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and representatives**

## **Independent International Commission of Inquiry on Ukraine**

### **Note by the Secretary-General**

The Secretary-General has the honour to transmit to the General Assembly the report of the Independent International Commission of Inquiry on Ukraine, submitted in accordance with paragraph 11 (f) of Human Rights Council resolution [49/1](#), on the situation of human rights in Ukraine stemming from the Russian aggression.



## Report of the Independent International Commission of Inquiry on Ukraine

### *Summary*

In the present report, the Independent International Commission of Inquiry on Ukraine refers to findings about events during late February and March 2022 in the four provinces of Kyiv, Chernihiv, Kharkiv and Sumy, as requested by the Human Rights Council in its resolution [S-34/1](#).

During this first phase of its investigations, the Commission has found that war crimes and violations of human rights and international humanitarian law have been committed in Ukraine since 24 February 2022. Russian armed forces are responsible for the vast majority of the violations identified.

Ukrainian forces have also committed international humanitarian law violations in some cases, including two incidents that qualify as war crimes.

The Commission, composed of three experts, applies a “reasonable grounds to conclude” standard of proof in reaching its conclusions, based on a body of verified information.

The relentless use of explosive weapons with wide area effects in populated areas has killed and injured scores of civilians and devastated entire neighbourhoods. The Commission documented indiscriminate attacks using cluster munitions, unguided rockets and air strikes in the context of attempts by Russian armed forces to capture towns and smaller settlements.

These weapon systems are highly likely to have indiscriminate effects and cause significant harm to civilians. Indeed, most of the verified deaths since the outset of the hostilities have been caused by these weapons. Residential buildings, schools and hospitals, among other parts of the civilian infrastructure, have been damaged or destroyed.

The Commission also found that Russian armed forces had shot at civilians attempting to flee, and that during the conduct of hostilities, the parties had deployed their military assets and troops in ways that can endanger civilians, in contravention of international humanitarian law.

Furthermore, the Commission documented patterns of summary executions, unlawful confinement, torture, ill-treatment, and rape and other sexual violence committed in areas occupied by Russian armed forces across the four provinces on which it focused. People have been detained, some have been unlawfully deported to the Russian Federation, and many are still reported missing. Sexual violence has affected victims of all ages. Victims, including children, were sometimes forced to witness the crimes.

Children have become the victims of the full spectrum of violations investigated by the Commission, including indiscriminate attacks, torture and rape, suffering the predictable psychological consequences.

These violations continue to have a devastating effect on victims and survivors. Significantly, victims emphasized the essential role of justice and accountability. In this regard, the Commission recommends enhanced coordination of international and national accountability efforts to improve effectiveness and prevent harm to victims and witnesses. The Commission, consistent with its mandate, will seek to contribute to the identification of those responsible.

## I. Introduction

1. The Independent International Commission of Inquiry on Ukraine submits herewith its first report to the General Assembly on the progress of its work and preliminary findings.
2. In its resolution [49/1](#) of 4 March 2022, the Human Rights Council decided to urgently establish an independent international commission of inquiry to investigate all alleged violations and abuses of human rights and violations of international humanitarian law and related crimes in the context of the aggression against Ukraine by the Russian Federation. The Council mandated the Commission to establish the facts, circumstances and root causes of such violations, and, where possible, to identify those responsible, as well as to make recommendations, in particular on accountability measures.
3. The Human Rights Council called upon the Commission to collect, consolidate and analyse evidence, including through field engagement and in cooperation with judicial and other entities, and to provide it with an oral update at its fifty-first session and a comprehensive written report at its fifty-second session and to submit a report to the General Assembly at its seventy-seventh session.
4. On 30 March 2022, the President of the Human Rights Council announced the appointment of Erik Møse (Norway), Jasminka Džumhur (Bosnia and Herzegovina) and Pablo de Greiff (Colombia) to serve as the three independent members of the Commission, with Mr. Møse serving as Chair.
5. In its resolution [S-34/1](#) of 12 May 2022, on the deteriorating human rights situation in Ukraine, the Council further requested the Commission to conduct an inquiry to address the events in the areas of the provinces of Kyiv, Chernihiv, Kharkiv and Sumy in late February and in March 2022, including their gender dimension, with a view to holding those responsible to account, and to include its findings in its report to the Council.

## II. Methods of work

### A. Mandate and methodology of the Commission

6. The Commission considers all violations and abuses of human rights and violations of international humanitarian law and related crimes committed in Ukraine within its internationally recognized borders, as well as outside its territory, provided such events occurred in the context of the aggression against Ukraine by the Russian Federation. Guided by the principles of independence, impartiality, objectivity and integrity, the Commission examines allegations of violations regardless of the identity or nationality of the alleged responsible individual or entity. In addition to making recommendations regarding criminal accountability and identifying responsible individuals or entities where possible, the Commission will make recommendations about other dimensions of accountability to which victims have rights.
7. The Commission adopts a victim-centred approach in all aspects of its work, strictly respecting the “do no harm” principle, including in relation to guarantees regarding the confidentiality of the information received and the protection of victims and witnesses.
8. Given the large number of allegations of violations and abuses of human rights and violations of international humanitarian law falling under its mandate, the limited resources and time available and the challenges in gaining access to certain victims, witnesses and areas affected by the hostilities, the Commission cannot possibly

examine all reported incidents. It focuses on incidents selected based on the gravity of the allegations, their significance in demonstrating patterns of alleged violations, the access to victims, witnesses and supporting documentation, and the geographic locations of the incidents. Particular consideration is given to the gender dimensions of violations and their impact on women, children and people affected by intersectional inequalities.

9. The findings rely primarily on first-hand information, including interviews with witnesses and victims of alleged violations and abuses. The Commission seeks further corroboration from available primary and secondary sources from States, United Nations agencies, funds and programmes, civil society organizations, media and other relevant actors. It also issued a call for submission of information and documentation relevant to its mandate.

10. Consistent with the standard of proof followed by most international commissions of inquiry, the Commission includes findings in its report when, based on a body of verified information, an objective and ordinary prudent observer would have reasonable grounds to conclude that the facts took place as described. It draws legal conclusions when there are reasonable grounds to conclude that the facts meet all the elements of a violation or abuse and, where possible, that an individual or entity is responsible for the violation or abuse.

11. At the time of submission of the present report, the Commission had travelled to Ukraine five times and visited 27 cities, towns and settlements to conduct its inquiry into the events. The team collected and preserved evidence of violations and related crimes.

