

Deportation to hell:

Forcible Transfer of Ukrainian Prisoners to Russia

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List of abbreviations

Akula	A special unit of the Main Department of the Federal Service on Execution of Criminal Punishments in the Krasnodar Krai, Russian Federation
FSB	Federal Security Service of the Russian Federation (Federalnaya Sluzhba Bezopasnosti)
FSIN	Federal Penitentiary Service of the Russian Federation (Federalnaya Sluzhba Iсполneniya Nakazaniy)
ICC	International Criminal Court
ICTY	International Criminal Tribunal for the former Yugoslavia
IHL	International Humanitarian Law
KHPG	Kharkiv Human Rights Protection Group
NGO	Non-governmental organisation
OMON	Specialised police units within the National Guard of the Russian Federation (Otryad Mobilny Osobogo Naznacheniya)
OSCE	Organisation for Security and Co-operation in Europe
PKT	Cell-type accommodation with a stricter detention regime (Pomeshchenie Kamernogo Tipa)
PPU	Protection of Prisoners of Ukraine
SHIZO	Solitary confinement as a disciplinary punishment (punishment cell)
SIZO	Pre-trial detention facility (Sledstvenny Izolyator)
UN	United Nations
UN OHCHR	United Nations Office of the High Commissioner for Human Rights

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Executive summary

1. In November 2022 following the full-scale invasion of Ukraine by the Russian Federation on 24 February 2022 and the subsequent occupation of parts of the territory of Ukraine, approximately 1,700 out of some 3,500 individuals serving custodial sentences imposed by Ukrainian courts (Ukrainian prisoners)¹ on the territories of Ukraine, that got under the Russian occupation after 24 February 2022, were deported by Russian occupying forces and authorities to prisons² in the Russian Federation. The deportations were carried out under inhumane conditions, with prisoners subjected to pervasive physical and psychological ill-treatment, often on account of their nationality and their actual or assumed support for Ukraine.

2. This report examines the deportation of Ukrainian prisoners from four Russian-controlled Ukrainian prisons located in Kherson and one in Mykolaiv oblasts (see Map 1 for locations). In Mykolaiv oblast, Snihurivska Penitentiary Facility No. 5 (1) and in Kherson oblast, these include Dariivska Penitentiary Facility No. 10 (2); Pivnichna Penitentiary Facility No. 90 (3) and Holoprystanska Penitentiary Facility No. 7 (4). These facilities were selected because they held the largest number of Ukrainian prisoners deported to the Russian Federation.

3. More specifically, the report documents:

- Initial transfers of Ukrainian prisoners (Chapter I);
- Their passage via transit centres³ in the Autonomous Republic of Crimea of Ukraine, occupied by the Russian Federation since February 2014 (Occupied Crimea), and in the Russian Federation, namely pre-trial detention centres (SIZOs) in Simferopol, Kerch, and Krasnodar (Section VII);
- Subsequent transfers and detention in penitentiary facilities in the Russian Federation (Section VIII); and,
- Challenges faced following release from detention (Section IX).

1 In this report, “Ukrainian prisoners’ refer to Ukrainian citizens, as well as foreign nationals residing in Ukraine, who were convicted by Ukrainian courts prior to the Russian Federation’s invasion on 24 February 2022.

2 In this report, the term “prison’ broadly encompasses any official place of detention, including penal colonies and pre-trial detention centres (SIZOs). The terms “prison’ and “penitentiary facility’ are used interchangeably throughout the report.

3 In this report, “transit centres’ refer to official places of detention where Ukrainian prisoners were temporarily held during the deportation to prisons in the Russian Federation.

4. The report is based on testimonies of 233 current or former prisoners deprived of their liberty in Ukraine. These testimonies were collected between 20 November 2022 and 31 December 2024 by documenters from the civil society organisation Protection of Prisoners of Ukraine shortly after the individuals' release from Russian custody. It also draws on judgments of Russian courts, medical records provided by interviewees, information from Ukrainian state authorities, reports from the United Nations (UN) and non-governmental organisations (NGOs), media articles, social media posts, and interactive maps.

5. The reviewed information was analysed under international criminal law and, more specifically within the legal framework of the Rome Statute of the International Criminal Court (Rome Statute)⁴ (ICC or Court) as the deportation discussed in this report would, in principle, fall within the Court's jurisdiction. The legal analysis also considers international humanitarian law (IHL), as the Rome Statute draws directly from IHL to define and establish war crimes.

6. The analysed testimony accounts and open-source information indicate that the deportation of Ukrainian prisoners in November 2022, carried out by members of the Russian occupying forces and authorities, including the Russian armed forces, various special forces units, and the Federal Penitentiary Service of Russia (FSIN) likely constitutes the war crime of unlawful deportation pursuant to Article 8(2)(a)(vii)-1 of the Rome Statute.⁵ In particular, the information suggests that the victims were protected persons under international humanitarian law who were unlawfully transferred from occupied territory to the territory of the Russian Federation, in the absence of circumstances justifying evacuation on grounds of the security of the population or imperative military necessity under international humanitarian law.

7. The reviewed information further indicates that such conduct may also amount to crime against humanity of deportation under Article 7(1)(d) of the Rome Statute, insofar as the deportations appear to have been carried out as part of a widespread or systematic attack directed against a civilian population, pursuant to or in furtherance of a State policy.

8. While not the focus of this report, the analysed information also contains indications of: (i) other war crimes, including torture, inhuman treatment, and outrages upon dignity;⁶ (ii) other crimes against humanity, including torture, persecution, and other inhuman acts;⁷ and (iii) grave violations of international human rights law, including torture and other inhuman and degrading treatment, arbitrary detention, forced labour, violations of fair trial rights, and right to respect for private and family life.

4 Rome Statute of the International Criminal Court, adopted 17 July 1998, entered into force 1 July 2002, 2187 UNTS 90, available at <https://www.icc-cpi.int/sites/default/files/2024-05/Rome-Statute-eng.pdf>.

5 Deportation, when carried in accordance with domestic or international law, is lawful and does not constitute a criminal offence. However, the report argues that the conduct of the Russian occupying forces and authorities documented therein – namely, the forcibly removal of prisoners from Ukrainian penitentiary facilities in Russian-occupied territory and their transfer to the Russian Federation without legal justification – likely constitute a violation of international law and may amount to an international crime. Furthermore, while the report focuses on deportations, it is noted that the transfers of Ukrainian prisoners and pre-trial detainees between facilities within the occupied territories, may, in certain circumstances, amount to an international crime.

6 Articles 8(2)(a)(ii)-1, 8(2)(a)(ii)-2, and 8(2)(b)(xxi) of the Rome Statute.

7 Articles 7(1)(f), (7)(1)(h), and 7(1)(k) of the Rome Statute.

9. The overwhelming majority of the interviewees (95%) reported being subjected to or witnessing ill-treatment throughout the deportation and detention, often resulting in severe physical and psychological pain and suffering. This included beatings with truncheons, punches by officers wearing tactical gloves with reinforced knuckles, kicks with boots, prolonged placement in stress positions, such as squatting or standing with arms and legs outstretched (the so-called 'spread eagle' position) for several hours, intimidation, humiliation, and threats of physical and sexual violence, often on account of their nationality and their actual or assumed support for Ukraine.

10. The ill-treatment was further compounded by inhuman conditions throughout the deportation and detention. Interviewees reported being transported at gunpoint, in overcrowded vehicles for an average of 10-12 hours, sometimes alongside prisoners with tuberculosis, without adequate food, water, and toilet access for extended periods. The interviewees were also subjected to verbal abuse and threats of violence by Russian occupying forces, and were compelled to abandon their personal belongings, including vital medication.

11. The interviewees' accounts also enabled the mapping of penitentiary facilities in the Russian Federation where Ukrainian prisoners were held following their deportation. Although the treatment of prisoners varied somewhat between facilities – particularly with respect to admission procedures and the use of forced labour – interviewees in all the facilities reported either experiencing ill-treatment themselves or witnessing it being inflicted on other Ukrainian prisoners.

12. Sixty-four released individuals also reported being subjected to arbitrary detention in official migration detention centres, police stations, and, in two cases, in undisclosed places of detention within the Russian Federation.

13. Moreover, all interviewees consistently reported being deprived of their right to maintain contact with their families after deportation to the Russian Federation. According to documentation gathered, neither the Government of Ukraine nor the families of prisoners were notified by the Russian authorities about the transfer and deportation of Ukrainian prisoners to Occupied Crimea or the Russian Federation.

14. Around 300 Ukrainian prisoners remain in prison in the Russian Federation, including seven individuals serving life sentences who were transferred to remote facilities within the Russian Federation.

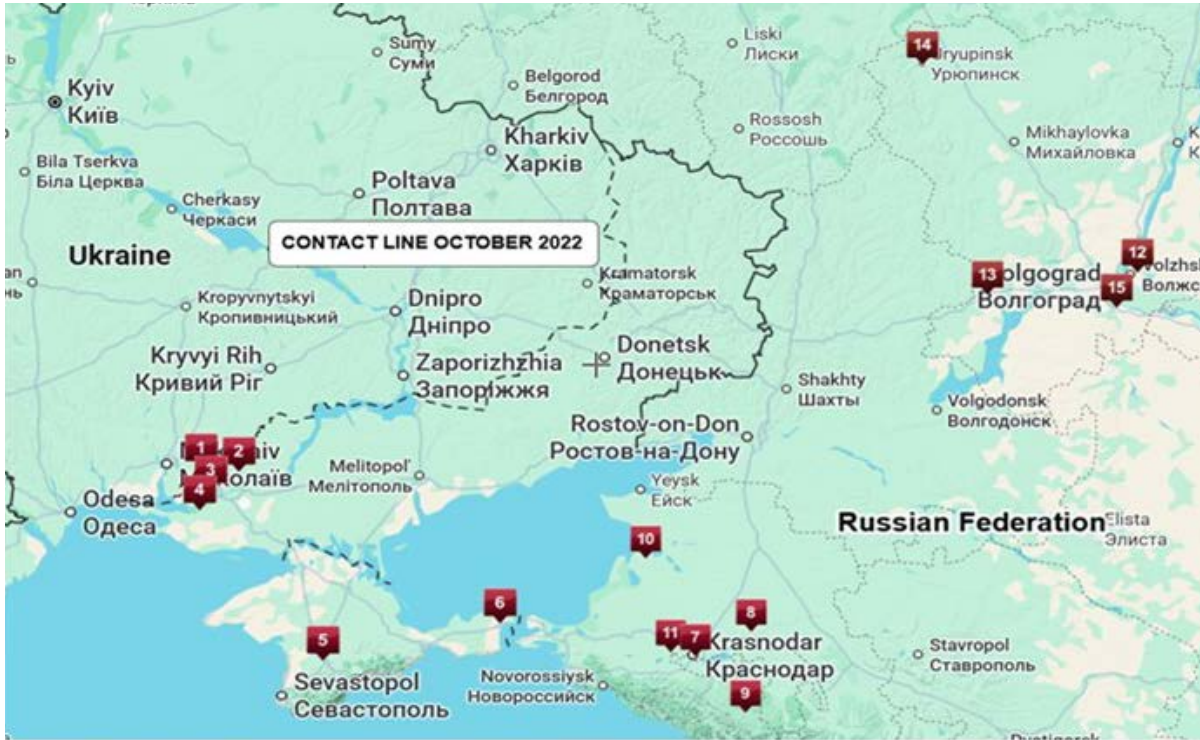
«Before the referendum [in September 2022], the prison administration went around instructing all the prisoners to vote. What was surprising was that when we arrived at [Pivnichna Penitentiary Facility No. 90], there was still a Ukrainian flag hanging there. It was then replaced with a Russian flag. Suddenly, the Russian anthem began to play, and inscriptions in Ukrainian were removed, although the colony staff were the same.»

Chapter I

Introductions

Introduction

Map 1: Overview



- | | | |
|---|--|--------------------------------|
| 1. Snihurivska Penitentiary Facility no. 5 | 7. Federal Government Institution Pre-Trial Detention Center No. 1 | 12. Correctional Colony no. 12 |
| 2. Dariivska Penitentiary Facility no. 10 | 8. Correctional Colony No 2 | 13. Correctional Colony no. 19 |
| 3. Pivnichna Penitentiary Facility no. 90 | 9. Correctional Colony No 5 | 14. Correctional Colony no. 23 |
| 4. Holoprystanska Penitentiary Facility no. 7 | 10. Correctional Colony No 11 | 15. Correctional Colony no. 26 |
| 5. Simferopol SIZO No 1 | 11. Correctional Colony No 14 | |
| 6. Kerch Penitentiary Facility no. 2 | | |

15. The large-scale armed invasion of Ukraine by the Russian Federation started on 24 February 2022. The invasion was preceded by the official recognition, on 21 February 2022, by the President of the Russian Federation, of the independence of self-proclaimed ‘Donetsk People’s Republic’ and ‘Luhansk People’s Republic’⁸ as well as by his speech on 24 February 2022, in which he announced the launch of a ‘special military operation’ in Ukraine to protect people living in those entities, to ‘demilitarise and denazify Ukraine’.⁹

8 ‘Signing of documents recognising Donetsk and Lugansk People’s Republics’ 21 February 2022 <<http://en.kremlin.ru/events/president/news/67829>>.

9 ‘Address by the President of the Russian Federation’ 24 February 2022 <<http://en.kremlin.ru/events/president/news/67843>>.

16. The invasion has resulted in numerous violations of international human rights law, international humanitarian law, and international criminal law. Many of these violations occurred in the territories of Ukraine occupied by the Russian Federation and involve serious assaults against the personal integrity and dignity of people residing there. These violations include arbitrary detention, enforced disappearance, torture and other forms of ill-treatment, as well as the deportation of civilians.¹⁰

17. The victims of these violations include individuals of different age, gender, religion, social status, and profession. While it is not possible to determine the social attributes of the most affected by the unlawful actions of the occupying authorities, persons deprived of their liberty are particularly vulnerable due to their dependence on the administration of the detention facilities and their inability to leave the occupied territory on their own free will.

18. In DIGNITY's 2022 report on Ukraine, *Nine Circles of Hell*, we documented and analysed the situation of persons held in detention centres on Ukrainian territory under the control of the Armed Forces of the Russian Federation, including torture, inhuman and degrading treatment, and other human rights violations.

19. The purpose of the present report is to document and analyse the deportation to the Russian Federation of individuals serving custodial sentences in Ukraine. This particular international crime has not been addressed comprehensively by inter-governmental organisations, such as the United Nations, the Organisation for Security and Co-operation in Europe, and the Council of Europe, or by any non-governmental organisations. Thus, the report aims to assess the actions of the occupying authorities through the lens of international criminal law and to provide a preliminary legal characterisation of the acts of deportation and ill-treatment of Ukrainian prisoners under the Rome Statute.

20. This report has been prepared in cooperation between the organisations Protection of Prisoners of Ukraine (PPU), the Kharkiv Human Rights Protection Group (KHPG) and DIGNITY - Danish Institute Against Torture (DIGNITY). The report presents our findings, based on the factual and legal analysis of the deportation of Ukrainian prisoners in November 2022 to the Russian Federation by Russian occupying forces and authorities. The analyses focus on both the transfer of these prisoners and their treatment and conditions of detention, up to their return to Ukraine between 1 February and 31 December 2024. The scope of the report is limited to Ukrainian prisoners held in official places of detention of the Ukrainian State Penitentiary Services under Russian control preceding their transfer to the Russian Federation.

21. The report provides a detailed factual account of the stages of deportation, beginning with a brief description of conditions in Ukrainian prisons after the Russian Federation assumed control (Chapter 1). It then examines the conditions of transfer (Chapter 2), the stays in transit centres (Chapter 3), the detention in Russian prisons (Chapter 4), the conditions of release and ending with the challenges faced by released prisoners upon their return to Ukraine (Chapter 5).

¹⁰ UN OHCHR Human Rights Monitoring Mission in Ukraine Protection of Civilians in Armed Conflict Monthly Updates, published between 24 February 2022 and 31 March 2026 <<https://ukraine.ohchr.org/en/reports>>.

22. The legal analysis (Chapter 6) is conducted within the framework of international criminal law and, more specifically under the Rome Statute of the International Criminal Court (Rome Statute) (ICC or Court),¹¹ as the deportation examined in this report would, in principle, fall within the Court's jurisdiction. The legal analysis also considers international humanitarian law (IHL), as the Rome Statute draws directly from IHL to define and establish war crimes.

23. The report, however, does not purport to provide a comprehensive analysis of the torture and other forms of ill-treatment to which Ukrainian prisoners may have been subjected. While such violations are addressed where relevant, the report does not examine them in their entirety, nor does it seek to offer an exhaustive factual or legal assessment of these acts. A full analysis of torture and ill-treatment would require a separate, dedicated inquiry.

24. Instead, the report provides a set of recommendations (Chapter 7), seeking to draw attention to the violations committed against Ukrainian prisoners by the Russian Federation, to raise awareness among international organisations, national authorities, judicial bodies and other relevant stakeholders, of the nature, scale, and consequences of these violations and to contribute to ongoing efforts to ensure redress for victims and survivors and accountability for those responsible.

11 'Rome Statute of the International Criminal Court' (adopted 17 July 1998, entered into force 1 July 2002) 2187 UNTS 3 <<https://www.icc-cpi.int/sites/default/files/2024-05/Rome-Statute-eng.pdf>>.

Methodology and legal framework

25. The report is based on testimonial, documentary and open-source information. It draws on interviews with 233 former prisoners – 231 Ukrainian citizens, one Moldovan, and one Russian citizen - who had legal residence in Ukraine when detained by Ukrainian authorities. These prisoners, while serving custodial sentences imposed by Ukrainian courts, were deported from occupied territory in Ukraine to the Russian Federation and subsequently released upon completion of their sentences in the Russian Federation, third countries, or occupied territory of Ukraine. The report also draws on judgements of Russian courts, medical records provided by interviewees, information from Ukrainian state authorities, UN and NGO reports, media articles, social media posts, and interactive maps. The findings are presented according to the standard of ‘reasonable grounds to believe’, meaning that the reviewed information, corroborated where possible, is considered sufficiently credible to indicate that the conduct described likely occurred.

26. Contact details of the interviewees were obtained from their relatives, fellow prisoners, or publicly available sources. Documenters from the civil society organisation PPU reached out to the interviewees to document the treatment they experienced during detention under Russian occupation and subsequent deportation to the Russian Federation. In some cases, the interviewees independently contacted the organisation after their release from detention. The documenters conducted interviews with all people who had been deported to Russian prisons and wanted to give testimonies on voluntary basis.

27. The interviews were conducted by PPU, in some cases in cooperation with the civil society organisation *European Prison Litigation Network*. Among the documenters from PPU, one holds a law degree, another is a psychologist, and the remaining two have expertise in human rights, humanitarian work, and crisis management. All interviewers have undergone training by DIGNITY on documenting international crimes, including training on contextual elements of war crimes and crimes against humanity, modes of liability, methodology of interviewing witnesses of international crimes, thus integrating a survivor-centred and trauma-informed approach.¹² All the interviews were electronically recorded on video or audio, and written transcriptions were prepared by the interviewers. All interviewees were informed of the potential risks associated with providing their testimonies and of their right to withdraw at any point. They provided informed consent for their statements to be used in submissions to the International Criminal Court and in public advocacy reports. All interviews were conducted in accordance with the principles of voluntariness, confidentiality, and safety. Psychological support was offered to the interviewees.

12 OHCHR ‘Istanbul Protocol: Manual on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (2022 edition)’ <<https://www.ohchr.org/en/publications/policy-and-methodological-publications/istanbul-protocol-manual-effective-0>>.

28. The average time between a person's release from detention and the interview ranged from approximately two to eight weeks, depending on the return route, legal procedures (including preparation of documents and border crossing), adaptation period, and the person's state of health.

29. The legal analysis is undertaken within the framework of international criminal law, specifically the Rome Statute, since the deportation examined in this report would fall within the Court's jurisdiction.¹³ The legal analysis also considers IHL, as the Rome Statute draws directly from IHL to define and establish war crimes.¹⁴ The factual analysis of the cases only provides the description of the situation of the deported Ukrainian prisoners as described by the interviewees and do not use the legal terms, such as *torture*, and *other inhumane acts*, which are analysed in the legal analysis. Therefore, such wordings as 'mistreatment' and 'poor conditions' provided in the factual part are not the final conclusions and are used only for better explanation of the circumstances of the transfer of Ukrainian prisoners to the Russian Federation.

13 In March - April 2022, following the Russian Federation's invasion of Ukraine in February 2022, the situation in Ukraine was referred to the ICC by 43 States Parties (Rome Statute, art 14) providing the legal basis for the ICC Prosecutor to investigate alleged crimes committed on Ukrainian territory since 21 November 2013. The Court can exercise jurisdiction over crimes committed in Ukraine, including by nationals of non-State Parties, such as the Russian Federation. Subsequent to these referrals Ukraine became a State Party to the Rome Statute, with the Statute entering into force for Ukraine on 1 January 2025 <<https://www.icc-cpi.int/situations/ukraine>>. Furthermore, the ICC's jurisdiction is subject to the principle of complementarity, meaning the Court may intervene only when national authorities are unwilling or unable to prosecute crimes, ensuring that national courts retain primary responsibility for prosecution (Rome Statute, art 17).

14 Rome Statute, art 8.

Context and background

30. On 24 February 2022, the Russian Federation invaded the territory of Ukraine, deploying ground troops, and launching missile, drone, and artillery attacks. From the early days of the armed invasion, parts of Ukraine were occupied by the Russian Federation, which assumed control over state and local authorities of Ukraine in occupied areas of Kherson, Mykolaiv, Zaporizhzhia, Kharkiv, Sumy, Chernihiv, Kyiv, Donetsk and Luhansk oblasts. Places of deprivation of liberty and other forms of custody, notably penitentiary facilities (penal colonies), pre-trial detention centres (SIZOs), orphanages, and long-term care facilities for people with disabilities and older persons, were all placed under the control of the occupying authorities.¹⁵ Ukrainian authorities did not evacuate the penitentiary facilities on the territories that were seized by the Russian Federation both prior to 24 February 2022 and after the beginning of the armed attack and subsequent occupation.

31. Since 24 February 2022, according to official information from the Ministry of Justice of Ukraine, twelve prisons across Zaporizhzhia, Donetsk, Luhansk, Mykolaiv, and Kherson Oblasts, holding approximately 3,400–3,700 persons, have come under the control of the Russian occupying forces and authorities. These facilities included, *inter alia*, Mariupol Pre-Trial Detention Facility (349 persons), Melitopol Penitentiary Facility no. 144 (64 persons), Pryazov Penitentiary Facility no. 107 (99 persons), Starobilsk Pre-Trial Detention Facility (332 persons), Prymorsk Penitentiary Facility no. 145 (21 persons), Veselivskiy Correctional Centre (79 persons), Kherson Pre-trial Detention Centre (286 persons), Pivnichna Penitentiary Facility no. 90 (838 persons), Dariivska Penitentiary Facility no. 10 (704 persons), Snihurivska Penitentiary Facility no. 5 (98 persons), and Holoprystanska Penitentiary Facility no. 7 (231 persons). No evacuation of prisoners by Ukrainian authorities of these facilities took place prior to 24 February 2022 or after the beginning of the Russian armed invasion.¹⁶ Some of the prisons, in particular, Snihurivska Penitentiary Facility No. 5, Kherson Penitentiary Facility No. 90, and Kherson Pre-trial Detention Facility (SIZO), were subsequently liberated during the Ukrainian armed forces' counteroffensive in November 2022.¹⁷ Seven penitentiary facilities in Donetsk, Luhansk, Zaporizhzhia, and Kherson Oblasts remain under control of the RFAF, including Holoprystanska Penitentiary Facility No. 7 in Kherson Oblast.¹⁸

15 'Aggression against Ukraine' 2 March 2022 UN GA, A/RES/ES-11/1; 'Resolution on the armed aggression of the Russian Federation against Ukraine', Parliamentary Assembly of the European Union, (2023/C 229/06), 29 June 2023.

16 'They do not care about us': how a women's correctional facility operates in Russia-occupied Melitopol' Suspilne Novyny <<https://suspilne.media/974089-they-care-a-womens-correctional-facility-operates-russia-occupied-melitopol/?utm=>> accessed on 10 March 2026; 'Imprisoned twice: Ukrainian pre-trial detention centers and colonies under occupation' (За'ратовані двічі: українські СІЗО та колонії в окупації) Deutsche Welle <<https://www.dw.com/uk/zagratovani-dvici-so-vidbuvaetsa-v-ukrainskih-vaznicah-v-okupacii/a-63606724>> accessed on 10 March 2026.

17 'UAF Liberated Kherson. They are welcomed by the crowds of city residents' (ЗСУ вже звільнили Херсон. Їх вітають натовпи містян) BBC News Ukraine <<https://www.bbc.com/ukrainian/features-63597151>> accessed on 10 March 2026; 'On the Road to Kherson . Photos and Videos from the Villages Liberated by the UAF During the Last Two Days' (Дорогою на Херсон. Фото та відео із сіл, звільнених ЗСУ за останні два дні) New Voice of Ukraine <<https://nv.ua/ukr/ukraine/events/deokupaciya-hersonskoj-oblasti-sela-ta-mista-yaki-zvilnili-zsu-za-dva-dni-foto-ta-video-50283107.html>> accessed on 10 March 2026.

18 Ministry of Justice of Ukraine 'Reply to the request of the Protection of prisoners of Ukraine of 31 March 2026' 3 April 2026.

32. Following the onset of the Russian occupation, the prisons were initially still managed by Ukrainian authorities. However, Russian forces began to assert control over the facilities in March-May 2022.¹⁹ Part of the prison staff agreed to stay and work under Russian oversight;²⁰ while additional prison staff was hired locally and from Russia.²¹ Ukrainian flags and other national symbols were removed from the prisons and replaced with Russian ones, including the daily playing of the Russian national anthem.²² According to an interviewee:

Before the referendum [in September 2022], the prison administration went around instructing all the prisoners to vote. What was surprising was that when we arrived at [Pivnichna Penitentiary Facility No. 90], there was still a Ukrainian flag hanging there. It was then replaced with a Russian flag. Suddenly, the Russian anthem began to play, and inscriptions in Ukrainian were removed, although the colony staff were the same.²³

33. During the occupation, prisons continued as places of detention and were also used for stationing of the equipment of the Russian occupying forces and authorities,²⁴ using prisoners' labour for construction of fortifications,²⁵ and producing goods.²⁶

34. The transition led to a more oppressive environment within the prisons, characterised by increased violence against the prisoners. This violence was perpetrated by both members of the Russian occupying forces and authorities, as well as Ukrainian staff who perceived the Russian occupation as a *carte blanche* to use torture to run the prison.²⁷ Beatings with objects, punches, stress positions, intimidation, threats of physical and/or sexual violence, and the stricter disciplinary measures, such as solitary confinement, became increasingly frequent.²⁸ A prominent example of such ill-treatment is the mass beating of prisoners in Holoprystanska Penitentiary Facility No. 7 in June 2022 reported by several interviewees, allegedly inflicted by members of the Russian occupying forces and authorities in cooperation with the local administration.²⁹ The intent to suppress any form of dissent and instil a climate of fear among the prisoners was clearly articulated.³⁰

19 PPU interviews of 29 Nov 2022; 5 January 2023; 6 January 2023; 20 January 2023. 2 February 2023; 4 March 2023; 18 September 2023; 18 September 2023; 24 September 2023; 24 September 2023; 4 October 2023; 22 October 2023; 4 December 2023; 17 February 2024.

20 PPU interviews of 23 February 2023; 3 March 2023; 4 September 2023.

21 PPU interviews of 2 February 2023; 23 February 2023; 17 March 2024.

22 PPU interview of 9 October 2023; 5 January 2023; 6 January 2023; 30 January 2023.

23 PPU interview of 9 October 2023.

24 PPU interview of 15 July 2024.

25 PPU interviews of 2 February 2023; 4 March 2023; 18 September 2023; 12 November 2023; 10 December 2023; 18 January 2024; 18 March 2024; 2 April 2024; 24 September 2024.

