peninsula/>

grounds of national origin under Article 26 of the International Covenant on Civil and Political Rights²⁵.

The consequences of the forced passportisation of the population in the temporarily occupied territories were described in more detail in a report prepared by a group of experts of the Ukraine 5AM Coalition – “Imposing citizenship of the Russian Federation on the citizens of Ukraine in the occupied territory of Ukraine and in the Russian Federation”²⁶.

1.3. Normative preconditions for the persecution of civilians in the founding documents of the FSB and the Investigative Committee of the Russian Federation

Since 2023, the RF has increasingly institutionalised the practice of persecuting civilians in the TOT, presenting it as part of the “normal” activities of law enforcement and security agencies.

Under current Russian law, actions constituting international crimes may be presented as “operational and search measures” or “inquiry and preliminary investigation”. Particular attention should be paid to the fact that such actions formally fall within the direct competence of the Federal Security Service of Russia (FSB).

Thus, abductions, unlawful detentions, torture and other forms of repression against civilians can be presented as “legitimate” activities within the framework of the fight against “extremism”, “espionage”, “participation in the activities of banned organisations”, etc. Similarly, the involvement of the Investigative Committee of the Russian Federation in proceedings against civilians creates the appearance of legal procedure where, in fact, it concerns a repressive practice contrary to international law.

The testimonies documented by ZMINA show that victims in most cases identify those involved in their unlawful detention and torture as representatives of the FSB RF. The FSB’s coordinating role in the system of repression in the TOT is indirectly confirmed by Russian normative legal acts.

The normative framework of the RF directly creates opportunities for the FSB to be used as the main tool for persecuting civilians in the occupied territories under the guise of “ensuring security”²⁷.

Thus, according to Article 10 of Federal Law No. 40-FZ of 03.04.1995 “On the Federal Security Service of the Russian Federation”, the FSB RF “conducts operational-search measures” to prevent, detect and suppress crimes that pose a threat to the security of the RF. In particular, they combat organised crime, corruption, illegal trafficking in weapons and drugs, and smuggling. The FSB RF also conducts inquiries and preliminary investigations to detect, prevent and suppress the activities of illegal armed formations, criminal groups,

²⁵ Views adopted by the Committee under article 5 (4) of the Optional Protocol concerning communication No. 3022/2017*, UN Human Rights Committee. Available at: <https://rchr.org.ua/wp-content/uploads/2024/07/rishennya-za-skargoyu-braczylo-ta-inshyh-proty-rf.pdf>

²⁶ Imposing citizenship of the Russian Federation on the citizens of Ukraine in the occupied territory of Ukraine and in the Russian Federation / Authors: Yurii Mykytyn, Oleh Kolesnichenko, Olha Lototska-Kolesnichenko, Nadiia Vaskivska, Liubov Smachylo, Kateryna Rashevskia https://zmina.ua/wp-content/uploads/sites/2/2024/03/passport_web.pdf

²⁷ “ISSUES OF THE FEDERAL SECURITY SERVICE OF THE RUSSIAN FEDERATION” Decree of the President of the RF of 11 August 2003 No. 960 “Issues of the Federal Security Service of the Russian Federation” / Federal Security Service of the Russian Federation, 11 August 2003 <http://www.fsb.ru/fsb/npd/more.htm%21id%3D10343058%40fsbNpa.html>

individuals and associations whose aim is to violently change the constitutional order of the RF.²⁸

Thus, the FSB is a key federal agency in matters of state security. In practice, this allows it to establish informal control over the activities of other law enforcement agencies. The fact that arbitrarily detained civilians are usually subjected to politically motivated criminal prosecution under articles on “terrorism” (205 CC RF and others), “espionage” (276 CC RF), “high treason” (275 CC RF), is also an additional argument in favour of the assertion that the entire process is coordinated by the FSB RF.

Representatives of the Investigative Committee of the Russian Federation (IC RF) are also likely to be involved in the detention of civilians in the TOT in a role similar to that of the FSB. This structure is actively expanding its cells in the occupied regions of Ukraine. In a number of cases, victims or their relatives directly point to the involvement of IC RF representatives in arbitrary detentions, as well as in the subsequent fabrication of charges and participation in procedural actions that bear the signs of politically motivated persecution.

The Investigative Committee is a federal body of the Russian Federation that conducts investigative activities and reports directly to the President of the RF. The areas of jurisdiction of the FSB and the IC are defined in Part 2 of Article 151 of the Criminal Procedure Code of the RF and are related²⁹.

For example, violations provided for in Articles 205.4 and 205.5 of the CC RF (“organisation of a terrorist community” and “organisation of the activities of a terrorist organisation”) are subject to the jurisdiction of the IC. Articles 222.1, 222.2, 223 of the CC RF (“illegal acquisition [...] of explosive substances or explosive devices”, “illegal acquisition [...] of weapons”, “illegal manufacture of weapons”), etc.

The RF is consistently strengthening criminal liability under articles used for politically motivated persecution of the civilian population. These include, in particular, “terrorism”, “sabotage”, “participation in extremist organisations”, etc.³⁰ In addition, amendments are regularly made to the CC RF: new articles are added that provide for punishment, in particular, for recognising the fact of armed aggression against Ukraine, discrediting the armed forces of the RF, as well as for spreading “fakes” about the war.³¹ Investigations under the relevant articles of the CC RF are conducted by the IC.

This expansion creates a wide scope for arbitrary criminal prosecution of any expression of disagreement with the policies of the occupying state and the fact of occupation.

28 Federal Law No. 40-FZ of 3 April 1995 on Federal Security Service Bodies in the Russian Federation <http://www.kremlin.ru/acts/bank/7696/page/1>

29 Article 151. Jurisdiction / “Criminal Procedure Code of the Russian Federation” dated 18 December 2001 No. 174-FZ (as amended on 21 April 2025) / LAWS, CODES AND NORMATIVE LEGAL ACTS OF THE RUSSIAN FEDERATION <https://legalacts.ru/kodeks/UPK-RF/chast-2/razdel-viii/glava-21/statja-151/>

30 For example, Federal Law No. 157-FZ of 28 April 2023 No. 157-FZ increased the maximum terms of imprisonment for persons convicted under Articles 205, 205.1, 205.4 (“terrorism”), 275 (“high treason”), and 361 (“act of international terrorism”) of the Criminal Code of the Russian Federation. Federal Law No. 157-FZ of 28 April 2023 “On Amendments to the Criminal Code of the Russian Federation and Article 151 of the Criminal Procedure Code of the Russian Federation” <http://publication.pravo.gov.ru/Document/View/0001202304280051>

31 Federal Law No. 32-FZ of 04.03.2022 “On Amendments to the Criminal Code of the Russian Federation and Articles 31 and 151 of the Criminal Procedure Code of the Russian Federation” <http://publication.pravo.gov.ru/Document/View/0001202203040007>

1.4. Establishment of Russian law enforcement agencies and courts in the temporarily occupied territories

The occupiers have declared their intention to rebuild the Russian law enforcement and judicial system since the beginning of the full-scale invasion.

For example, on 29 March 2022, **Aliexsiei Sielivanov**, the so-called “head of the Enerhodar Interdistrict Police Department”, announced the recruitment of employees for “police departments in the cities of Melitopol and Enerhodar”. The priority was to recruit police officers, including former ones. At the same time, Sielivanov said that he would not hire “those who wait”³². Later, in May 2022, he already stated the need to “build internal affairs bodies” based on “pure-hearted volunteers” in order to create “the correct ideological position of the Russian world”³³.

In July 2022, it became known that “temporary administrations of the MIA RF” had been established in the occupied territories of the Kherson and Zaporizhzhia regions. Russian law enforcement officers arrived in these regions. The purpose of their work was to “provide practical assistance” to local law enforcement agencies. This involved “exchange of skills” and “coordination of work”. Representatives of the Russian police were involved in issuing Russian passports to the population and “combating manifestations of extremism”³⁴.

During the same period, similar processes began in the temporarily occupied territories of the Donetsk and Luhansk regions³⁵.

On 27 June 2022, the so-called “military-civilian administration of the Kherson region” published “Decree No. 130/1-r”, according to which the federal laws of the RF “On the Police” and “On Operational-Search Activity”, CC RF and CPC RF came into force in the temporarily occupied territory of the Kherson region³⁶. It is noteworthy that this initiative was implemented long before the attempt to annex the temporarily occupied territories was enshrined in law.

After the adoption of the above-mentioned federal constitutional laws in October 2022, Russian media questioned the effectiveness of the formation of law enforcement agencies in the “annexed territories”. Ukrainian police, along with other law enforcement agencies, were evacuated. Those law enforcement officials who remained in the TOT faced real risks of unlawful detention and violence. The Russian Federation also attacked members of self-organised “municipal guard” units, who were then unable to maintain public order in their settlements.

32 “Dear compatriots! Internal affairs agencies are being formed in the territories liberated from the Ukrainian Nazi regime. Their goal is to protect peaceful citizens from illegal encroachments...” / Friends of Major Selyvanov, 29 March 2022 <https://t.me/majorselivanov/4719>

33 Aleksei Selyvanov spoke about the establishment of law enforcement agencies in the liberated territories of Ukraine / Federal News Agency (archived copy), 05.05.2022 https://web.archive.org/web/20220729054138/https://riafan.ru/23167021-aleksei_selivanov_rasskazal_o_postroenii_organov_pravoporyadka_na_osvobodzhennih_territoriyah_ukraini The wording of these statements shows that the RF, trying to persuade law enforcement officers to cooperate, resorted to typical means of pressure and/or incentives, as it did in other cases (persuasion of local authorities, teachers, employees of important enterprises).