12. In preparing the report, the Commission relied on 191 interviews with 110 women and 81 men, conducted in person and remotely, inspected sites of destruction, graves, places of detention and torture, as well as weapon remnants, and consulted a large number of documents and reports. It met with Government authorities, international organizations, civil society and other relevant stakeholders.

13. The Commission expresses its gratitude to those who shared their – often-traumatic – experiences and appreciates the assistance provided by Governments, United Nations agencies, funds and programmes, and civil society organizations.

## **B. Legal framework**

14. Pursuant to Human Rights Council resolution 49/1, international human rights law, international humanitarian law and international criminal law constitute the laws applicable to the mandate of the Commission.

15. As for international human rights law, both Ukraine and the Russian Federation are party to seven of the nine core human rights instruments.<sup>1</sup> Ukraine is also party to another core human rights treaty, namely, the Convention for the Protection of All Persons from Enforced Disappearance. Both States have ratified the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict.

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<sup>1</sup> The seven human rights instruments are: the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; the International Covenant on Civil and Political Rights; the Convention on the Elimination of All Forms of Discrimination against Women; the International Convention on the Elimination of All Forms of Racial Discrimination; the International Covenant on Economic, Social and Cultural Rights; the Convention on the Rights of the Child; and the Convention on the Rights of Persons with Disabilities.

16. With regard to international humanitarian law, both Ukraine and the Russian Federation are party to, among others, the four Geneva Conventions of 1949.<sup>2</sup> Ukraine acceded to Additional Protocols I, II and III of the Geneva Conventions, while the Russian Federation acceded to Additional Protocols I and II and signed Additional Protocol III. Along with treaty law, the Commission will apply customary international humanitarian law. Relevant provisions and rules of international humanitarian law are also binding upon non-State actors that may be involved in the conflict.

17. The situation in Ukraine is an international armed conflict, pursuant to common article 2 of the four Geneva Conventions, owing to the armed hostilities existing between the two States, through their respective armed forces or other actors acting on their behalf.

18. In terms of international criminal law, the Commission will apply the relevant international treaties and customary international law. Neither Ukraine nor the Russian Federation are parties to the Rome Statute of the International Criminal Court. However, the Court has jurisdiction in Ukraine, pursuant to two declarations lodged by Ukraine and referrals by States parties to the Rome Statute.<sup>3</sup> The Rome Statute provides detailed elements for some of the alleged crimes. The ratification of the Statute by a majority of the States Members of the United Nations reflects, on the whole, the definition of these crimes under customary international law.<sup>4</sup> Where the Court is found to lack jurisdiction, the Commission will apply the elements of crimes within the Rome Statute, as long as they reflect customary international law.

### C. Cooperation and coordination

19. In accordance with Human Rights Council resolution 49/1, the Commission expects to receive full cooperation from a broad range of actors in the course of its investigations. It has sought cooperation and dialogue with the Governments of Ukraine and the Russian Federation to, among other things, secure access to the areas where it conducts its investigations and to obtain responses regarding particular aspects of its inquiry. It provided the Governments of both States with advance copies of the preliminary findings.

20. The Commission appreciates the cooperation extended by the Government of Ukraine. It regrets that attempts to establish meaningful communication with authorities of the Russian Federation have been unsuccessful and will persist in its efforts in this regard.

21. The work of the Commission builds on that of the human rights monitoring mission in Ukraine and the Office of the United Nations High Commissioner for Human Rights (OHCHR). To ensure its independence and impartiality, the Commission follows well-established processes for such cooperation and conducts its own investigations independently and separately from any United Nations or other entity.

<sup>2</sup> For a full list of international humanitarian law treaties and protocols signed or ratified/acceded to by Ukraine and the Russian Federation, see International Committee of the Red Cross, “Treaties, States parties and commentaries”. Available at <https://ihl-databases.icrc.org/applic/ihl/ihl.nsf/vwTreatiesByCountry.xsp> (accessed on 25 October 2022).

<sup>3</sup> For more information regarding the jurisdiction of the Court, including the two declarations by Ukraine, see International Criminal Court, “Situation in Ukraine”. Available at <https://www.icc-cpi.int/ukraine> (accessed on 25 October 2022).

<sup>4</sup> This follows from the practices of other mechanisms of the Office of the United Nations High Commissioner for Human Rights, such as the commission of inquiry on human rights in the Democratic People’s Republic of Korea (see A/HRC/25/CRP.1).

22. In the view of the Commission, sound coordination between entities engaged in the documentation of the violations and crimes in Ukraine is key to ensuring efficiency and avoiding duplication of efforts and the retraumatization of victims and witnesses. It has therefore engaged with the Office of the Prosecutor of the International Criminal Court, as well as with other relevant international and national entities.

#### **D. Accountability and sharing of information and evidence**

23. Information and documentation collected by the Commission will be shared with competent investigative, prosecutorial and judicial authorities to facilitate and expedite criminal proceedings, under conditions of fairness, due process, non-applicability of the death penalty and compliance with the relevant human rights standards. The consent of witnesses and other interlocutors for external uses of the information is fundamental in handling such requests. The Commission uses protocols for informed consent from the victims and witnesses during its investigations. In each case, risks to victims, witnesses or information providers and respect for confidentiality is considered.

### **III. Events since 24 February 2022**

#### **A. Background**

24. On 24 February 2022, the President of the Russian Federation, Vladimir Putin, disclosed the launching of a “special military operation” to “seek the demilitarization and de-Nazification” of Ukraine.<sup>5</sup> On the same date, Russian armed forces<sup>6</sup> crossed various border points into Ukraine, including from Belarus, and launched attacks by land, air and sea. During the preceding days, President Putin had recognized the provinces of Donetsk and Luhansk, in eastern Ukraine, as independent republics. The Federation Council of Russia subsequently approved the military operation in Ukraine.

25. Calls for an immediate cessation of the hostilities followed. After a draft resolution demanding that the Russian Federation cease its use of force against Ukraine failed to pass in the Security Council owing to a veto by the Russian Federation, the General Assembly, in its resolution [ES-11/1](#) of 2 March 2022, demanded that the Russian Federation immediately cease its use of force against Ukraine and immediately, completely and unconditionally withdraw all of its military forces from the territory of Ukraine. In its resolution [49/1](#) of 4 March 2022, the Human Rights Council stressed the urgent need for the Russian Federation to immediately cease its military hostilities against Ukraine. On 16 March 2022, the International Court of Justice ordered the Russian Federation to suspend the military operations.<sup>7</sup> States and provincial bodies condemned the military operation, called for its cessation and imposed far-reaching economic sanctions and other measures. Direct and indirect negotiation attempts have not yielded success thus far.