26 PPU interview of 18 June 2024; 17 July 2024; 4 November 2024.

27 PPU interviews of 4 March 2023; 4 September 2023; 26 December 2023; 5 February 2024; 7 January 2024. DIGNITY 'Nine Circles of Hell': Places of Detention in Ukraine Under the Russian Occupation [Section 6] 2023.

28 PPU interviews of 2 February 2023; 4 March 2023. DIGNITY 2023 'Nine Circles of Hell': Places of Detention in Ukraine Under the Russian Occupation [Section 6].

29 PPU interviews of 13 February 2023; 20 June 2023; 16 October 2023; 12 December 2023; 9 January 2024; 25 May 2024; 7 June 2024.

30 PPU interviews of 20 January 2023; 3 July 2023; 17 July 2023; 3 August 2023; 1 October 2023.

35. Furthermore, Ukrainian prisoners and pre-trial detainees began to be transferred by the Russian occupying forces and authorities between facilities in the occupied territories.³¹ According to the information collected by *Protection of Prisoners of Ukraine*, including responses from Ukrainian state bodies and interviews with former prisoners, approximately 1,700 Ukrainian prisoners were deported by the Russian occupying forces and authorities to the Russian Federation in November 2022.³² Reportedly, these transfers were part of a broader pattern of Russian authorities relocating prisoners from occupied facilities in anticipation of Ukrainian advances, rather than as a result of the Ukrainian liberation of the territory itself.³³

36. Of these, 500 persons returned to Ukraine, while around 30 persons remain in Russian Federation detention centres for foreigners, and another 300 persons are reportedly staying elsewhere in the territory of the Russian Federation or in occupied territories of Ukraine, following their release from detention.³⁴

37. This report focuses specifically on Ukrainian prisoners deported in November 2022 from four facilities – Pivnichna Penitentiary Facility No. 90 (Pivnichna); Dariivska Penitentiary Facility No. 10 (Dariivska), and Holoprystanska Penitentiary Facility No. 7 (Holoprystanska), located in Kerson Oblast, and – Snihurivska Penitentiary Facility No. 5 (Snihurivska), in Mykolaivska Oblast. These facilities were selected because they held the largest number of Ukrainian prisoners deported to the Russian Federation. Accurate figures for the number of prisoners in these facilities at that time are not available; however as of 1 May 2022, Pivnichna held 853 prisoners, Dariivska 704, Snihurivska 94,³⁵ and Holoprystanska 286.³⁶ According to interviews with released prisoners, most prisoners held in Pivnichna, Dariivska,³⁷ Holoprystanska,³⁸ and Snihurivska were subsequently deported to the Russian Federation after their stay in Holoprystanska.³⁹ The exact number of deportations from these specific facilities to the Russian Federation remains unknown.

31 PPU interviews of 18 September 2023; 24 September 2023; 26 September 2023; 22 October 2023; 12 November 2023; 14 November 2023; 19 November 2023; 21 November 2023; 20 December 2023; 31 December 2023; 5 February 2024; 17 March 2024.

32 State of Ukraine vs. Osoba_3 case no. 766/10202/23 (Kherson City Court 2025) <<https://reyestr.court.gov.ua/Review/128231478>> accessed on 27 February 2026; '12 years in prison received the "head of the Holoprystan colony' for organizing forced displacement and deportation of Ukrainians from the Kherson region' Kherson Region Prosecutors Office 2025 <<https://kherson.gp.gov.ua/ua/news.html?m=publications&t=rec&id=392314&fp=82>> accessed on 9 March 2026; 'Detention of Civilians in the Context of the Armed Attack by the Russian Federation Against Ukraine (24 February 2022 – 23 May 2023)' UN OHCHR 7 June 2023 [80] <<https://www.ohchr.org/sites/default/files/2023-06/2023-06-27-Ukraine-thematic-report-detention-ENG.pdf>> accessed on 15 April 2026.

33 'Occupiers took Ukrainian prisoners to 10 correctional facilities in Russia while they were leaving Kherson' *Ukrainska Pravda* <<https://www.pravda.com.ua/eng/news/2022/11/29/7378543/>> accessed on 10 March 2026.

34 Calculated based on interviews with the returned Ukrainian prisoners.

35 State Service on Execution of Criminal Sentences of the Ministry of Justice of Ukraine 'Reply to the Request of Protection of Prisoners of Ukraine of 30 December 2022' 4 January 2023.

36 'State Service on Execution of Criminal Sentences of the Ministry of Justice of Ukraine 'Reply to the Request of Protection of Prisoners of Ukraine of 24 May 2023' 29 May 2023.

37 PPU interview of 21 November 2023.

38 PPU interviews of 18 September 2023; 26 September 2023; 30 October 2023; 30 July 2024.

39 PPU interviews of 17 February 2023; 10 November 2023; 30 January 2024.

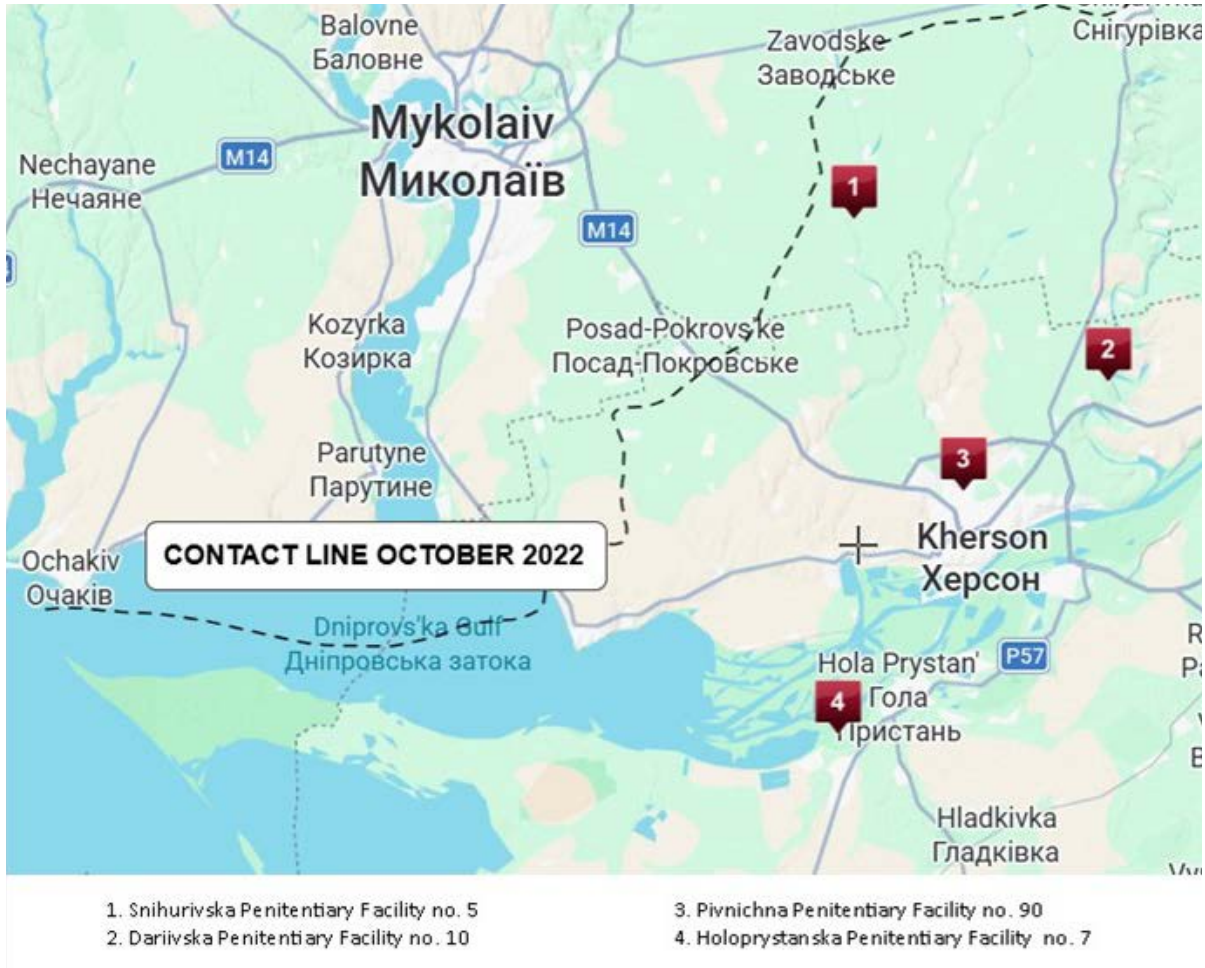
«Soldiers with automatic weapons approached us and said, ‘Guys, we understand everything. You are convicts, and we are military personnel. If there is any trouble, we will shoot. Sit quietly, and everything will be fine. Otherwise, there will be dead bodies.»

Chapter II

Overview and initial phase of the
deportation

Overview and initial phase of the deportation

Map 2 Ukrainian Prisons



38. At the outset of the invasion, Russian military personnel immediately expressed their contempt for Ukrainian prisoners: 'We do not care about your quality, only about your quantity when you arrive on spot.'⁴⁰

40 PPU interview of 26 September 2023. Similarly, PPU interviews of 10 December 2023; 24 September 2023; 26 December 2023; 29 January 2024.

39. The deportation of Ukrainian prisoners to the Russian Federation began on 3 or 4 November 2022⁴¹ and continued over the following days in several stages.⁴² In the weeks or months preceding the deportations, Ukrainian prisoners had initially been moved from Pivnichna, Snihurivska, and Dariivska, to Holoprystanska.⁴³ They were then transferred to transit centres located in Occupied Crimea, as well as to one transit centre in the Russian Federation, before being relocated to penitentiary facilities within the Russian Federation, notably in Krasnodar Krai, Volgograd Oblast, and Rostov Oblast.⁴⁴

41 PPU interviews of 2 February 2023; 23 February 2023; 4 September 2023; 18 September 2023; 18 September 2023; 24 September 2023; 26 September 2023; 4 October 2023; 4 October 2023; 9 October 2023; 22 October 2023; 27 October 2023; 1 November 2023; 12 November 2023; 10 December 2023; 5 February 2024, 16 May 2024.

42 PPU interviews of 23 February 2023; 23 February 2023; 22 October 2023; 4 October 2023; 27 November 2023; 10 December 2023; 26 December 2023; 16 May 2024.

43 PPU interviews of 23 February 2023; 27 October 2023; 29 January 2024, 5 February 2024, 16 May 2024.

44 See below, Chapter III Transit centres.

Actors involved in the deportation

40. A former Ukrainian prisoner recounted the deportation, which was undertaken by armed soldiers equipped with machine guns under the use of death threats:

Soldiers with automatic weapons approached us and said, ‘Guys, we understand everything. You are convicts, and we are military personnel. If there is any trouble, we will shoot. Sit quietly, and everything will be fine. Otherwise, there will be dead bodies.’ There was one of them travelling with us, one person sitting on the bus with a huge machine gun, and a civilian was driving. We were escorted by military vehicles in front and behind us.⁴⁵

41. The deportations were carried out by, and under the control and supervision of, the Russian occupying forces and authorities, including personnel of the Russian armed forces, various special forces and units, and the Federal Penitentiary Service of the Russian Federation (FSIN),⁴⁶ with support from local Ukrainian prison staff.

42. Throughout the deportation, Ukrainian prisoners were transported in Russian prison vans or KAMAZ trucks,⁴⁷ and were escorted by Russian armoured vehicles.⁴⁸ An interviewee recalled that: ‘[Ukrainian prisoners] were seated in prison vans with the emblems of the Federal Penitentiary Service of Russia.’⁴⁹

43. Another interviewee described a similar experience:

We were loaded into white KAMAZ trucks of the Federal Penitentiary Service. We drove to the first stop for 10 hours. We were not taken to the toilet. For two days we did not eat anything. At first, we were brought to layover in the city of Simferopol.⁵⁰

45 PPU interview of 17 March 2024.

46 The FSIN is a Russian federal agency under the supervision of the Ministry of Justice of the Russian Federation.

47 PPU interviews of 4 September 2023; 24 September 2023; 18 September 2023; 18 September 2023; 18 September 2023; 24 September 2023; 4 October 2023; 9 October 2023; 9 October 2023; 27 October 2023; 10 December 2023; 12 November 2023; 27 September 2023; 22 January 2024; 16 May 2024. KAMAZ trucks are heavy trucks made by the Russian company KAMAZ, used for transporting goods, equipment, or people. ‘General Information’ Kamaz Group of Companies. <<https://kamaz.ru/en/about/general-information/>> accessed on 2 February 2026).

48 PPU interviews of 18 September 2023; 24 September 2023; 27 October 2023.

49 PPU interview of 2 February 2023.

50 PPU interview of 26 September 2023.

44. As the interviewees recounted, the initial movement of Ukrainian prisoners to the main staging facility at Holoprystanska involved personnel of the Russian military,⁵¹ and the FSIN,⁵² with local Ukrainian prison staff assisting in the process.⁵³

45. Several interviewees described the military personnel who transported them to Pivnichna and Holoprystanska as wearing camouflage uniforms bearing Russian insignia – specifically Russian flags and the letter ‘Z’, which the Russian military frequently used to identify their troops – on their sleeves, and armed with machine guns and pistols.⁵⁴

46. Multiple interviewees reported that the individuals who escorted them introduced themselves as members of the Russian armed forces and spoke Russian without any discernible accent, similar to that commonly spoken by Russian-speaking Ukrainians.⁵⁵

47. Following their detention in Holoprystanska, Ukrainian prisoners were again loaded to Russian prison vans or KAMAZ trucks, by Russian military personnel with the assistance of local Ukrainian prison staff.⁵⁶ One interviewee recalled: ‘Loading and escorting of the transported prisoners was carried out by Russian special forces. Of course, not without the participation of our collaborators’.⁵⁷ Another interviewee recalled: ‘We were loaded into Russian prison vans under the control of the Russian military armed with machine guns.’⁵⁸

48. Interviewees also reported that FSIN personnel participated in their transfer from Holoprystanska to transit centres and, subsequently, to prisons in the Russian Federation.⁵⁹ As an interviewee described:

Russian special forces were waiting for us. That’s what it said on their backs: ‘Federal Penitentiary Service.’ They told us to sit quietly. Again, everything was the same, everything was according to their old routine. No rowdiness or shouting during the journey. They were transporting, as they said, goods. They were armed and wearing masks, but not all of them. Their uniforms were dark green and black.⁶⁰

51 PPU interviews of 17 February 2023; 24 September 2023; 26 September 2023; 9 October 2023; 27 October 2023; 12 November 2023; 22 January 2024.

52 PPU interviews of 17 February 2023.

53 PPU interviews of 17 February 2023; 27 September 2023; 18 September 2023; 27 October 2023.

54 PPU interviews of 19 May 2023; 20 June 2023; 22 October 2023; 31 October 2023; 2 November 2023; 7 November 2023; 12 November 2023; 14 November 2023; 29 November 2023; 5 February 2024; 14 April 2024; 16 May 2024; 18 June 2024; 9 July 2024; 26 September 2024; 10 December 2023.

55 PPU interviews of 26 September 2023; 22 October 2023; 12 December 2023; 18 June 2024; 18 April 2024.

56 PPU interviews 2 February 2023; 18 September 2023; 24 September 2023; 27 October 2023; 30 October 2023. PPU interviews of 23 February 2023; 4 September 2023; 4 March 2023.

57 PPU interview of 24 September 2023.

58 PPU interviews of 23 February 2023; 26 December 2023; 16 May 2024.

59 PPU interviews of 4 March 2023; 24 September 2023; 24 September 2023; 26 September 2023; 30 October 2023; 12 November 2023.

60 PPU interview of 29 November 2023.

49. Interviewees identified members of the Russian armed forces and prison staff as responsible for mistreatment of Ukrainian prisoners, as well as for the poor conditions during transfer and detention. Several interviewees also identified members of Russian special units, including 'Akula' and 'OMON',⁶¹ and military special forces (Spetsnaz).⁶²

61 'Akula' is a special unit of the Main Department of the Federal Service on Execution of Criminal Punishments in the Krasnodar Krai (Russian Federation). 'OMON' are specialised police units that form part of the National Guard of the Russian Federation. The interviewees identified this special units based on statements made by the officers who received them upon arrival and explicitly claimed affiliation with these units, as well as on the insignia visible on their uniforms and information from other Ukrainian prisoners and staff of the transit centres. PPU interviews of 19 May 2023; 29 November 2023; 9 January 2024; 5 February 2024; 17 March 2024; 17 March 2024; 19 June 2024.

62 PPU interviews of 7 November 2023; 13 November 2023; 30 January 2024; 19 May 2024; 18 June 2024; 8 July 2024; 24 December 2024. See also below [See below para 83-87]

Transfer to/from Holoprystanska

50. We were told that we could only take one bag of essential items with us. He threatened to shoot us if we disobeyed or failed to follow his orders. He said that it was important for him to bring back our numbers, not our quality.⁶³

51. Holoprystanska served as the main staging point for the deportation of Ukrainian prisoners documented in this report. In the weeks or months beforehand, Ukrainian prisoners from Pivnichna, Dariivska, and Snihurivska, and other facilities, were assembled at this location pending onward transfer.⁶⁴ Interviewees from Dariivska reported that some Ukrainian prisoners were initially transferred to Pivnichna, in May-September 2022, and, after a few weeks or months, were moved to Holoprystanska, while others were brought directly to Holoprystanska. According to media reports, in June 2022, the Russian armed forces transferred 97 Ukrainian prisoners from Snihurivska, allegedly to evacuate them from areas of active hostilities.⁶⁵

52. Holoprystanska facility is a specialised facility for detention of prisoners infected with tuberculosis and has the capacity to accommodate 510 prisoners.⁶⁶ Some interviewees reported that the number of prisoners staying there in October 2022 amounted to 2000.⁶⁷ Due to the large influx of prisoners transferred there from other facilities, some did not have a proper sleeping place and had to sleep on the floor during the first few days of detention.⁶⁸

63 PPU interview of 19 May 2024.

64 PPU interviews of 13 February 2023; 4 March 2023; 13 August 2023; 4 September 2023; 5 September 2023; 16 October 2023; 22 October 2023; 27 October 2023; 12 November 2023; 29 November 2023; 10 December 2023; 26 December 2023; 1 January 2024; 5 February 2024; 17 March 2024; 18 April 2024; 31 May 2024; 7 June 2024; 9 July 2024; 26 September 2024; 4 November 2024; 27 December 2024. See also UN, Human rights Council, Working Group on Arbitrary Detention, [Opinion No. 34/2025](#), A/HRC/WGAD/2025/34, 102nd session, 40 June 2025, para 12.

65 РІА Новості «ВС Росії евакуїрували заключених із колонії в Николаївській області» (RIA Novosti “RFAF Evacuated prisoners from the colony in Mykolaiv Oblast – Translation), 5 June 2022, <<https://ria.ru/20220605/koloniya-1793272175.html>> accessed on 3 February 2026.

66 Prison Portal of Ukraine, <https://ukrprison.org.ua/department_institutions/khersonska/1209396533> accessed on 10 February 2026.

67 PPU interview of 19 February 2024.

68 PPU interviews of 22 October 2023; 27 October 2023; 8 February 2024; 19 February 2024; 18 March 2024; 18 June 2024; 15 July 2024; 26 September 2024.

Lack of official information, consent to deportation, access to legal assistance, and restricted family contact

53. According to the interviewees, Ukrainian prisoners were not officially informed of their transfer or evacuation to penitentiary facilities in the Russian Federation, and no clear explanation or justification was provided.⁶⁹

They [the authorities] told us to wait, saying we would be taken away. Nobody told us where we were being taken; then, at the very last minute, they started loading us onto vehicles quickly, following a list. They said, ‘That’s it, come on, get on board, you’re off to Crimea,’ and announced it just an hour before departure. There was no way for any of us to tell anyone that we were being taken away.⁷⁰

54. Interviewees reported that, in the weeks, days, and even hours leading up to these movements, they heard rumours among themselves⁷¹ or received informal warnings from prison staff that they would be transferred or evacuated⁷² to other facilities, such as Pivnichna or Holoprystanska. According to some interviewees, while at Holoprystanska, they heard rumours or were told by prison staff that they would be transferred towards Occupied Crimea.⁷³ An interviewee reported: ‘The rumour was confirmed. They said that within ten days they would take everyone. First to the Crimea, and then as God will be willing.’⁷⁴

55. A small number of interviewees said that they were told they were being moved to Russia.⁷⁵

56. More often, interviewees reported being simply instructed to prepare for transfers: lists of prisoners were read out, and they were loaded onto Russian paddy wagons without any further information.⁷⁶ Interviewees described the transfers from Holoprystanska as abrupt and opaque: ‘The head of [Holoprystanska] told us, that: “You sit quietly! You are here for a short time! Here you are in transit, and you will be taken further!”’⁷⁷ Another interviewee recalled: ‘And no one asked us. We were silently taken out, warned that: “left, right, execution and that’s it!”’⁷⁸

69 PPU interviews of 9 May 2023; 20 June 2023; 6 August 2023; 7 August 2023; 13 August 2023; 5 September 2023; 9 September 2023; 16 October 2023; 22 October 2023; 22 October 2023; 27 October 2023; 7 November 2023; 27 February 2024; 18 June 2024; 26 September 2024; 22 October 2024; 26 December 2024.

70 PPU interview of 27 June 2023.

71 PPU interviews of 24 September 2023; 9 May 2023; 4 September 2023.

72 PPU interviews of 3 February 2023; 20 June 2023; 1 August 2023; 7 August 2023; 2 September 2023; 24 September 2023; 26 September 2023; 4 October 2023; 11 October 2023; 9 February 2024; 16 October 2023; 16 October 2023; 27 October 2023; 27 October 2023; 1 November 2023; 7 November 2023.

73 PPU interviews of 9 May 2023; 1 August 2023; 4 September 2023; 4 October 2023.

74 PPU interview of 3 February 2023.

75 PPU interviews of 4 March 2023; 26 December 2023; 6 August 2023; 16 October 2023.

76 PPU interviews of 6 August 2023; 7 August 2023; 5 September 2023; 9 September 2023; 24 September 2023; 26 September 2023; 16 October 2023; 1 November 2023; 22 January 2024; 22 October 2023; 22 October 2023; 1 November 2023; 7 November 2023; 12 November 2023.

77 PPU interview of 27 October 2023.

78 PPU interview of 30 December 2023. The meaning of the interviewee’s point is that he and other prisoners were threatened with execution in case they did any movements that the conveying officers did not like.

57. According to one interviewee, the reason for the initial transfer from Dariivska to Holoprystanska, was that most Ukrainian prison staff had left, leaving too few employees to manage the facility, and the Russian occupying authorities were therefore afraid that the prisoners might escape.⁷⁹

58. Many of those transferred from Snihurivska and Dariivska stated that the Russian military personnel forced them onto buses at gunpoint and gave no information about their destination.⁸⁰

59. According to open-source information, the Russian Armed Forces transferred 87 Ukrainian prisoners from Snihurivska to evacuate them from areas of active hostilities.⁸¹

60. Some interviewees reported being told that the transfer was intended to 'save [them] from Ukraine'.⁸² Another interviewee stated that:

At the end of October 2022, we began to move from [Pivnichna] to [Holoprystanska]. The administration of the colony argued that they were saving us from the offensive of the Armed Forces of Ukraine. They moved us by force.⁸³

61. Most interviewees emphasised that the deportation to the Russian Federation occurred without their consent.⁸⁴ As one interviewee described to the documenters:

None of us gave consent to our transfer from Pivnichna Facility 90; no one agreed to it or gave their consent. It is understandable that there were concerns. We were being transported by strangers, and we did not know what to expect from them. There was shelling in the city, and we were being taken somewhere. They were taking us to one place, and who knows what they had in mind. They would take us somewhere, shoot us, throw us into a mass grave, and that would be it. We found out that we were going to be transported three days before it happened.⁸⁵

79 PPU interview of 29 November 2022.

80 PPU interviews of 20 January 2023; 8 February 2024; 18 June 2024.

81 РИА Новости «ВС России эвакуировали заключенных из колонии в Николаевской области» (RIA Novosti 'RFAF Evacuated prisoners from the colony in Mykolaiv Oblast', Translation), 5 June 2022, <<https://ria.ru/20220605/koloniya-1793272175.html>>, accessed on 3 February 2026.

82 PPU interview of 27 June 2023.

83 PPU interview of 22 October 2023.

84 PPU interviews of 20 June 2023; 1 August 2023; 6 August 2023; 18 September 2023; 24 September 2023; 26 September 2023; 4 October 2023; 16 October 2023; 16 October 2023; 22 October 2023; 22 October 2023; 30 October 2023; 1 November 2023; 7 November 2023.

85 PPU interview of 20 June 2023.

62. Another interviewee recalled:

We were transported to Holoprystanska on September 27, 2022. Perhaps this is not the exact date, but I remember it that way. Even then we heard that we would be taken to the city of Krasnodar. I asked the political officer about this, but he said that it was all nonsense, and that your final stop was at GVK-7.⁸⁶

63. The interviewees also recounted that Ukrainian prisoners were not provided any form of legal assistance in relation to their transfer and other issues concerning their rights, including access to healthcare and the right to have contacts with outside world.⁸⁷ Some underlined that the circumstances made it unrealistic for prisoners to seek or obtain such assistance.⁸⁸

64. Communication with relatives, although not necessarily prohibited, was severely limited for Ukrainian prisoners due to time, logistical and financial constraints, leaving many with none or restricted contact with their relatives.⁸⁹ One interviewee who had been transferred from Snihurivska to Holoprystanska recalled that:

It was legal, formally possible to call relatives, but technically this is not feasible. The Ukrainian connection was completely lost. It was possible to call only through Russian operators. To contact relatives, they needed the Internet and a smartphone. All this was already illegal. It took a lot of ‘work’ to arrange all this. A local taxi driver helped us with this. He carried out cashing operations, bought us cigarettes and everything we needed. Transmissions were allowed.⁹⁰

65. Another reported:

No one told us anything, then they began to load us quickly according to the lists. They said let’s load [into vehicles], go to the Crimea, they announced this an hour before departure. There was no way to inform anyone that we were being taken out.⁹¹

86 PPU interview of 26 September 2023.

87 PPU interviews of 4 September 2023; 9 September 2023; 24 September 2023; 26 September 2023; 4 October 2023; 22 October 2023; 12 November 2023; 14 November 2023; 26 December 2023; 29 January 2024; 5 February 2024; 27 February 2024; 1 March 2024; 18 May 2024; 6 June 2024.

88 PPU interview of 5 February 2024.

89 PPU interviews of 4 March 2023; 4 September 2023; 17 September 2023; 26 September 2023; 4 October 2023; 9 October 2023; 22 October 2023; 14 November 2023; 19 November 2023; 26 December 2023; 31 December 2023; 29 January 2024; 5 February 2024; 27 February 2024; 1 March 2024; 18 June 2024.

90 PPU interview of 17 February 2023.

91 PPU interview of 27 June 2023.

66. From the initial stages of deportation, Ukrainian prisoners were offered Russian citizenship, with a total 51 interviewees reporting that they received such offers.⁹² According to their accounts, these offers were made by representatives of the facility administrations who remained in place during the Russian occupation.⁹³ Most Ukrainian prisoners refused to accept Russian citizenship.⁹⁴ Three reported being threatened with negative consequences for their refusal, including placement in pre-trial detention centres⁹⁵ and deportation to remote areas in the Russian Federation.⁹⁶

Mistreatment

67. Ukrainian prisoners were subjected to mistreatment by members of the Russian occupying forces, authorities and prison staff from the outset of the deportation, continuing the pattern of poor treatment that began shortly after the Russian armed force took control over Ukrainian prisons.⁹⁷

We were told that we could only take one bag of essential items with us. He threatened to shoot us if we disobeyed or failed to follow his orders. He said that it was important for him to bring back our numbers, not our quality.⁹⁸

68. According to interviewees, prior to boarding the prison vans at Holoprystanska, convoying officers – reportedly members of the Russian occupying forces – threatened the Ukrainian prisoners with violence if they resisted.⁹⁹ To reinforce these threats, they brandished machine guns.¹⁰⁰ Several interviewees reported being beaten with rubber truncheons before being loaded into the vans.¹⁰¹ The severity of these beatings varied: some received a few kicks or blows to different parts of the body, while others were beaten with more severity with truncheons, which resulted in injuries such as bruises and cuts, headaches and strong pain in different parts of the body.