21.09.2023 Tomakivskiy District Court of Dnipro Region sentenced O. Selivanov to 13 years in prison in absentia. “People’s policeman of Tavrichiesk province”, former assistant to the Minister of Defence of Ukraine Selyvanov sentenced for collaboration / The Centre of Journalistic Investigations, 29.09.2023 <https://investigator.org.ua/ua/news-2/258910/>

34 Temporary administrations of the Russian Ministry of Internal Affairs have been established in the Kherson and Zaporizhzhia regions / MIA media, 28 July 2022 <https://t.me/mediamvd/12837>

35 The head of the Russian Ministry of Internal Affairs signed a cooperation agreement with his colleagues from Donbas. / Lenta.ru, 19.04.2022 https://lenta.ru/news/2022/04/09/kolokolzev_mvd/

36 Decree of the Head of the Kherson Regional Military-Civilian Administration of 27.06.2022 No. 130/1-r “On Ensuring Law and Order in the Kherson Region”. MCA. URL: https://khogov.ru/wp-content/uploads/2024/02/ukaz-%E2%84%96130_1-r-ot-27.06.2022.pdf

As of October 2022, the occupying state had not been able to develop a clear vision of the personnel reserve on which the “newly created law enforcement agencies” would rely (whether they would recruit former Ukrainian police officers, law enforcement officers from the RF, or focus on recruiting retired MIA officers, etc.). The specific “terms of service” were unclear, particularly given the proximity of these areas to the combat zone³⁷.

On 30 December 2022, the President of the RF signed Decree No. 984 “On the specifics of enlisting in the internal affairs agencies of the Russian Federation in the territories of the Donetsk People’s Republic, the Luhansk People’s Republic, the Zaporizhzhia region and the Kherson region”³⁸. The decree, valid until 1 January 2026, establishes a number of privileges for those taking up positions in the “internal affairs bodies of the RF” in the temporarily occupied territories. In particular, regarding age limit restrictions for appointment, qualification tests, recognition of documents issued by Ukraine or the so-called “L/DPR,” and other matters.

At the same time, the RF began to develop its own network of courts. The creation of a system of Russian courts in the temporarily occupied territories of the Kherson, Zaporizhzhia, Donetsk and Luhansk regions was provided for by the aforementioned federal constitutional laws “on accession”. The normative framework for this was provided by specially prepared federal laws “on the establishment of courts”³⁹. Before Russian courts began operating here, judges who were already in office were supposed to perform their duties. Formally, however, they held only the status of “persons substituting for judicial positions”. Russian citizenship was a mandatory requirement for them, and they had to be guided by Russian law in their work. By a decision of the Plenum of the Supreme Court of the Russian Federation of 19 September 2023, Russian courts began to operate fully in the temporarily occupied territories⁴⁰.

By the end of summer – early autumn 2023, the Russian Federation had created all the conditions for the illegal criminal prosecution of arbitrarily detained civilians.

37 Wild field: how Russian Interior Ministry and Investigative Committee agencies are being set up in Zaporizhzhia and Kherson / Newsru, 13 October 2022 (archived copy) <https://web.archive.org/web/20221013115523/https://news.ru/society/dikoe-pole-kak-v-zaporozhe-i-herson-sozdayutsya-rossijskie-organy-mvd-i-sk/>

38 Decree of the President of the Russian Federation dated 30 December 2022 No. 984 “On the specifics of admission to service in the internal affairs bodies of the Russian Federation in the territories of the Donetsk People’s Republic, the Luhansk People’s Republic, the Zaporizhzhia region and the Kherson region” <http://publication.pravo.gov.ru/Document/View/0001202212300107>

39 Federal Law No. 85-FZ of 3 April 2023 “On the Establishment of Courts of the Russian Federation on the Territory of the Donetsk People’s Republic and on Amendments to Certain Legislative Acts of the Russian Federation” <http://actual.pravo.gov.ru/content/content.html#pnum=0001202304030002>

Federal Law No. 86-FZ of 3 April 2023 “On the Establishment of Courts of the Russian Federation on the Territory of the Luhansk People’s Republic and on Amendments to Certain Legislative Acts of the Russian Federation” <http://publication.pravo.gov.ru/Document/View/0001202304030003>

Federal Law No. 87-FZ of 3 April 2023 “On the Establishment of Courts of the Russian Federation in the Territory of the Zaporizhzhia Region and on Amendments to Certain Legislative Acts of the Russian Federation” <http://publication.pravo.gov.ru/Document/View/0001202304030004>

Federal Law No. 88-FZ of 3 April 2023 “On the Establishment of Courts of the Russian Federation in the Territory of the Kherson Region and on Amendments to Certain Legislative Acts of the Russian Federation” <http://publication.pravo.gov.ru/Document/View/0001202304030005>

40 For more information on the peculiarities of the introduction of the system of law enforcement agencies and courts in the temporarily occupied territories, see Section I. Establishment of the Russian legal framework, development of the judicial and law enforcement agencies and their impact on the policy of judicial persecution in Denial of the Right to a Fair Trial as an International Crime during Russia’s War against Ukraine: Context, Practice, Law and Prospects / Marchuk I., Ostaf S., Svyrydova D., Tymochko M.; The Human Rights Centre ZMINA, The Media Initiative for Human Rights – Kyiv, 2025. P. 152 https://zmina.ua/wp-content/uploads/sites/2/2025/04/zvit_all_web-1.pdf



CHAPTER 2.

MOTIVATION, FORMS AND CHANGES IN THE PRACTICE OF ARBITRARY DETENTIONS IN THE OCCUPIED TERRITORIES IN 2022–2024

According to research⁴¹, conducted by ZMINA and partner organisations, in 2022, one of the dominant reasons for committing war crimes against civilians was the identification of individuals disloyal to the occupation and the suppression of resistance, both armed and civilian. This is why Russian forces detained ATO veterans, volunteers, activists and protesters. At the same time, grounds for detention could include identifying a person as a bearer of Ukrainian identity: through symbols, language, or subscription to Ukrainian media.

In 2023–2024, when the RF began to declare control over the occupied regions and impose its citizenship on them, a transformation in the motivation behind the detentions was observed. The focus shifted from “active resistance” to the eradication of any disloyalty – even passive.

⁴¹ p. 38–39, “You’re loyal to Ukraine – are you Nazi?” Torture and other violations as crimes against humanity by the Russian army in Ukraine OMCT, MIHR, ZMINA <https://zmina.ua/publication/ty-virnyi-ukrayini-ty-naczyst-katuvannya-ta-inshi-porushennya-yak-zlochyny-proty-lyudyanosti-z-boku-rosijskoyi-armiyi-v-ukrayini/>

2.1. General motivation for arbitrary detentions: from suppressing resistance to attacking Ukrainian identity

At the beginning of the full-scale invasion, Russian forces in the occupied territories faced widespread civilian resistance. As a result, almost all civilians were perceived as a potential threat.

The units performing law enforcement functions in the TOT, under the coordination of the FSB, of the RF deployed a wide network of unlawful places of detention and torture (the so-called “torture chambers”), and initiated large-scale “filtering” processes of the population. As of February 2025, the National Police of Ukraine identified 108 places of unlawful detention (“torture chambers”) in the liberated and still occupied territories⁴².

Testimonies collected by the Human Rights Centre ZMINA in the Kharkiv region suggest that Russian units, at least as of spring-summer 2022, tried to detain as many civilians as possible. Most of them were men.⁴³

“What else I want to say. What surprised me even more was that when they started talking to me somewhat, they said: “In two months, we will take everyone – from the old to the young – and they will all go through prison. And we will know everything about everyone” Their tactic was to detain all of us, beat us, and interrogate each person getting information they need⁴⁴.

Victims who testified to cases of arbitrary detention in the Kharkiv and Kherson regions in 2022 indicate that the Russian military could conduct checks on the population of certain districts in cities or entire settlements every few months.

“There were full searches, searches throughout the entire village. Since it was occupied territory, they had raids near the border... they were checking... [...] With some frequency, once every 4-3 months it happened there.⁴⁵

Since Russia began imposing Russian citizenship on the civilian population of the temporarily occupied territories, such raids have been presented as “document checks” to monitor the effectiveness of the forced passportisation policy.

Initially, the main motive for the persecution was to suppress resistance, both armed and civilian. A significant number of cases of civilian detentions documented by ZMINA in 2022 were related to accusations of assisting the Ukrainian Defence Forces, “adjusting” artillery or missile strikes, hiding weapons, etc.