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<sup>5</sup> See the letter dated 24 February 2022 from the Permanent Representative of the Russian Federation to the United Nations addressed to the Secretary-General ([S/2022/154](#)).

<sup>6</sup> For the purposes of the present report, the term “Russian armed forces” will be used for all combatants who have been identified as such or as directly affiliated with the Russian armed forces.

<sup>7</sup> See *Allegations of Genocide under the Convention on the Prevention and Punishment of the Crime of Genocide (Ukraine v. Russian Federation)*, Order, 16 March 2022. Available at <https://www.icj-cij.org/public/files/case-related/182/182-20220316-ORD-01-00-EN.pdf>.

## B. Military operations

26. The Ukrainian authorities declared martial law and ordered a general mobilization. Military strikes using explosive weapons had been launched by armed forces of the Russian Federation across Ukraine, including in areas situated far from the front lines, causing significant civilian casualties and large-scale destruction of residential buildings and critical infrastructure.

27. On the northern front, on 24 February 2022, Russian armed forces advanced towards Kyiv and captured key areas to the north and west of the city. They surrounded Chernihiv and subjected the city to heavy airstrikes and artillery fire, which severed it from essential supply and evacuation routes.

28. By the end of March 2022, the offensive on Kyiv had stalled. As Russian armed forces withdrew from localities that they had occupied temporarily, dozens of dead people and large-scale destruction were uncovered. Following these reports, the General Assembly adopted resolution [ES-11/3](#), in which it called for the Russian Federation to be suspended from the Human Rights Council.

29. In north-eastern Ukraine, the cities of Kharkiv and Sumy quickly became the scenes of heavy urban warfare. Shelling pounded residential and other key buildings and led to large-scale destruction. By April 2022, Russian armed forces had withdrawn from the Sumy area. In May 2022, a Ukrainian counter-offensive forced Russian armed forces to retreat from Kharkiv. Nevertheless, artillery strikes on the city of Kharkiv and localities nearby continued in the next phase of the operations.

30. In southern Ukraine, Russian armed forces attacked the provinces of Kherson, Mykolaiv and Zaporizhzhia and occupied several cities and localities. On 26 February 2022, Russian armed forces launched an offensive on Mariupol. The city suffered from constant shelling, which led to large-scale destruction. For weeks, heavy fighting hampered repeated efforts to evacuate civilians and curtailed the access of inhabitants to basic necessities. Tens of thousands of civilians fled. On 20 May 2022, the Russian Federation declared that it had gained full control of the city.

31. Meanwhile, on 19 April 2022, a second phase of the war began. This phase concentrated mainly on the Donetsk and Luhansk Provinces and on the southern front. There was intense, weeks-long fighting in and around the city of Sievierodonetsk, until its eventual capture by Russian armed forces in June, and in Zaporizhzhia Province. Fighting also raged in Kharkiv Province until September 2022, when Ukrainian armed forces,<sup>8</sup> in a counter-offensive, recovered large swaths of territory.

32. The conduct of military operations from within or around the Chernobyl and Zaporizhzhia nuclear plants and the threat by the Russian Federation of use of its nuclear capabilities became a major concern for the international community.

## C. Impact on civilians

33. Civilian casualties continue to grow. As at 17 October 2022, OHCHR had recorded 6,306 people killed and 9,602 wounded in all of Ukraine since 24 February 2022. From 24 February to 31 March 2022, in the four provinces under the Commission's investigation, 1,237 civilians, including 112 children, were killed, according to OHCHR. Actual figures are likely to be much higher. Months of fighting have gravely impacted the country's infrastructure, with thousands of residential buildings, as well as medical and education facilities, destroyed or severely damaged.

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<sup>8</sup> For the purposes of the present report, the term "Ukrainian armed forces" will be used for all combatants who are identified as such or as directly affiliated with the Ukrainian armed forces.

As of mid-October 2022, millions had lost homes and livelihoods, and were forced to flee. Over 7 million people from Ukraine have sought refuge abroad and over 6 million are internally displaced. In most of the affected areas within Ukraine, essential supplies are lacking, and there are access challenges for humanitarian assistance.

34. Some people, however, have remained in their homes. Older persons, in particular, have remained, despite the danger, because they may have no place to go, wish to protect their homes, may not want to burden their families or may be prevented from leaving because of disabilities. Many of them are trapped on or near the front lines and are isolated and in critical need of food, water, heating and medical and mental health support. Their difficulties will be exacerbated in the winter.

35. The ongoing hostilities have hampered people's enjoyment of their human rights and fundamental freedoms. Countless allegations of violations and abuses of human rights and international humanitarian law and related crimes have been reported. On 28 February 2022, the Prosecutor of the International Criminal Court opened an investigation into allegations of war crimes, crimes against humanity and genocide.<sup>9</sup> Numerous other international and national entities have initiated investigations of allegations of crimes committed in Ukraine.

## **IV. Violations of international law**

36. The Commission has thus far carried out investigations in the provinces of Kyiv, Chernihiv, Kharkiv and Sumy and has focused on the events in February and March 2022, as specified in Human Rights Council resolution [S-34/1](#). The Commission has concentrated on behaviour during the conduct of hostilities, including the use of explosive weapons and the destruction of hospitals and schools, and on violations of personal integrity, including executions, torture and ill-treatment, unlawful confinement, and sexual and gender-based violence. It has also investigated violations affecting children.

37. During its inquiry, the Commission established that human rights and international humanitarian law violations, as well as related crimes, have been committed in all provinces on which it has focused thus far.

### **A. Conduct of hostilities**

#### **1. Overview**

38. The Commission found that violations of human rights and international humanitarian law and war crimes had been committed during the conduct of hostilities. The Commission documented the indiscriminate use of explosive weapons in populated areas that were under attack by Russian armed forces. The Commission also found that Russian armed forces attacked civilians attempting to flee. There were also examples of both parties to the armed conflict, although to different degrees, failing to protect civilians or civilian objects against the effects of attacks, by locating military objects and forces within or near densely populated areas.

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<sup>9</sup> See statement by the Prosecutor of the International Criminal Court on the situation in Ukraine, 28 February 2022. Available at <https://www.icc-cpi.int/news/statement-icc-prosecutor-karim-aa-khan-qc-situation-ukraine-i-have-decided-proceed-opening>.



## 2. Impact of explosive weapons on civilian areas

39. According to OHCHR, the use of explosive weapons with wide-area effects in populated areas caused 1,495 deaths and injuries in the four provinces during the period under review, which represents 70 per cent of the civilians killed and injured in those areas. The actual numbers are likely to be higher. The Commission has independently investigated attacks with explosive weapons. Such attacks had vast consequences in the provinces of its focus, for instance in the cities of Chernihiv, Sumy and Kharkiv, and impacted all segments of the population.