Before loading me into a Russian prison van, four employees of [Holoprystanska] began beating me with batons for no reason. They struck me several times on the buttocks, back, and head. I fell, of course, but remained conscious. They beat me for about five minutes. They injured my right knee, which hurt for a very long time.¹⁰²

92 PPU interviews of 23 February 2023; 4 March 2023; 20 July 2023; 7 August 2023; 18 September 2023; 26 September 2023; 16 October 2023; 27 October 2023; 22 November 2023; 20 December 2023; 26 December 2023; 9 February 2024.

93 PPU interviews of 20 July 2023; 31 July 2023; 7 August 2023; 18 September 2023; 26 September 2023; 16 October 2023; 27 October 2023; 22 November 2023; 20 December 2023; 9 February 2024.

94 PPU interviews of 7 August 2023; 18 September 2023; 26 September 2023; 16 October 2023; 22 November 2023; 20 December 2023; 9 February 2024.

95 PPU interview of 26 September 2024 (Pivnichna Penitentiary Facility No. 90).

96 PPU interview of 23 February 2024.

97 See above: Chapter 1 Introductions, Context and background.

98 PPU interview of 18 May 2024.

99 PPU interviews of 6 August 2023; 4 September 2023; 19 May 2024.

100 PPU interviews of 10 March 2023; 9 October 2023; 1 October 2023.

101 PPU interviews of 1 October 2023; 22 January 2024; 2 February 2024; 19 February 2024; 17 March 2024; 18 May 2024; 2 September 2024; 3 October 2024.

102 PPU interview of 2 September 2024.

69. An interviewee stated that the head of Holoprystanska, together with several other staff members, beat him and four other prisoners considered to have authority, on different parts of the body, including the face and head. One of the staff members of the facility hit the interviewee with his hand in a tactical glove, resulting in a large hematoma to the interviewee's left eye. The interviewee was further kicked with a knee and had a tooth on the upper right jaw broken. According to his account, his whole body was covered in hematomas following the beating, which was recorded in the Russian penitentiary facility he was transferred to. He also witnessed as Holoprystanska staff members break the collarbone of another detainee.¹⁰³

Poor conditions

70. They put us in KAMAZ trucks belonging to the Federal Penitentiary Service of Russia. They had 'UFISN Rossii' written on them, white KAMAZ trucks. There weren't enough seats for everyone. Some stood, some sat, some crawled under the bench and tried to lie there. They didn't give us anything to drink the whole way. On the second day, they gave us six or seven dry rations for 30 people. It was raining from above because condensation had gathered and water was simply pouring down from above. Two FSIN officers sat with us separately behind bars, guarding us. They said, 'Guys, if anything goes wrong, I'll put you out with a fire extinguisher'.¹⁰⁴

71. The transfer was carried out under conditions that severely compromised the prisoners' health, safety, and dignity. Interviewees reported being crammed into severely overcrowded vans during the journey from Holoprystanska to the transit centres in Occupied Crimea and in the Russian Federation.¹⁰⁵ Vehicles designed to transport 24 people reportedly held up to 55-60 people.¹⁰⁶ Ukrainian prisoners were transported in these conditions for an average of six to ten hours, without access to toilets, food, or water.¹⁰⁷ Some claimed they were not given food for two days during the whole transfer.¹⁰⁸ According to some interviewees, the lack of space was so extreme that prisoners began losing consciousness.¹⁰⁹ Many were forced to stand for hours due to lack of space.¹¹⁰ Others stated that they were literally sitting on top of one another in the detention vans, while so-called prison 'outcasts'¹¹¹ were made to remain under the benches.¹¹²

72. None of the Ukrainian prisoners were allowed to use toilet facilities during the transfer from Holoprystanska to the first transit centre. Several interviewees reported urinating into plastic bottles, as did others around them, highlighting the humiliation they experienced.¹¹³

103 PPU interview of 1 October 2023.

104 PPU interview of 17 March 2024.

105 PPU interviews of 12 December 2023; 17 March 2024; 18 March 2024; 20 March 2024; 13 June 2024; 15 July 2024.

106 PPU interviews of 17 March 2024; 18 June 2024; 27 February 2024.

107 PPU interviews of 9 September 2023; 24 September 2023; 5 February 2024; 8 July 2024.

108 PPU interviews of 6 August 2023; 20 January 2024; 9 July 2024.

109 PPU interview of 9 October 2023; 20 March 2024; 8 July 2024; 30 July 2024.

110 PPU interview of 12 December 2023; 19 February 2024; 20 March 2024; 19 May 2024; 25 May 2024; 18 June 2024; 8 July 2024; 2 October 2024.

111 According to informal prison hierarchy, 'outcasts' or 'obizhennyye' are one of the lowest casts that are considered untouchables due to the nature of the crimes committed by them, i.e., sexual assaults or another kind of behaviour that is considered inappropriate in prison subculture. Due to this, other prisoners avoid contact with them as much as possible .

112 PPU interview of 9 July 2024.

113 PPU interviews of 29 November 2023; 18 March 2024; 20 March 2024; 22 June 2024; 15 July 2024.

One interviewee described their experience during transport as follows:

They loaded us without sorting us, everyone in a row. Sick people with healthy people. And there were elderly people too. They allocated bread and stewed meat for the journey, but no one ever gave it to us, we didn't receive it. So we had no access to food, water or toilets on the way. They loaded us up, and we sat in the closed vehicle for a long time without moving. It was stuffy, and there was nothing to breathe. Then we drove for a long time, about ten hours. On the way, we urinated in bottles.¹¹⁴

73. Another interviewee described the treatment they received from members of the Russian occupying forces and authorities during the transfer from Holoprystanska to the transit centre:

The men asked to use the restroom, but they were denied. One was taken out and told, 'Maybe we should beat you up, so you piss yourself here. Why are you banging on the door? Can't you knock quietly?' The man was an older person, about sixty years old. He said, 'What should I do if I want to use the toilet?' 'Well, go find a bottle and use that. Is that our problem?'¹¹⁵

74. Interviewees also reported that Ukrainian prisoners with tuberculosis were transported in the same vehicles as healthy prisoners, creating a significant risk of contagion.¹¹⁶ Some interviewees claimed that, upon arrival in the Russian detention facilities, they underwent tuberculosis testing, which revealed that several prisoners – who reportedly did not have tuberculosis while in Ukraine – were now infected.¹¹⁷ The interviewees suspected that these infections likely occurred during the transfer, due to exposure to infected prisoners in the overcrowded vans.¹¹⁸

75. No medical assistance was provided during the transfer from Holoprystanska to the transit centre in Simferopol. One interviewee recounted suffering from intense pain in his hip joints, which made sleep impossible, yet no painkillers were given throughout the journey.¹¹⁹ Another reported that a bedridden detainee died during the transfer.¹²⁰ That same witness reported that a military doctor only distributed some medication later, during the journey from Simferopol to the Russian Federation.

114 PPU interview of 5 July 2024.

115 PPU interview of 5 September 2023.

116 PPU interviews of 2 February 2024; 14 April 2024; 12 May 2024; 25 May 2024; 9 July 2024; 3 June 2024; 2 September 2024.

117 PPU interviews of 8 April 2023; 9 February 2024; 2 April 2024; 6 May 2024; 31 May 2024.

118 PPU interview of 31 May 2024.

119 PPU interview of 25 November 2023.

120 PPU interview of 2 February 2023.

76. Ukrainian prisoners with chronic health conditions also suffered: a detainee with diabetes was denied insulin until reaching the second transit centre, despite needing regular injections.¹²¹ The needs of the prisoners with physical disabilities were completely disregarded during the transfer. An interviewee recalled witnessing a prisoner with limited mobility being forced into a van after having his wheelchair confiscated.¹²² Some prisoners with limited mobility were carried onto the vans without clutches or other supportive devices,¹²³ exposing them to hardship and risk of injury.

77. The dire transfer conditions were further worsened by the confiscation of nearly all personal belongings before departure from Holoprystanska, including essential medication, such as insulin, antiretroviral therapy, and tuberculosis medicine.¹²⁴ Many interviewees reported that, although they were initially allowed to bring some personal things, like clothes and hygiene products, they were often forced to abandon them before entering the detention vans.¹²⁵ Several interviewees said they were beaten with truncheons for trying to bring personal items aboard the vans.¹²⁶

78. One interview described the confiscation of medication and other items as follows:

We had no belongings; they took everything we had. They even took small handbags from people's hands, hitting their hands to make them throw them away. I barely managed to save my insulin by keeping it under my arm.¹²⁷

121 PPU interview of 2 September 2023.

122 PPU interview of 18 May 2024.

123 PPU interview of 16 May 2024.

124 PPU interview of 30 October 2024.

125 PPU interviews of 5 December 2023; 10 December 2023; 30 October 2024.

126 PPU interview of 1 July 2024.

127 PPU interview of 30 October 2024.

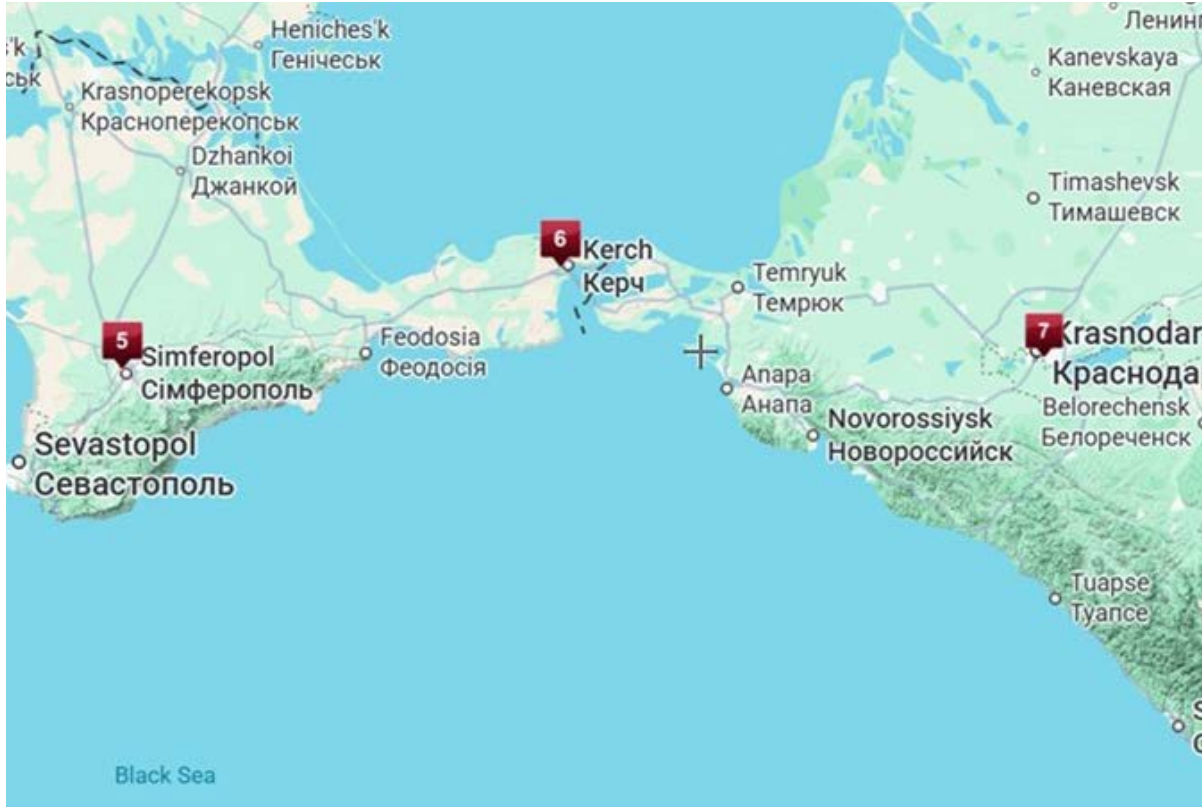
«A blind man was traveling with us. He is completely blind, a young man, 30 years old. We tell them he's blind, he can't see anything. But these Russians say, 'That can't be true.' And they threw him straight into the wall. He hit his head, and it started bleeding. And they laugh and say, 'He's really blind.»

Chapter III

Transit centres

Transit centres

Map 3 Transit centres



- 5. Simferopol SIZO No 1
- 6. Kerch Penitentiary Facility no. 2
- 7. Federal Government Institution Pre-Trial Detention Center

79. Simferopol SIZO No. 1 (Simferopol) and Kerch Penitentiary Facility No 2 (former Kerch Penitentiary Facility No. 126) (Kerch), both located in Occupied Crimea, and Krasnodar SIZO No. 1 (Krasnodar), located in the Russian Federation, served as the primary transit centres before Ukrainian prisoners were transferred to penitentiary facilities in the Russian Federation, to continue to serve their custodial sentences. The interviewees reported that their stay in these transit centres lasted approximately one day.¹²⁸

¹²⁸ PPU interviews of 17 September 2023; 26 September 2023; 4 October 2023; 9 October 2023; 22 October 2023; 14 November 2023; 19 November 2023; 31 December 2023; 5 February 2024; 27 February 2024; 1 March 2024.

Lack of Procedural Safeguards

80. That was the first stop. We didn't know where we'd been taken. No one had told us. It was only later, from what we'd heard, that we realised it was the Simferopol remand centre.¹²⁹

Like in Holoprystanska and other prisons, transferred Ukrainian prisoners remained unaware of what was happening and to where they were being taken.¹³⁰ As one interviewee put it:

We didn't know where we were going, where they were taking us, where they were moving us. No one knew anything, but we assumed that they were taking us to Crimea, though we didn't know for sure.¹³¹

81. Neither the Russian occupying authorities nor cooperating Ukrainian prison staff informed the family members of the Ukrainian prisoners about their relocations.¹³² During their brief stay in the transit centres, Ukrainian prisoners had no access to any form of communication.¹³³

129 PPU interview of 10 April 2024.

130 PPU interviews of 17 September 2023; 9 October 2023; 22 October 2023; 8 April 2023; 5 February 2024; 9 February 2024; 2 April 2024; 6 May 2024; 31 May 2024.

131 PPU interview of 13 November 2023.

132 PPU interviews of 27 February 2024; 1 March 2024.

133 PPU interviews of 4 October 2023; 9 October 2023; 22 October 2023; 14 November 2023; 19 November 2023; 31 December 2023; 5 February 2024; 27 February 2024; 1 March 2024; 7 April 2024; 19 May 2024; 22 June 2024; 31 July 2024; 22 October 2024.

Mistreatment

82. A former prisoner described the admission to Simferopol SIZO:

When the door of the prison van opened, I heard shouts and profanity: ‘Faggots, grab your makeup bags quickly! Get out! Heads down, hands behind your backs’¹³⁴

83. While individual accounts of the brief stay in the three transit centres varied slightly, most interviewees described experiences of mistreatment, including verbal abuse, and poor detention conditions.

84. Several interviewees identified those who subjected them to beatings and other forms of ill-treatment in transit centres in Simferopol, Kerch, and Krasnodar as members of Russian special units ‘Akula’ and ‘OMON’.¹³⁵

85. The more severe cases of ill-treatment reported by the Ukrainian prisoners occurred in Simferopol. Many interviewees stated that upon arrival, they were ordered to exit the detention vans and run through a so-called ‘live corridor’ formed by men in military uniforms, often identified as members of the Russian special forces (spetsnaz).¹³⁶ One interviewee described the reception as follows:

The door of the police van opened. A Russian soldier approached us and introduced himself as the head of the special unit of the Russian Guard that was receiving us. He said that we would have to run through a corridor of special forces soldiers standing with batons at the ready. Laughing, he told us that if we managed to run through unharmed, we would be heroes. His face was uncovered, his mask was twisted and raised. And when we started to jump out, we saw a corridor of special forces soldiers. They were all big, huge. And we ran through them with our heads down. They shouted at us, swore at us, and beat us with their hands and batons.¹³⁷

134 PPU interview of 30 October 2024.

135 PPU interviews of 19 May 2023; 22 January 2024; 27 February 2024; 17 March 2024; 17 May 2024; 2 September 2024.

136 PPU interviews of 7 November 2023; 13 November 2023; 30 January 2024; 18 June 2024; 8 July 2024; 24 December 2024.

137 PPU interview of 19 May 2024.

86. Another interviewee recalled:

Finally, there was a stop, and we heard a knock on the doors of the police van and a voice shouting at us: ‘Good evening, we are from Russia!’ The doors of the police van opened, and they started throwing us out onto the street. There was a corridor of special forces soldiers standing there. They were dressed in black camouflage.¹³⁸

87. Similarly, one interviewee described the commands shouted by Russian special forces upon arrival:

‘Exit one at a time, keep your head down and don’t look up or to the sides! Run to the wall and get into a stretch position! You are being met by Russian OMON!’¹³⁹

88. As one interviewee explained, the greatest danger was losing one’s footing: ‘The main thing was not to fall, because they would knock you down.’¹⁴⁰

89. As they were forced through the gauntlet interviewees reported being beaten with truncheons, punched and kicked, targeting various parts of the body, including the head and face.¹⁴¹ Several interviewees stated they were left with visible bruises following the beatings.¹⁴² One interviewee said that he was unable to lie down properly for a month after what he described as the ‘welcome beating’.¹⁴³

90. Some interviewees further reported that, during the assault, the Russian special forces officers shouted derogatory slurs, referring to them as ‘Nazis’,¹⁴⁴ ‘ukrops’,¹⁴⁵ and ‘banderovtsi’.¹⁴⁶ One interviewee additionally stated that those who processed their admission appeared to regard them as prisoners of war and on that basis treated them with particular cruelty, including severe beating with objects.¹⁴⁷

138 PPU interview of 26 September 2024.

139 PPU interview of 22 January 2024.

140 PPU interview of 29 November 2023.

141 PPU interviews of 17 February 2023; 2 September 2023; 9 October 2023; 13 November 2023; 4 December 2023; 9 January 2024; 17 March 2024; 25 March 2024; 24 April 2024; 1 July 2024; 5 July 2024; 5 December 2024.

142 PPU interview of 9 February 2024.

143 PPU interview of 29 November 2023.

144 PPU interviews of 7 August 2023; 10 December 2023.

145 A derogatory term used against Ukrainians.

146 A term originated from the name of a leader of Ukrainian nationalist movement of the mid-20th Century Stepan Bandera, often used by Russian occupying forces and authorities as a derogatory word towards Ukrainians and people with pro-Ukrainian political views.

147 PPU interview of 22 January 2024.

91. During the beatings, some transferred Ukrainian prisoners fell to the ground, which triggered another wave of violence. Russian special forces officers beat them further to force them to stand up. An interviewee recalled losing consciousness after being struck in the neck with an unknown object, and later recovering after someone poured cold water on him.¹⁴⁸ Another interviewee stated that Russian special forces officers beat him with truncheons and kicked him, deliberately attempting to hit his head. According to him, the beating was so severe that he was thrown against the wall, causing him to fall, after which he was struck and kicked in the head.¹⁴⁹

92. Several interviewees reported that they were dragged away from the detention vans, stripped of their clothes except for their underwear, and forced to lie face down on the ground, while they were periodically kicked and beaten with truncheons on various parts of their bodies, including their heads.¹⁵⁰ An interviewee stated that he had been hit on the head with tactical gloves immediately after jumping from the prison van. The blow was so forceful that he felt dizzy and temporarily disoriented.¹⁵¹

93. Furthermore, guards even reportedly tore off religious symbols, such as small crosses and icons, worn around the prisoners' necks.¹⁵²

94. Although fewer instances of beatings and other forms of ill-treatment were reported in Kerch and Krasnodar, some Ukrainian prisoners described threats of violence, punches, kicks, and being pushed or slammed against walls, which they had either experienced themselves or witnessed. One interviewee recounted the treatment of a transferred Ukrainian prisoner with visual impairments during admission to Krasnodar:

A blind man was traveling with us. He is completely blind, a young man, 30 years old. We tell them he's blind, he can't see anything. But these Russians say, 'That can't be true.' And they threw him straight into the wall. He hit his head, and it started bleeding. And they laugh and say, 'He's really blind.'¹⁵³

95. Another interviewee described the physical abuse he endured during admission to Kerch:

But they beat me for looking them in the face. I didn't count the blows. I accepted the pain as normal. I felt nauseous because they hit me on the head.¹⁵⁴

148 PPU interview of 30 July 2024.

149 PPU interview of 3 June 2024.

150 PPU interview of 1 October 2023.

151 PPU interview of 22 December 2024.

152 PPU interviews of 18 March 2024; 6 May 2024.

153 PPU interview of 20 January 2024.

154 PPU interview of 19 November 2023.

96. Ill-treatment of Ukrainian prisoners did not stop with the end of the so-called admission procedure. In numerous interviews, former prisoners recounted being forced to stand with their arms and legs stretched apart or to stay in squatted position for an hour or longer upon admission to Simferopol and Krasnodar.¹⁵⁵ If the Russian special forces officers guarding them disapproved of their posture, they inflicted further violence on the transferred Ukrainian prisoners. An interviewee stated that officers twisted his arms so forcefully that he felt his collarbone twist as well, and they beat him on the kidneys and calves.¹⁵⁶

97. Two interviewees recalled that guards entered the cells and beat them with clubs on the torso, whenever they appeared to be falling asleep.¹⁵⁷ A few interviewees said that, although they were allowed to use the toilet, they witnessed other prisoners being beaten when going to the toilet premises, which left them too afraid to go out.¹⁵⁸ As a result, some interviewees resorted to using plastic bottles to relieve themselves. An interviewee described that, after admission to Simferopol, he and other transferred prisoners were pulled one by one to the toilet by staff members, who yelled at them and threatened them with violence. The transferred Ukrainian prisoners who urinated themselves out of fear of these threats were forced to squat and were beaten with truncheons.¹⁵⁹ As described directly by interviewees:

We were herded into the exercise yard. Some prisoners asked to use the toilet, but it turned out that they were being beaten there. So, the rest of us refused to leave the yard and started urinating in bottles. We spent about four hours like that.¹⁶⁰

Everyone stood silently, listening to some commands. Some commands were not obeyed because they were completely unreasonable. They took us into the courtyards and said that if anyone made a sound, they would come in and kill everyone in the exercise yard. They told us: ‘You’ll be cripples, b**ches, until the end of your life!’ We also went to the toilet in a bottle there, because, well, we didn’t really feel like going out there.¹⁶¹

98. These practices were not only physically abusive but also deeply humiliating, targeting transferred Ukrainian prisoners’ dignity and deliberately inducing fear and degradation.

155 PPU interviews of 7 August 2023; 30 October 2024.

156 PPU interview of 17 March 2024.

157 PPU interview of 24 September 2023.

158 PPU interview of 30 July 2024.

159 PPU interview of 30 July 2024.

160 PPU interview of 24 December 2024.

161 PPU interview of 25 March 2024.

99. Several cases of specific abuse in Simferopol were reported, often linked to the possession of personal items or perceived acts of disobedience. One interviewee recalled that, in Simferopol, guards found a pack of cigarettes and a lighter in his pocket. They ordered him to place his hand on a table, and one of the guards stomped on his wrist with a boot, breaking the bone. Due to a lack of medical care, the wrist later healed improperly.¹⁶²

100. Another interviewee reported being severely beaten in Simferopol because of a tattoo featuring Ukrainian symbols. He said members of the Russian special forces assaulted him on the head, arms, legs, and ribs. Despite suffering a cut on his brow, he received no medical attention.¹⁶³

101. Transferred prisoners with disabilities and those with limited mobility were also beaten, regardless of their heightened vulnerability and poor health conditions. An interviewee recalled that, although he had been beaten slightly less than the others in his group, he was still beaten by hand because he could not keep his arms in the required position, while holding onto his clutches to support himself.¹⁶⁴ Another interviewee reported that he had been punished for attempting to defend a transferred prisoner with limited mobility: he was taken to another room and kicked and beaten with truncheons for approximately two hours. As a result, his bruised skin turned violet and he was still feeling pain in his leg at the time of the interview.¹⁶⁵ A third interviewee reported witnessing the beating of an older transferred detainee in the area of the liver because he was unable, due to his age, to stand properly with his arms and legs stretched.¹⁶⁶

102. One interviewee also recounted witnessing a blind transferred Ukrainian prisoner being beaten, despite the man's plea for the Russian special forces officer to spare him.¹⁶⁷ Another interviewee recalled witnessing a transferred prisoner with disabilities collapsing on the floor from repeated beatings while being made to run the gauntlet of the Russian special forces members in Simferopol.¹⁶⁸ An interviewee described that he had been beaten for trying to help an older prisoner to get up after a beating.