At the same time, it is known that Russian FSB units systematically detained participants in mass civil disobedience actions that took place in the occupied cities at the beginning of the

42 Police documented 108 Russian torture chambers in the occupied and de-occupied territories / Ukrinform, 25.02.2025 <https://www.ukrinform.ua/rubric-tymchasovo-okupovani/3964345-policia-zafiksuvala-108-rosijskich-kativen-na-okupovanih-i-deokupovanih-teritoriah.html>

43 See for example: “In particular, representatives of the Russian Federation called their practice of illegal detentions, forced disappearances and torture committed in Kupiansk and Kupiansk district «re-education». And they also claimed that the majority of the male population (according to the interviewees, representatives of the Russian Federation called from 85% to 95%) should pass through the temporary detention centre”. p. 13 “85% of men will pass through this detention centre”: analysis of the testimonies of those detained in the district police department during the occupation of Kupiansk / O. Syniuk, Ye. Sokurenko, S. Kochmarskyi; Human Rights Centre ZMINA. – Kyiv, 2024. – 44 p. <https://zmina.ua/publication/85-cholovikiv-projde-cherez-czej-izolyator-analiz-svidchen-utrymuvanyh-u-rajviddili-policziji-pid-chas-okupacziyi-kupyanska/>

44 20.01.2023 I Had Already Said Goodbye to Life Then... / Anatolii Harahaty https://youtu.be/cVZ_zpeSR4A?t=1061

45 Testimony of the victim's niece documented by ZMINA, 2024 (Kharkiv region)

occupation. A notable example is the protest rally in the city of Kupiansk, Kharkiv region, on 1 March 2022, during which the Russian military detained one of the protest leaders, local MP Mykola Maslii. Subsequently, the FSB, using video from open sources, targeted and detained other participants in this rally ⁴⁶. Russian special services launched a similar “hunt” for protesters in Kherson.

From the very beginning of the full-scale invasion, Russia has consistently persecuted bearers of Ukrainian identity in the occupied regions – people who openly declared a pro-Ukrainian position or did not hide their disagreement with the occupation. The mere presence of pro-Ukrainian views could be considered sufficient grounds for detention. The Russian military considered such views as a threat factor: a person who demonstrates loyalty to Ukraine is more likely, in their opinion, to participate in the resistance, hide important information, etc.

The motive related to suppressing resistance gradually loses relevance in 2023–2024. This is indirectly recognised by the RF itself, which claims to have established effective control over the occupied territories and officially proclaimed their annexation.

The collection of testimonies about arbitrary detentions that took place in 2023–2024⁴⁷, shows that during this period, cases of civilian detentions that are not directly related to Russia’s attempts to combat the resistance are becoming more frequent. Instead, a person’s willingness to demonstrate a pro-Ukrainian position, not to recognise the occupation administration and the practices imposed by them, becomes the main reason for detention.

Such detentions are increasingly becoming a targeted attack on manifestations of Ukrainian identity. A person can become a target of repression solely because of their disloyalty to the occupation regime, regardless of whether they pose a real threat or not.

At the same time, the RF is systematically implementing tools to identify civilians who are disloyal to the occupation regime or openly support the pro-Ukrainian position. These tools include monitoring social media, coercion to participate in illegal elections, and the integration of Russian administrative and educational standards. In particular, this includes the transition to the circulation of Russian currency, the introduction of Russian curricula in schools, and – above all – the massive illegal issuance of Russian passports.

2.2. Common methods and tools for identifying individuals disloyal to the occupation in 2023–2024.

One of the most typical and widespread ways of identifying civilians as disloyal to the occupation is by **checking the contents of their mobile phones and other electronic devices**.

Such checks can take place both during the passing of checkpoints or during house searches, and after the detention of a person. The military personnel conducting the checks do not have clear criteria for what may be the reason for detention. Usually, the presence of any Ukrainian news, Ukrainian symbols, or contacts that seem suspicious in the phone is sufficient grounds for detention.

⁴⁶ “85% of men will pass through this detention centre”: analysis of the testimonies of those detained in the district police department during the occupation of Kupiansk / O. Syniuk, Ye. Sokurenko, S. Kochmarskyi; Human Rights Centre ZMINA. – Kyiv, 2024. – 44 p. <https://zmina.ua/publication/85-cholovikiv-projde-cherez-czej-izolyator-analiz-svidchen-utrymuvanyh-u-rajviddili-policziyi-pid-chas-okupacziyi-kupyanska/>

⁴⁷ The sample of this research includes 23 cases. Of these, 15 occurred in 2023–2024, 7 in 2022, but criminal cases against the detainees were initiated in 2023–2024. Only in 4 cases (out of 24) is it known that the victims had military service experience, and only 1 of these cases concerns detention in 2023.

Russian special services are constantly improving the software tools they use to check phones. According to the victims' testimonies, the FSB can recover the content of messenger chats or even multimedia files deleted by the user.

“ I [...] tried to be careful. I wrote everything down on a piece of paper... I didn't write anything on my phone... They restore phones, they restore everything. They have a programme [that restores] text messages, everything. The biggest thing that pissed them off was if you had a bank app. “PrivatBank, Monobank, it didn't matter.... [...]. Our apps, Ukrainian ones, that annoyed them... in Ukrainian phones⁴⁸.

At the same time, the RF continues to monitor social media to identify publications that may be classified as “extremist”, discrediting the RF Armed Forces, or “denying the territorial integrity of the RF”.

The Code of Administrative Offences in the Russian Federation (CAO RF) and the Criminal Code of the Russian Federation (CC RF) contain a number of articles that can be used to “bring to justice” individuals who have published materials prohibited by Russian law on social media.

In particular, in this context, Articles: 205.2 CC RF (“Public calls for terrorist activity”), 207.3 CC RF (“Public dissemination of deliberately false information about the use of the Armed Forces of the RF”), 280 CC RF (“Public calls for extremist activity”), 280.3 CC RF (“Public actions aimed at discrediting the use of the Armed Forces of the RF to protect the interests of the RF”) and others.

One of the characteristic features in such cases is how freely Russian courts interpret the provisions of their own legislation, how flexible they can be in qualifying and re-qualifying the acts considered in a particular proceeding⁴⁹.

Cases have been documented where, as early as 2023, a person's publications on social media could become one of the possible reasons for their detention and subsequent criminal charges.

“ Why they took her, [...], this is my personal opinion, what could have served as a trigger for them? She was using social media in Ukrainian. [...] She had a post on Instagram about the death of her friend, a soldier in the AFU. [She] attended the Melitopol Baptist church “Blahodat”. Because when they came in, basically, they went through all those churches and visited all the pastors, [...] they were also taken to the basements [...]. Later, she worked as an SMM manager for a USAID charity, the Ukrainian Volunteer Service, delivering social aid to Melitopol and Zaporizhzhia, things like medicines and supplies.⁵⁰

In 2023, in the city of Melitopol, Zaporizhzhia region, Russian special services conducted a coordinated operation to detain subscribers of a pro-Ukrainian Telegram channel. The deten-

48 Victim's testimony documented by ZMINA, 2025 (Kherson region)

49 More details on the specifics of politically motivated criminal prosecution and violations of the right to a fair trial can be found in the thematic report prepared by the Human Rights Centre ZMINA, the Media Initiative for Human Rights in cooperation with the online publication “Graty” and the NGO “Crimean Process”. Denial of the Right to a Fair Trial as an International Crime during Russia's War against Ukraine: Context, Practice, Law and Prospects / Marchuk I., Ostaf S., Svyrydova D., Tymochko M.; The Human Rights Centre ZMINA, The Media Initiative for Human Rights – Kyiv, 2025. P. 152 https://zmina.ua/wp-content/uploads/sites/2/2025/04/zvit_all_web-1.pdf

50 The testimony of the victim's friend was documented by the Human Rights Centre ZMINA, 2025 (Zaporizhzhia region). Also see 20 years in prison for Ukrainian language on social media: the story of a kidnapped volunteer from Melitopol / Association of relatives of political prisoners of the Kremlin, 17.06.2024 <https://www.relativespp.org/free-our-relatives/20-rokiv-uvyaznennya-za-ukrayinsku-movu-v-socmerezah-istoriya-vikradenoyi-volonterki-z-melitopolya>

tions were filmed in the form of “operation video”, fragments of which were later published by propaganda media as an element of justification for the crime. According to the daughter of one of the victims, more than 30 people were detained within a few hours.

In another case, an aggravating circumstance for the detained man was his reaction to a social media post about a successful attack by the Ukrainian defence forces on the positions of the Russian military.

“When they checked him, they also checked his phone... They showed that they had found correspondence with me. That he sent money to the AFU. And he “sent” something to someone... Some coordinates. And they found out that he had once again “reacted” to the news about hitting “orcs” in the city.”⁵¹

Forced passportisation in the temporarily occupied territories (TOT) has become one of the key instruments of pressure on the civilian population by the occupation authorities.

The use of Russian passports as a means of control began even before the official declaration of the annexation of the TOT (04.10.2022), when the so-called “treaties of accession” appeared. Forced imposition of citizenship was used to test the level of passive resistance of the population, as well as a tool of intimidation and demonstration of the lack of alternatives to the new government. The coercion to obtain passports was accompanied by massive document checks, which de facto monitored the legal status of the population. The collection of data on those who did not receive Russian documents allowed for the compilation of a list of “disloyal” individuals. The absence of a Russian passport was increasingly perceived by the occupation authorities as a tacit declaration of a pro-Ukrainian position. While in 2022 civilians could still explain its absence by technical reasons, over time, the refusal to issue documents acquired signs of a political position, which significantly increased the risk of arbitrary detention, enforced disappearances, torture and criminal prosecution.