40. Attacks with explosive weapons had a devastating effect on buildings and infrastructure. Thousands of residential buildings, schools, hospitals and facilities hosting essential infrastructure in the four provinces have been damaged or destroyed. The Commission observed first-hand the extent of the damage in all 27 settlements it visited. In Chernihiv, the Commission saw dozens of houses and other buildings that had been destroyed or damaged during the attempt by Russian armed forces to take the city. In Kharkiv, explosive weapons devastated entire areas of the city.

41. Fighting and attacks affected a significant number of hospitals, which generally have protected status under international humanitarian law. The Commission documented damage to or destruction of five hospitals, three in Chernihiv, one in Sumy and one in Kharkiv. Four of the hospitals were operating when they were hit by explosive weapons. Three were severely or completely damaged, which impacted access by the civilian population to health services.<sup>10</sup>

42. The Commission also documented attacks with explosive weapons that affected educational institutions. It visited seven such institutions, where it observed the damage first-hand.

43. The extensive use of explosive weapons has caused immediate and long-lasting trauma and damage and has severely disrupted people's lives, forcing them to flee or live in fear. One older woman, who fled as hostilities raged in the Kharkiv area, told the Commission: "I don't live, I just exist; I have nothing left in my soul".

## 3. Indiscriminate attacks with explosive weapons

44. The Commission has concluded that several attacks with explosive weapons that it investigated were indiscriminate and that feasible precautions to reduce civilian harm were not taken, in violation of international humanitarian law. Indiscriminate attacks are those which are not directed at a specific military objective or employ a method or means of combat which cannot be directed at a specific military objective or the effects of which cannot be limited, as required by international humanitarian law.

45. Such attacks are particularly challenging to investigate and to attribute to a perpetrator, according to the Commission's standard of proof, because they occur in the context of fluid and rapidly evolving situations, and the parties to the armed conflict use similar weapon systems. The Commission's investigations are ongoing. The evidence obtained thus far strongly suggests that the Russian armed forces have committed indiscriminate attacks.

46. The indiscriminate attacks documented thus far took place in areas controlled by the Ukrainian armed forces during attempts by the Russian armed forces to capture those areas. In the city of Chernihiv, for example, when Russian armed forces

<sup>10</sup> The five hospitals were: Trostianets Hospital, Chernihiv Regional Children's Hospital, Chernihiv Central District Hospital, Iziium Hospital and Chernihiv Cardiology Dispensary. The latter three were damaged severely or completely and all were operating at the time of attack except the Chernihiv District Hospital, although there were still some patients there.

surrounded the city between 25 February<sup>11</sup> and 31 March 2022, multiple indiscriminate attacks with the use of explosive weapons occurred. In Sumy, attacks occurred in the context of repeated attempts by Russian armed forces to seize the city through ground battles and airstrikes.

47. In reaching the conclusion that the attacks were indiscriminate, the Commission has taken into account the potential existence of military objectives. In some of the cases, the Commission collected credible information about the presence of Ukrainian armed forces, which might have been the intended target of the attack, at or near the impact locations. Nevertheless, the type and number of munitions used in the attacks impacted civilians and civilian objects in a wider area, beyond the apparent military objective. They therefore constituted indiscriminate attacks.

48. The Commission documented indiscriminate attacks with the use of cluster munitions, which affect a large area and are therefore indiscriminate when used in populated areas. For instance, in the city of Chernihiv, on 17 March 2022, an attack with cluster munitions struck the Chernihiv Regional Children's Hospital at a time when some of the victims were queuing for water on the premises of the hospital. It killed several civilians and injured dozens, including four children.

49. The Commission documented indiscriminate attacks with the use of unguided rockets, which cannot be precisely targeted, affect a large area when fired in salvos and are therefore indiscriminate when used in populated areas. On 16 March 2022, several munitions, including unguided rockets, struck an area in Chernihiv where more than 200 civilians were queuing for bread near a supermarket and killed at least 14 civilians and injured 26.<sup>12</sup>

50. Significant civilian harm, both in terms of casualties and damage to buildings and infrastructure, resulted from indiscriminate airstrikes using multiple unguided bombs in populated areas. On 3 March 2022, an airplane dropped several unguided bombs on a residential area near the intersection of Chornovola and Kruhova streets in the city of Chernihiv, killing at least 14 civilians and injuring dozens. The Commission saw large craters and destruction, indicating that at least six munitions struck within an area of about 130 metres, causing significant damage to the infrastructure. Around the same time, also in Chernihiv, an airplane dropped several unguided bombs in the Podusivka district, about 2 kilometres east of the first attack, killing at least six civilians, including one child. The impact of the attack spanned over 500 metres and affected a large area, which included two schools and residential buildings. In both cases, the Commission identified potential military objectives in the vicinity, which might have been the intended target. However, the area impacted was much larger and the attacks were therefore indiscriminate.

51. On 7 March 2022, in the city of Sumy, an airstrike dropped at least two bombs on a residential area, killing at least 15 civilians and injuring 6. The Commission saw two impact sites, where six houses were entirely destroyed. Other residential buildings were significantly damaged in a radius of more than 100 meters from where the bombs landed. The only potential military objective identified in the vicinity was a mobilization office, which, according to residents, was not in use at that time.

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<sup>11</sup> TASS, 25 February 2022, the Ministry of Defense of the Russian Federation announced that units of the Russian armed forces had "completed the blockade of Chernihiv".

<sup>12</sup> When various credible sources reported different casualty figures, the Commission chose the reasonable minimum figures that were confirmed, but acknowledges that in many cases the figures are likely to be higher.

#### **4. Endangering civilians**

52. The Commission has found that, in several cases, Russian armed forces appear to have deliberately positioned their troops or equipment in residential areas or near civilians to reduce the likelihood of attacks. Russian armed forces also forced civilians to remain inside or in the proximity of their positions, exposing them to significant risk.

53. In the village of Kozarovychi, in Kyiv Province, an old woman reported that when Russian armed forces arrived in late February, soldiers came to her house with orders to find hiding places for their vehicles. The woman and other local residents told the Commission that Russian armed forces placed military vehicles between residential houses, in backyards and in garages and shot at Ukrainian positions from between the houses. In the village of Lypivka, in Kyiv Province, a woman and her daughter said that when Russian armed forces occupied the area on 28 February, soldiers parked one military vehicle identified as a tank next to their house while the woman and her daughter hid in the basement.