103. Some interviewees stated that they and other transferred Ukrainian prisoners were further subjected to violence before being loaded into prison vans for transfer to prisons in the Russian Federation. An interviewee recalled that he and other transferred Ukrainian prisoners were electrocuted with tasers, beaten with plastic bottles and punched by staff wearing tactical gloves for around 20 minutes before leaving Krasnodar. He also reported seeing another transferred detainee being taken to a separate room and subsequently allegedly returning with broken ribs.¹⁶⁹

162 PPU interview of 29 January 2024.

163 PPU interview of 25 November 2023.

164 PPU interview of 21 November 2023.

165 PPU interview of 17 September 2024.

166 PPU interview of 10 April 2024.

167 PPU interview of 6 May 2024.

168 PPU interview of 29 November 2023.

169 PPU interview of 2 February 2024.

104. An interviewee described the beating on the way to the van:

As we ran past, I raised my head and was struck with a baton. I was left with a mark from the baton stretching from my mouth to my ear. The tooth implant in my mouth was broken in half. My lips were cut. This happened on the way to the van.¹⁷⁰

105. Another described the violent conditions upon arrival at Kerch:

At night, we arrived at Kerch [...]. Once again, they lined the corridors with special forces members, and we had to run through the corridor. Everything was accompanied by physical force. We ran to the toilet, drank some water, went to the toilet and ran back. I was hit several times on the back with a baton.¹⁷¹

Then they put us in cells. We were there for about a day. They didn't feed us. From the moment we left Holoprystanska, they didn't feed us for three days.¹⁷²

170 PPU interview of 7 August 2023.

171 PPU interview of 22 February 2024.

172 PPU interview of 25 November 2023.

Poor conditions

106. Poor and inhumane conditions of detention were similar, to a certain extent, in all three transit centres. Some interviewees recounted being confined in cells in Simferopol and forced to remain standing for hours on end, without access to food, water, or toilet facilities.¹⁷³ According to those interviewees who were transported from Simferopol to Kerch, they received water and dry rations only upon arrival in Kerch, on their way to the Russian Federation.¹⁷⁴

107. Some interviewees indicated that, while they were allowed to use the toilet, they were afraid to do so, fearing beating since they witnessed such cases in Simferopol.¹⁷⁵ On some occasions, armed guards in Kerch were hitting transferred prisoners with rubber truncheons as they ran towards the toilet facilities, to make sure that the prisoners ran as fast as possible.¹⁷⁶

108. Lastly, several interviewees reported being denied medical assistance following beatings and other ill-treatment in the transit centres,¹⁷⁷ and that they had not received medication to treat their chronic health conditions.¹⁷⁸

173 PPU interviews of 13 November 2023; 22 June 2024; 22 December 2024.

174 PPU interviews of 29 January 2024; 25 March 2024.

175 PPU interviews of 22 October 2023; 2 September 2024; 27 December 2024.

176 PPU interview of 15 July 2024.

177 PPU interviews of 6 August 2023; 5 September 2023; 22 September 2023; 22 October 2023.

178 PPU interview of 19 February 2024.

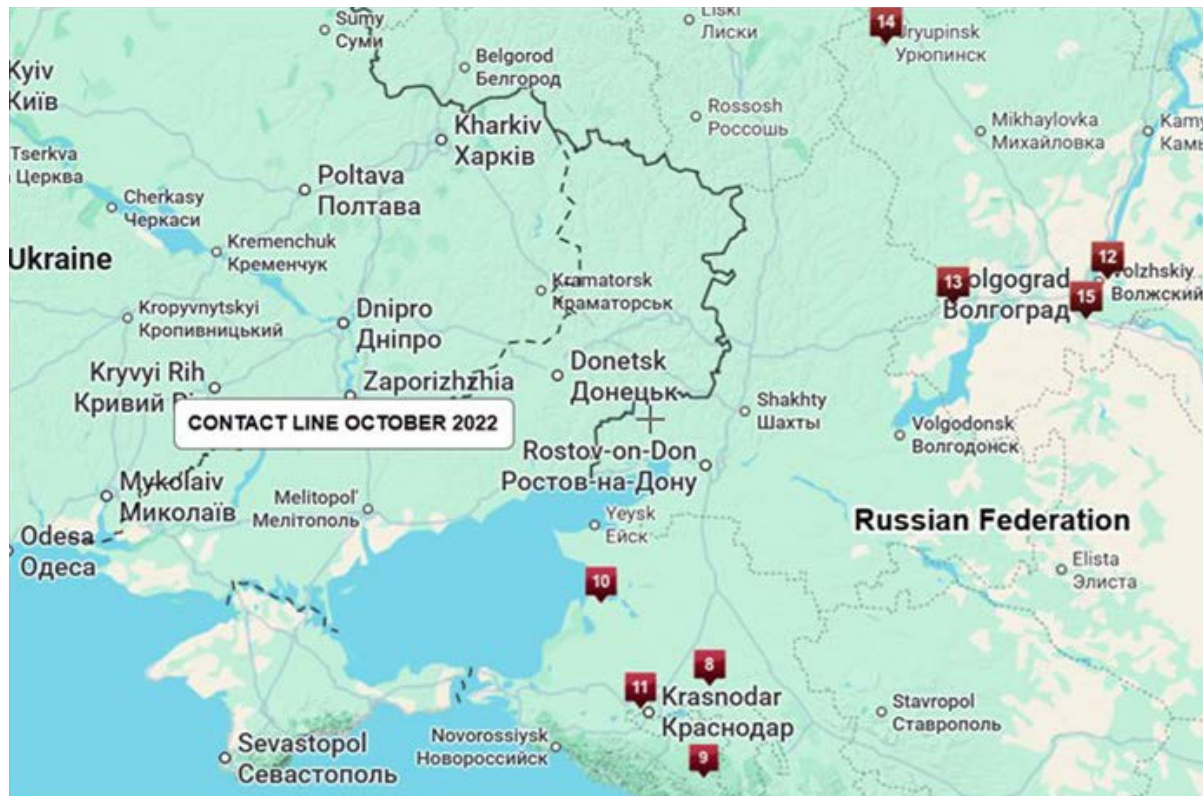
«They said that we are just biomass for them in Russia. You don't exist here. If our superiors tell us to love you, we will love you. If they tell us to shoot you, we will shoot you, but for now, just live and don't interfere with the lives of others. Don't make things difficult for us. That's all.»

Chapter IV

Detention in the
penitentiary facilities of
the Russian Federation

Detention in the penitentiary facilities of the Russian Federation

[Insert map 4]



- | | |
|-------------------------------|--------------------------------|
| 8. Correctional Colony No 2 | 12. Correctional Colony no. 12 |
| 9. Correctional Colony No 5 | 13. Correctional Colony no. 19 |
| 10. Correctional Colony No 11 | 14. Correctional Colony no. 23 |
| 11. Correctional Colony No 14 | 15. Correctional Colony no. 26 |

Map 4: Deportation Destinations

109. Interviewees reported that, after a stay of approximately one day in the transit centres, Ukrainian prisoners were boarded onto buses and convoy vehicles, and transferred to Russian penitentiary facilities, located in Krasnodar Krai, Volgograd Oblast, and Rostov Oblast, where they would continue serving their custodial sentences.¹⁷⁹ They learned the names of the facilities to which they had been brought only upon arrival.¹⁸⁰

179 PPU interviews of 23 February 2023; 17 September 2023; 26 September 2023; 4 October 2023; 9 October 2023; 22 October 2023; 12 November 2023; 14 November 2023; 19 November 2023; 31 December 2023; 7 January 2024; 5 February 2024; 27 February 2024; 1 March 2024; 4 March 2024; 27 December 2024.

180 PPU interviews of 26 September 2023; 4 October 2023; 22 October 2023; 13 November 2023; 19 November 2023; 31 December 2023; 7 January 2024; 29 January 2024; 9 February 2024; 18 March 2024; 7 April 2024; 25 May 2024; 17 June 2024; 30 July 2024.

110. Upon arrival at the Russian prisons which were the final places of their detention, Ukrainian prisoners remained there until their release by the Russian authorities or transfer to Occupied Crimea. Occasionally, some Ukrainian prisoners were temporarily transferred between prisons within the Russian Federation for medical diagnostics and treatment of tuberculosis. Interviewees reported having been detained in the following prisons in the Russian Federation: Krasnodar Correctional Colony no. 2, Krasnodar Correctional Colony no. 5, Krasnodar Correctional Colony no. 11, Krasnodar Correctional Colony no. 14, Volgograd Correctional Colony no. 19, Volgograd Correctional Colony no. 23, Volgograd Correctional Colony no. 26, and Rostov Correctional Colony no. 20. For security reasons, the names of the specific facilities are omitted in the sections below describing incidents of torture, ill-treatment and other violations.

Lack of official information and uncertain legal status

111. As was the case throughout the transfer process, the administration of the Russian penitentiary facilities did not provide deported Ukrainian prisoners with clear explanations of the reasons for their relocation or clarification of their legal status in the Russian prisons. In some instances, the penitentiary administration broadly referred to the 'evacuation' or 'saving' of Ukrainian prisoners, suggesting that they ought to be grateful.¹⁸¹ In other instances, no explanation was provided at all.¹⁸²

112. An interviewee recounted the uncertainty and lack of clarity of the status of deported Ukrainian prisoners in the Russian facility where he was held:

We asked the head who we are there. Prisoners of war? He replied that he was awaiting instructions from above on what to do with us. The same answer to everything.¹⁸³

113. In other cases, interviewees described being met with hostile and dehumanising remarks, such as being called 'biomass' by the penitentiary administration referring to their legal status.¹⁸⁴ Interviewees recalled:

They said that we are just biomass for them in Russia. You don't exist here. If our superiors tell us to love you, we will love you. If they tell us to shoot you, we will shoot you, but for now, just live and don't interfere with the lives of others. Don't make things difficult for us. That's all.¹⁸⁵

The head of the [penal] colony said that we were nobodies, that we were biomass. It was easier to discard of us than a mattress.¹⁸⁶

181 PPU interviews of 22 January 2023; 17 February 2023; 7 July 2024; 8 December 2024.

182 PPU interviews of 22 October 2023; 12 November 2023.

183 PPU interview of 7 April 2023.

184 PPU interviews of 17 February 2023; 8 April 2023; 9 September 2023; 10 December 2023; 20 January 2024; 25 March 2024; 24 April 2024; 16 May 2024; 7 June 2024.

185 PPU interview of 20 January 2024.

186 PPU interview of 24 April 2024.

On the second day, the head of the colony lined us up and said: ‘You are not welcome here. We didn’t invite you here. For us, you are just biomass. You don’t exist for us. I can take 10 people out and bury them now, and I won’t be punished for it.’¹⁸⁷

114. Several interviewees reported that representatives of the Prosecutor’s Office and other officials of the Russian Federation visited the facilities where they were held. Deported Ukrainian prisoners asked about the reasons for their relocation to Russian prisons, but the responses mirrored those of the penitentiary administration, stating primarily that they had been ‘evacuated and saved’ due to the ‘hostilities’.¹⁸⁸

115. One interviewee in Krasnodar Krai described how visiting officials attempted to justify the deportation:

Some commission came, they explained to us that they had saved us, evacuated us. ‘Aren’t you happy that we saved you?’ Then they even forced us to sign some certificates that we ourselves asked to be evacuated, because we feared for our lives.¹⁸⁹

116. Another interviewee described the persistent uncertainty about their status and the lack of clear answers from visiting officials:

Our status was uncertain. We were told that according to the documents, we were not held there. They told us that they had saved us, but we told them to their faces that they had not evacuated us but had forcibly brought us to their Russian Federation as prisoners at gunpoint. Various commissions came, even from Moscow. But we did not receive any specific answers to our questions.¹⁹⁰

117. Two interviewees reported that, upon arrival at Russian penitentiary facilities, they were requested to sign documents, certifying they had requested evacuation from Ukrainian prisons due to the hostilities. The interviewees reported that these documents contained false information as they had never submitted any such requests.¹⁹¹

187 PPU interview of 10 December 2023.

188 PPU interviews of 18 January 2024; 22 January 2023; 9 February 2024.

189 PPU interview of 22 January 2023.

190 PPU interview of 30 March 2024. Similarly, PPU interview of 26 December 2023; 16 May 2024.

191 PPU interviews of 22 January 2023; 2 November 2023.

Denial of legal safeguards and access to legal assistance

118. All 233 interviewees claimed that throughout the transfer and subsequent imprisonment in the Russian Federation, they were denied access to legal assistance to challenge the lawfulness of their deportation and detention in Russian penitentiary facilities, or any other matters concerning their rights.¹⁹²

119. Some deported Ukrainian prisoners attempted to file complaints to the oversight bodies of the Russian Federation regarding the lawfulness of their detention and its conditions.¹⁹³ An interviewee reported that he prepared complaints to the Ministry of Justice of the Russian Federation, but he has never received any replies to these requests and presumed that his letters had not been sent by the prison administration.¹⁹⁴

192 PPU interviews of 18 September 2023; 22 October 2023; 27 October 2023; 30 October 2023; 2 November 2023; 7 November 2023; 12 November 2023; 13 November 2023; 14 November 2023; 26 December 2023; 22 January 2024; 5 February 2024; 9 February 2024; 1 March 2024; 18 March 2024; 7 May 2024; 19 May 2024; 18 June 2024; 26 September 2024; 22 October 2024; 4 November 2024.

193 PPU interview of 9 October 2023; PPU interview of 5 February 2024.

194 PPU interview of 26 September 2023; PPU interview of 5 February 2024.

Restricted family contact

120. Most interviewees reported that they were either not permitted or, at a minimum, not provided with the means to contact their family members living in Ukraine.¹⁹⁵ Some interviewees indicated that they were not allowed to send letters.¹⁹⁶ Three interviewees mentioned that the relatives of deported Ukrainian prisoners had attempted to visit them, but the prison administration wrongly informed the relatives that these prisoners were not held at that facility.¹⁹⁷ In one reported instance, the family of a deported Ukrainian prisoner, together with a human rights defender, hired a Russian lawyer who submitted an official request to the FSIN and learned the person was held in prison in Krasnodar Krai.¹⁹⁸

121. Several interviewees pointed out that they were only permitted to make calls to Russian numbers via the official prison system, and that calls to other countries were either prohibited or unavailable, reportedly for technical reasons.¹⁹⁹ As an interviewee described:

We could only call our relatives illegally. To call someone legally, a prisoner had to provide a list of phone numbers of the people he wanted to call. Then he could only call the numbers on this approved list at times specified by the authorities. Calls abroad were prohibited.²⁰⁰

122. Three interviewees stated that it had been possible to call foreign numbers from the payphones installed in the Russian prisons where they had been detained. However, they had not been able to afford to pay for the call.²⁰¹ One interviewee said that even though he had been working in the Russian penitentiary facility, his salary had not been sufficient to pay for his calls to Ukrainian numbers.²⁰²

195 PPU interviews of 4 September 2023; 18 September 2023; 24 September 2023; 22 October 2023; 27 October 2023; 30 October 2023; 2 November 2023; 7 November 2023; 12 November 2023; 13 November 2023; 26 December 2023; 14 November 2023; 22 January 2024; 5 February 2024; 9 February 2024; 1 March 2024; 18 March 2024; 18 June 2024; 26 September 2024; 22 October 2024; 4 November 2024.

196 PPU interviews of 12 November 2023; 2 February 2024.

197 PPU interviews of 23 May 2023; 12 November 2023; 2 April 2024.

198 A copy of the reply of FSIN in Krasnodar Krai of 28 December 2022 was provided to Protection of Prisoners of Ukraine and was accessed during preparation of this report in the Protection of Prisoners of Ukraine database.

199 PPU interviews of 4 September 2023; 18 September 2023; 19 September 2023; 3 February 2024.

200 PPU interview of 13 February 2023.

201 PPU interviews of 12 November 2023; 22 June 2024.

202 PPU interview of 22 June 2024.

Offers of Russian citizenship and consequences of refusal

123. An interviewee described how he had been pressured to take Russian citizenship in a Russian prison during interrogation:

I told them that I am a citizen of Ukraine. And as a citizen of Ukraine, I have been convicted by Ukraine. I have not committed any crimes on the territory of the Russian Federation. My stay in this [penal] colony is illegal. Your actions are criminal. They turned off the camera at that moment, and everyone was pressing in on me from all sides. They said that Ukraine will no longer exist by the time I am released.²⁰³

124. One hundred thirty-one interviewees reported being offered Russian citizenship during their imprisonment in the Russian penitentiary facilities.²⁰⁴ In most cases, refusal had no negative consequences.²⁰⁵ However, a few interviewees faced disciplinary sanctions for rejecting Russian citizenship. Eight former prisoners said that they were beaten or threatened with violence after refusing Russian passports in penitentiary facilities in Krasnodar and Volgograd Oblasts.²⁰⁶ An interviewee told the documenters that he was held in a disciplinary cell in a facility in Volgograd Oblast for a year and eight months, until his release in July 2024, during which FSB officers told him that he would not leave the cell until he agreed to become a Russian Federation citizen.²⁰⁷ Another interviewee reported that he and other deported Ukrainian prisoners in a facility in Krasnodar Oblast were told that they would not be released until they acquired Russian citizenship.²⁰⁸ An interviewee explained that a Russian prosecutor told Ukrainian prisoners in Rostov Oblast that if they did not acquire Russian citizenship, they would be sent to migration (detention) centres upon release.²⁰⁹

203 PPU interview of 22 December 2024.

204 PPU interviews of 4 March 2023; 4 September 2023; 18 September 2023; 22 October 2023; 30 October 2023; 12 November 2023; 25 November 2023; 4 December 2023; 10 December 2023; 17 December 2023; 26 December 2023; 6 January 2024; 9 January 2024; 18 January 2024; 20 January 2024; 29 January 2024; 24 April 2024; 16 May 2024; 31 May 2024; 1 July 2024; 9 July 2024; 13 July 2024; 2 September 2024; 4 September 2024; 30 October 2024; 4 November 2024; 4 December 2024; 5 December 2024; 27 December 2024.

205 PPU interview of 30 October 2023.

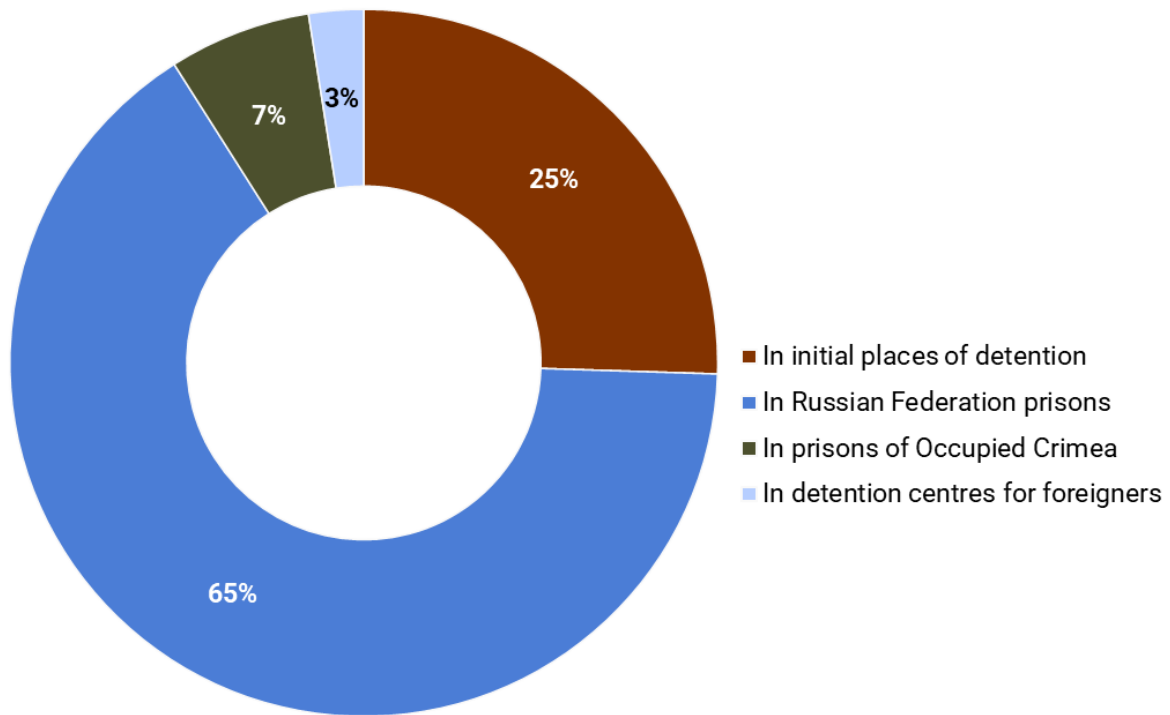
206 PPU interviews of 13 August 2023; 30 August 2023; 2 September 2023; 7 January 2024; 9 January 2024; 19 June 2024; 17 September 2024; 2 October 2024; 27 December 2024.

207 PPU interview of 2 September 2024.

208 PPU interview of 3 February 2024.

209 PPU interview of 23 February 2023.

Figure 1 - Russian Citizenship Offered to Ukrainian Prisoners – by Place of Detention



125. In certain cases, the interviewees were offered some benefits if they accepted Russian citizenship, for instance cash payments of 100,000-300,000 Russian rubles (equivalent of EUR 1,104-3,312) and released from custody after review of their sentences by Russian courts.²¹⁰ An interviewee explained that the transferred Ukrainian prisoners who agreed to take Russian passports to reduce their terms of imprisonment, did not have their cases reviewed by Russian courts as had been initially promised by the Russian authorities.²¹¹

210 PPU interviews of 1 October 2023; 22 October 2023; 13 November 2023; 19 November 2023; 10 December 2023; 26 December 2023; 31 December 2023; 18 January 2024; 22 January 2024; 9 February 2024; 27 February 2024; 18 March 2024; 22 October 2024.

211 PPU interview of 19 May 2024.

Prison labour and punitive measures

126. Eighty-eight interviewees reported that they were subjected to forced labour during their detention in the Russian prisons, with refusals resulting in threats of ill-treatment and other restriction of their rights.²¹² In several of those cases, they were threatened with violence or solitary confinement for refusing to work.²¹³ Some reported being deprived of a place to sleep and forced to sleep outdoors as punishment for refusing to work in a facility in Krasnodar Oblast.²¹⁴

I asked them why I was here, why they were keeping me here. I said, I haven't committed any crimes here. Why are you forcing me to work and so on and so forth. I said, Ukraine gave me my sentence, I committed a crime there, I should serve my sentence there. And they said, 'we saved you, say thank you.'²¹⁵

127. Other interviewees reported that work was voluntary.²¹⁶ According to an interviewee, prisoners were paid with cigarettes or given some money.²¹⁷ One interviewee reported that, while work was presented as voluntary, Ukrainian prisoners in Krasnodar Oblast were paid half as much as Russian prisoners.²¹⁸

Ill-treatment during admission

128. Many Ukrainian prisoners reported experiencing mistreatment in prisons in the Russian Federation particularly in facilities located in Krasnodar Krai or Volgograd Oblast.

129. A former Ukrainian prisoners recalled the immediate physical ill-treatment he endured upon arrival at a Russian penitentiary facility in Krasnodar Krai:

We ran straight from the police van to the dining hall. They beat us on the way. I was struck five times on the back of the head with an open palm. My head hurt for two days afterward.²¹⁹

212 PPU interviews of 26 October 2023; 7 January 2024; 18 January 2024; 6 May 2024.

213 PPU interviews of 7 November 2023; 26 December 2023; 22 January 2024; 9 February 2024; 6 May 2023; 19 May 2024; 22 June 2024; 9 July 2024; 15 July 2024; 30 July 2024; 2 September 2024; 4 November 2024.

214 PPU interviews of 26 September 2023; 12 November 2023; 4 November 2024.

215 PPU interview of 6 May 2024.

216 PPU interviews of 18 September 2023; 4 September 2023; 22 October 2023; 26 December 2023.

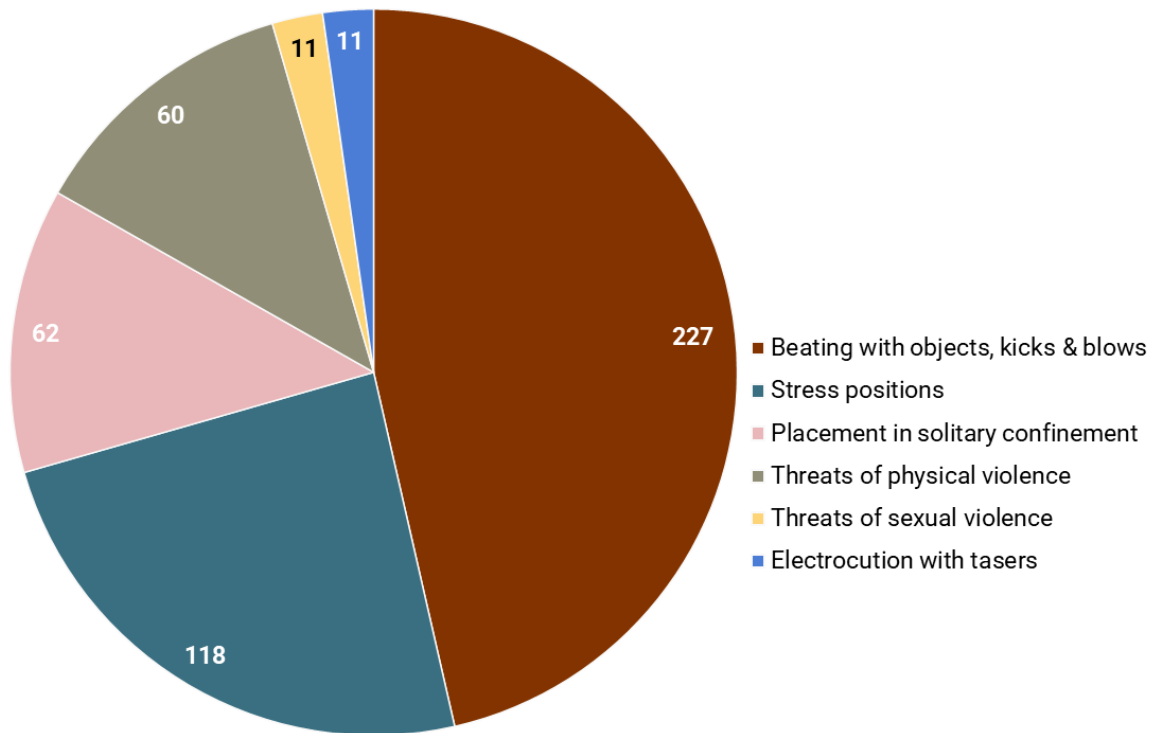
217 PPU interview of 9 October 2023.

218 PPU interview of 5 February 2024.

219 PPU interview of 5 December 2023.

130. In at least three Russian penitentiary facilities, the interviewees reported that deported Ukrainian prisoners were subjected to physical ill-treatment during the so-called admission.²²⁰ Certain interviewees stated that those responsible were members of the Russian special unit 'Akula', which, according to information provided by the prison administration, was also present at Simferopol.²²¹

Figure 2 Torture and Ill-treatment Methods Reported by Interviewees



131. Mistreatment included: kicks and blows with rubber truncheons²²² and punches wearing tactical gloves²²³ to multiple parts of the body;²²⁴ electrocution with tasers;²²⁵ forced squatting for several hours or forced standing with arms and legs stretched;²²⁶ exposure to freezing temperatures without winter clothes;²²⁷ and, in some cases, dousing with dirty water to humiliate the prisoners.²²⁸ In certain instances, dogs were also used to intimidate Ukrainian prisoners during admission. An interviewee reported seeing two other Ukrainian prisoners being bitten by a dog in a Krasnodar Krai penitentiary facility.²²⁹

²²⁰ PPU interviews of 5 February 2024; 18 March 2024.

²²¹ PPU interviews of 29 November 2023; 9 January 2024; 5 February 2024; 19 June 2024.

²²² PPU interviews of 5 February 2024; 18 March 2024; 9 July 2024; 3 October 2024.

²²³ PPU interview of 26 December 2023.

²²⁴ PPU interview of 26 December 2023.

²²⁵ PPU interview of 2 February 2024.

²²⁶ PPU interview of 18 July 2024.

²²⁷ PPU interviews of 22 November 2023; 18 March 2024; 5 December 2024.

²²⁸ PPU interview of 2 September 2024.

²²⁹ PPU interview of 3 October 2024.

132. An interviewee recounted the violent and humiliating admission process at a penitentiary facility in Krasnodar Krai:

They didn't just beat me; they beat me very badly. I didn't want to take all my clothes off. I started to fight back. They told me to put my bag on the table. I put my bag down and took off my glasses. They took my glasses and threw them away, then took my bag and threw everything out of it. They told me to strip down to my underwear. I started to undress, and they shouted at me to undress faster. I turned around and saw our guys sitting on the concrete floor without their underwear squatting. It was cold in the room. I heard someone being beaten behind me. I was punched in the stomach. I couldn't eat anything for a week because of the pain in my lower abdomen.²³⁰

Physical force was used against me because I have tattoos, including a swastika. Prison staff in blue UFSIN uniforms beat me with batons on my back and legs. Two blows to the legs. And three or four blows to the back. I fell down. They beat me for my tattoo. They thought it was a sign that I was a Nazi. They have been so brainwashed by propaganda that they consider Ukrainians to be Nazis and fascists. They threatened me, saying that they would cut out these tattoos while I was still alive.²³¹

133. According to the interviewees, Ukrainian prisoners who could not comply with the requirements during admission due to their older age or poor health condition, were subjected to additional ill-treatment.²³² As described by a former Ukrainian prisoner:

I told them that I was blind and would not be able to follow their orders precisely, but they didn't really believe me. They kicked me in the forehead and kicked me with their boots. One of the officers hit me. My whole face was covered in blood.²³³

134. An interviewee of older age recounted that he was unable to squat and, as a result, he was struck on his neck with a truncheon. He further explained that this caused a hematoma that lasted two weeks and led to breathing difficulties.²³⁴

230 PPU interview of 15 July 2024.

231 PPU interview of 12 November 2023.

232 PPU interview of 31 October 2024.

233 PPU interview of 31 October 2024.

234 PPU interview of 20 March 2023.

135. Personnel of the various Russian special forces and units as well as Ukrainian prison staff members further openly displayed an anti-Ukrainian attitude/sentiment during admission. Two interviewees recounted that prisoners who spoke Ukrainian were beaten.²³⁵ An interviewee stated that, upon arrival at a penitentiary facility in Volgograd Oblast, he and other deported Ukrainian prisoners were forced to stand half-naked in the cold with their arms and legs spread wide, and to sing the Russian anthem.²³⁶ According to this interviewee, if someone refused to sing the anthem, he was kicked and beaten with clubs.²³⁷ Another interviewee recalled that he was punched in the liver area of the liver after arguing with a prison staff member who claimed that Ukrainian prisoners had become Russian citizens and thus were obliged to fight for Russia. Later that day, the same interviewee was threatened that he would never be permitted to return home due to his refusal to take Russian citizenship.²³⁸ One interviewee stated that he and other deported Ukrainian prisoners were called 'Nazis' and 'banderovtsi'²³⁹ while being beating with truncheons.²⁴⁰ Another interviewee reported that he and other Ukrainian prisoners were called 'khokhly'²⁴¹ while being forced to squat and beaten during the admission in a facility Krasnodar Oblast.²⁴²

136. Moreover, many interviewees reported that almost all their remaining personal belongings, including their clothes, photos, and religious symbols/items, were seized during admission and, in many instances, were not returned.²⁴³

137. In some cases, deported Ukrainian prisoners were punished for speaking out against the conduct of the Russian penitentiary employees. For instance, an interviewee recounted that a Russian penitentiary employee, wearing tactical gloves, punched him in the ribs after he requested the return of a family photo seized upon admission to the facility.²⁴⁴ Another interviewee said that he was hit twice on the head with a rubber truncheon when he attempted to protect an older transferred detainee from being beaten during the admission to a penitentiary facility in Krasnodar Oblast.²⁴⁵ An interviewee recalled being beaten during a haircut upon admission and later struck twice in the chest with a truncheon for protesting the confiscation of his clothes, toothpaste, and toothbrush.²⁴⁶

138. Four interviewees also reported being denied medical assistance after beatings, despite sustaining injuries, and experiencing pain.²⁴⁷

²³⁵ PPU interview of 4 November 2024.