In addition, obtaining a Russian passport has gradually become a condition for access to basic social services. Victims testify that pension payments, disability benefits or medical services were provided only to those who had Russian-issued documents. This created a system of de facto discrimination against those who did not agree to accept Russian citizenship. The absence of Russian documents could become a formal reason for deprivation of housing. In some cases, civilians were evicted from their apartments or threatened with “eviction” if they did not obtain documents, which in fact meant the confiscation of property under the guise of an administrative procedure. A number of Russian legal acts formalised a number of restrictions on the rights of persons without Russian passports.

In particular, it concerns:

- restricted access to social benefits and assistance;
- restrictions on access to healthcare services (due to the requirement to obtain a citizenship-based health insurance policy);
- violation of property rights;
- risks of losing parental rights, especially in the case of children without a Russian passport or refusal to cooperate with “guardianship authorities” of the RF.⁵²

⁵¹ Testimony of the victim's son documented by ZMINA, 2025 (Zaporizhzhia region)

⁵² p. 20-21 “Consequences for the TOT residents” in Imposing citizenship of the Russian Federation on the citizens of Ukraine in the occupied territory of Ukraine and in the Russian Federation / Authors: Yurii Mykytyn, Oleh Kolesnichenko, Olha Lototska-Kolesnichenko, Nadiia Vaskivska, Liubov Smachylo, Kateryna Rashevskaya https://zmina.ua/wp-content/uploads/sites/2/2024/03/passport_web.pdf

One of the documented cases well illustrates the possible forms of pressure on civilians who did not receive Russian documents. The family of the victims from the Kherson region was persecuted by the local occupation administration, police and the FSB. As of August 2023, the couple were the only residents of the village who had not obtained Russian passports.

The interviewees say that at first (in the summer of 2023) they were simply checked for documents. However, on 4 August 2023, the house was searched. It was carried out by military personnel identified by the victims as “Roshvardiia”. The military were accompanied by local residents who informed on the victims.

After that, the family was subjected to systematic terror and violence. Eventually, the family was forced to pay an administrative fine for violating the passport regime and leave the TOT.

Another documented case from the occupied part of the Zaporizhzhia region shows how the family’s absence of a Russian passport (in December 2023) clearly became a marker that put them in the crosshairs of the occupation forces.

“Then they told me to show my documents. Well, my mother-in-law already had a Russian passport, but of course I didn’t. So they started...: “Why don’t you have one?”, and so on and so forth... They held, so to speak, an “explanatory conversation” about the urgency of obtaining a passport [...] We, of course, went, applied for [Russian] passports, and received passports. [...] Well, they said that “we will come to check”. They didn’t come, but I don’t know, maybe they check it some other way⁵³.”

In May 2024, the interviewee’s husband was detained. The reason for the detention was unknown at the time of the interview. At the same time, the occupying authorities to whom the victim turned attempted to conceal both the fact of the detention and their involvement in it.

A person’s inclusion or non-inclusion in certain social relations introduced and promoted by the occupying power may itself serve as a marker of their perceived attitude toward the occupation. In a manner typical of totalitarian political regimes, the Russian administration demands active demonstrations of loyalty from residents of the occupied regions⁵⁴. The requirement to obtain Russian-issued documents or the requirement to participate in so-called “referendums” and “elections” can also be seen from this perspective. However, these forms of active recognition of the occupation regime are obviously not enough for the RF.

Therefore, markers of loyalty to the occupation regime also include, for example, official employment in the occupied territory; participation of children in the educational process in the forms imposed by the RF.

For example, one of the respondents indicated that her family deliberately refused to take up official employment during the occupation and tried to live on savings. The victims perceived such employment as economic assistance to the occupying power. The fact that the family was not officially employed became the subject of increased interest from the FSB RF. Later, the interviewee’s husband was arbitrarily detained.

53 Testimony of the victim’s wife documented by ZMINA, 2025 (Zaporizhzhia region)

54 “In The Power of the Powerless, Havel tells the story of a manager of a fruit-and-vegetable shop. “The manager of a fruit-and-vegetable shop places in his window, among the onions and carrots, the slogan: “Workers of the world, unite!” Why does he do it? It’s not that he doesn’t believe that workers in all countries should unite - he doesn’t even think about it. The greengrocer declares his loyalty (and he can do no other if his declaration is to be accepted) in the only way the regime is capable of hearing; that is, by accepting the prescribed ritual, by accepting appearances as reality, by accepting the given rules of the game”. / “The Power of the Powerless” by Václav Havel, Radomyr Mokryk / Istorychna Pravda, 06.10.2018 <https://www.istpravda.com.ua/articles/2018/10/6/153042/>

“ So when we were forced to take passports, he was no longer working, and he never worked again. We lived on our savings. [...] He did not want to pay taxes to the aggressor country. [...] And then the questions came: “What is your attitude to the AFU?”, “Have you expressed any opinions?”, “Why are you not working?”.⁵⁵

An indicative marker of loyalty or disloyalty to the occupation is the willingness of parents to send their children to schools that follow the Russian curriculum, and therefore have a strong propaganda component in the educational process.

In one of the documented cases, the wife of an arbitrarily detained person stated that she was afraid to let her child go to school because of the family’s pro-Ukrainian stance.

“ My child did not go to school [...] I would never send him to a Russian school, because on the first of September my child sang the Ukrainian anthem not because he had to sing, but because he wanted to.... In the classroom, he came out and sang.⁵⁶

In another case, the interviewee tried to leave the TOT before the start of the school year. The woman did not want to send her child to school, but her decision attracted the attention of teachers who had cooperated with the RF and, presumably, the police.

“ They called, went to apartments, rang the intercom. They were “green”, it’s hard to call them military. They sent teachers, asking: “Are you going to school?” I was lying, saying: “Yes, yes, we are going. We’ve signed up, that’s it, we’re going, we’re going”,... I didn’t want them to touch me, I didn’t want them to touch my children. I kept lying. That I was getting the ausweis, their passport, [...] that we were going. On 4 August 2023, I left with my children⁵⁷.

The interviewee’s husband remained in the occupation and was arbitrarily detained in August 2023. Later, he was convicted on fabricated criminal charges and deported to serve his sentence in the Russian Federation.

55 Testimony of the victim’s wife documented by ZMINA, 2025 (Zaporizhzhia region)

56 Testimony of the victim’s wife documented by ZMINA, 2025 (Zaporizhzhia region)

57 Testimony of the victim’s wife documented by ZMINA, 2025 (Zaporizhzhia region)



CHAPTER 3.

THE LEADING ROLE OF THE FSB OF THE RUSSIAN FEDERATION IN THE PRACTICE OF ARBITRARY DETENTIONS OF CIVILIANS UNDER OCCUPATION

Most of those interviewed by ZMINA identified the individuals directly involved in their detention as officers of the FSB. In some cases, units of the Russian National Guard (“Roshvardiia”) or representatives of the “police” may have been involved.

At the same time, victims tend to identify the detainees as the FSB RF, given the way they traditionally see FSB representatives behaving, the equipment they use, and the functions they usually perform during the occupation. According to the victims, the characteristic features of the FSB RF, for example, are the use of black uniforms, balaclavas that cover the face, and driving civilian vehicles (jeeps or minibuses). At the time of detention, representatives of the FSB do not identify themselves, do not give the victim reasons for detention, and may use violence or threats of violence.

In 2023-2024, cases of recording propaganda “operation video” from the place of detention became more frequent. On the one hand, the presence of such videos indicates the preparation and planning of illegal actions. On the other hand, these videos are widely used as an element of justification for detention, demonstration of “operational and search actions” within the competence of the FSB and falsification of illegal criminal proceedings.

Since the beginning of the full-scale invasion, the Russian FSB has been carrying out unlawful detentions, interrogations, and torture of civilians in places of detention. At the same time, the main differences in the practices of 2023-2024 compared to previously documented cases are related to the establishment of Russian occupation administrations and the extension of Russian normative and legal regulation to the temporarily occupied territories. Therefore, Russian security forces are more likely to present the practice of committing war crimes against civilians as something that is completely legitimate and belongs to their direct competence and responsibility.

At the same time, the actual role of the Russian FSB in the occupied territories extends beyond the scope of its formal competencies.

The structures of the so-called “police”⁵⁸ are actually controlled by the FSB RF. They perform a “service” function for the FSB, in particular in collecting information about the civilian population. At the same time, the “police” has no influence on the actions of the special service itself. This can probably be explained by the formal peculiarities of the interaction between the FSB and the structures of the MIA RF. However, it can also be explained by the fact that a certain number of “police officers” in the temporarily occupied territories are former Ukrainian police officers who betrayed their oath and went over to the side of the RF. Accordingly, such persons do not have a high level of trust among Russian security forces and special services.

These conclusions are confirmed by the materials of the interviews. Usually, relatives of the victims, trying to establish the reasons for the detention and the actual whereabouts of their relatives, turned to the “police” bodies formed by the RF in the occupied territory. It is noteworthy that in all known cases, the “police” did not officially confirm the fact of detention or inform about the place of detention. At the same time, informally (verbally), relatives could be informed that the detention did take place, and that it was carried out by the FSB RF (“higher authorities”).