54. Russian armed forces used a similar tactic in March 2022, in the village of Yahidne, in Chernihiv Province, where they placed military vehicles between houses and fired at Ukrainian positions from people's backyards. In addition, the soldiers confined 365 civilians in the basement of a school, while they established their headquarters on the ground floor of the same building. Russian armed forces launched attacks on Ukrainian positions from the grounds of the school, placing hundreds of civilians confined in the building at significant risk (see paras. 78 and 79 below).

55. The Commission also documented that in areas controlled by Ukrainian armed forces, particularly during the first phase of the hostilities, on some occasions, there was a lack of separation between armed forces and civilians, which placed civilians at risk. In the city of Chernihiv, residents stated that, although schools 18 and 21 were used to distribute humanitarian aid to the civilian population and school staff had written "children" on the walls of one of the school buildings, Territorial Defence Forces of the Ukrainian armed forces had set up headquarters in school 18 and their members were also present at school 21. Both military personnel and civilians were among those killed and injured when an airstrike hit both schools and nearby houses on 3 March 2022. By not separating civilians from their personnel, the Ukrainian armed forces in this case failed to protect civilians under their control from the effects of attacks.

#### **5. Attacks on civilians**

56. The Commission found numerous cases in which Russian armed forces shot at civilians trying to flee to safety and obtain food or other necessities, which resulted in the killing or injury of the victims. In the cases documented, the victims wore civilian clothes, drove civilian cars and were unarmed. Most of the incidents took place during daylight, which means that their civilian appearance should have been clear to the attacker. Under international humanitarian law, in case of doubt, a person shall be considered to be a civilian. Attacks intentionally targeting civilians are war crimes.

57. Several of the attacks took place as civilians came across Russian military convoys that were on the move. Soldiers shot civilians using assault rifles or, in some cases, vehicle-mounted weapons. Those attacks show disregard for the requirement under international humanitarian law to verify that targets are neither civilians nor civilian objects. In some cases, these were deliberate.

58. Several incidents took place along the E40 highway in Kyiv Province, also referred to as the Zhytomyr highway, as Russian armed forces established control

over sections of it in late February and March 2022. On 28 February 2022, around noon, soldiers in a military convoy on the highway opened fire at four civilians who were attempting to flee through the fields. One woman was injured in the leg. On 1 March 2022, at approximately 10 a.m., soldiers opened fire on a civilian car near Kopyliv. The couple in the car, both in their sixties, managed to escape uninjured. On 3 March 2022, also around 10 a.m., a married couple and their two children came under attack near the village of Motyzhyn. The two adults died in the attack. A 9-year-old girl survived, while her sister, aged 15, was wounded and is still missing. Other organizations have documented additional similar incidents in the same area, demonstrating that these cases were not isolated.

59. The Commission has received reports of such incidents in multiple locations in all four provinces covered in the present report, suggesting a clear pattern. For example, a Russian military convoy attacked a civilian car in the village of Shevchenkove, in Kyiv Province, killing two civilians, one man and one woman, on 8 March. A military convoy opened fire on a civilian car near the village of Vyrivka, in Sumy Province, on 27 February, killing a man and injuring his adult son. Soldiers of the Russian armed forces allegedly shot at two civilian cars as people were trying to leave in the village of Stepanyk, in Kharkiv Province, on 27 March, killing a woman and a girl. One of the cars was marked with a sign saying “children”.

## **B. Violations against personal integrity**

### **1. Overview**

60. Violations of human rights and international humanitarian law against people’s personal integrity have been committed in towns and settlements that Russian armed forces occupied in the four provinces. These violations included summary executions, torture, ill-treatment, sexual and gender-based violence, unlawful confinement and detention in inhumane conditions, and forced deportations. Such acts also amount to war crimes.

61. The Commission also found two cases in which Ukrainian armed forces shot, wounded and tortured persons hors de combat, which are war crimes. While few in numbers, such cases will continue to be the object of the Commission’s attention.

62. Residents of the localities visited told the Commission that in late February or early March 2022, Russian armed forces arrived in their settlements and often deployed in local schools, administration buildings or residential houses. In most places, soldiers went door to door in search for “nazis” or “banderovtsy”, which are derogatory terms often used by officials of the Russian Federation to describe supporters of the Government of Ukraine. In many cases, they confiscated people’s phones.

63. In the places that Russian armed forces had occupied, local residents described widespread looting and, at times, wanton destruction. Residents spoke of soldiers stealing food and alcohol, personal belongings, valuables, computers and household items, such as washing machines and microwaves, from stores and houses. Soldiers frequently seemed under the influence of alcohol or intoxicated.

64. According to the interviewed interlocutors, the behaviour of soldiers of the Russian armed forces differed. The Commission has also received reports that some Russian armed forces servicemen helped people escape from captivity, interfered with attempts of others to commit sexual violence or provided medical assistance to people injured by attacks.

## 2. Summary executions

65. Investigations in the provinces of Kyiv, Chernihiv, Kharkiv and Sumy reveal a pattern of summary executions in areas temporarily occupied by Russian armed forces in February and March 2022, which are violations of the right to life and war crimes.

66. Many summary executions occurred in Bucha, in Kyiv Province. Local and international organizations and media outlets have gathered and published extensive documentation on the events in Bucha. The Commission interviewed a local official who was among the first on the scene after Russian armed forces withdrew. He told the Commission that he saw eight dead bodies in the backyard of the house where the soldiers had established their base. Some of them had their hands tied behind their backs and presented signs of torture. He also saw more than 10 dead bodies of civilians lying on the street. In another incident, five bodies were found in a basement, with their hands behind their backs and gunshot wounds. A woman confirmed that her adult son was among the five bodies.

67. Summary executions took place in numerous other localities. The Commission is investigating credible allegations of similar executions in 16 other towns and settlements, involving 49 victims. The majority are men of fighting age, but the total includes two women and one 14-year-old boy. The cases are located in all four provinces under the Commission's initial focus, suggesting a wide geographical pattern.

68. The summary executions verified by the Commission occurred in places where Russian armed forces took positions for an extended period of time, close to the front lines. This was the case in settlements situated north of Kyiv, where Russian armed forces were forced to halt their advance; to the south of Chernihiv, while Russian armed forces were launching offensives to capture the city; and close to the separation line between Russian armed forces and Ukrainian armed forces in Sumy Province. At the time of writing of the present report, the Commission had not been able to access certain areas of Kharkiv Province because of the continuing precariousness of the security situation.