²³⁶ PPU interview of 8 December 2024.

²³⁷ PPU interview of 8 December 2024.

²³⁸ PPU interview of 13 August 2023.

²³⁹ For a definition, see footnote to [141].

²⁴⁰ PPU interview of 1 November 2023.

²⁴¹ A derogatory Russian term for Ukrainians. Khokhol literally means a sheaf or tuft of cereal stalks and is derived from an old word. As a term used to describe Ukrainians, it may have originally referred to the customary tufts of hair worn by the [Cossacks](#), called oseledtsi. – information from Internet Encyclopaedia of Ukraine, <<https://www.encyclopediaofukraine.com/display.asp?linkpath=pages%5C%5CH%5CKhokholIT.htm>>, accessed on 6 March 2026.

²⁴² PPU interview of 22 October 2023.

²⁴³ PPU interviews of 3 February 2023; 13 August 2023; 24 September 2023; 9 February 2024; 27 December 2024.

²⁴⁴ PPU interview of 17 March 2024.

²⁴⁵ PPU interview of 30 March 2024.

²⁴⁶ PPU interview of 13 August 2023.

²⁴⁷ PPU interviews of 7 November 2023; 26 December 2023; 25 November 2023; 27 March 2024.

139. Furthermore, 45 interviewees said that they were stripped of all their clothes during admission.²⁴⁸ Five others said that they were permitted to keep their underwear on, but witnessed other Ukrainian prisoners being stripped naked in the prison yard while waiting for admission.²⁴⁹ Two interviewees observed that female staff members were present during the stripping in two penitentiary facilities.²⁵⁰ Some interviewees also reported falling sick after being made to stand naked outside for two hours.²⁵¹

140. A Ukrainian prisoners described the humiliating conditions during admission to a penitentiary facility in Krasnodar Krai:

Well, to be honest, it wasn't so much painful as it was just embarrassing how they greeted us. Well, embarrassing in the sense that people were naked, without underwear.²⁵²

141. Another Ukrainian prisoner recalled the chaotic and humiliating admission process at a prison in Volgograd Oblast:

They stripped us naked. Took our belongings. All amid shouting and swearing. Quickly, quickly. People were standing there barefoot, some without underwear, completely naked.²⁵³

142. Following admission, deported Ukrainian prisoners underwent a standard two-week quarantine period, before being allocated to cells. One interviewee reported that during the quarantine period in a penitentiary facility in Volgograd Oblast, he and other deported Ukrainian prisoners were prohibited from sitting or lying on their beds during the day.²⁵⁴ He also recalled witnessing staff members beating an Ukrainian prisoner who fell asleep in his cell:

We were quarantined for two weeks. We weren't allowed to lie down or sit on the beds. They said that if anyone lay down, they would fall asleep on that bed and never wake up.²⁵⁵

248 PPU interviews of 9 February 2023; 13 February 2023; 6 August 2023; 7 August 2023; 13 August 2023; 9 September 2023; 24 September 2023; 27 October 2023; 12 November 2023; 14 November 2023; 19 November 2023; 5 December 2023; 26 December 2023; 14 January 2024; 27 February 2024; 17 March 2024; 31 May 2024; 12 June 2024; 9 July 2024.

249 PPU interviews of 18 March 2024; 6 June 2024; 3 October 2024; 4 November 2024.

250 PPU interviews of 9 September 2023; 27 December 2024.

251 PPU interviews of 7 November 2023; 27 March 2024; 19 June 2024.

252 PPU interview of 22 January 2024.

253 PPU interview of 2 February 2024.

254 A mandatory stage upon admission to prisons in the Russian Federation, defined by Paragraph 2 of the Rules of Conduct in Penitentiary Institutions, adopted by the Order of the Ministry of Justice of the Russian Federation no. 295 of 16.12.2016.

255 PPU interview of 5 December 2023.

Ill-treatment during detention

143. Physical ill-treatment and other types of coercion against deported Ukrainian prisoners were widespread in Russian prisons. Eighty-five interviewees reported being subjected to beatings,²⁵⁶ solitary confinement for 15 days to two months (SHIZO and PKT),²⁵⁷ and threats of ill-treatment²⁵⁸ during their detention in Russia.

144. An interviewee recounted the brutal and targeted ill-treatment he endured from prison staff because of his Ukrainian identity:

And the louder you shout that you are a human being, the harder they beat you. And they insult you with all kinds of very bad words, just because I am Ukrainian.²⁵⁹

145. Interviewees described being beaten for reasons ranging from minor infractions – such as refusing to perform morning exercises or arguing with staff – to expressing political views, including declaring a pro-Ukrainian position, or refusing to accept Russian citizenship.²⁶⁰ One interviewee stated that he was personally beaten by the head of a unit for verbally objecting to an order to participate in the Victory Day parade.²⁶¹ He added that other deported Ukrainian prisoners were placed in solitary confinement for their refusal to participate in this parade.²⁶²

256 PPU interview of 27 June 2023; 9 September 2023; 27 October 2023; 1 November 2023; 13 November 2023; 14 November 2023; 26 December 2023; 31 December 2023; 8 January 2024; 22 January 2024; 2 February 2024; 19 February 2024; 20 March 2024; 27 March 2024; 24 April 2024; 19 June 2024; 5 July 2024; 8 December 2024.

257 PPU interviews of 27 June 2023; 18 September 2023; 1 November 2023; 7 November 2023; 18 March 2024; 30 March 2024; 9 July 2024; 15 July 2024; 30 July 2024; 2 September 2024; 17 September 2024; 4 November 2024.

258 PPU interviews of 19 February 2024; 6 January 2024; 7 January 2024; 7 June 2024.

259 PPU interview of 2 September 2024.

260 PPU interviews of 9 February 2024; 27 March 2024; 2 September 2024; 17 September 2024.

261 The interviewee meant traditional parade to commemorate the victory in the Second World War, held in the Russian Federation on 9 May.

262 PPU interview of 20 January 2024.

Poor conditions

146. Twenty-five interviewees reported that conditions of detention in Russian penitentiary facilities were inadequate or inhumane.²⁶³

147. For instance, deported Ukrainian prisoners were not taken outdoors for walks for periods ranging several months to a year.²⁶⁴ An interviewee recounted the harsh conditions of detention in a Volgograd facility:

There were 100 of us there, brought in from Ukraine. The conditions were terrible. There was mold and damp on the walls.²⁶⁵

148. Another interviewee described the dilapidated and outdated conditions in a Russian facility:

They're stuck in the Stone Age. Even worse. It feels like you've been transported back to the 1920s. Lighters and watches are prohibited. The conditions are absolutely terrible. It's different here. Here, everything is as it should be, but there, it's awful. The Stone Age. It's terrifying.²⁶⁶

149. In at least two facilities located in Rostov and Volgograd Oblasts, deported Ukrainian prisoners were held separately from other Russian prisoners, some confined to cells with windows covered by wooden boards that blocked both daylight and fresh air.²⁶⁷

263 PPU interviews of 20 June 2023; 27 June 2023; 13 November 2023; 4 December 2023; 7 January 2024; 9 January 2024; 19 June 2024; 2 September 2024; 30 October 2024.

264 PPU interviews of 17 February 2023; 22 November 2023; 25 November 2023; 6 January 2024; 30 January 2024; 19 February 2024; 17 March 2024; 25 March 2024; 25 May 2024; 7 June 2024; 4 September 2024; 22 October 2024.

265 PPU interview of 7 January 2024.

266 PPU interview of 18 March 2024.

267 PPU interviews of 30 January 2024; 19 February 2024; 25 May 2024; 4 September 2024.

150. An interviewee stated that, in the facility where he was held, Ukrainian prisoners were confined to what he described as ‘barracks’ and described how the prison administration explained the rules to them:

This barrack is called ‘Pripyat.’ It’s an exclusion zone because you are all ‘khokhly’.²⁶⁸ They told us if anyone had any questions or complaints, it won’t be difficult [for them] to bury two or three of us. And they won’t get in trouble for it.²⁶⁹

151. According to the same interviewee, the barrack was unfit for habitation: the ceiling leaked, and the windows had only one pane of glass. It was winter, but the radiators were cold. The windows’ glass was covered in paint blocking daylight and windows could not open to let in fresh air. Mice and rats roamed freely. The toilet had no running water. Only cold water was available from the tap. Deported Ukrainian prisoners weren’t allowed to leave the barracks.²⁷⁰

152. Many interviewees stated that their few personal belongings, including the clothing and shoes they were wearing, had been confiscated upon arrival.²⁷¹ The replacement clothing and footwear provided in Russian penitentiary facilities were often the wrong size and inappropriate for the season; deported Ukrainian prisoners sometimes had to wait weeks before receiving proper items.²⁷² An interviewee recounted the inadequate clothing provided in the facility:

They didn’t give us any underwear, just the usual thin robe. It was already November. The temperature inside was 11 degrees Celsius. We sat there and froze. They gave us hats, but no sheepskin coats or quilted jackets. They didn’t give me any shoes. I wear size 46. I ended up walking around in slippers. And I went out for inspection in slippers.²⁷³

268 A derogatory Russian term for Ukrainians. ‘khokhol’ literally means a sheaf or tuft of cereal stalks and is derived from an old [Slavic](#) word. As a term used to describe Ukrainians, it may have originally referred to the customary tufts of hair worn by the [Cossacks](#), called ‘oseledtsi’. Internet Encyclopaedia of Ukraine, <<https://www.encyclopediaofukraine.com/display.asp?linkpath=pages%5CK%5CH%5CKhokholIT.htm>>, accessed on 6 March 2026.

269 PPU interview of 17 March 2024.

270 PPU interview of 17 March 2024.

271 PPU interviews of 4 October 2023; 2 November 2023; 7 November 2023; 13 November 2023; 18 June 2024.

272 PPU interviews of 27 October 2023; 4 December 2023; 30 January 2024; 2 February 2024; 5 February 2024; 2 September 2024; 4 November 2024.

273 PPU interview of 4 September 2023.

Denial or limited access to healthcare

153. Sixty-six interviewees reported inadequate and improper healthcare in Russian penitentiary facilities.²⁷⁴ This included the absence of necessary medication,²⁷⁵ administration of incorrect medications,²⁷⁶ denial of diagnostic examinations,²⁷⁷ and refusal to provide appropriate treatment.²⁷⁸ These issues particularly affected individuals with serious health conditions, such as HIV, tuberculosis, hepatitis, diabetes, and other chronic illnesses.²⁷⁹ Even when prisoners informed the facility administration of their diagnoses, they were often denied medical checkups or meaningful health care.

154. Describing the response of the prison staff to his health concerns, one former Ukrainian prisoner said:

I have liver problems. They said they couldn't help with that. I said, 'Then take me to the hospital.' And they said, 'Well, write a request, but no one will take you there anyway. Unless you're vomiting blood, then maybe they'll take me to the hospital'.²⁸⁰

155. One interviewee recalled his attempts to receive medical treatment, only to be dismissed and given inadequate care:

I went to the medical unit, but they recorded that I was healthy. In other words, they refused to provide me with medical assistance. They only gave me painkillers but there was no treatment for my disease. For them, prisoners are always healthy.²⁸¹

274 PPU interviews of 22 January 2023; 15 May 2023; 6 August 2023; 2 September 2023; 5 September 2023; 9 September 2023; 22 October 2023; 27 October 2023; 7 November 2023; 12 November 2023; 13 November 2023; 25 November 2023; 5 February 2024; 18 March 2024; 2 April 2024; 8 April 2024; 12 May 2024; 30 July 2024; 2 September 2024; 4 November 2024.

275 PPU interviews of 25 May 2023; 4 September 2023; 15 January 2024.

276 PPU interview of 10 December 2023.

277 PPU interview of 29 January 2024.

278 PPU interview of 12 November 2023.

279 PPU interviews of 7 January 2024; 25 March 2024; 7 June 2024; 22 October 2024.

280 PPU interview of 22 January 2024.

281 PPU interview of 31 October 2023.

156. According to an interviewee, his requests for medical assistance were ignored and obstructed by a facility in Volgograd Oblast:

I sought medical help. They told me that it would hurt for a while and then stop. About a month after we were brought there, they simply cut off our landline so that we couldn't call and bother the doctors with our requests for help.²⁸²

157. Several interviewees described instances in which medical staff demanded that the prisoners purchase medicine with their own money.²⁸³ Others reported outright refusals of healthcare on the basis of their nationality, as they were 'Ukrainians'.²⁸⁴ An interviewee described the situation of denial of medical assistance in a prison in Volgograd Oblast:

One day, I didn't go to work because I had a high temperature. The camp supervisor came and asked who wasn't at work. I raised my hand and said it was me. He asked why, what was the reason. I replied that I was ill, had a fever and a headache, and that they weren't giving me any medicine or medical assistance. He replied, 'What did you think, that they would help you Ukrainians? You're not entitled to that.' He said that this would be the last time I didn't come to work.²⁸⁵

158. Another interviewee recalled a healthcare worker telling him that she would not treat him because her son was fighting in the war.²⁸⁶

159. As mentioned above, a particularly disturbing practice was reported by some interviewees: the confiscation of medication – including insulin,²⁸⁷ antiretroviral therapy,²⁸⁸ and tuberculosis medicine²⁸⁹ – before deportation or in transit centres. Ukrainian prisoners were forced to surrender their prescriptions before boarding prison vans at Holoprystanska Facility. As a result, many were left without essential treatment for weeks, and in some cases months.²⁹⁰

282 PPU interview of 22 January 2024.

283 PPU interview of 14 November 2023.

284 PPU interview of 25 November 2023.

285 PPU interview of 25 November 2023.

286 PPU interview of 14 November 2023.

287 PPU interview of 26 September 2024.

288 PPU interviews of 29 November 2023; 22 November 2023; 29 November 2023; 26 December 2023; 7 June 2024.

289 PPU interviews of 23 February 2023; 8 April 2023.

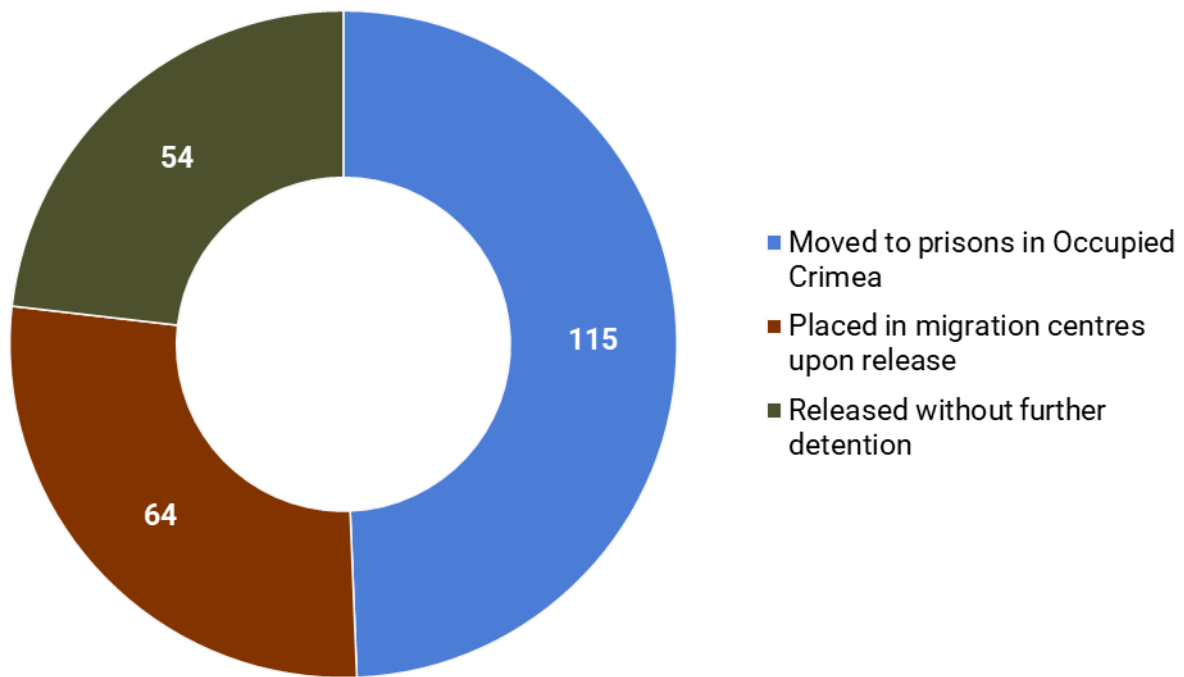
290 PPU interview of 12 November 2023; 7 January 2024; 20 January 2024; 22 January 2024.

160. Denial of medical care was sometimes used as punishment, including for refusing to comply with ideological demands. One interviewee explained that he was denied asthma medication because he refused to sing Russian songs, which all deported Ukrainian prisoners were required to perform at the Russian penitentiary facility. He only received his inhaler after a suicide attempt, and even then, guards delayed bringing it for about 30 minutes, leaving him struggling to breathe.²⁹¹ In another case, an interviewee recalled that, following a request for medical assistance, he was beaten and placed in a disciplinary cell²⁹² for five days, where he stayed in isolation from other prisoners.²⁹³

161. Interviewees also described the lack of treatment for their mental disorders. One interviewee reported being forced to work in a penitentiary facility in Volgograd Oblast despite a psychiatric diagnosis that made him unfit for labour, and that he was denied the medication he required.²⁹⁴

162. Overall, multiple interviewees stated that their health significantly deteriorated during detention in Russian penitentiary facilities following deportation.²⁹⁵

Figure 3 Fate of 233 Ukrainian Prisoners Deported to the Russian Federation



291 PPU interview of 25 November 2023.

292 A specialized facility (a separate cell) within a penal colony, intended for the detention of prisoners for certain violations of the prison discipline (Article 118 of the Criminal Executive Code of the Russian Federation).

293 PPU interview of 22 November 2023.

294 PPU interview of 4 September 2024.

295 PPU interviews of 12 November 2023; 25 March 2024; 20 January 2024.

«We were threatened with violence, even of a sexual nature. They even wanted to rape one of the prisoners with a mop handle.»

Chapter V

Status and subsequent challenges of Ukrainian prisoners

Status and subsequent challenges of Ukrainian prisoners

163. Deported Ukrainian prisoners remained in Russian penitentiary facilities until they either completed their Ukrainian court-imposed custodial sentences – some of which were reviewed by Russian courts – or were relocated to prisons in Occupied Crimea. Those who had completed their sentences were, in some instances, subsequently placed in ‘centres for the temporary detention of foreigners’²⁹⁶ (Detention Centres for Foreigners) and charged with illegal border crossing, before eventually being released upon completion of these additional sentences. Some of those transferred to prisons in Occupied Crimea had their sentences reviewed by Russian courts and were released after completing the reviewed sentences.

²⁹⁶ Центр временного содержания иностранных граждан, official name in Russian.

164. At the time of this report, while the 233 interviewees were eventually released and returned to Ukraine-controlled territories, Occupied Crimea, or expelled to third countries, around 300 deported prisoners remain held in the Russian Federation or, following their release, remain in Russian territory without effective means of leaving.²⁹⁷ This included seven life prisoners who had been initially sentenced to life imprisonment by Ukrainian courts. Their life sentences were reviewed and left in force by Russian courts, and they were transferred to serve life imprisonment in remote prisons in the Russian Federation.²⁹⁸

165. Of the 233 interviewees, 162 were able to return to Ukraine-controlled territory, thanks to the critical assistance of the *Protection of Prisoners of Ukraine*, as well as volunteers and human rights defenders in third countries.

297 Information compiled by Protection of Prisoners of Ukraine from numerous interviews with former Ukrainian prisoners.

298 Torbieievo District Court of the Republic of Mordovia (Торбеевский районный суд Республики Мордовия – original name in Russian) ruling of 23 October 2023, case no. 4/17-30/2023, <https://torbeevsky-mor.sudrf.ru/modules.php?name=sud_delo&srv_num=1&name_op=case&case_id=131138941&case_uid=df92a54e-1b66-45de-8e40-c6b2757b4fc6&delo_id=1610001>, accessed 10 March 2026; Torbieievo District Court of the Republic of Mordovia (Торбеевский районный суд Республики Мордовия – original name in Russian) ruling of 15 September 2023, case no. 4/17-31/2023, <https://torbeevsky-mor.sudrf.ru/modules.php?name=sud_delo&srv_num=1&name_op=case&case_id=167970987&case_uid=5e2166b4-0130-4304-93cd-8ab22a747f83&delo_id=1610001>, accessed 10 March 2026; Torbieievo District Court of the Republic of Mordovia (Торбеевский районный суд Республики Мордовия – original name in Russian), ruling of 15 September 2023, case no. 4/17-32/2023, <https://torbeevsky-mor.sudrf.ru/modules.php?name=sud_delo&srv_num=1&name_op=case&case_id=167970994&case_uid=dc75612f-4130-46c9-adab-657cb0ba9954&delo_id=1610001>, accessed 10 March 2026; Torbieievo District Court of the Republic of Mordovia (Торбеевский районный суд Республики Мордовия – original name in Russian), ruling of 15 September 2023, case no. 4/17-26/2023, <https://torbeevsky-mor.sudrf.ru/modules.php?name=sud_delo&srv_num=1&name_op=case&case_id=167970878&case_uid=3b20dd1b-8d90-4b23-abd4-39cda5a9499f&delo_id=1610001>, accessed 10 March 2026; Torbieievo District Court of the Republic of Mordovia (Торбеевский районный суд Республики Мордовия – original name in Russian), ruling of 23 October 2023, case no. 4/17-27/2023, <https://torbeevsky-mor.sudrf.ru/modules.php?name=sud_delo&srv_num=1&name_op=case&case_id=167970955&case_uid=1cabee23-bcb2-4db8-86f8-a87d36519da5&delo_id=1610001>, accessed 10 March 2026; Torbieievo District Court of the Republic of Mordovia (Торбеевский районный суд Республики Мордовия – original name in Russian), ruling of 23 October 2023, case no. 4/17-28/2023, <https://torbeevsky-mor.sudrf.ru/modules.php?name=sud_delo&srv_num=1&name_op=case&case_id=167970963&case_uid=2c88a913-dde3-463c-8483-ebeb008b1cd6&delo_id=1610001>, accessed 10 March 2026; Torbieievo District Court of the Republic of Mordovia (Торбеевский районный суд Республики Мордовия – original name in Russian), ruling of 23 October 2023, case no. 4/17-29/2023, <https://torbeevsky-mor.sudrf.ru/modules.php?name=sud_delo&srv_num=1&name_op=case&case_id=167970971&case_uid=b9474525-86db-456c-abbc-92aac623969c&delo_id=1610001>, accessed 10 March 2026.

Release in the Russian Federation

166. After completing prison sentences originally imposed by Ukrainian courts and, in some cases, reviewed by the Russian authorities, certain deported Ukrainian prisoners were released on Russian territory.²⁹⁹ 54 interviewees reported being released in the Russian Federation by the Russian authorities without further detention.

167. In many cases, they often received small sums of money upon their release,³⁰⁰ were issued certificates of release and, in some cases, had their Ukrainian passports returned to them.³⁰¹ Two interviewees reported that Holoprystanska,³⁰² one interviewee that Dariivska,³⁰³ and another that Kherson³⁰⁴ were indicated in their certificate of release as the place of release even if they had in fact been released from prisons in the Russian Federation. An example of such a release certificate is provided in the Annex 1 to this report.

168. Interviewees reported struggling to leave the Russian Federation due to lack of financial means and/or documentation.³⁰⁵ As noted above, a significant number relied on the vital support of the *Protection of Prisoners of Ukraine* and volunteers and human rights defenders in third countries, to facilitate their return.³⁰⁶

299 PPU interviews of 30 August 2023; 22 October 2023; 2 November 2023; 7 November 2023; 12 November 2023; 13 November 2023; 30 July 2024; 2 September 2024; 4 September 2024.

300 PPU interviews of 13 February 2023; 9 September 2023; 26 September 2023; 27 October 2023; 2 November 2023; 12 November 2023; 25 November 2023; 4 December 2023; 18 January 2024; 20 January 2024; 17 March 2024.

301 PPU interviews of 4 September 2023; 25 November 2023; 2 February 2024; 2 October 2024.

302 PPU interviews of 13 February 2023; 9 September 2023.

303 PPU interview of 12 November 2023.

304 PPU interview of 25 November 2023.

305 PPU interviews of 2 February 2023; 4 March 2023; 2 November 2023; 7 November 2023; 12 November 2023; 13 November 2023; 10 December 2023; 30 July 2024; 26 September 2023; 4 November 2024.

306 PPU interviews of 23 February 2023; 10 December 2023; 4 March 2023.

Placement in Russian Federation detention centres for foreigners

169. Sixty-four interviewees reported being placed in Detention Centres for Foreigners or in other places of detention whose official names and administrative subordination were not disclosed to them.³⁰⁷ In most cases, prison authorities transferred them to law enforcement bodies, which drew up administrative protocols alleging ‘illegal border crossing.’³⁰⁸ Russian courts then ordered their placement in Detention Centres for Foreigners, followed by expulsion from the Russian Federation and a ban on re-entry.³⁰⁹ The duration of detention in these centres ranged from several weeks to an average of eleven months.³¹⁰ In many cases, deported Ukrainian prisoners were sentenced to 180 days of detention for illegal border crossing.³¹¹ Some were released after serving this term, while others had their detention period extended.³¹²

170. *Protection of Prisoners of Ukraine* obtained copies of two Russian court judgments that ordered the detention of deported Ukrainian prisoners in Detention Centres for Foreigners prior to their deportation from the Russian Federation. Both judgments, issued at the request of the Ministry of Interior in Volgograd Oblast, cited the deported Ukrainian prisoners’ lack of legal status and their ‘illegal stay’ in the Russian Federation. Neither judgment acknowledged the fact that these individuals had been forcibly deported from occupied Ukrainian territory. In one case, the Russian court further prolonged the term of detention in the centre.³¹³ An extract of one of such decisions is provided in Annex 2.

307 PPU interviews of 4 September 2023; 4 October 2023; 9 October 2023; 16 October 2023; 1 November 2023; 2 November 2023; 2 November 2023; 12 November 2023; 13 November 2023; 4 December 2023; 20 January 2024; 30 January 2024; 2 February 2024; 6 May 2024; 4 September 2024; 9 September 2024; 4 December 2024.