●● *Well, I sat down and stayed put. He realised that I really wasn't going anywhere, and that he couldn't force me out – because there were people all around. Then he called in an investigator, the investigator came [...] as I understand, he is our local collaborator from Berdiansk who sided with the occupiers.*

So he started questioning me about what happened and how. At first, he didn't really want to take my statement, but then when he started asking more, he said to me: “Yes, I understand what happened, your husband isn't the only one...”. Of course, he told me this unofficially, that it was... According to him, “the higher authorities took him”. I asked, “What does that mean? Why did this happen?” – “They don't report to us. They do whatever they think is necessary”. [...]

About a week later I went back to him, and he said, “Officially, he's not here”. That is, officially no one confirms it, but he is there. They're holding him and will keep him for as long as they need. They will call you when he is charged⁵⁹

The Investigative Committee of the Russian Federation is also involved in the detention of civilians. It is likely that the IC RF bodies are working in close connection with the FSB. In particular, in terms of falsifying illegal criminal proceedings against detained civilians.

58 That is, those formally subordinated to the Ministry of Internal Affairs of the Russian Federation
59 Testimony of the victim's wife documented by ZMINA, 2025 (Zaporizhzhia region)

It is characteristic that both the FSB and the IC bodies try to carry out their work in the temporarily occupied territories in a covert manner. They do not disclose their location and do not have official “representative offices”. Relatives of the victims usually have to find the locations of these law enforcement agencies at their own risk.

“On the fourth day, my mother was walking through the town and said she passed through a yard, and said, I saw that van pull up, and four people got out... She said, I recognised them by their eyes as the people who took my father because they were fully in uniform when they arrived, wearing balaclavas, only their eyes were visible... that was it... And my mother said that by their eyes she saw them walking into the building, she thought about following them inside, but realised that if she did, it might be the last thing she ever does.”⁶⁰

According to some reports, as early as 2022, the FSB structures of the RF actually performed the function of supervising the activities of military administrations. Presumably, they still informally play a similar role.

“They called him “military commandant”. They took over our administration at once. But he was subordinated to the FSB. Because I remember the situation with some of our people there... [...] – and he used to go to this “commandant”. And then the “commandant” told him: “Do not come to me anymore, because it will get worse. The FSB officers have put both you and me under surveillance”. That is, these military... even the military administration of that time, it was subordinated to the FSB”⁶¹.

At the same time, the activities of the FSB and the Investigative Committee are not controlled not only by the “police”, but also by the structures that are supposed to oversee the observance of human rights. The FSB and the Investigative Committee do not respond to requests from lawyers (if victims use the services of defence counsel). It is typical for the RF that the institution of “ombudspersons” is completely ineffective.

“Well, during this time, I also contacted the local representative of the Ombudsman, a local one [...] collaborator. [...] I came to him about a week later, and he said: “Officially, he is not there”. I mean, no one officially confirms it, but he is there. He is being held, and will be held as long as they consider necessary. You will be called when he is charged”⁶².

In some cases, independent lawyers refused to provide their services to the family until the RF recognised the detention of the victim and brought charges against him, as they understood the futility of such work.

“I have been in contact with the lawyer since 2022, and I asked for help. He said: “You will only waste money, and I will not help you. Because he is not there.”⁶³

Based on the testimonies of victims and their relatives, and comparing with previously collected data on the circumstances of crimes committed in 2022, we can highlight the following features:

- Arbitrary detentions (enforced disappearances) are usually carried out by the FSB. In some cases, other units performing police functions may be involved in committing these crimes, but the detentions are carried out in the interests of the FSB, usually under

60 Testimony of the victim's son documented by ZMINA, 2025 (Zaporizhzhia region)

61 Testimony of the victim's wife documented by ZMINA, 2025 (Kherson region)

62 Testimony of the victim's wife documented by ZMINA, 2025 (Zaporizhzhia region)

63 Testimony of the victim's wife documented by ZMINA, 2025 (Kherson region)

the direct supervision of its officers (for example, when a group of “Roshvardiia” soldiers is led by an FSB representative).

- The RF has established its own authorities and governance institutions in the temporarily occupied territories, including the security forces (the MIA RF, the FSB, the system of “prosecutors’ offices” and “courts” are officially starting their work). Thus, as early as 2023, Russian special services are trying to “adjust” the practice of committing war crimes to formalised “operational search” or “investigative” procedures.
- In this regard, it becomes extremely important for the FSB to obtain “evidence” of the victim’s involvement in a “crime” (usually one falling directly within the security service’s investigative remit).

Accordingly, compared to 2022, as of 2023-2024, the risks of politically motivated unjust criminal prosecution for arbitrarily detained civilians are significantly increased.



CHAPTER 4.

ARBITRARY DETENTIONS IN THE CONTEXT OF UNLAWFUL CRIMINAL PROSECUTION

With the establishment of a fully functioning system of law enforcement and judicial bodies in 2023, the threat of prolonged imprisonment on trumped-up criminal charges has significantly increased for civilians in the temporarily occupied territories of Ukraine. This danger has become a reality not only for new cases, but also for people detained as far back as 2022. Many of them were held incommunicado for a long time without any procedural status or formal charges.

The analysis of the collected testimonies allows us to recreate the general patterns of actions of Russian law enforcement agencies at each stage of the persecution - from the moment of enforced disappearance or arbitrary detention to the issuance of an unjust sentence in criminal proceedings. These actions demonstrate the systemic nature of repressive practices that cover different regions and categories of victims.

At the same time, it is important to emphasise that arbitrary detentions of civilians are not always accompanied by the opening of criminal proceedings. A significant number of people detained in the occupied territories in 2022-2023 are still being held incommunicado in the territory of the RF without official procedural status. In such cases, the risk of torture, cruel treatment and psychological pressure increases significantly.

4.1. Incommunicado detention

Immediately after detention, Russian representatives try to “hide” the victim from the family. Even when Russian security forces responded to relatives’ statements about the disappearance or abduction of a person, they usually did not officially confirm the fact of detention, let alone inform about the person’s whereabouts.

At the moment law enforcement agencies formally opened a case for the search of a “missing person,” they gained legitimate grounds to collect additional information about the individual who was effectively detained by the FSB. In particular, the “police” usually collected biological samples, allegedly for DNA testing, and could conduct additional searches at the victim’s place of residence.

“They interviewed me at the police station, and then they just came to my house, with me, they said: “We need to search the apartment”. That is, a police investigator came in with me, not the one who took my statement, another one, and a woman came in – I think an expert. This expert seized my husband’s... toothbrush and razor.”⁶⁴

“They.... took her personal belongings, as I understand it, also for DNA tests. There was a comb, a toothbrush... You know, things which are not very important. They were looking for a passport, but there was no passport at that time [in the house].”⁶⁵

In one of the known cases, the situation of a man detained in November 2022 in the Luhansk region apparently deteriorated after “police” officers searched his home and spoke to his family. In particular, the Russian representatives learned that a close relative of the detainee was involved in pro-Ukrainian rallies after the occupation of the city, and later managed to move abroad. The family has reliable testimony about the man’s whereabouts in one of the SIZO in the TOT, while the documents of the so-called “LPR MIA”, “LPR Prosecutor’s Office”, “RF Prosecutor’s Office” list him as “missing”.

At the same time, the “police” may even formally sabotage the investigation into the “disappearance” of a person, while actually having information about their detention by the FSB.

In two cases documented by ZMINA in the Kherson and Zaporizhzhia regions in 2024, families were denied the opening of criminal proceedings for the search of missing persons, as the missing individuals had allegedly stated that no offence had been committed against them.

“During the inspection of the whereabouts [...] it was established. In her statement [...] explained that no unlawful actions had been taken against her and that she had not been the victim of a crime. She requests that the investigation into her disappearance be terminated and has no complaints or comments regarding the actions of the Russian law enforcement agencies”⁶⁶.

“He [the investigator] took me to his office and showed me a piece of paper with a statement written on it. I would say that the handwriting looked like my husband’s. The statement read: “I am so-and-so, I request that no criminal case be opened in connection with my search, as no one has kidnapped me and no one has used violence against me. I am in the Zaporizhzhia region, but I do not wish to disclose my exact location.”⁶⁷

64 Testimony of the victim’s wife documented by ZMINA, 2025 (Zaporizhzhia region)

65 Testimony of the victim’s sister documented by ZMINA, 2025 (Zaporizhzhia region)

66 Excerpt from the decision of the occupation “prosecutor’s office”. Provided by interviewed victims. Anonymously provided.

67 Testimony of the victim’s wife documented by ZMINA, 2025 (Zaporizhzhia region)

4.2. Coercion to confess to a crime before the start of an official investigation

The primary goal of the “investigators” at the next stage was to obtain self-incriminating testimony from the detained person, which could serve as the main “evidence” in the case. Additional information obtained during searches or from conversations with relatives played a supporting role.

There are grounds to believe that these testimonies were obtained under pressure and threats of torture by the FSB⁶⁸.

“There was a doctor from Nova Kakhovka, he himself, as I understand, was a doctor during the ATO, and he was helping... [...] He said that the man was brought back to the cell unconscious. They would take him away, torture him, and then return him unconscious. And this doctor helped him”. [...]