69. In the cases that the Commission investigated, several elements, often in combination, indicated that the victims were executed. A common element was that victims were last seen in the custody or the presence of Russian armed forces. The bodies of the victims were exhumed from separate or mass graves or recovered from houses or basements that the Russian armed forces had occupied. Some victims' dead bodies were found with hands tied behind their back, a clear indication that the victim was in custody and posed no threat at the time of death.

70. According to witnesses and survivors, some of the perpetrators accused the victims of transmitting information to Ukrainian armed forces, of collaborating with the Ukrainian armed forces or of other contributions to the fighting against Russian armed forces. In a case documented in the village of Vyshneve, in Chernihiv Province, which was occupied by Russian armed forces from 28 February to 4 April 2022, witnesses reported that, on 18 March 2022, as they searched for individuals behind an attack on one of their convoys, Russian armed forces arrested three adult brothers. They tied the victims' hands behind their backs, blindfolded them and beat them severely for three days, after which they shot and buried them in a shallow grave. Two of the brothers died and the third was injured but survived.

71. The Commission's investigations show that the cause of death of the victims is consistent with methods typically used during executions: gunshot wounds to the heads, blunt trauma or slit throats. In some cases, there was also evidence of torture on the bodies, such as bruises, wounds and fractures (see paras. 81–85 below).

72. A case that illustrates several of these patterns, is the killing of six men in the village of Staryi Bykiv, in Chernihiv Province. Witnesses detailed how Russian armed forces apprehended several local residents on 27 February 2022, the day they took control of the village, as they were searching for people who had operated a drone that killed one of their soldiers. The perpetrators took the men to their base. Relatives heard screams and gunshots from where the soldiers had detained the victims. The next day, they saw the bodies of six men lying on the street where the incident took place, but were not permitted to access the location until nine days later, when Russian armed forces finally allowed them to pick up the bodies. The bodies had multiple gunshot wounds, stab wounds and broken ribs, and one had a slit throat.

73. While summary executions were mainly perpetrated following unlawful detention, the Commission also documented cases in which victims were executed in public places as others were watching. In the village of Vesele, in Kharkiv Province, two witnesses reported that soldiers of the Russian armed forces beat and shot dead a person whom they dragged off a bus that was transporting people to the Russian Federation. After the execution, the perpetrators told the other passengers that the victim had been shot and killed because he had been transmitting information to the Ukrainian armed forces.

74. The violent loss of a close family member has a profound effect on the survivors. Families described the trauma, anguish and anger they felt as a consequence of such events. The mother of a man executed in Kyiv Province stated: “I still wake up at night, stand in the dark and scream, call for my son and cry out of pain”.

### **3. Unlawful confinement, inhumane treatment and forcible transfers**

75. In late February and March 2022, Russian armed forces unlawfully confined large numbers of civilians in areas which they controlled, which is a violation of the right to liberty and a war crime. Victims included local authorities, Government personnel, veterans of the Ukrainian armed forces, volunteers evacuating civilians and civilians who seem to have been randomly arrested. While the majority were young or middle-aged men, women, children and older persons were also confined. In several cases, perpetrators searched the houses and the phones of the victims.

76. Russian armed forces detained individuals in makeshift facilities established in buildings they had occupied, such as the basement of a school, an industrial facility, an agricultural facility, a train station, an airport and various dwellings. Victims were often not informed of the reasons behind their detention and these acts were not reviewed by a judicial authority. Their families were not informed of their whereabouts and some are still reported missing.

77. In the majority of cases, the detention took place under conditions so severe that the confinement amounted to inhuman conditions, which is a violation of the right to be treated with humanity and with respect for the inherent dignity of the human person during deprivation of liberty and a war crime. Detention was frequently prolonged and facilities were cramped and overcrowded, at times with dozens of people forced to share a small space and to sleep on the floor. Men, women and children were held together in the same space. There was a lack of light, ventilation and heating during the freezing March temperatures. Some were confined in a metal cellar. Access to food, water and medical care was limited, and sanitary conditions were lacking. Unlawful confinement was often the precursor to execution, sexual violence, torture and ill-treatment.

78. In the village of Yahidne, in Chernihiv Province, soldiers of the Russian armed forces confined 365 civilians, including 70 children, for 28 days in the basement of a local school, where they had established their position in March 2022. Victims reported that soldiers threatened to shoot them if they did not assemble in the

basement. Soldiers demanded that residents hand in all their phones. The conditions of detention were inhumane. According to the victims, the space was so crowded that some were forced to stand or sleep on chairs for weeks. There was no light or ventilation, and the air was hot and suffocating. Water was dripping from ceilings and walls and there were no showers or toilets.

79. The soldiers degraded and violated the dignity of the detainees. There was very limited access to food and water, and close to no access to medical care. The victims had to seek permission to exit the premises or to use the toilet, which was only given sporadically. In the yard, the soldiers randomly shot near the victims to scare them. Ten older persons died during the confinement as a result of the inhumane conditions, and others developed health problems. The Commission visited the basement and saw the writings of the confined victims on the wall listing the names of those who had died.

80. In some of the cases documented by the Commission, after initial detention in Ukraine, individuals were forcibly transferred and unlawfully deported through Belarus, or directly, to the Russian Federation, which is a violation of international humanitarian law. In the Russian Federation, victims were further held in detention facilities. Some victims stated that during their transit in Belarus, Russian armed forces registered them and provided them with Russian Federation identity cards. Witnesses reported seeing dozens of Ukrainian detainees in detention facilities in the Russian Federation. Many people are still missing from the areas that were under the occupation of Russian armed forces. For example, the Commission received from local residents in Dyer a list of 58 people still missing in Kyiv Province. Many of them were last seen in the custody of Russian armed forces. While relatives have received confirmation that some of them are in detention in the Russian Federation, the fate of many is still unknown.

#### **4. Torture, ill-treatment and wounding of protected persons**

81. The Commission has documented many cases of torture and ill-treatment committed by Russian armed forces, which is a violation of the prohibition against torture and other cruel, inhuman or degrading treatment or punishment and a war crime. Perpetrators targeted local authorities or employees of the local administration, veterans of the Ukrainian armed forces and volunteers helping Ukrainian armed forces. They also targeted individuals evacuating civilians. Torture and ill-treatment occurred during unlawful confinement in detention facilities in Ukraine and in the Russian Federation. The victims were mostly men, but included women as well.

82. According to victims, Russian armed forces carried out long interrogation sessions, sometimes lasting for days, which were combined with threats, intimidation, ill-treatment, sexual violence and torture. These were aimed at extracting information about the Ukrainian armed forces and their positions and local resistance groups, or to identify collaborators with Ukrainian armed forces. Perpetrators also accused victims of sharing information with Ukrainian armed forces and committing attacks and sabotage against Russian armed forces. Victims reported that soldiers called the victims “fascists” and “livestock”.