308 PPU interviews of 4 October 2023; 9 October 2023; 16 October 2023; 1 November 2023; 2 November 2023; 13 November 2023; 20 January 2024; 2 February 2024; 4 December 2024.

309 PPU interviews of 7 April 2023; 4 September 2023; 9 September 2023; 2 November 2023; 13 November 2023; 7 January 2024; 9 January 2024; 18 January 2024; 6 May 2024; 4 December 2024.

310 PPU interviews of 4 September 2023; 2 November 2023; 12 December 2023; 9 January 2024; 25 May 2024; 7 June 2024.

311 PPU interviews of 7 April 2023; 9 September 2023; 2 November 2023; 13 November 2023; 9 January 2024; 18 January 2024; 7 April 2024.

312 PPU interview of 23 November 2023.

313 Dzerzhynskiy District Court of Volgograd, judgment of 12 August 2024, case no. 2a-4447/2024; Dzerzhynskiy District Court of Volgograd, judgment of 12 August 2024, case no. 2a-4443/2024.

171. Deported Ukrainian prisoners had no opportunity to appeal these court decisions and challenge the lawfulness of their detention in migration centres and were denied access to legal assistance.³¹⁴ One interviewee reported that when he protested his placement, he was detained in a police station for 15 days.³¹⁵

172. Four interviewees also described inadequate detention conditions in the Detention Centres for Foreigners, including lack of access to medical assistance, poor nutrition, unsanitary conditions, overcrowding, and absence of fresh air and daylight.³¹⁶

173. Five interviewees reported that they were required to apply for Russian citizenship in order to leave the Detention Centres for Foreigners.³¹⁷ While the administration of such centres did not use direct threats or coercion, some interviewees noted that they had no real choice; without applying, they risked indefinite detention, as they had no identification documents.

174. Upon release from Detention Centres for Foreigners, former Ukrainian prisoners were effectively expelled to third countries, such as Georgia,³¹⁸ before returning with the crucial assistance of volunteers and human rights defenders, to Ukrainian-controlled territory.³¹⁹ Many, however, remain stranded in these countries due to lack of financial resources and essential identification documents.³²⁰

314 PPU interview of 12 November 2023.

315 PPU interview of 14 November 2023.

316 PPU interviews of 13 February 2023; 2 November 2023; 13 November 2023; 4 December 2023.

317 PPU interviews of 31 July 2023; 7 August 2023; 9 September 2023; 9 October 2023; 9 February 2024.

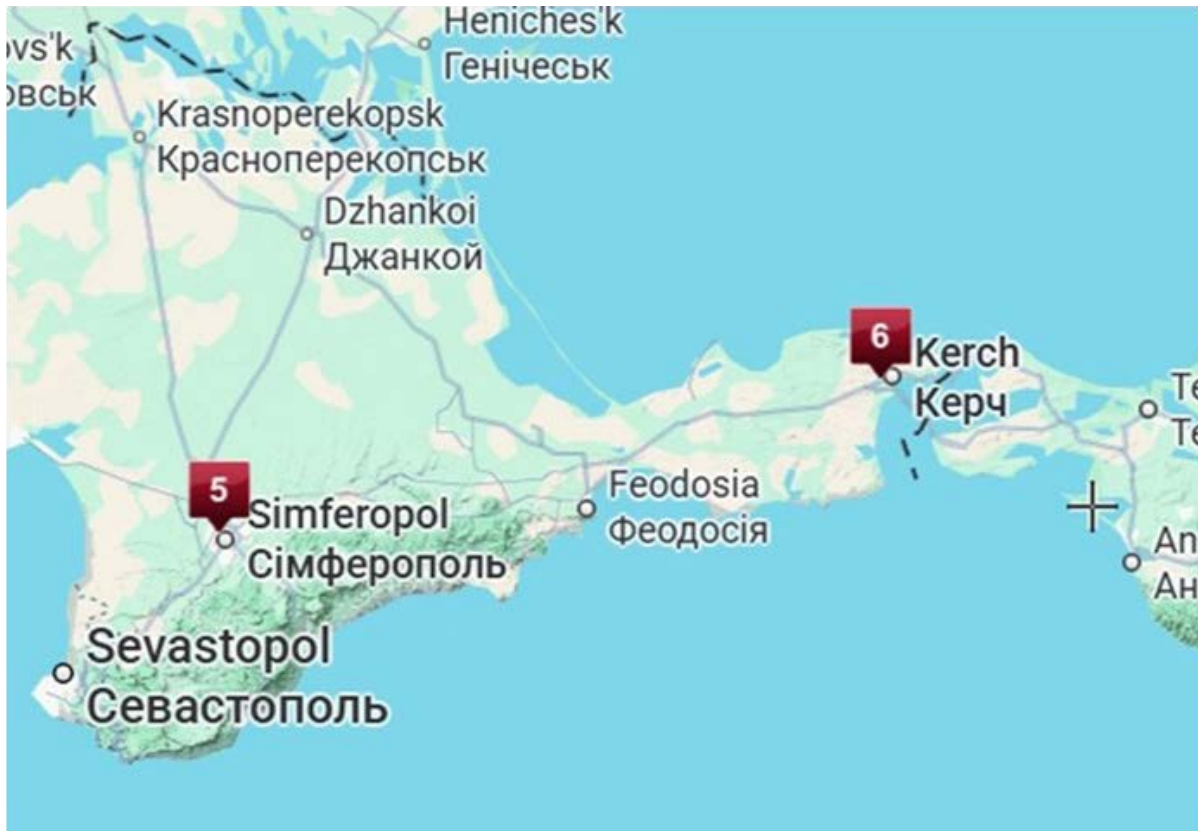
318 PPU interviews of 12 November 2023; 7 January 2024; 4 December 2024.

319 PPU interviews of 4 September 2023; 12 November 2023.

320 PPU interview of 4 September 2023.

Relocation to penitentiary facilities in Occupied Crimea

Map 5 Crimea end destinations



5. Simferopol SIZO No 1 6. Kerch Penitentiary Facility no. 2

175. One-hundred-fifteen interviewees reported being re-located from penitentiary facilities in the Russian Federation to facilities in Occupied Crimea, in particular Simferopol SIZO No. 1 (Simferopol) and Kerch Penitentiary Facility No. 2 (former Kerch facility No. 126) (Kerch). They remained in these facilities until their release following completion of their sentences imposed by the Ukrainian courts and, in many cases, review by the authorities of the Russian Federation.³²¹

Lack of access to legal assistance and restrictions on contacts with family members

176. As with their initial deportation to the Russian Federation, interviewees were not provided with legal assistance to challenge the lawfulness of their detention in the Occupied Crimea facilities.³²²

³²¹ PPU interviews of 9 October 2023, 27 October 2023; 26 December 2023.

³²² PPU interview of 27 October 2023.

177. None of the 115 interviewees were able to contact their family members either by phone or by mail.³²³

178. Thirteen interviewees reported that they were offered Russian citizenship during their detention in Kerch, which they refused. They did not report experiencing any negative consequences for their refusal.³²⁴

Mistreatment, poor conditions, and denial or limited access to healthcare

179. Many interviewees reported that upon admission in Occupied Crimea facilities, they were beaten with truncheons and forced to remain in stress positions – such as prolonged standing with arms and legs outstretched, or squatting for several hours.³²⁵

180. According to multiple testimonies, Kerch administration enforced a humiliating practice upon new arrivals, forcing them to hold a broom – an act considered degrading³²⁶ under prison subculture.³²⁷ The interviewees further indicated that prisoners who resisted were threatened with sexual assault or being urinated on, actions that, under prison subculture, would stigmatize them as outcasts or so-called untouchables ('opuschennyje').³²⁸ Some interviewees said that they complied with these requirements out of fear, perceiving the threats as credible.³²⁹ One interviewee described being punched in the kidneys and liver after refusing to pick up the broom, which would make him an outcast or untouchable according to informal rules of the prisoner hierarchy. However, he eventually signed a work consent form under duress fearing that he would be subjected to further beating. He also declared seeing two other prisoners being beaten, one of whom lost consciousness from a blow to the head.³³⁰

181. The two quotes below illustrate how the administration of Kerch Facility treated Ukrainian prisoners to force them to work:

Then they placed us in quarantine. There, they forced us to sign Article 106.³³¹ We were threatened with violence, even of a sexual nature. They even wanted to rape one of the prisoners with a mop handle.³³²

323 PPU interviews of 20 October 2023 27 October 2023.

324 PPU interviews of 16 October 2023; 27 October 2023; 19 November 2023; 29 November 2023; 26 December 2023; 31 December 2023; 30 March 2024; 19 May 2024; 13 June 2024; 19 June 2024; 9 July 2024; 26 September 2024; 26 December 2024.

325 PPU interviews of 13 August 2023; 26 September 2023; 16 October 2023.

326 According to informal prison hierarchy, the persons who are exposed to such treatment become the outcasts or so-called untouchables who belong to the lowest prison cast and are often subjected to mistreatment by other prisoners.

327 PPU interviews of 2 September 2023; 18 September 2023; 22 October 2023; 29 November 2023; 2 April 2024; 5 December 2024.

328 PPU interviews of 24 September 2023; 11 October 2023; 22 October 2023.

329 PPU interview of 1 October 2023.

330 PPU interview of 18 September 2023.

331 The criminal code of the Russian Federation, art. 106 : regulates use of prison labour free of charge for cleaning and maintenance of the prison territory.

332 PPU interview of 4 November 2024.

In Kerch, we were received by special forces with ‘broomsticks’ and ‘rags,’ and they threatened us with all sorts of things. We thought they would just beat us up a little and leave us alone. But that’s not how it works there. Until you do everything they want, they will beat you. We had to sign Article 106.³³³

182. Ukrainian prisoners with disabilities were also subjected to ill-treatment. One witness reported that a prisoner with disorientation and speech difficulties was beaten after failing to respond quickly to guards’ demands.³³⁴ Others recalled that a prisoner with visual impairments was taken into another room and beaten after stating he could not read documents without his glasses.³³⁵

183. Several interviewees noted that during the first two weeks at the quarantine unit upon their admission to prison, Ukrainian prisoners were forced to stand in their cells for up to sixteen hours per day while repeatedly reciting the penitentiary rules.³³⁶ The prolonged standing caused severe physical strain, including swollen and aching legs.³³⁷

184. In addition to these widespread abuses, some interviewees described specific cases of extreme physical and psychological mistreatment. One interviewee, initially detained in Kerch and later transferred to Simferopol, reported being beaten and subjected to electric shocks with tasers upon admission to Simferopol. During his detention, he was tortured five or six times during interrogations conducted in the basement, where he was blindfolded with a rag. The alleged perpetrators, who spoke Russian without accent, and were presumed to be members of the FSB due to their black clothes, tied him to a wall with a belt, attached wires to his genitals, and tortured him with electric shocks for up to two hours at a time. He reported losing consciousness repeatedly, being revived by water thrown on his face, and involuntarily urinating and defecating during the torture. He also heard the screams of other prisoners, leading him to believe others were simultaneously tortured in nearby rooms.³³⁸

185. An interviewee described that he had been taken to a medical office by three staff members of Kerch where they first strangled him with a pillow and then stretched him on the floor face down and pressed his spinal cord with a knee.³³⁹ Similarly, another interviewee recounted how staff in the same facility took him to the medical office where they forced him face down onto the floor, held his legs, and simultaneously twisted his arms over his head, and called him ‘Nazi’. According to the interviewee, he lost consciousness during this mistreatment, and, subsequently, lost the ability to move his arm for a period. He recalled not being given painkillers despite requesting them, stating that the pain was so severe he could not sleep.³⁴⁰

333 PPU interview of 18 March 2024.

334 PPU interview of 10 April 2024.

335 PPU interview of 17 March 2024.

336 PPU interviews of 11 October 2023; 4 December 2023; 20 March 2024; 18 June 2024; 4 December 2024.

337 PPU interviews of 4 December 2023; 20 March 2024; 18 June 2024; 4 December 2024.

338 PPU interview of 1 October 2023.

339 PPU interview of 30 July 2024.

340 PPU interview of 9 July 2024.

186. An interviewee recounted to the documenters an incident that occurred in March 2024. According to the interviewee, when staff member of Kerch saw that he was wearing ordinary clothes instead of the prison uniform, they started making fun of him and then cut his jeans, T-shirt, and shoes with a knife, after which he had to return to his cell barefoot.³⁴¹

187. Furthermore, two interviewees reported that in Occupied Crimean penitentiary facilities, prisoners were explicitly prohibited from speaking Ukrainian.³⁴²

188. Eighty-one interviewees detained in Kerch stated that they had been subjected to forced labour, facing further ill-treatment in case of their refusal to work.³⁴³ They were threatened with further violence, including threats of sexual violence, if they refused to work or disobeyed orders from the administration. One interviewee recounted that an OMON officer slammed his head twice against a table when he refused to sign a consent to work at Kerch.³⁴⁴

189. Six interviewees reported that they had not been provided with adequate medical assistance in Kerch.³⁴⁵ One interviewee stated that he had not received antiretroviral therapy for HIV from November 2022 until the date of his interview in November 2023. When he requested treatment at a penitentiary facility in Kerch, he was refused on the grounds that he was not a citizen of the Russian Federation. An interviewee reported that his treatment for tuberculosis and HIV was terminated on 22 October 2022. Despite informing the medical service at the Russian penitentiary facility of his diagnoses, he was denied all medical care.³⁴⁶

Release and return to Ukraine or other countries

When they called me to the special unit and gave me papers to sign for the court, where my case was to be reviewed under their legislation, I began to demand that I be present in person at the court. Otherwise, I refused to sign the papers. Oh! What started there? She had a hysterical fit. Well, in the end, I signed everything for them. Do whatever you want.³⁴⁷

341 PPU interview of 2 October 2024.

342 PPU interviews of 22 October 2023; 30 July 2024.

343 PPU interviews of 18 September 2023; 22 September 2023; 26 September 2023; 4 October 2023; 9 October 2023; 22 October 2023; 19 November 2023; 21 November 2023; 29 November 2023; 3 February 2024; 8 February 2024; 30 March 2024; 8 May 2024; 12 May 2024; 26 September 2024; 2 October 2024; 30 November 2024; 22 December 2024.

344 PPU interview of 17 March 2024.

345 PPU interviews of 16 October 2023; 26 December 2023; 17 March 2024; 1 June 2024; 26 September 2024.

346 PPU interview of 29 January 2024.

347 PPU interview of 9 July 2024.

190. Forty-eight interviewees recounted that their Ukrainian court-ordered sentences were reviewed by Russian courts during their detention in Kerch.³⁴⁸ In 28 cases, prison terms were reduced by periods ranging from 15 days to 11 months.³⁴⁹ According to an interviewee, some had their sentences reduced up to 3 years.³⁵⁰ One interviewee stated that he was held for three months longer than the sentence originally imposed by the Ukrainian court.³⁵¹

191. The interviewees also indicated that they did not have access to legal assistance and were not provided with adequate means and facilities to participate in court hearings.³⁵² Three interviewees described that representatives of the prison administration presented them with documents for them to sign, explaining that the documents were necessary for the review of their cases. However, they were not given a meaningful opportunity to examine these documents and to properly present their arguments before the courts.³⁵³

192. Most interviewees said that they were given a small sum of money, in average 1,200 Russian Rubles when they were released.³⁵⁴ However, as reported by interviewees, this amount was not sufficient to travel to the territory under control of the Ukrainian Government, given that released Ukrainian prisoners had no other financial means and often lacked identification documents.³⁵⁵ Many of them stated that they were released in prison uniforms, since they did not have any personal clothing and shoes.³⁵⁶

193. After their release, Ukrainian prisoners contacted volunteers from civil society organisations who helped them return to Ukrainian-controlled territory and, if needed, restore their lost documents.³⁵⁷

348 PPU interviews of 3 February 2023; 13 August 2023; 2 September 2023; 26 September 2023; 9 October 2023; 22 October 2023; 27 October 2023; 12 November 2023; 14 November 2023; 26 December 2023; 9 February 2024; 8 January 2024; 27 February 2024; 17 March 2024; 18 June 2024; 9 July 2024; 2 September 2024; 5 December 2024.

349 PPU interviews of 9 October 2023; 14 November 2023; 29 November 2023; 26 December 2023; 20 January 2024; 5 February 2024; 9 February 2024; 18 March 2024; 18 June 2024; 5 December 2024; 24 December 2024.

350 PPU interview of 9 October 2023.

351 PPU interview of 25 March 2024.

352 PPU interviews of 26 September 2023; 22 October 2023; 27 October 2023; 17 March 2024; 18 March 2024; 20 March 2024; 19 May 2024.

353 PPU interviews of 26 September 2023; 20 March 2024; 9 July 2024.

354 PPU interviews of 24 September 2023; 26 September 2023; 16 October 2023; 22 October 2023; 27 October 2023; 30 October 2023; 12 November 2023; 14 November 2023; 29 November 2023; 31 December 2023; 9 February 2024; 27 February 2024; 12 May 2024.

355 PPU interviews of 4 October 2023; 9 October 2023; 22 October 2023; 27 October 2023; 7 November 2023; 14 November 2023; 19 November 2023; 26 December 2023; 18 March 2024; 20 March 2024; 30 March 2024; 14 April 2024; 12 May 2024; 13 June 2024; 16 June 2024; 30 July 2024.

356 PPU interviews of 24 September 2023; 16 October 2023; 18 March 2024; 20 March 2024; 12 May 2024; 5 December 2024.

357 PPU interviews of 4 October 2023; 9 October 2023; 16 October 2023; 27 October 2023; 14 November 2023; 22 January 2024; 27 February 2024; 18 June 2024; 18 March 2024; 13 June 2024; 18 June 2024.

Chapter VI

Legal analysis

Legal analysis

194. This section provides a legal analysis of the deportation of Ukrainian prisoners from Russian-controlled Ukrainian penitentiary facilities to the Russian Federation. The interviewee accounts and open-source information were examined under international criminal law, specifically within the legal framework of the Rome Statute, notably because the deportation considered in this report falls in within the Court's jurisdiction, subject to the principle of complementarity.³⁵⁸ The legal analysis also considers IHL, as the Rome Statute and its jurisprudence draws directly from IHL to define and establish war crimes.³⁵⁹

195. Drawing on the accounts of the 233 interviewees and open-source information from the UN, NGOs and media sources, the report concludes that the deportations described therein likely amount to the war crime of unlawful deportation under Article 8(2)(a)(vii) of the Rome Statute and the crime against humanity of deportation under Article 7(1)(d) of the Rome Statute.³⁶⁰ The interviewee accounts were consistent and mutually corroborative and aligned with findings documented in external sources.

358 See above [29] and references therein.

359 Rome Statute, art 8.

360 While this was not analysed in this report – as noted above – some Ukrainian prisoners were also transferred within the occupied territory (See above [35]). Such transfers may also constitute war crimes or crimes against humanity under the Rome Statute, if the relevant legal elements are satisfied. See also: 'Conference room paper of the Independent International Commission of Inquiry on Ukraine' 29 August 2023 UN Human Rights Council, A/HRC/52/CRP.4 <https://www.ohchr.org/sites/default/files/2023-08/A_HRC_52_CRP.4_En%20%28003%29.pdf>, hereafter 'UN HRC Conf Room Pap 29 Aug 2023'.

Deportation as a war crime

196. Parties to an international conflict are prohibited under international law from forcibly transferring or deporting the civilian population of an occupied territory, in whole or in part. Unlawful deportation or transfer constitutes a grave breach under Article 49 the Geneva Convention IV of 12 August 1949³⁶¹ (Part III – Status and treatment of protected persons, Section III – Occupied territories) (Fourth Geneva Convention) and amounts to a war crime under 8(2)(a)(vii) of the Rome Statute. Grave breaches under Article 147 of the Fourth Geneva Convention (Part IV – Execution of the Convention, Section I – General provisions) are particularly serious violations of international humanitarian law committed in the context of an international armed conflict, including military occupation, against protected persons or property.

197. For the deportation of Ukrainian prisoners documented in this report to constitute the war crime of ‘unlawful deportation or transfer’ under Article 8(2)(a)(vii) of the Rome Statute, the following legal elements set out in the ICC Elements of the Crimes (ICC Elements) must be satisfied:

1. The perpetrator deported or transferred one or more persons to another State or to another location (First element).
2. Such person or persons were protected under one or more of the Geneva Conventions of 1949 (Second element).
3. The perpetrator was aware of the factual circumstances that established that protected status (Third element).
4. The conduct took place in the context of and was associated with an international armed conflict (Fourth element).
5. The perpetrator was aware of factual circumstances that established the existence of an armed conflict (Fifth element).³⁶²

198. Where the ICC Elements do not offer clarifications on to definition of key terms, those legal elements are interpreted in conjunction with the provisions of the Geneva Conventions.³⁶³

361 ‘Convention (IV) relative to the Protection of Civilian Persons in Time of War’ (adopted 12 August 1949, entered into force 21 October 1950) 75 UNTS 287 <<https://ihl-databases.icrc.org/en/ihl-treaties/gciv-1949>>. Both Ukraine and the Russian Federation have ratified the Geneva Conventions: Ukraine ratified on 12 August 1954 (successor state recognition in 1991) and the Russian Federation ratified on 17 June 1954 (as successor to the USSR). See also: ‘Treaties, States Parties and Commentaries, Geneva Conventions of 1949’ International Committee of the Red Cross <<https://ihl-databases.icrc.org/ihl>>.

362 ‘Elements of Crimes’ International Criminal Court Article 8(2)(a)(vii)-1’, 2013, <<https://www.icc-cpi.int/sites/default/files/Publications/Elements-of-Crimes.pdf>> Rome Statute, art 9, ‘Element of Crimes’. These elements comprise the contextual (i.e. the context in which the conduct must take place), material, and mental elements, which, taken together, constitute the crime and represent the necessary and sufficient conditions for establishing the accused’s guilt. See RS Clark ‘Article 9’ in K Ambos K (ed) Rome Statute of the International Criminal Court: Article-by-Article Commentary, Bloomsbury Collections (Beck/Hart 2021), p 728, [1].

363 Rome Statute, art 21. See for instance: K Dörmann ‘Article 8’ in Rome Statute of the International Criminal Court: Article-by-Article Commentary, K Ambos (ed), Bloomsbury Collections (Beck/Hart 2021), p 369, [75].

The conduct took place in the context of and was associated with an international armed conflict (Fourth element)

International armed conflict

199. The situation in Ukraine since February 2022 and at the relevant times of the transfer of the Ukrainian prisoners documented in this report is an international armed conflict,³⁶⁴ due to armed hostilities existing between two states, i.e. the Russian Federation and Ukraine, through their respective armed forces and other actors acting on their behalf.³⁶⁵

200. More specifically, on 24 February 2022, the Russian Federation launched a full-scale armed attack against Ukraine.³⁶⁶ By late March 2022, the Russian armed forces captured territory in parts of Donetsk, Kharkiv, Luhansk, Mykolaiv, and Zaporizhzhia regions of Ukraine.³⁶⁷

201. In late September 2022, the Russian Federation sought to entrench its control over occupied Ukrainian territory by orchestrating sham referendums in parts of the Donetsk, Luhansk, Kherson, and Zaporizhzhia regions. Following these votes, the Russian Federation announced the illegal annexation of the territories on 30 September, asserting full political, legislative, and administrative authority over them.³⁶⁸ On 12 October 2022, the United Nations General Assembly condemned Russia's attempted annexation, affirming that it had no legal effect under international law and did not alter the status of Ukraine's territory.³⁶⁹

364 The ICC Elements of Crime do not define the concept of 'international armed conflict' and therefore reference is made to common Article 2 of the Geneva Conventions, which provides that: 'In addition to the provisions which shall be implemented in peacetime, the present Convention shall apply to all cases of declared war or of any other armed conflict which may arise between two or more of the High Contracting Parties, even if the state of war is not recognized by one of them. The Convention shall also apply to all cases of partial or total occupation of the territory of a High Contracting Party, even if the said occupation meets with no armed resistance.' The ICC Elements of Crime emphasise that the term 'international armed conflict' includes military occupation (ICC Elements of Crime, art 8 (2)(a) fn 34).

365 'Conference room paper of the Independent International Commission of Inquiry on Ukraine' 25 September 2023 UN Human Rights Council, A/HRC/52/62 [16] <https://www.ohchr.org/sites/default/files/2023-08/A_HRC_52_CRP.4_En%20%28003%29.pdf>, hereafter UN HRC Conf Room Pap 25 Sep 2023'; UN HRC Conf Room Pap 29 Aug 2023 [38].

366 UN HRC Conf Room Pap 25 Sep 2023.

367 'Human Rights Situation During the Russian Occupation of Territory of Ukraine and its Aftermath (24 February 2022 - 31 December 2023)' 20 March 2024 UN OHCHR [31] <<https://www.ohchr.org/sites/default/files/documents/countries/ukraine/2023/2024-03-20-OHCHR-Report-Occupation-Aftermath-en.pdf>> (hereafter OHCHR Occup Rep 20 Mar 2024).

368 UNHRC Conf Room Pap 25 Sep 2023; 'Independent International Commission of Inquiry on Ukraine: "They are hunting us": systematic drone attacks targeting civilians in Kherson' 28 May 2025 UN Human Rights Council, A/HRC/59/CRP.2 [6] <<https://www.ohchr.org/sites/default/files/documents/hrbodies/hrcouncil/coiukraine/a-hrc-59-crp2-en.pdf>> hereafter UN HRC 28 May 2025.

369 UN HRC Conf Room Pap 25 Sep 2023 [16]; UN HRC Conf Room Pap 29 Aug 2023 [678].

202. In May 2022, Ukrainian armed forces launched counter-offensive operations and by November 2022, regained all of Mykolaiv region, most of Kharkiv region, the city of Kherson, and areas of Kherson region west of the Dnieper River.³⁷⁰

203. The armed conflict remains ongoing as of the date of this report and parts of the territory of Ukraine remain occupied by the Russian Federation.³⁷¹

Nexus requirement

204. The phrase 'in the context of and was associated with'³⁷² an armed conflict, as set out in the Fourth Element to Article 8(2)(a)(vii) of the Rome Statute, serves to distinguish between war crimes and ordinary criminal acts.³⁷³ To qualify as a war crime, a nexus must be established between each criminal act and the armed conflict.³⁷⁴ The nexus does not require a strict geographical or temporal coincidence between the criminal acts and the armed conflict. Thus, the acts need not be committed in the course of fighting or the seizure of a territory.³⁷⁵ Rather, it is sufficient that the acts be closely connected to the hostilities occurring in the parts of the territories controlled by the parties to the conflict.³⁷⁶

205. In this respect, the armed conflict must have played a substantial and determinative role in the perpetrator's decision to commit the acts, in the perpetrator's ability to carry them out, or in the manner in which the acts were ultimately committed.³⁷⁷

206. In the present case, following the Russian Federation's invasion in February 2022, Ukrainian authorities lost effective control over official state institutions in the occupied regions, including the penitentiary facilities examined in this report. As these facilities were not evacuated prior to the occupation, they and their prisoners came under the authority and effective control of the Russian occupying forces and authorities.³⁷⁸

370 OHCHR Occup Rept 20 Mar 2024 [32]; UN HRC Conf Room Pap 29 Aug 2023 [77-83]; UN HRC 28 May 2025 [6].

371 UN, Human Rights Council, [Situation of human rights in Ukraine stemming from the Russian aggression](#), A/HRC/61/L.17, resolution adopted at the sixtyfirst session, (19 March 2026)

372 ICC Elements of Crime, Article 8(2)(a)(vii)-1, Fourth element.

373 Prosecutor v. Kunarac, Kovač and Vuković, ([Appeal Judgment](#)), ICTY-96-23 & ICTY-96-23/1-A, (12 June 2002), [58]

374 Prosecutor v. Tadić, ([Judgment](#)), ICTY-94-1-T, (7 May 1997), [573]; Prosecutor v. Mrkšić et al., ([Judgment](#)) ICTY-95-13/1-T, (27 September 2007), [423]; Prosecutor v. Katanga, , ([Judgment](#)), ICC-01/04-01/07-3436-tENG, (7 March 2014), [1176]; Prosecutor v. Ali Muhammad Ali Abd-Al-Rahman ('Ali Kushayb'), ([Judgment](#)), ICC-02/05-01/20-1240, (6 October 2025), [685]

375 Prosecutor v. Ntaganda, ([Judgment](#)), ICC-01/04-02/06-2359, (8 July 2019), [731]; Prosecutor v. Kunarac, Kovač and Vuković, ([Appeal Judgment](#)), ICTY-96-23 & ICTY-96-23/1-A, (12 June 2002), [58]

376 Ibid.

377 Prosecutor v. Ali Muhammad Ali Abd-Al-Rahman ('Ali Kushayb'), ([Judgment](#)), ICC-02/05-01/20-1240, (6 October 2025), [685]; Prosecutor v. Ntaganda, ([Judgment](#)), ICC-01/04-02/06-2359, 8 July 2019, [731].