There may have been violence, maybe something else [...]... He said: “I signed everything, I had to sign. Forgive me. I can’t do this anymore”. What did he mean? The moral side of it or the physical one... We don’t know. But that’s what he said, and he said it over the phone...⁶⁹

In some cases, it is known for certain that propaganda videos with “confessions of guilt” were recorded under direct threat of torture, including electric shock:

“Father said, “Son, there’s a video out there, don’t believe it. They forced me to do it. They put electric wires on my penis. They tortured me. They clamped my fingers in a vice. There was a piece of cardboard with something written on it in marker. And I had to read it all out loud”. They forced me to read it.⁷⁰

Similar cases are also known in places of illegal detention on the territory of the Russian Federation. In particular, some victims indicate that while being held incommunicado in SIZO on the territory of the Russian Federation, prisoners of war may have been forced under torture to take responsibility for war crimes. These individuals were subsequently held separately from other detainees, which may indicate an attempt to isolate them for further pressure.

In a sense, keeping the victims incommunicado and without announcing any official charges was both the goal of the Russian security forces and a means of obtaining confessions. That is, it contains an element of intimidation and psychological pressure on the victim.

It is evident that the FSB RF could more freely use violence against persons whose detention was not even officially confirmed. Therefore, bringing official charges in criminal proceedings could even slightly improve the situation of the victim. At the same time, this did not exclude the risk of torture. There are known cases of violence against detainees in SIZO No. 1

68 Information about torture received from relatives of detainees is usually incomplete. Relatives may receive testimonies from other released detainees, or assume the use of violence based on photos or videos from the place of detention or other signs (e.g. dirty, torn clothes of the victim, signs of beatings, etc.).

69 Testimony of the victim’s wife documented by ZMINA, 2025 (Kherson region)

70 Testimony of the victim’s son documented by ZMINA, 2024 (Zaporizhzhia region)

and No. 2 in the temporarily occupied territory of AR of Crimea⁷¹, in the so-called SIZO in the village of Chonhar, Kherson region, and in SIZO and penal colonies on the territory of the RF.

Representatives of the RF also attempted to obtain confessions from victims by applying psychological pressure, misinformation or attempting to directly falsify documents.

Thus, for example, in one case, a woman detained in the Russian Federation was deceptively forced to sign documents that were supposed to expedite her release. In fact, the signed falsified protocol of her interrogation became key evidence in her subsequent criminal prosecution.

“One of the key points is that when the investigator was taking her testimony [...], as soon as she was caught, they... well, they told her, “Just sign this, agree that you were wrong, and everything will be fine. Everything will be sorted out and they’ll let you go tomorrow”. So she signed it and that was it. And that’s the only “clue” that there is in the case.”⁷²

In another case, a man detained in 2024 was released only on condition that he sign several blank sheets of paper. Shortly after his release, the victim’s car was confiscated at a checkpoint, forcing him to go into hiding to avoid being detained again.

“It was there in the basement... They took photos of me. With a piece of paper with the date on it. I signed five blank sheets... “Sign...” I asked, “What is this? When are you going to let me go?” [...] They humiliated me there... “Sign, I said!” [...]

I turned off my phone, completely turned it off, and didn’t turn it on for a month. When I turned it on a month later [...] they came right away, at night. My neighbours told me that the “agents” came to your place at 11 p.m. That means they were looking for me. [...] I understand that I can’t go home because, as I understand it, I signed something, they wrote something down...

In some cases, in an attempt to force detainees to “sign documents”, the FSB put pressure on their families. Such cases were documented both in 2022 and later.

4.3. Bringing formal charges against victims

The bringing of formal charges changed the status of the detainees, as it meant that the Russian Federation acknowledged the fact of their detention and, accordingly, its responsibility for their fate.

For the relatives of the detainee, this alone could be decisive. It is telling that those interviewed sometimes refer to the acknowledgement of detention (at the time of the official charges) as “exposure”.

“And when he was “exposed”, after the first trial, I called and the lawyer agreed to meet. My husband’s mother went there, and they signed an agreement, and everything changed. Two or three days later, the lawyer was allowed to see him.”⁷³

⁷¹ See for example: «The Commission has documented new cases of torture and confirmed the use of torture by Russian authorities in additional detention facilities in areas under Russian control in Ukraine and in the Russian Federation. With the new evidence collected, the Commission has presently found cases of torture in all nine provinces where areas have come under Russian control, in Ukraine and in the Autonomous Republic of Crimea, as well as in seven provinces and one republic of the Russian Federation.», p. 10 Report of the Independent International Commission of Inquiry on Ukraine, A79/549, 29.10.2024 <https://documents.un.org/doc/undoc/gen/n24/315/17/pdf/n2431517.pdf>

⁷² Testimony of the victim’s brother, documented by ZMINA, 2025

⁷³ Testimony of the victim’s wife documented by ZMINA, 2025 (Kherson region)

However, until the RF made official accusations (when the detainees were incommunicado), their families tried to obtain information about them from other sources. As in 2022, they sought information from other detainees who had already been released, from Russian military personnel at checkpoints or from guards at the place of detention. They also sent parcels to places of detention without knowing for certain whether their relatives were there (the fact that the parcel was accepted indicated that the person was probably being held there).

The family could be informed about the official charges brought against the person by lawyers appointed by the Russian Federation, allegedly to protect the rights of the suspect.

“Well, yes, this fake [state] lawyer just wrote to me, saying, “Good afternoon...”, and so on, and sent me a photo of my sister. He wrote that she had done this and that. That’s it. I immediately contacted him and we talked. [...] But I didn’t trust him, so we started looking for someone through our contacts and found a lawyer.”⁷⁴

“In September, I found out—my lawyer called me; my son knows my number by heart. The lawyer is from Rostov [...] She informed me that my son is in Rostov, being tried for “terrorism”, for the assassination of a collaborator, and for cooperating with the AFU... In general, she told me that there are 16 volumes of charges against him.”⁷⁵

However, relatives could also learn about the official charges unofficially, from sources unrelated to the official investigation. For example, the victim’s family learned about the criminal proceedings from relatives of another defendant.

“A court hearing took place. The parents of another prisoner were called. They were told that an open case is ongoing, and there is something called an “accusatory court” or something like that, this is the name of the first hearing. It concerns pre-trial detention. And this lawyer said that there is a parallel case... the same case is going on with my husband. The lawyer said that a similar case is ongoing against my husband. And the parents... well, we knew [the other prisoner’s parents]. They called and said that he is also going through court proceedings.”⁷⁶

Sometimes families were able to obtain unofficial information about detentions through contacts within Russian law enforcement agencies. In one well-known case, a detainee was able to inform her relatives herself.

It is important to note that incommunicado detention until the moment of formal charges and the victim being brought before the public could be very lengthy. This is particularly relevant in the case of detentions that took place at the beginning of the full-scale Russian invasion.

In particular, in one case from the Kherson region, a civilian man who was abducted from his home on 19 May 2022 was found by his family in one of the Simferopol SIZOs only at the end of June 2024, after criminal proceedings had already been initiated against him. Prior to that, his relatives had only a vague idea of his whereabouts, based on information from other civilians who had managed to get released. In another case, the whereabouts of a former military man who was detained in November 2022 in the Zaporizhzhia region became known only in September 2023, when he was already in a SIZO in Rostov-on-Don.

74 Testimony of the victim’s brother, documented by ZMINA, 2025

75 Testimony of the victim’s mother, documented by ZMINA, 2025 (Zaporizhzhia region)

76 Testimony of the victim’s wife documented by ZMINA, 2025 (Kherson region)

As for arbitrary detentions that occurred in 2023–2024, the period of incommunicado detention was gradually reduced and can now range from several weeks to several months.

In cases of criminal prosecution that appear to be politically motivated, the possibility of exercising the right to defence is significantly limited in the temporarily occupied territories. After formal charges are brought, detainees are usually provided with a lawyer appointed by the authorities. Such lawyers often fail to perform basic defence functions or even act in coordination with the investigation, undermining the trust of victims' families and prompting them to seek independent defence counsel⁷⁷.

At the same time, independent lawyers — those hired by families themselves — face systemic obstacles: administrative persecution and the risk of losing their licences. Their independence is often determined not by the form of cooperation with the victim's family, but by their ability to withstand pressure from the FSB or the prosecutor's office. Those interviewed also say that the "political" nature of the case and the involvement of the FSB make it much harder to find a lawyer, as these factors often cause defence lawyers to refuse to take on the case⁷⁸.

The main task of such lawyers is to maintain communication between the defendant and their family, transfer information and assist in meeting the basic needs of the victim, monitor conditions of detention and try to reduce the risk of violence. In some cases, they prepare clients for interrogations or accompany them during interrogations, but they have virtually no influence on the outcome of the trial. The trial remains a formality: lawyers' motions are ignored, and judges openly support the prosecution.

In such conditions, lawyers focus on documenting violations for potential international consideration of cases. Although their activities do not guarantee effective protection in the RF, they are critically important for maintaining communication, legal support and documenting evidence of persecution.

4.4. Fabrication of criminal proceedings, pressure on victims and their families

The RF uses a standard set of articles from the Criminal Code to fabricate politically motivated criminal cases. The choice of such formal grounds for persecution can be explained, on the one hand, by a long tradition of publicly presenting the fight against dissent under the guise of "anti-terrorism" or as a fight against "spies", "saboteurs" and "traitors". On the other hand, such formal justifications are best suited to involve the FSB in this task.