83. Russian armed forces inflicted severe physical and mental pain and suffering upon the victims during detention in Ukraine. Some of the treatments administered included tying of hands or handcuffing, tying of legs, blindfolding with cloth, tape or bags placed on heads, severe and prolonged beatings with rifle butts or batons, electric shocks with tasers, threats of execution or mock executions and prolonged exposure to cold. In some cases, victims were executed after torture (see paras. 69–72 above). One of the victims who had been detained and tortured by Russian armed forces in Kyiv Province told the Commission that throughout the detention, during which

torture was continuous, it was as if the “body shut down and switched to a survival mode”. Victims also described acts of forced nudity for prolonged periods in front of others, which amount to sexual violence.

84. After transfer to and detention in the Russian Federation, victims described how they were stripped naked again, were forced to stand naked in front of others for hours, or had hands and feet tied, and underwent long beating sessions. One victim was severely beaten for two days after refusing to declare support for the Russian Federation on camera. Another victim was forced to stand naked and shout “glory to Russia” while being beaten, and described beatings as “punishment for speaking Ukrainian” and “not remembering the lyrics of the anthem of the Russian Federation”.

85. Survivors sustained short-term and long-term injuries and trauma, such as broken facial bones, ribs, knees and fingers, bruises or injuries leading to the inability to walk.

86. The Commission has also documented two cases in which Ukrainian armed forces shot, wounded and tortured captured soldiers of the Russian armed forces, which are war crimes. Upon their capture, these soldiers acquired prisoner-of-war status and were protected under international humanitarian law. The Office of the General Prosecutor of Ukraine informed the Commission that his office had opened criminal proceedings regarding both cases.

87. In the first case, in Mala Rohan, in Kharkiv Province, between 24 and 26 March 2022, soldiers of the Ukrainian armed forces deliberately shot three captured soldiers of the Russian armed forces in the legs at close range and beat one of them with a rifle butt, while interrogating them. In the second case, near Dmytrivka, in Kyiv Province, around 29 March 2022, a soldier of the Ukrainian armed forces shot three times at close range and wounded an already wounded soldier of the Russian armed forces. A video shows other motionless soldiers of the Russian armed forces nearby, including one with his hands tied behind his back and an apparent wound to his head, suggesting that he had likely been executed.

## **5. Sexual and gender-based violence**

88. The Commission investigated cases of rape committed by some soldiers of the Russian armed forces during the period under review in localities that came under their control, which are war crimes. Victims ranged from 4 to over 80 years old. Perpetrators raped the women and girls in their homes or took them and raped them in unoccupied dwellings. In most cases, these acts also amount to torture and cruel or inhumane treatment for the victims and for relatives who were forced to watch. Other incidents of sexual violence were also documented against women, men and girls. The Commission continues to investigate the extent to which sexual and gender-based violence constituted a widespread pattern.

89. Cases relating to sexual and gender-based violence are challenging to investigate. Victims face obstacles in reporting such violations. Because of the current security situation and forced displacement, victims have difficulties accessing appropriate health care, psychological support services and law enforcement offices in a timely fashion. Furthermore, it is not always possible to document forensically the existence of rape and the full extent of the victims’ trauma. Autopsy reports often focus on the immediate cause of death rather than the entirety of the trauma sustained by the victims because of a lack of resources, families’ requests that the post-mortem examination not be carried out or the condition of the remains.

90. In Kyiv Province, in March 2022, two Russian soldiers entered a home, raped a 22-year-old woman several times, committed acts of sexual violence on her husband and forced the couple to have sexual intercourse in their presence. Then one of the



soldiers forced their 4-year-old daughter to perform oral sex on him, which is rape. The Commission is currently investigating three other credible allegations of Russian armed forces raping women and teenage girls in the same village. In another village, Russian armed forces took a woman out of her house and forced her to go to a neighbouring house, where one of the soldiers of the Russian armed forces had shot dead a man who had tried to defend his wife. Two soldiers took both women to another house that served as their base. The soldiers proceeded to different rooms to rape and sexually assault the two women.

91. In another village in Kyiv Province, at the beginning of March 2022, a soldier of the Russian armed forces entered the house of a 50-year-old woman. After shooting her husband, who tried to interfere, he took the woman to a nearby empty house where he raped her until another Russian armed forces military unit arrived and took him away. Her husband died of his injuries two days later, as he could not be taken to the hospital. The Commission is investigating another case of alleged sexual violence in the same time period in the same neighbourhood.

92. In a nearby village, at the beginning of March 2022, two Russian armed forces servicemen repeatedly raped a 33-year-old woman after killing her husband. One of the alleged perpetrators has been identified, and criminal proceedings have been initiated in absentia against him. The Commission is investigating another incident that occurred later that month in the same village. A 56-year-old woman explained how two of the three Russian armed forces servicemen who broke into her home gang-raped her as the third one watched while masturbating. They stole food and money from her. She learned a couple of weeks later that, in a separate incident, her husband had been tortured and executed.

93. In Chernihiv Province and another province, the Commission has been investigating two cases of rape of women over 80 years old. An 83-year-old woman described how, while her village was occupied by Russian armed forces, she was raped by a Russian armed forces serviceman in her house, where her physically disabled husband was also present. In another instance, neighbours found the body of an older woman, partially undressed and with blood around her vagina. At the request of the family, the authorities did not perform a full autopsy.

94. Also in Chernihiv Province, in March 2022, Russian armed forces occupied a home for more than a week. The unit commander repeatedly sexually abused a 16-year-old girl during that time and threatened to kill other family members who tried to protect her. Two of the Russian armed forces servicemen were subsequently identified.

95. There was also an instance in Chernihiv Province, in March 2022, in which a Russian armed forces serviceman broke into a house, threatened the inhabitants with his weapon and attempted to rape a woman in front of her 3-year-old son. The neighbours, alerted by the noise, ran to the house, while others went to alert his commander.

96. In Kharkiv Province, the Commission is investigating two cases of repeated rape of an adolescent girl over a three-month period, allegedly by a soldier of the Russian armed forces, and repeated rape, reportedly by a Russian armed forces serviceman, of a 31-year-old woman who was taking shelter in a school basement.

97. In several incidents documented by the Commission, Russian armed forces committed sexual violence against men and women under their custody, often resorting to forced nudity in a coercive and humiliating environment.