378 See above [32] and references therein.

207. The deportation of Ukrainian prisoners from Holoprystanska, which is located approximately 60-65 km from the city of Kherson, took place around 3-7 November 2022,³⁷⁹ in the midst of hostilities between the Russian Federation and Ukraine. It occurred just days before the withdrawal of Russian troops from the city of Kherson and the west bank of the Dnieper River, amid reported Ukrainian advances near the southern part of the city. On 9 November 2022, following announcements by Russian military officials, Russian armed forces began withdrawing from Kherson and the west bank of the Dnieper River.³⁸⁰ On 11 November 2022, the Ukrainian armed forces entered the centre of Kherson, following the Russian armed forces' retreat.³⁸¹

208. Moreover, the deportations were executed by members of the Russian occupying forces and authorities, including the Russian armed forces, various special forces units, and the FSN, as well other actors operating under the authority, direction, or control of the Russian Federation, including local Ukrainian prison personnel who agreed to remain and cooperate with the occupying authorities.³⁸²

209. Furthermore, the Russian occupying forces and authorities repurposed these facilities for functions directly linked to the armed conflict, including the storage of ammunition, the production of military goods, the use of Ukrainian prisoners for forced labour, and other activities supporting military operations.³⁸³ These uses further underscore the functional integration of the facilities and Ukrainian prisoners into the occupying power's war effort.

210. Taken together, these factors establish a clear and direct nexus between the deportation of Ukrainian prisoners and the international armed conflict, confirming that the conduct analysed in this report cannot be characterised as isolated or ordinary criminal activity, but rather as acts intrinsically linked to the armed conflict and military occupation.

379 See above [41].

380 Online news articles – Euronews, [Ukraine war: Russia 'orders troops' to withdraw from key city of Kherson](#) (video of a statement by Sergei Shoigu, then Minister of Defence of the Russian Federation), 9 November 2022 <accessed on 14 January 2026>; Reuters, [Russia abandons Ukrainian city of Kherson in major retreat](#), 9 November 2022 <accessed on 14 January 2026> Reuters, [Russia's 'General Armageddon' under pressure to deliver on battlefield after retreat](#), 21 November 2022 <accessed on 14 January 2026>; The Guardian, [Ukraine: footage shows Russian troops scrambling to escape Kherson city – video](#), 11 November 2022 <accessed on 14 January 2026>.

381 UNHRC 28 May 2025, para 6; The Guardian, ['Ukraine troops enter centre of Kherson as Russians retreat in chaos'](#) 11 November 2022 <accessed on 14 January 2026>; Social media – Telegram, Zelensky, https://t.me/V_Zelenskiy_official/3966, 11 November 2022.

382 See above [32].

383 See above [33].

Protected persons under the Geneva Conventions (Second element)

211. For the purpose of the Second element to Article 8(2)(a)(vii) of the Rome Statute, 'protected persons' are individuals who find themselves in the hands of a party to the conflict or occupying power as set out under Article 4 of the Fourth Geneva Convention (Part I – General provisions) and who meet the nationality criteria mentioned therein, i.e. they are essentially of a different nationality than that of the party in whose hands they are.³⁸⁴

212. In this report, 231 interviewees were civilians of Ukrainian nationality, and one was a Moldovan citizen, all serving ordinary custodial sentences in Ukrainian penitentiary facilities that came under the control of the Russian Federation (the Occupying Power) during the invasion and subsequent occupation of part of the territory Ukraine. They therefore plainly meet the nationality requirement.

213. As regards the prisoner of Russian nationality, it is noted that international jurisprudence has evolved beyond a strict interpretation of the nationality requirement. International tribunals, beginning with the International Criminal Tribunal for the former Yugoslavia (ICTY),³⁸⁵ and subsequently the ICC³⁸⁶ and the Extraordinary Chambers in the Courts of Cambodia,³⁸⁷ have taken similar positions, summarised as follows: where a party to an international armed conflict treats its national as having allegiance to the adversary State, this individual may exceptionally qualify as a person protected under Article 4 of the Fourth Geneva Convention.³⁸⁸ Considering the treatment to which the Russian prisoner at the hands of Russian occupying forces and authorities, it is reasonable to conclude that such protection should apply in this case.

214. Accordingly, all the 233 interviewees are considered 'protected persons' and are afforded, *inter alia*, the protections under Article 49 of the Fourth Geneva Convention (Part III – Status and treatment of protected persons, Section III – Occupied territories), which prohibits unlawful deportation and transfer. Evidently, these protections became applicable to all Ukrainian civilian prisoners upon their falling into the hands of the Russian occupying forces and authorities.³⁸⁹ It should also be underscored that protected persons who have been unlawfully deported retain their status as protected persons.³⁹⁰

384 Persons not entitled to the protections under the Geneva Conventions I (Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field (adopted 12 August 1949, entered into force 21 October 1950) 75 UNTS 31, available at: <https://ihl-databases.icrc.org/en/ihl-treaties/gci-1949>), II (Geneva Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea (adopted 12 August 1949, entered into force 21 October 1950) 75 UNTS 85, available at: <https://ihl-databases.icrc.org/en/ihl-treaties/gcii-1949>), and III (Geneva Convention Relative to the Treatment of Prisoners of War (adopted 12 August 1949, entered into force 21 October 1950) 75 UNTS 135, available at: <https://ihl-databases.icrc.org/en/ihl-treaties/gciii-1949> (Third Geneva Convention), finding themselves in the hands of a party to the conflict or the occupying power are protected by the Fourth Geneva Convention.

385 Prosecutor v. Delalić et al., ([Appeal Judgment](#)), ICTY-96-21-A, 20 February 2001, [83-84].

386 Prosecutor v. Katanga and Ngudjolo, ([Confirmation of Charges Decision](#)), ICC-01/04-01/07-717, 14 October 2008, [289-293].

387 Kaing Guek Eav (a.k.a. Duch), ([Judgment](#)), Case 001/18-07-2007/ECCC/TC, 26 July 2010, [419-426].

388 ICRC, Commentary on the Fourth Convention, [Article 49](#), 2025 (2025 Fourth Convention Commentary), para 3187. Prosecutor v. Katanga and Ngudjolo, ([Confirmation of Charges Decision](#)), ICC-01/04-01/07-717, 14 October 2008, [289-293].

389 See ICTY, Prosecutor v. Naletilić and Martinović, IT-98-34-T, [219-222], referring to International Committee of the Red Cross (ICRC), Commentary on the Fourth Geneva Convention (1958) (1958 Fourth Geneva Convention Commentary), Article 4, p. 60; see also 2025 Fourth Convention Commentary, [Article 49](#), para 3162.

390 2025 Fourth Convention Commentary, [Article 4](#), para 1034.

Deportation or transfer of one or more persons to another State or another location (First element)

Prohibition of deportation

215. First element of Article 8(2)(a)(vii) of the Rome Statute is interpreted in light of Article 49(1) of the Fourth Geneva Convention, which provides that: 'Individual or mass forcible transfers, as well as deportations of protected persons from occupied territory to the territory of the Occupying Power or to that of any other country, occupied or not, are prohibited, regardless of their motive.' Article 76 of the Fourth Geneva Convention further provides that protected persons accused of offences must be detained within the occupied country and, if convicted, must serve their sentences therein. That protection – applicable by analogy in the present case – reflects the fundamental principle prohibiting deportations.

216. To constitute the crime, the transfers need to be 'forcible', which has been interpreted as those carried out against the will of the protected persons and 'without grounds permitted under international law'.³⁹¹ Consent to be moved has to be voluntary and genuine and not given under coercive conditions.³⁹²

217. Moreover, protected persons do not need to be lawfully present in the occupied territory to be covered by Article 49(1) of the Fourth Geneva Convention.³⁹³

218. In the present case, the deportation of Ukrainian prisoners – who, as found above, are protected persons – from occupied Ukrainian penitentiary facilities to facilities in the territory of the Russian Federation – the Occupying Power – satisfies the First element under Article 8(2)(a)(vii) of the Rome Statute, as interpreted in light of Article 49(1) of the Fourth Geneva Convention.

391 See for instance ICTY, Prosecutor v. Stakić, IT-97-24-A, [Appeal Judgment](#), 22 March 2006, para 278 (in the context of crimes against humanity); Prosecutor v. Krajišnik, IT-00-39-A, [Appeal Judgment](#), 17 March 2009, para 304 (in the context of crimes against humanity); Prosecutor v. Mladić, IT-09-92-A, [Appeal Judgment](#), 8 June 2021, para 356.

392 ICTY, Prosecutor v. Krnojelac, IT-97-25-A, [Appeal Judgment](#), 17 September 2003, para 229; Prosecutor v. Stakić, IT-97-24-A, [Appeal Judgment](#), 22 March 2006, para 281; and ICC Elements, Article 7(1)(d), footnotes 12, 13.

393 2025 Fourth Convention Commentary, [Article 49](#), paras 3182-3186. By contrast, the requirement that the persons be "lawfully present" is an element of the crimes against humanity of "deportation and forcible transfer" under Article 7(1)(d) of the Rome Statute (ICC Elements, Article 7(1)(d), Second element).

219. First, the transfers of the 233 interviewees were carried out from occupied territory in Ukraine to the territory of the Occupying Power – the Russian Federation – clearly meeting the cross-border element of deportation.³⁹⁴ While the war crime of unlawful deportation is not limited to mass displacement but also encompasses the displacement of individual persons,³⁹⁵ testimonies reviewed indicate that likely hundreds of additional prisoners in Occupied Ukraine were transferred to prisons within the territory of the Russian Federation.

220. Second, the transfer was forcible. Under established interpretation, ‘forcible’ encompasses not only the use of physical force but also any coercive environment that deprives persons of a genuine choice,³⁹⁶ conditions that appear to have been present in this case. Ukrainian prisoners remained under the custodial control of Russian armed forces and authorities, or actors acting on their behalf.³⁹⁷ They were not provided any official reasons for their sudden relocation to penitentiary facilities in the Russian Federation. Interviewees reported receiving very little information during the deportation and often only became aware of their transfer to the Russian Federation upon arriving.³⁹⁸ Furthermore, Ukrainian prisoners were transported at gunpoint and subjected to pervasive ill-treatment throughout the deportation, including beatings, prolonged periods in stress positions, intimidation, humiliation, and threats of physical and/or sexual violence, often on account of their nationality and their actual or assumed support for Ukraine.³⁹⁹ They were unable to consent to or oppose any transfer to the Russian Federation.⁴⁰⁰

394 See above Chapter IV. In line with established interpretation, forcible transfers refer to forced relocations within an occupied territory, whereas deportations refer to forced relocations ‘from occupied territory to the territory of the Occupying Power or to that of any other country, occupied or not’. See also the ICC Elements, Article 8(2)(a)(vii)(1) of the Rome Statute (‘The perpetrator deported or transferred one or more persons to another State or to another location.’ (emphasis added)); the Rome Statute, Article 8(2)(b)(viii) of the Rome Statute refers to the ‘deportation or transfer of all or parts of the population of the occupied territory within or outside this territory’. See also ICTY, Prosecutor v. Krstić, IT-98-33-T, [Trial Judgment](#), 2 August 2001, para 521 (‘Deportation presumes transfer beyond State borders, whereas forcible transfer relates to displacements within a State.’); Prosecutor v. Blagojević and Jokić, IT-02-60-T, [Trial Judgment](#), 17 January 2005, para 596; Prosecutor v. Mladić, IT-09-92-A, [Appeal Judgment](#), 8 June 2021, para 356.

395 Dörmann, ‘Article 8’ in Kai Ambos (ed), Rome Statute of the International Criminal Court: Article-by-Article Commentary (Beck/Hart 2021) Bloomsbury Collections <accessed 15 January 2026>, p 369, 154; 2025 Fourth Convention Commentary, [Article 49](#), para 3174.

396 The ICC Elements, in relation to the crime against humanity under Article 7(1)(d), provide that: ‘The term ‘forcibly’ is not restricted to physical force, but may include threat of force or coercion, such as that caused by fear of violence, duress, detention, psychological oppression or abuse of power against such person or persons or another person, or by taking advantage of a coercive environment’ (ICC Elements, Article 7(1)(d), fn 12). See also ICTY, Prosecutor v. Krstić, IT-98-33-T, [Trial Judgment](#), 2 August 2001, para 529 (in the context of crimes against humanity); Prosecutor v. Stakić, IT-97-24-A, [Appeal Judgment](#), 22 March 2006, para 281; Prosecutor v. Mladić, IT-09-92-A, [Appeal Judgment](#), 8 June 2021, para 356 (in relation to the war crime of deportation or forcible transfer). The relevant test is whether the persons concerned were able to exercise ‘a genuine choice to go’ (see ICTY, Prosecutor v. Krstić, IT-98-33-T, [Trial Judgment](#), 2 August 2001, paras 147 and 530; Prosecutor v. Blagojević and Jokić, IT-02-60-T, [Trial Judgment](#), 17 January 2005, para 596; Prosecutor v. Stakić, IT-97-24-A, [Appeal Judgment](#), 22 March 2006, para 279; Prosecutor v. Mladić, IT-09-92-A, [Appeal Judgment](#), 8 June 2021, para 356; ICC, Prosecutor v. Ntaganda, ICC-01/04-02/06-2359, [Trial Judgment](#), 8 July 2019, para 1056 (in the context of non-international armed conflict) taking into account ‘the prevailing situation and atmosphere, as well as all relevant circumstances, including in particular the victims’ vulnerability’ (ICTY, Prosecutor v. Blagojević and Jokić, IT-02-60-T, [Trial Judgment](#), 17 January 2005, para 596).

397 See above [40].

398 See above [40, 111, 111-122, 166-176, 177-180].

399 See above [40, 82-105; 126-145; 146-152].

400 See above [62].

221. Lastly, the fact that Ukrainian prisoners (in this report, the interviewees) were able to return to Ukraine, do not render deportation lawful, as transfers need not be permanent in order to constitute the war crime under Article 8(2)(a)(vii) of the Rome Statute.⁴⁰¹

Exceptions to the prohibition

222. Article 49(2) sets out two exceptions to the prohibition of forcible transfer and deportation. Total or partial evacuation of an occupied area may be justified by the need to protect the security of the population (for instance, due to military operations or heavy bombing)⁴⁰² or by imperative military necessity (for instance, when the presence of certain persons obstructs military operations).⁴⁰³ The need must arise directly from ongoing military operations in the area where the evacuees live, and not from hypothetical threats.⁴⁰⁴ '[I]mperative' denotes an absolute and unavoidable military necessity, meaning the evacuation is essential and leaves the occupying power with no reasonable alternative.⁴⁰⁵ Evacuation is 'by definition an extreme measure for those displaced'.⁴⁰⁶ According to the ICTY, because of its 'drastic' nature, evacuation would only be lawful in 'the gravest of circumstances and only as measures of last resort'.⁴⁰⁷

223. In such cases, the occupying power may temporarily evacuate protected persons within the occupied territory, and only outside the occupied territory if it is materially impossible to do otherwise.⁴⁰⁸ In addition, pursuant to Article 49(3)-(4), the evacuation must be conducted under humane conditions that ensure proper hygiene, health, safety, and nutrition.⁴⁰⁹

401 Transfers need not to be permanent in nature to be unlawful (see 2025 Fourth Convention Commentary, [Article 49](#), para 3167; ICTY, Prosecutor v. Krajišnik, IT-00-39-T, [Trial Judgment](#), 27 September 2006, para 726).

402 1958 Commentary on the Geneva Convention IV, Article 49, p. 280; ICC, Prosecutor v. Ntaganda, ICC-01/04-02/06-2359, [Trial Judgment](#), 8 July 2019, para 1098; ICTY, Prosecutor v. Blagojević and Jokić, IT-02-60-T, [Trial Judgment](#), 17 January 2005, para 598.

403 Relatedly, Article 58 of Additional Protocol I requires that parties to the conflict, "to the maximum extent feasible," take the necessary precautions to protect civilians and civilian objects under their control from the dangers resulting from military operations, including seeking to remove civilians and civilian objects under their control from the vicinity of military targets (Protocol Additional to the Geneva Conventions of 12 August 1949, and Relating to the Protection of Victims of International Armed Conflicts (Protocol I), adopted June 8, 1977, 1125 U.N.T.S. 3, entered into force December 7, 1978, Article 58, available at: <https://ihl-databases.icrc.org/en/ihl-treaties/api-1977>).

404 2025 Fourth Geneva Convention Commentary, [Article 49](#), para 3194. The only exceptions permitted under Article 49 are those explicitly provided for in paragraph 2; therefore, security reasons may not be invoked to justify the forcible transfers within or deportations from occupied territory of individual (2025 Fourth Geneva Convention Commentary, [Article 49](#), paras 3174-3181).

405 2025 Fourth Geneva Convention Commentary, [Article 49](#), para 3195.

406 ICTY, Prosecutor v. Blagojević and Jokić, IT-02-60-T, [Trial Judgment](#), 17 January 2005, para 597.

407 ICTY, Prosecutor v. Simić, IT-95-9-T, [Trial Judgment](#), 17 October 2003, para 125, fn. 218. See also ICC, Prosecutor v. Ntaganda, ICC-01/04-02/06-2359, [Trial Judgment](#), 8 July 2019, para 1098.

408 2025 Fourth Geneva Convention Commentary, [Article 49](#), paras 3190, 3201.

409 See also 2025 Fourth Geneva Convention Commentary, [Article 49](#), paras 3199, 3209-3215.

224. Any evacuated protected persons must be transferred back to their homes as soon as the circumstances necessitating their removal no longer exist.⁴¹⁰ This means that evacuation is a temporary and provisional measure that must not last longer than required.⁴¹¹ Evacuation measures cannot be used as pretext to remove a population and to gain control over a territory.⁴¹² The requirement to ‘transfer back’ requires transportation under the same, humane conditions as the initial transfer.⁴¹³

225. The deportation documented in this report cannot be justified under the narrow and strict exceptions to the prohibition on deportation set out in Article 49(2) of Geneva Convention IV. Any lawful evacuation must be undertaken to protect the security of the population, directly tied to imperative military operations, be temporary in nature, conducted under humane conditions, and end as soon as the danger or necessity ceases. Administrative convenience, logistical challenges in managing facilities, or long-term control over territory are not lawful grounds for evacuation.

226. According to statements by the Russian armed forces, the decision to withdraw from Kherson city and nearby settlements was based on the assessment that the area could not be adequately supplied and that civilians were at risk from Ukrainian shelling.⁴¹⁴ Media reports indicated that the Russian armed forces moved thousands of civilians out of the city by boat prior to the withdrawal.⁴¹⁵ Russian authorities claimed that civilians were being ‘evacuated’, while Ukrainian authorities characterised the transfers of the population as ‘deportations’.⁴¹⁶

410 2025 Fourth Geneva Convention Commentary, paras 3190, 3202. See for instance ICJ, *Legal Consequences Arising from the Policies and Practices of Israel in the Occupied Palestinian Territory, including East Jerusalem*, [Advisory Opinion](#), 9 July 2024, para 146.

411 2025 Fourth Geneva Convention Commentary, [Article 49](#), paras 3190, 3202. See for example ICJ, *Legal Consequences Arising from the Policies and Practices of Israel in the Occupied Palestinian Territory, including East Jerusalem*, [Advisory Opinion](#), 9 July 2024, para 146; ICTY, *Prosecutor v. Krajišnik*, IT-00-39-T, [Trial Judgment](#), 27 September 2006, para 725.

412 ICTY, *Prosecutor v. Blagojević and Jokić*, IT-02-60-T, [Trial Judgment](#), 17 January 2005, para 597.

413 2025 Fourth Geneva Convention Commentary, [Article 49](#), para 3206.

414 Online news articles – Euronews, [Ukraine war: Russia ‘orders troops’ to withdraw from key city of Kherson](#) (video of a statement by Sergei Shoigu, then Minister of Defence of the Russian Federation), 9 November 2022 <accessed on 14 January 2026>; Reuters, [Russia’s war hawks rally behind decision to abandon Ukrainian city of Kherson](#), 10 November 22 <accessed on 14 January 2026>; Independent, [Russia orders its troops to withdraw from key Ukrainian city of Kherson](#), 9 November 2022 <accessed on 14 January 2026>. This also reflects the official narrative put forward by President Putin to justify Russian military activities in Ukraine since February 2022, namely that they aimed to “protect people who have been subjected to abuse and genocide by the Kiev regime for eight years’ (see UN, Human Rights Council, [Conference room paper of the Independent International Commission of Inquiry on Ukraine](#), A/HRC/52/CRP.4, Fifty-second session, 29 August 2023, para 41).

415 See for instance Online News articles – BBC, [Kherson: Russia to withdraw troops from key Ukrainian city](#), 9 November 2022 <accessed on 14 January 2026>; Independent, [Russia orders its troops to withdraw from key Ukrainian city of Kherson](#), 9 November 2022 <accessed on 14 January 2026>; Euronews, [Ukraine war: Russia ‘orders troops’ to withdraw from key city of Kherson](#), 9 November 2022 <accessed on 14 January 2026>.

416 Online news articles – Euronews, [Ukraine war: Russia ‘orders troops’ to withdraw from key city of Kherson](#) (video of a statement by Sergei Shoigu, then Minister of Defence of the Russian Federation), 9 November 2022 <accessed on 14 January 2026>.

227. Although the deportations to the Russian Federation occurred days before the withdrawal from Kherson city amid reported Ukrainian advances,⁴¹⁷ the information reviewed does not indicate that Holoprystanska, the facility where the Ukrainian prisoners were held prior to the deportation, was under immediate threat.⁴¹⁸ Holoprystanska also remained under Russian-occupied territory, following the withdrawal.⁴¹⁹

228. Interviewees further reported that the movements of Ukrainian prisoners from facilities within occupied territories to Holoprystanska occurred continuously from March until the deportation in November 2022.⁴²⁰ In this respect, Holoprystanska, a medical facility, was not designed to accommodate hundreds of prisoners.⁴²¹ In fact, interviewees reported that, following their relocation there, some Ukrainian prisoners were forced to sleep on the floor.⁴²² This sequence of events suggest that the deportations may have already been planned well before the withdrawal from Kherson.

229. What is more, Ukrainian prisoners could have been temporarily evacuated to Occupied Crimea, where most stayed for a day before deportation to the Russian Federation,⁴²³ in order to avoid any alleged immediate danger near the city of Kherson or its surroundings.⁴²⁴

230. That the deportations were not motivated by protective purposes is also reflected in the multiple statements from different interviewees that those overseeing the physical movement of the Ukrainian prisoners stated that: (i) the deportation was about 'quantity not quality'⁴²⁵ thereby suggesting that the prison staff would not be punished if the 'evacuees' ended up being killed or harmed; and (ii) Ukrainian prisoners were 'biomass'⁴²⁶ suggesting that they did not need to be protected or treated humanely.

417 See above [209].

418 The findings presented are based on the information reviewed for this report, including interviews and selected documentation. While the review did not cover all publicly available or open-source material, the conclusions reflect the information examined.

419 See above [31].

420 See above paras [32, 39].

421 See above [51].

422 See above [52].

423 Some Ukrainian prisoners were taken immediately to a transit centre located in the Russian Federation. See above [79].

424 While humanitarian corridors were implemented in Sumy and Mariupol (see ICRC, [Ukraine: ICRC & URCS help facilitate evacuation of civilians from Sumy](#), 15 March 2022; (UN, [Third Humanitarian Convoy under Way to Evacuate Civilians from Besieged Ukraine City, Secretary-General Tells Security Council](#), 5 May 2022), there is no information that Russian or local authorities sought to coordinate humanitarian corridors with Ukrainian authorities, international organisations, or other humanitarian actors in Kherson or Mykolaiv oblasts. The lack of such arrangements suggest that the transfers of Ukrainian prisoners were not organised as protective evacuations in line with international humanitarian standards, which would normally ensure safe passage, access to medical care, and the option for detainees or civilians to remain in place if they so choose

425 See above para [38].

426 See above para [115].

231. As highlighted above, Ukrainian prisoners were further forcibly moved: they were not in a position to consent or oppose the deportation to the Russian Federation and were subjected to pervasive physical and psychological ill-treatment, including beatings, prolonged periods in stress positions, intimidation, humiliation, and threats of physical and/or sexual violence, often on account of their nationality and their actual or perceived support for Ukraine.⁴²⁷

232. Moreover, the information reviewed does not indicate that the transfers were carried out in response to any imperative military necessity, and the accounts show no connection between the Ukrainian prisoners' presence in Holoprystanska and ongoing imperative military operations.

233. Furthermore, the transfers were not meant as a 'temporary' measure. Interviewees reported that, from the early stages of deportation, throughout the process, and during detention, they were offered benefits – and in many instances pressured and coerced – to accept Russian citizenship. In some cases, refusal reportedly resulted in solitary confinement, beatings, and other forms of ill-treatment.⁴²⁸ Ukrainian prisoners also reported that they had their custodial sentences reviewed by Russian courts.⁴²⁹ Under Article 49(2) of the Fourth Geneva Convention, lawful evacuation is an extreme and temporary measure, strictly limited to circumstances of imminent danger or imperative military necessity. The permanent integration of the Ukrainian prisoners into Russian population is therefore inconsistent with any lawful protective evacuation and further undermines any argument that the transfers were carried out to safeguard the carceral population.

234. When considered together, these findings and observations undermine any argument that the deportations could be justified as lawful evacuations under international humanitarian law.

427 See for instance [¶223] and references therein.

428 See above [¶66, ¶174, ¶179] and Chapter III.

429 The review of Ukrainian prisoner's custodial sentences, in the conditions described by the Ukrainian prisoners, by Russian courts indicates a further potential violation of international humanitarian under Article 64 of the Fourth Geneva Convention.

235. In addition, the deportations were conducted under conditions that grossly violated the standards on humane treatment required under Articles 49(3)–(4) of the Fourth Geneva Convention. In addition to pervasive psychological and physical ill-treatment, often on account of their nationality or perceived support for Ukraine,⁴³⁰ interviewees were forced to abandon most, if not all, of their personal belongings, including vital medication, and were transported in overcrowded vehicles, sometimes alongside prisoners with tuberculosis, without sufficient food, water, sanitation, ventilation, or medical care.⁴³¹ Upon arrival in the transit centres, and subsequently in prisons in the Russian Federation, they were detained under inhuman conditions and subjected to further ill-treatment.⁴³² Many of the acts of ill-treatment and the inhuman conditions endured by Ukrainian prisoners would meet the threshold of torture,⁴³³ as a war crime, while others would constitute inhuman treatment⁴³⁴ or outrages upon personal dignity,⁴³⁵ underscoring both the severity of the conditions and the coercive, unlawful nature of the deportations.