The monitoring results of cases of unlawful judicial prosecution in the temporarily occupied territories of Ukraine show that the most common charges against civilians are:

- **accusations of committing "terrorist activities"** (Article 205 of the CC RF "Terrorist activities", Article 205.1 of the CC RF "Aiding the commission of terrorist activities", Article 205.2 of the CC RF "Public calls to commit terrorist activities, public justification of terrorism or propaganda of terrorism", Article 205.3 CC RF "Training for the purpose of

⁷⁷ A. Hirieiev. "Defenders-Turncoats: How Lawyers in Crimea Help Fabricate Cases against Political Prisoners." ZMINA, 2023. Available at: <https://zmina.info/articles/zahysnyky-perevertni-yak-u-krymu-advokaty-dopomagayut-fabrykuvaty-spravy-proti-polityvazniv/>

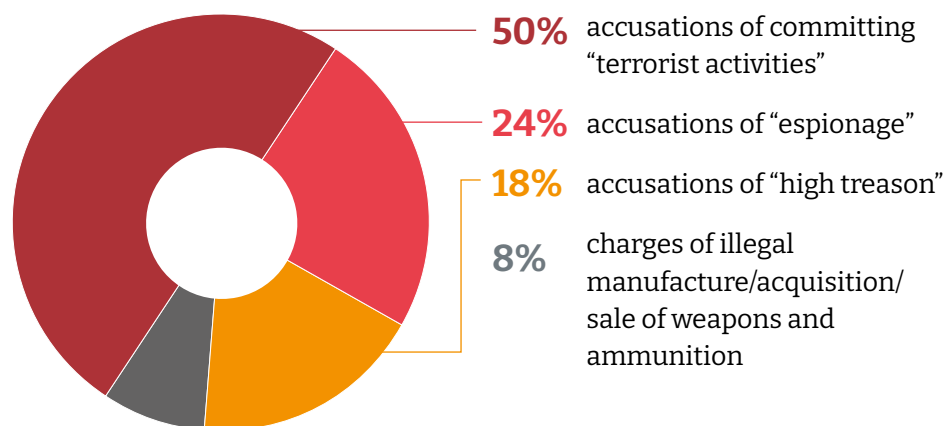
⁷⁸ Situation of Lawyers in Occupied Crimea: Persecuted and Humiliated. Coalition "Ukraine. 5 a.m." Kyiv, 2023. Available at: <https://ulag.org.ua/reports-and-materials/analytical-report-attorneys-under-occupation-in-crimea/>

committing terrorist activities”, Article 205.4 CC RF “Organisation of a terrorist community and participation in it”, Article 205.5 CC RF “Organising the activities of a terrorist organisation and participating in the activities of such an organisation”, Article 361 CC RF “Act of international terrorism”) (charges under “Terrorism articles” relate to at least 251 victims, representing 44% of all cases known from monitoring. Among the cases involving identified victims, there are 195 cases, or about 50% of all identified victims);

- **accusations of “espionage”** (Article 276 of the CC RF, “espionage”) (accusations of “espionage” were brought in at least 134 cases, accounting for approximately 24% of all cases known from monitoring results);
- **accusations of “high treason”** (Article 275 of the CC RF, “high treason”) (accusations of “high treason” were brought in at least 104 cases, accounting for 18% of all cases known from the monitoring results);
- **charges of illegal manufacture/acquisition/sale of weapons and ammunition** (Article 222 of the CC RF “Illegal acquisition, transfer, sale, storage, transportation, shipment or carrying of weapons, essential parts of firearms, ammunition”, Article 222.1 of the CC RF “Illegal acquisition, transfer, sale, storage, transportation, shipment or carrying of explosive substances or explosive devices”, Article 223.1 of the CC RF “Illegal manufacture of explosive substances, illegal manufacture, alteration or repair of explosive devices”) (charges under these articles are usually supplemented by charges under other articles on “terrorism”, “espionage”, etc.).

Графік 1.

Найпоширеніші статті, за якими в Росії звинувачують українських цивільних

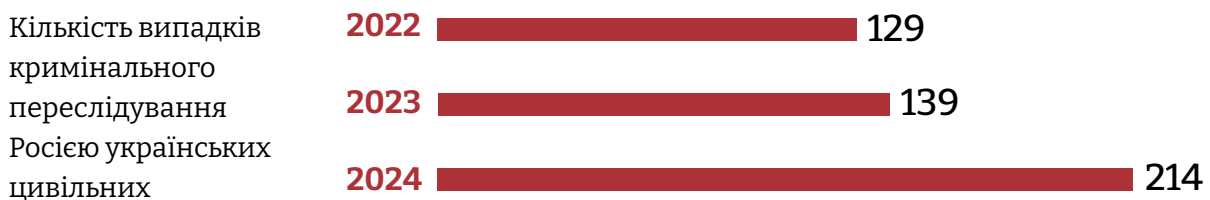


However, other articles of the Criminal Code of the Russian Federation may also be applied⁷⁹. Victims are often charged with “terrorism” and accused of “espionage” or “treason”. Criminal charges related to illegal possession of weapons are usually added to and reinforce the charges. It is noteworthy that the possession of a Russian passport (Russian citizenship) by a civilian does not in any way protect them from the risk of persecution. The Russian Federation typically persecutes foreigners on charges of “espionage” and citizens with Russian passports on charges of “treason”.

79 See, for example, Table 2.1. Classification of criminal charges by category p. 51 in “Denial of the Right to a Fair Trial as an International Crime during Russia’s War against Ukraine: Context, Practice, Law and Prospects” / Marchuk I., Ostaf S., Svyrydova D., Tymochko M.; The Human Rights Centre ZMINA, The Media Initiative for Human Rights – Kyiv, 2025. P. 152 https://zmina.ua/wp-content/uploads/sites/2/2025/05/zvit_all_web-ukr-finnal.pdf

ZMINA's monitoring results show that the number of criminal cases initiated against arbitrarily detained persons is increasing over time. There are 129 known cases of criminal prosecution of detainees in 2022, 139 cases of prosecution of detainees in 2023, and 214 cases of prosecution of detainees in 2024. It is important to understand that official charges against detainees in 2022 could only be brought in 2023.

Графік 2.



Currently, the highest number of cases of persecution with signs of political motivation has been documented in the temporarily occupied Zaporizhzhia region⁸⁰. At the same time, in the city of Melitopol alone, which is the seat of the “regional” occupation administration, 82 cases of arbitrary detention resulting in criminal charges have been documented since 2022. This represents about 14% of all cases documented during the monitoring period.

The criminal cases outlined above are being heard by Russian courts in the temporarily occupied territory of the AR of Crimea and the city of Sevastopol, as well as by courts located in the RF. In particular, a significant number of so-called “political cases” are being heard by the Southern District Military Court of Rostov-on-Don. At the same time, there has been a gradual increase in the number of cases being heard by Russian “courts” in the temporarily occupied territories of the Kherson and Zaporizhzhia regions.

It should be noted that these newly created “courts” are not integrated into Russian electronic document management systems, which significantly complicates the work of lawyers, restricts access to procedural documents and creates additional risks of violating the rights of defendants.

Falsification of evidence within the official investigation and court proceedings. An analysis of cases of arbitrary detention that resulted in criminal charges against the victims indicates that the Russian investigation and justice system at all stages of the proceedings (from the investigation to the trial) is prone to fabricating evidence and exerting pressure on victims and their relatives.

The RF widely uses propaganda tools to justify politically motivated persecutions. As mentioned above, in the territories occupied after 24 February 2022, there was an increase in the number of cases of recording “operation video” from the place of detention in 2023-2024. The Russian Federation widely uses a similar practice of recording videos in the temporarily occupied territory of the Crimean peninsula. Such videos serve as an element of retrospective justification for persecution, set the tone for accusations and help construct criminal cases:

⁸⁰ In 2022 - 55 cases in the Kherson region (42.6% of all cases in 2022), 36 cases in the Zaporizhzhia region (27.9%). In 2023 - in the Zaporizhzhia region - 60 cases (43.2% of all cases in 2023), in 2024 - in the Zaporizhzhia region - 70 cases (32% of all cases in 2024).

It is worth noting that in 78 cases out of 572, the date of the victim's detention could not be established.

a civilian who is persistently portrayed by propaganda as a “terrorist” or “saboteur” is easier and “more natural” to accuse under the relevant articles of the Criminal Code⁸¹.

In an attempt to justify unlawful detentions, the FSB systematically uses falsified videos with so-called “confessions” of victims obtained under pressure or under threat of torture. Evidence confirms that such “operation videos” are often not recorded at the time of detention, but later, according to a pre-prepared script.

“It’s just that the Russian side, when they were filming, when they “allegedly detained” them – they filmed it in such a way that made it look like my son and his friend were taken together in the same house. In reality – no. My son... lived near the colony, which is far away, and his friend – at the entrance of the city. [...] So these are completely different places. And I know for sure that he was taken in the evening, while the video was recorded during the day. So there is a kind of... discrepancy there.”⁸²

As part of the official investigation, the Russian Federation also has extensive opportunities to falsify evidence. In particular, there are known cases of illegal migrants being involved in the process as “witnesses for the prosecution” who, due to their vulnerable position, are forced to act in this role.

“There were some taxi drivers, they were just sort of hired, just told to “sign here”... and no one... All the [witnesses] had non-Slavic names, like obviously non-Slavic [...]. And I think someone came up to them and said, “man, either you go to some migration service right now, or you sign this and say she did something”.