98. Survivors and their families remain deeply traumatized by the ordeal they endured. One victim told the Commission “this experience is very shameful for me and I am extremely scared and intimidated”. In addition, the stigma that continues to

surround sexual violence requires patience until victims feel safe enough and adequately cared for to speak out about what happened. Some victims refuse to speak. Some have considered suicide. One psychologist working with survivors said that “all victims with whom I am working are blaming themselves for being spotted by perpetrators and being raped”.

### C. Impact on children

99. The events of late February and March 2022 in the four provinces had a devastating and continuing impact on children’s rights and lives. Children of all ages were killed or wounded in their homes, shelters, streets and playgrounds. OHCHR has verified the deaths of 112 children, including 36 girls, 62 boys and 14 whose sex could not be determined, in the four provinces during the period under review.

100. Many children died as a consequence of attacks with explosive weapons in populated areas (see paras. 44–51 above). The Commission investigated attacks in which children were victims. On 25 February 2022, in the town of Okhtyrka, in Sumy Province, for example, two attacks with explosive weapons killed a 7-year-old girl and injured an 8-year-old boy. On 7 March 2022, in the city of Sumy, an attack killed four children between the ages of 6 and 16. In the city of Chernihiv, several airstrikes killed one boy and injured seven children on 3 March 2022.

101. The Commission documented cases in which violations of the personal integrity of children had been committed. In one case, a 14-year-old boy was found dead together with his neighbour. Both had injuries to their heads consistent with gunshot wounds, suggesting that they were executed (see paras. 67–71 above).

102. Moreover, the Commission has found that Russian armed forces unlawfully confined children in inhumane conditions. In one case, 70 children were among 365 civilians confined for 28 days by Russian armed forces in the basement of a school in Yahidne, in Chernihiv Province, where the soldiers had established their base (see paras. 78 and 79 above). Some children fell sick and had no access to medication. The youngest child was only six weeks old.

103. The Commission confirmed cases of sexual violence in which Russian armed forces raped girls when entering or occupying civilian homes. Further, a 4-year-old girl could hear her mother screaming while she was raped in the adjacent room. Such acts also amount to torture.

104. The hostilities have had a significant impact on children’s right to education. Attacks with explosive weapons have damaged or destroyed hundreds of schools and kindergartens in the four provinces, according to the Ukrainian authorities. The Commission independently documented damage to seven such institutions (see para. 42 above). Airstrikes on Chernihiv on 3 March 2022, for example, severely damaged schools 18 and 21, where more than 1,200 pupils had studied previously.

105. One reason for the extensive damage and destruction to schools is that both the Russian armed forces and the Ukrainian armed forces used some of the schools for military purposes.<sup>13</sup> The Commission documented one case in which a school in Kharkiv Province was first occupied by Russian armed forces and then subsequently by Ukrainian forces. While international law does not prohibit military forces from using schools, the presence of military personnel on school premises and their utilization for military purposes puts schools at risk of being attacked as military objectives.

<sup>13</sup> For example, schools 18 and 21 in Chernihiv.

106. The Commission has also examined cases of wanton damage to schools and school equipment. The headmaster of lycée 1 in Hostomel, in Kyiv Province, told the Commission that the Russian armed forces that had occupied the village had destroyed more than 250 computers, furniture and virtually all of the windows and doors in the school, and had shared photos of the destruction.

107. The combined effects of the damage and destruction of educational institutions, the massive displacement of pupils and teachers and the fact that a large number of schools do not meet the mandated school safety requirements, including adequate bomb shelters, mean that a large number of Ukrainian children had to attend classes online when the school year started. Although the Ukrainian authorities have developed extensive content for remote schooling, many children, especially in rural areas, do not have access to the equipment, electricity or mobile and internet connectivity that would allow them to attend classes remotely, and their right to education is therefore compromised.

108. The war forced thousands of children to flee, uprooted them from their daily life and, in many cases, separated them from their fathers, who either joined the fighting or could not leave with their families. Those who stayed were exposed to explosions and air raid sirens, and many witnessed traumatic events, including the killing or maiming of parents and loved ones. Parents, family members and aid workers described how all these factors had had a deep psychological effect on children. Some are afraid of loud noises, of being alone and of men, particularly men in uniform. Parents also described how their children had difficulty sleeping and experienced nightmares. After an attack with explosive weapons in a residential area of Kharkiv a mother described how the attack had impacted her daughter, saying “she is very traumatized and will only sleep in the corridor; she also goes to the corridor every time she hears sirens during the daytime and starts to shake”.

## V. Concluding observations

109. Based on its investigations of the events in Kyiv, Chernihiv, Kharkiv and Sumy in late February and March 2022, the Commission has found reasonable grounds to conclude that an array of war crimes and violations of human rights and international humanitarian law have been committed in Ukraine since 24 February 2022. As detailed in the present report, Russian armed forces are responsible for the vast majority of the violations identified by the Commission. The Commission has also found instances in which Ukrainian armed forces have violated international humanitarian law, including two situations in which they committed war crimes. While few in number, such cases will continue to be the object of the Commission’s attention.

110. The impact of these violations on the people in Ukraine is immense. The loss of lives is in the thousands. The destruction of infrastructure, which includes the destruction not only of physical objects, but also of what families have built or invested to ensure their comfort and safety in the future, has been immense. Some people whose homes have been damaged by explosive weapons have no choice but to remain in their homes with makeshift walls and windows, as winter approaches. They have to cope with the consequences of the loss of friends, relatives and immediate family members and large-scale destruction.

111. Family members who lost loved ones have expressed a strong need for justice to be done. A stepfather whose son was killed in Bucha told the Commission: “I used to want to find those who were responsible and kill them, but now I want the guilty to be put on trial and I want the truth to come out”.

112. In this connection, more than ever, sound coordination of the multiple national and international accountability initiatives in Ukraine is key to guaranteeing strict adherence to the relevant standards for the collection of evidence and for its use in judicial processes that satisfy due process guarantees. The Commission expresses its hope that such coordination will become more established.

## **VI. Next steps**

113. Having paid particular attention to violations committed in the four areas specified in Human Rights Council resolution [S-34/1](#), the Commission will gradually devote more of its resources to the broader temporal, geographical and thematic framework set forth in Council resolution [49/1](#).

114. The issues of interest will include possible violations in filtration camps, alleged forced transfers of people and conditions under which expedited adoptions of children are allegedly taking place, as well as changes in local administration and so-called referendums, the consequences of which are becoming clearer given recent events.

115. The Commission will continue to act in a victim-centred way, which it interprets not only in terms of doing no harm to victims, but also, and more positively, in terms of making recommendations concerning forms of accountability that supplement criminal accountability, including measures of recognition, reparation, rehabilitation, reconstruction and, importantly, guarantees of non-repetition.

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