That’s what the lawyer told me. [...] She said: “I fully understand all these things, I read them, I see everything and understand it all”. But she said: “Unfortunately, we live in complete lawlessness, the laws don’t work and I can’t do anything”⁸³.

It is also typical to involve Russian investigators or operatives as witnesses for the prosecution. They may not have official witness status. They often give confusing or contradictory testimony that cannot be considered sufficient to reach a decision in favour of the prosecution.

Pressure on defendants and their families. From the moment a civilian is detained, even before official charges are brought against him, the FSB begins to systematically pressure their relatives. This is especially common in cases where they are actively interested in the detainee’s fate and are trying to find out the reason for their detention, their whereabouts, etc.

Interrogations of relatives can go from gathering info that’s supposedly needed to register a missing person case to figuring out their stance on the Russian occupation, whether they’re pro-Ukraine or pro-Russia, and stuff like that⁸⁴. Accordingly, the main threat to a person trying to find out the fate of a detained relative is the risk of being detained themselves. In particular, if they are identified as “disloyal” or “pro-Ukrainian”.

There have been cases where relatives were interrogated after official charges had already been brought against the detained person. In such situations, the relatives themselves

81 See Section IV. Role of Russian-controlled media in the implementation of the policy of judicial persecution in Denial of the Right to a Fair Trial as an International Crime during Russia’s War against Ukraine: Context, Practice, Law and Prospects / Marchuk I., Ostaf S., Svyrydova D., Tymochko M.; The Human Rights Centre ZMINA, The Media Initiative for Human Rights – Kyiv, 2025. P. 152 https://zmina.ua/wp-content/uploads/sites/2/2025/05/zvit_all_web-ukr-finnal.pdf

82 Testimony of the victim’s mother, documented by ZMINA, 2025 (Zaporizhzhia region)

83 Testimony of the victim’s brother, documented by ZMINA, 2025

84 That is, the interrogation does not concern the circumstances of the relative’s “disappearance”.

were at risk of unlawful detention. During interrogations, representatives of the FSB RF could use a polygraph (a so-called “lie detector”). Interrogations of relatives were used not only as a tool of psychological pressure and intimidation, but could also serve as a means of falsifying evidence in criminal proceedings.

There are at least two known cases where FSB investigators called relatives of detainees who were abroad. Under threat of violence, they tried to force the detainees to take on the role of a “foreign curator” or “instigator” of a terrorist act, thereby allegedly providing additional grounds for the charges⁸⁵.

“They called me from his number [my uncle’s], then I got calls from Russian numbers too, [...] Yes, they called me repeatedly, telling me that I was “the instigator”, that I could “face a sentence” too... stuff like that. [...] The way they introduced themselves, you know... “Hello” – “Hello” – “Are you so-and-so? Your uncle is being held in such-and-such a place. You are the instigator, we found this and that message” – that’s what they tried to tell me.”⁸⁶

The official Russian investigation may also exert pressure and intimidation on the accused, in particular by seeking to obtain a confession or offering to conclude a deal with the investigation. This includes, for example, offers to waive the services of an independent lawyer in exchange for a more lenient sentence or to sign a confession in order to be included in lists for prisoner exchange.

“They invited me to a kind of... informal meeting and said that if I refused a lawyer, they would give me 8 [years], but with a lawyer I would get 16-18 [years].”⁸⁷

However, the existence of an “official” charge of a crime or even a final conviction does not affect the prospects for a person’s release. Therefore, proposals to plead guilty in exchange for probable release are manipulative: agreeing to such a “deal” may, on the contrary, significantly complicate the situation of the detainee.

In an attempt to exert pressure on the accused (convicted) and the defence, victims may be transferred to remote places of detention within the RF without informing their lawyers of the transfer. This significantly complicates the work of lawyers and creates additional risks of cruel treatment of the detainees.

On 23 June 2025, Russian researchers Andriei Soldatov and Irina Borohan reported that the Russian Federation was preparing amendments to legislation that would allow the FSB to have its own detention centres and places of detention⁸⁸. Thus, civilians convicted under criminal articles falling within the jurisdiction of the FSB RF (in fact, political prisoners) will be separated from those convicted under other criminal articles. In this way, the RF will revive the Soviet practice of separating political prisoners, which will significantly increase the risk of cruel treatment, violence or other violations of their rights.

85 Damian Omelianenko, whom the occupiers accuse of terrorism, told his mother: I will not survive torture for the second time / Primorka.city, 07.09.2023 <https://primorka.city/articles/310555/damianomelyanenko-yakogo-okupanti-zvinuvachuyut-u-terorizmi-kazav-mami-scho-ne-vitrimaye-tortur-vdruge>

86 Testimony of the victim’s niece, documented by ZMINA, 2023, 2025 (Kherson region)

87 Testimony of a victim documented by ZMINA, 2025

88 Gulag 2.0 — Russia Reopens the Camps / Center for European Policy Analysis, Andrei Soldatov and Irina Borohan, 23.06.2025 <https://cepa.org/article/gulag-20-russia-reopens-the-camps/>

CONCLUSIONS

As of 2023–2024, the Russian Federation had established a normative and institutional framework in violation of the rules of international humanitarian law, in particular the law of occupation, which effectively legitimised the commission of crimes against the civilian population in the temporarily occupied territories of Ukraine.

The key elements of this system are federal constitutional laws that enshrined the attempt to annex the Donetsk, Luhansk, Kherson and Zaporizhzhia regions and served as the basis for amendments to the Russian Constitution. In addition, the introduction of the Russian law enforcement and judicial system for the civilian population in the temporarily occupied territories of Ukraine has significantly increased the risk of long-term imprisonment on fabricated criminal charges of “terrorism”, “espionage”, “high treason”, etc. The FSB RF plays a central role in this process.

Arbitrary detentions, enforced disappearances and related crimes have become tools of political control within this system. While in 2022 the prevailing logic was that of “filtration” — that is, identifying individuals who might pose a direct threat (such as veterans, activists, and resistance members) — over time, merely expressing Ukrainian identity or disagreement with the occupation has increasingly become a sufficient ground for persecution.

Such a policy constitutes an administrative practice that violates human rights law and represents a form of targeted repression against a political group, bearing the features of persecution as a crime against humanity. Systematic falsification of criminal proceedings against arbitrarily detained civilians, fabrication of evidence, pressure on victims, witnesses and families, violation of the right to a fair trial — the Russian Federation not only fails to conceal these practices, but actively attempts to legitimise them.

At the same time, the RF is building a multi-level system of tools to identify disloyalty and control the civilian population — ranging from monitoring social media to establishing new criteria for “trustworthiness” based on possession of a Russian passport or compliance with administrative requirements. This shift towards comprehensive surveillance and segregation based on loyalty only deepens the atmosphere of fear, contributes to isolation and the breakdown of social ties in the occupied territories.

The decrease in the number of arbitrary detentions in 2023–2024 compared to 2022 does not mean a softening of policy, but rather indicates a transition to a new stage — when political loyalty is monitored not only through intimidation and coercion, but also through compliance with administrative practices established by the RF. Ultimately, the result of this process is not just isolated cases of persecution, but the systematic, targeted destruction of space for Ukrainian civic presence in these territories.

RECOMMENDATIONS

To the state authorities of Ukraine

1. Ensure documentation and investigation of crimes against the civilian population in the TOT of Ukraine, in particular cases of unlawful detention, enforced disappearances, torture and cruel treatment, as well as violations of the right to a fair trial. If systematic nature and the existence of a state policy of the RF regarding the commission of the aforementioned violations are established, classify them as crimes against humanity (in particular, persecution).
2. Prioritise the task of locating unlawfully detained civilians who have been deported to the territory of the RF or forcibly transferred to places of detention in the TOT of Ukraine, and ensure that detainees are provided with legal assistance.
3. Carry out awareness-raising activities and information campaigns for victims of crime and their families on their rights and opportunities, including search and release, physical and psychological rehabilitation, access to benefits, etc.

To international organisations and partners

4. Facilitate the documentation and investigation of crimes against the civilian population in the TOT of Ukraine, in particular unlawful detention, enforced disappearances and torture, as well as violations of the right to a fair trial, particularly in the context of the systematic nature and state policy of the RF behind such violations and their potential qualification as crimes against humanity, including persecution. To this end, in particular, it is necessary to support the activities of independent monitoring mechanisms, such as the UN Independent International Commission of Inquiry on Ukraine, the UN Human Rights Monitoring Mission in Ukraine, and the OSCE Moscow Mechanism regarding the arbitrary deprivation of liberty of Ukrainian civilians by the Russian Federation.
5. Contribute to ensuring the rights of detained persons, in particular by attending unlawful trials of such persons and by making efforts to secure the release of unlawfully detained civilians, including victims of enforced disappearances in the temporarily occupied territories.
6. Demand that the RF provide up-to-date information on the whereabouts and state of health of unlawfully detained civilians. Increase pressure on the RF to fulfil its obligations as an occupying power, in particular with regard to granting access to representatives of the International Committee of the Red Cross to places where detained civilians are being held.
7. Facilitate the dissemination of information about crimes against the civilian population documented in this and other reports, committed by representatives of the RF in the TOT of Ukraine.
8. Continue to support the policy of non-recognition by the international community of attempts by the RF to annex the TOT of Ukraine and prevent any attempts to legitimise the occupation administration, in particular through the establishment of official contacts with its representatives.