236. Lastly, the ‘return’ of Ukrainian prisoners was equally conducted in a manner that grossly failed to meet the standards required under Articles 49(3)–(4) of the Fourth Geneva Convention. Upon completion of their prison sentences, Ukrainian prisoners were released in the Russia Federation, and in many instances, were immediately admitted to Detention Centres for Foreigners, where they were accused of violating regulations for crossing into to the Russian Federation without valid authorisation,⁴³⁶ effectively penalising them for circumstances entirely beyond their control. Other Ukrainian prisoners were transferred to prisons in Occupied Crimea.⁴³⁷ During these subsequent detentions, Ukrainian prisoners were further subjected to ill-treatment and pressured to accept Russian citizenship.⁴³⁸ In all cases, Ukrainian prisoners were released on the territory of the Russian Federation or in Occupied Crimea, or expelled to third countries, with limited or no means to return to home, creating further insecurity and hardship.⁴³⁹ These accounts indicate that the returns were deeply harmful, exposing individuals to additional stress, uncertainty, and mistreatment, which underscores their arbitrary and punitive nature and reflect a continued disregard for their rights and protections as protected persons.

237. Taken together, these findings indicate that the deportations lacked any lawful justification and, in all circumstances, were conducted under conditions that grossly violated the humane treatment standards set out in Article 49 of the Fourth Geneva Convention.

430 See above [233] and references therein.

431 See above [71-77].

432 See above [50-78; 146-163].

433 The specific legal elements set out in the ICC Elements for the war crime of torture pursuant to Article 8(2)(a)(ii)-1 of the Rome Statute are: (i) the perpetrator inflicted severe physical or mental pain or suffering upon one or more persons; and (ii) the perpetrator inflicted the pain or suffering for such purposes as: obtaining information or a confession, punishment, intimidation or coercion or for any reason based on discrimination of any kind.

434 The specific legal element set out in the ICC Elements for the war crime of inhuman treatment pursuant to Article 8(2)(ii)-2 of the Rome Statute is: the perpetrator inflicted severe physical or mental pain or suffering upon one or more persons.

435 The specific legal element set out in the ICC Elements for the war crime of outrages upon personal dignity pursuant to Article 8(2)(b)(xxi) of the Rome Statute are: (i) the perpetrator humiliated, degraded or otherwise violated the dignity of one or more persons; and (ii) the severity of the humiliation, degradation or other violation was of such degree as to be generally recognized as an outrage upon personal dignity.

436 See above [169-175].

437 See above [176].

438 See above [177-180].

439 See above Chapter V.

Mental elements (Article 30 of the Rome Statute, and Third and Fifth elements)

238. The reviewed information derived from the interviewees' accounts suggests that the perpetrators acted with the requisite intent and knowledge within the meaning of Article 30 of the Rome Statute in relation to the deportation of Ukrainian prisoners to the Russian Federation.

239. The deportation appears to have been carried out deliberately by members of the Russian armed forces, various special forces units, and the FSIN. The perpetrators were aware that the victims were civilians incarcerated in penitentiary facilities and that their removal from occupied territory did not constitute a lawful evacuation. This is evidenced by the coercive circumstances in which the transfers occurred, the absence of any meaningful information provided to the Ukrainian prisoners regarding the reasons for their transfer, and the pattern of ill-treatment, humiliation, and threats inflicted upon the Ukrainian prisoners during the deportations.

240. The available information further indicates that the perpetrators intended to forcibly deport the Ukrainian prisoners, or, at a minimum, knew that their conduct would result in such deportation. This is demonstrated by the organised and systematic nature of the removals, the use of military personnel and infrastructure to execute the transfers, and the complete lack of any genuine consent on the part of the Ukrainian prisoners.

241. As regards the Fifth element, the perpetrators were also aware of the factual circumstances establishing the protected status of the Ukrainian prisoners and the existence of an international armed conflict between the Russian Federation and Ukraine.⁴⁴⁰ This is reflected in their roles as members of the Russian armed forces, various special forces units, and the FSIN, and in the authority they exercised over penitentiary facilities, the movement of prisoners, and the use of armed force and coercion.

242. Concerning the Third element, the perpetrators knew that the prisoners were Ukrainian civilians, or individuals with actual or perceived allegiance to Ukraine.⁴⁴¹ This awareness is evidenced by the manner in which the prisoners were mistreated, including through derogatory language and conduct directed at them on the basis of their Ukrainian identity.

Conclusion

243. The 233 mutually corroborating interviewee accounts reviewed in this report, together with open-source information, indicate that personnel of the Russian occupying forces and authorities forcibly deported hundreds of Ukrainian prisoners from occupied territory to the territory of the Russian Federation in early November 2022, in the context of the ongoing international armed conflict between the Russian Federation and Ukraine. Taken together, these accounts describe conduct consistent with the war crime of unlawful deportation under Article 8(2)(a)(vii) of the Rome Statute.

⁴⁴⁰ ICC Elements, Article 8(2)(a)(vii)-1, Fourth and Fifth elements; Introduction to Article 8 ("There is no requirement for a legal evaluation by the perpetrators as to the existence of an armed conflict or its character as international or non-international"); and fn 32 and 33.

⁴⁴¹ ICC Elements, Article 8(2)(a)(i), fn 33: "With respect to nationality, it is understood that the perpetrator needs only to know that the victim belonged to an adverse party to the conflict".

Deportation as a crime against humanity

244. Crimes against humanity are ‘among the most serious crimes of concern to the international communities a whole’.⁴⁴² They consist of acts – such as deportation and forcible transfer – committed as part of a widespread or systematic attack directed against a civilian population.⁴⁴³

245. The Appeals Chamber of the ICTY held that the ‘prohibition against forcible displacements aims at safeguarding the rights and aspiration of individuals to live in their communities and home without outside interference’.⁴⁴⁴ Individuals deprived of their liberty, including those in prisons, continue to enjoy the same protection against forcible displacement.

246. For the transfer of Ukrainian prisoners documented in this report to constitute the crime against humanity of ‘deportation or forcible transfer of population’ pursuant to Article 7(1)(d) of the Rome Statute, the following legal elements set out in the ICC Elements must be satisfied:

1. The perpetrator deported or forcibly transferred,⁴⁴⁵ without grounds permitted under international law, one or more persons to another State or location, by expulsion or other coercive acts (First element).
2. Such person or persons were lawfully present in the area from which they were so deported or transferred (Second element).
3. The perpetrator was aware of the factual circumstances that established the lawfulness of such presence (Third element).
4. The conduct was committed as part of a widespread or systematic attack directed against a civilian population (Fourth element).
5. The perpetrator knew that the conduct was part of or intended the conduct to be part of a widespread or systematic attack directed against a civilian population (Fifth element).

442 ICC Elements of Crimes, art 7, Introduction, para 1.

443 Rome Statute, art 7.

444 See *Prosecutor v. Krnojelac (Appeal Judgement)* ICTY-97-25-A (17 September 2003) [218].

445 ICC Elements of crime, art 7(1)(d) ; also see fn 13: “Deported or forcibly transferred’ is interchangeable with “forcibly displaced’.

Attack directed against any civilian population (Fourth element)

Course of conduct

247. An ‘attack’ is defined under Article 7(2)(a) of the Rome Statute as ‘a course of conduct involving the multiple commission of acts referred to in paragraph 1’ of Article 7. The ‘attack’ need not be military in nature nor linked to an armed conflict.⁴⁴⁶ For instance, it may encompass situations of mistreatment of persons taking no active part in hostilities, such as persons in detention.⁴⁴⁷ ‘[M]ultiple commission of any [...] acts’ denotes an accumulation of the underlying acts listed in paragraph (1) of Article 7 (such as murder, rape, torture, and deportation), but also includes multiple incidents of a single crime, such as repeated acts of deportation.⁴⁴⁸ The expression ‘course of conduct’ is meant to cover a series or overall flow of events, as opposed to a mere aggregate of random or isolated acts.⁴⁴⁹

248. The deportations of Ukrainian prisoners examined in this report represents one aspect of the ‘course of conduct’ constituting the Russian Federation’s attack on the Ukrainian civilian population since its full-scale invasion of Ukraine on 24 February 2022 and the ensuing occupation of Ukrainian territory.

249. Numerous instances of attacks against the Ukrainian civilian population have been documented by international organisations and civil society.⁴⁵⁰ For instance, the Independent International Commission of Inquiry on Ukraine (Ukraine CoI) has found that waves of attacks by the armed forces of the Russian Federation on the energy-related infrastructure of Ukraine, starting in October 2022, and affecting 20 of the 24 oblasts in Ukraine, were systematic, widespread, and part of a policy, and therefore may amount to crimes against humanity.⁴⁵¹

446 ICC Elements of Crimes, art 7, Introduction, para3; Kai Ambos, ‘Article 7’ in Kai Ambos (ed), Rome Statute of the International Criminal Court: Article-by-Article Commentary (Beck/Hart 2021) Bloomsbury Collections, p 155, [16-17] ; Prosecutor v. Kunarac, Kovač and Vuković (Judgment) ICTY-96-23 & ICTY-96-23/1-T (22 February 2001) [416].

447 Ibid.

448 See Kai Ambos, Carsten Stahn, ‘Article 7’ in Kai Ambos (ed), Rome Statute of the International Criminal Court: Article-by-Article Commentary (Beck/Hart 2021) Bloomsbury Collections, p 253 [201].

449 Prosecutor v. Al Hassan (Judgement) ICC-01/12-01/18-2594-RED (26 June 2024) [1105] ; Prosecutor v. Ntaganda (Appeal Judgment) ICC-01/04-02/06-2666-Red (30 March 2021) [430] ; Prosecutor v. Ntaganda (Judgment) ICC-01/04-02/06-2359 (8 July 2019) [662] ; See also Prosecutor v. Tadić (Judgement) ICTY-94-1-T, (7 May 1997) [644].

450 See for instance Human Rights Watch, ‘Forcible Tran <<https://www.hrw.org/news/2022/09/01/forcible-transfer-ukrainians-russia>> [Forcible Transfer of Ukrainians to Russia | Human Rights Watch Forcible Transfer of Ukrainians to Russia Punitive, Abusive Screening of Fleeing Civilians](#), 1 September 2022 <accessed on 2 February 2026> ; World Organisation Against Torture, Media Initiative for Human Rights and Human Rights Centre ZMINA, [Torture and other violations as crimes against humanity by the Russian army in Ukraine](#), 18 July 2024 <accessed on 2 February 2026>.

451 UN, Human Rights Council, [Report of the Independent International Commission of Inquiry on Ukraine](#), A/HRC/52/62, Fifty-second session, 25 September 2023, paras 40, 43; UN, Human Rights Council, [Report of the Independent International Commission of Inquiry on Ukraine to the Human Rights Council](#), A/HRC/55/66, Fifty-fifth session, 18 March 2024, para 47.

250. The Ukraine Col has also found that the authorities of the Russian Federation committed enforced disappearances and acts of torture, including sexual violence, against civilians and prisoners of war in all oblasts of Ukraine, which came under Russian control. In the Ukraine Col's assessment, this conduct was both widespread and systematic, directed against the Ukrainian population, and carried out pursuant to a coordinated State policy to torture Ukrainian civilians and prisoners of war. In the view of the Ukraine Col, such conduct may constitute crimes against humanity of torture and enforced disappearances, in the context of their full-scale invasion of Ukraine.⁴⁵²

251. In the context of the present report, the interviewee accounts, together with open-source information, indicate that the Russian occupying authorities – including the Russian armed forces, various special units and forces, and the FSIN – carried out deportations and forcible transfers,⁴⁵³ and likely committed acts amounting to torture,⁴⁵⁴ persecution on grounds of nationality,⁴⁵⁵ or other inhuman acts.⁴⁵⁶ These acts were perpetrated in the context of the Russian Federation's invasion and occupation of Ukrainian territory. Movements of Ukrainian prisoners from multiple facilities within occupied territories occurred continuously from March until November, culminating in hundreds of deportations to the Russian Federation in early November 2022.⁴⁵⁷ In view of their scale, temporal duration and geographic spread, the acts cannot be regarded as 'a mere aggregate of random or isolated acts'. The reviewed information therefore suggests the existence of a course of conduct involving the multiple commission of acts referred to in Article 7(1) of the Rome Statute.

452 UN, Human Rights Council, [Report of the Independent International Commission of Inquiry on Ukraine, A/HRC/52/62](#), Fifty-second session, 25 September 2023, para 77; UN, General Assembly, [Report of the Independent International Commission of Inquiry on Ukraine, A/78/540](#), Seventy-eighth session, 20 October 2023, para 48; UN, General Assembly, [Report of the Independent International Commission of Inquiry on Ukraine, A/79/549](#), Seventy-ninth session, 25 October 2024, paras 73-78; UN, Human Rights Council, [Report of the Independent International Commission of Inquiry on Ukraine, A/HRC/58/67](#), Fifty-eighth session, 28 October 2025, paras 7-8, 36.

453 For the legal elements set out in the ICC Elements for the crime against humanity of deportation, see above [¶248].

454 The specific legal elements set out in the ICC Elements for the crime against humanity of torture pursuant to Article 7(1)(f) of the Rome Statute are: (i) the perpetrator inflicted severe physical or mental pain or suffering upon one or more persons; (ii) such person or persons were in the custody or under the control of the perpetrator; and (iii) such pain or suffering did not arise only from, and was not inherent in or incidental to, lawful sanctions.

455 The specific legal elements set out in the ICC Elements for the crime against humanity of persecution pursuant to Article 7(1)(h) of the Rome Statute are: (i) the perpetrator severely deprived, contrary to international law, one or more persons of fundamental rights; (ii) the perpetrator targeted such person or persons by reason of the identity of a group or collectivity or targeted the group or collectivity as such; and (iii) such targeting was based on political, racial, national, ethnic, cultural, religious, gender, or other grounds that are universally recognized as impermissible under international law.

456 The specific legal elements set out in the ICC Elements for the crime against humanity of other inhumane acts pursuant to Article 7(1)(k) of the Rome Statute are: (i) The perpetrator inflicted great suffering, or serious injury to body or to mental or physical health, by means of an inhumane act; and (ii) such act was of a character similar to any other act referred to in article 7, paragraph 1, of the Rome Statute.

457 See above [35, 29, ¶51].

Any civilian population

252. The term ‘civilian population’ refers to a collective entity, not individual civilians, and the term ‘any’ makes clear that such a population need not share common national, ethnic, or similar characteristics.⁴⁵⁸ The presence of some non-civilians among the population does not remove its civilian character, provided the population is predominantly civilian.⁴⁵⁹ Moreover, individual victims are not required to be civilians, they need to be ‘persons’.⁴⁶⁰

253. An attack is ‘directed’ against a civilian population when the civilian population is the primary object of that attack.⁴⁶¹

254. The course of conduct appears to have been directed against Ukrainian prisoners. Collectively, these persons constituted a population with predominantly civilians, notwithstanding the possible presence of some non-civilians. The information reviewed suggest that this population, as such, may have been the primary object of the course of conduct involving acts referred to in Article 7(1) of the Rome Statute.

State or organizational policy

255. The ‘course of conduct involving the multiple commission of acts’ must take place ‘pursuant to or in further of a State or organisational policy to commit such an attack’.⁴⁶² This ensures that the multiple acts forming the course of conduct are linked and excluded acts which are unrelated or perpetrated by individuals acting randomly on their own.⁴⁶³ The ICC Elements specify that “policy to commit such attack’ requires that the state or organization actively promote or encourage such an attack against a civilian population’.⁴⁶⁴

458 ICC, Prosecutor v. Al Hassan, ICC-01/12-01/18-2594-RED, [Trial Judgment](#), 26 June 2024, para 1106; Prosecutor v. Ntaganda, ICC-01/04-02/06-2359, [Trial Judgment](#), 8 July 2019, para 667; Prosecutor v. Katanga, ICC-01/04-01/07-3436-tENG, [Trial Judgment](#), 7 March 2014, para 1103.

459 ICC, Prosecutor v. Ntaganda, ICC-01/04-02/06-2359, [Trial Judgment](#), 8 July 2019, para 668; Prosecutor v. Katanga, ICC-01/04-01/07-3436-tENG, [Trial Judgment](#), 7 March 2014, para 1105. See also ICTY, Prosecutor v. Sešelj, MICT-16-99-A, [Appeal Judgment](#), 11 April 2018, para 69; ICTY, Prosecutor v. Popović et al., IT-05-88-A, [Appeal Judgment](#), 30 January 2015, para 567.

460 ICC, Prosecutor v. Ongwen, ICC-02/04-01/15, [Trial Judgment](#), 4 February 2021, para 2675.

461 ICC, Prosecutor v. Ntaganda, ICC-01/04-02/06-2666-Red, [Appeal Judgment](#), 30 March 2021, paras 7, 424. See also ICTY, Prosecutor v. Kunarac, Kovač and Vuković, IT-96-23 & IT-96-23/1-A, [Appeal Judgment](#), 12 June 2002, para 91.

462 Article 7(2)(a) of the Statute; ICC Elements, Introduction to Article 7, para 3.

463 ICC, Prosecutor v. Al Hassan, ICC-01/12-01/18-2594-RED, [Trial Judgment](#), 26 June 2024, para 1111; Prosecutor v. Ongwen, ICC-02/04-01/15, [Trial Judgment](#), 4 February 2021, para 2678.

464 ICC Elements, Introduction to Article 7, para 3.

256. A policy may take the form of a pre-existing plan or design, but it can also crystallise gradually through the actions carried out by the perpetrators.⁴⁶⁵ In principle, a state or organisation committing a systematic attack against a civilian population will satisfy the policy requirement.⁴⁶⁶

257. The course of conduct appears to have occurred pursuant to and in furtherance of the Russian Federation's plan or design to establish and consolidate control over occupied territories of Ukraine and, ultimately, integrate them and their populations into the Russian Federation. The occupation of Crimea in 2014 provides contextual insight into this long-term policy framework: the illegal annexation involved systematic efforts to suppress Ukrainian identity, impose Russian citizenship on the local population, and establish administrative and legal structures in order to facilitate the integration of the territory into the Russian Federation.⁴⁶⁷ This policy was further reflected in the official recognition, on 21 February 2022, by the President of the Russian Federation of the independence of self-proclaimed 'Donetsk People's Republic' and 'Luhansk People's Republic'.⁴⁶⁸ It was also reflected in the official narratives justifying the Russian Federation's invasion of Ukraine in February 2022. On the day of the invasion, the President of the Russian Federation declared that the so-called 'special military operation' aimed to 'protect people who have been subjected to abuse and genocide by the Kiev regime for eight years'.⁴⁶⁹ Another key component of the narrative is the claim that there is 'no historical basis' for 'the idea of Ukrainian people as a nation separate from the Russians'.⁴⁷⁰

465 ICC, Prosecutor v. Al Hassan, ICC-01/12-01/18-2594-RED, [Trial Judgment](#), 26 June 2024, para 1110; Prosecutor v. Ongwen, ICC-02/04-01/15, [Trial Judgment](#), 4 February 2021, para 2679. The ICC has identified several elements by which a policy may be inferred, including: (i) a recurrent pattern of violence; (ii) the existence of preparations or collective mobilisation orchestrated and coordinated by the organisation; (iii) the use of public or private resources to further the policy; (iv) the involvement of organisational forces in the commission of crimes; (v) statements, instructions or documentation attributable to the organisation condoning or encouraging the commission of crimes; and (vi) an underlying motivation.

466 ICC, Prosecutor v. Al Hassan, ICC-01/12-01/18-2594-RED, [Trial Judgment](#), 26 June 2024, para 1110; Prosecutor v. Ongwen, ICC-02/04-01/15, [Trial Judgment](#), 4 February 2021, para 2679.

467 See UN, OHCHR, [Ten Years of Occupation by The Russian Federation: Human Rights in the Autonomous Republic of Crimea and the city of Sevastopol, Ukraine](#), 28 February 2024; Amnesty International, [Russia/Ukraine: A decade of suppressing non-Russian identities in occupied Crimea](#), 18 March 2024 <accessed on 3 February 2026>; Open Society Justice Initiative, [Human Rights in the Context of Automatic Naturalization in Crimea](#), June 2018 <accessed on 3 February 2026>.

468 See official website of the President of the Russian Federation, [Signing of documents recognising Donetsk and Lugansk People's Republics](#), 21 February 2022.

469 See UN, Human Rights Council, [Conference room paper of the Independent International Commission of Inquiry on Ukraine](#), A/HRC/52/CRP.4, Fifty-second session, 29 August 2023, para 41; official website of the President of the Russian Federation, [Address by the President of the Russian Federation](#), 24 February 2022 <accessed on 10 January 2026>; [Address by the President of the Russian Federation](#), 21 February 2022 <accessed on 10 January 2026>.

470 See Raoul Wallenberg Centre for Human Rights, [An Independent Legal Analysis of the Russian Federation's Breaches of the Genocide Convention in Ukraine and the Duty to Prevent](#), May 2022, p. 13, referring to the Russian Federation President Vladimir Putin's July 2021 essay "On the Historical Unity of Russians and Ukrainians" (official website of the President of the Russian Federation, [Article by Vladimir Putin "On the Historical Unity of Russians and Ukrainians"](#), 12 July 2021 <accessed on 10 January 2026>). According to media, the essay is required reading for the Russian military (RBK Daily, [Shoigu ordered the military to study Putin's article on Ukraine \[translated\]](#), 15 July 2021; see also The Guardian, [Russia releases history schoolbook praising Ukraine invasion](#), 8 August 2023).

258. Against this broader policy framework, the deportation of Ukrainian civilians,⁴⁷¹ including children,⁴⁷² to the Russian Federation, has been documented throughout the Russian invasion and reflects the implementation of this policy. Similarly, the forcible transfers or deportation of Ukrainian civilians from occupied territories to areas controlled by Ukraine targets those perceived by the Russian occupying authorities as disloyal or non-compliant with imposed policies, and is carried out through coercion and discriminatory measures, reflecting the occupation authorities' efforts to control and suppress Ukrainian identity.⁴⁷³

259. The deportations documented in this report appear to form part of the same policy. This is illustrated by the deportation of hundreds of Ukrainian civilian prisoners to the Russian Federation, the repeated offers of Russian citizenship to Ukrainian prisoners – often accompanied by pressure, coercion, and even violence – and the anti-Ukrainian attitudes and sentiment manifested towards prisoners.⁴⁷⁴

260. Moreover, the deportations described by the interviewees indicate that the conduct was carried out under State oversight. They involved multiple facilities in regions under Russian control, coordinated movements through penitentiary facilities, and onward transfers to locations in the Russian Federation,⁴⁷⁵ reflecting a level of operational coordination, geographic scope, and continuity consistent with the implementation of a state policy.

261. Further information – including specific details regarding the involvement of State entities and the policy governing the management of penitentiary facilities in occupied territories – is needed to enable a more detailed and substantiated assessment. Nevertheless, the information derived from the interviewee accounts, when considered alongside open-source information, indicates that the deportation of Ukrainian prisoners was likely carried out pursuant to, or in furtherance of, a state policy aimed at integrating the occupied territories and their population into the Russian Federation.

471 Human Rights Watch, [Forcible Transfer of Ukrainians to Russia Punitive, Abusive Screening of Fleeing Civilians](#), 1 September 2022 <accessed on 2 February 2026>. UN, OHCHR, [Detention of Civilians in the Context of the Armed Attack by the Russian Federation Against Ukraine](#) (24 February 2022 – 23 May 2023), 7 June 2023, paras 7, 77.

472 OSCE, [Report on Violations and Abuses of International Humanitarian and Human Rights Law, War Crimes and Crimes Against Humanity, Related to the Forcible Transfer and/or Deportation Of Ukrainian Children to the Russian Federation](#), 4 May 2023, p. 45 <accessed on 2 February 2026>. See also ICC, Press Release, [Situation in Ukraine: ICC judges issue arrest warrants against Vladimir Vladimirovich Putin and Maria Alekseyevna Lvova-Belova](#), 17 March 2023; UN, HRC, [Report of the Independent International Commission of Inquiry on Ukraine](#), A/HRC/61/61, Sixty-first session, 9 March 2026, p. 1, para 6.

473 See UN, OHCHR, [Forced displacement from territory of Ukraine occupied by the Russian Federation: forcible transfer and deportation, barriers to return, and the rights of internally displaced persons](#) (24 February 2022-31 December 2025), 20 March 2026.

474 See above Chapter II - IV.

475 Ibid.

Widespread or systematic

262. The ‘attack’ should further be either ‘widespread’ or ‘systematic’. The term ‘widespread’ refers to the large-scale nature of the attack and the number of targeted persons.⁴⁷⁶

263. The term ‘systematic’ reflects the organised nature of the violent acts, referring often to the existence of ‘patterns of crimes’ and the improbability of their random or accidental occurrence.⁴⁷⁷

264. The deportation documented in this report appears to have been both ‘widespread’ and ‘systematic’. The operation was geographically extensive, involving multiple penitentiary facilities across occupied territory and into the Russian Federation, and affected large numbers of Ukrainian prisoners. This geographic reach and scale is consistent with the quantitative threshold generally associated with a finding of ‘widespread’.

265. With respect to the ‘systematic’ nature of the attack, the information obtained from the interviewees indicates a consistent *modus operandi*, reflecting an organised pattern of conduct and making it unlikely that the acts were random or accidental. The transfers followed a methodical procedure: Ukrainian prisoners were first transported from penitentiary facilities in Kherson and Mykolaivska oblasts, to a centralised facility, i.e. Holoprystanska, in Kherson oblast, and subsequently to transit centres in Occupied Crimea, including Kerch and Simferopol, before being deported to penitentiary facilities within the Russian Federation. Throughout the deportation, Ukrainian prisoners were compelled to leave behind their personal belongings, including vital medication, and were repeatedly subjected to ill-treatment, humiliation, threats, and inhuman conditions.⁴⁷⁸ They received little, if any, information regarding the deportation, had no access to legal assistance, and were not afforded meaningful opportunities to contact family members.⁴⁷⁹ These consistent conditions across locations and over time underscore the systematic character of the attack.

476 ICC, Prosecutor v. Al Hassan, ICC-01/12-01/18-2594-RED, [Trial Judgment](#), 26 June 2024, para 1113; Prosecutor v. Ntaganda, ICC-01/04-02/06-2359, [Trial Judgment](#), 8 July 2019, para 691.

477 ICC, Prosecutor v. Al Hassan, ICC-01/12-01/18-2594-RED, [Trial Judgment](#), 26 June 2024, para 1114; Prosecutor v. Ntaganda, ICC-01/04-02/06-2359, [Trial Judgment](#), 8 July 2019, para 692; Prosecutor v. Ruto, Kosgey and Sang, ICC01/0901/11-373, [Confirmation of Charges Decision](#), 23 January 2012, para 179. In assessing whether an attack was systematic, the ICC has indicated that the Chamber should examine whether a series of repeated actions seeking to always produce the same effects on a civilian population were undertaken. In doing so, the Chamber may take into account factors such as: (i) whether identical or similar criminal practices can be identified; (ii) whether the same *modus operandi* was employed; and (iii) whether victims were treated in a comparable manner across a wide geographic area (ICC, Prosecutor v. Al Hassan, ICC-01/12-01/18-2594-RED, [Trial Judgment](#), 26 June 2024, para 1114; Prosecutor v. Ntaganda, ICC-01/04-02/06-2359, [Trial Judgment](#), 8 July 2019, para 693, referring to Prosecutor v. Katanga, ICC-01/04-01/07-3436-tENG, [Trial Judgment](#), 7 March 2014, para 1113). The ICC has further underlined that the terms ‘systematic’ and ‘policy’ are not to be understood as synonymous since, as the analysis of the systematic nature of the attack goes beyond the existence of a policy (ICC, Prosecutor v. Al Hassan, ICC-01/12-01/18-2594-RED, [Trial Judgment](#), 26 June 2024, para 1110). See also ICTY, Prosecutor v. Kordić and Čerkez, IT95/14/2A, [Appeal Judgment](#), 17 December 2004, para 94; Prosecutor v. Blaškić, IT9514A, [Appeal Judgment](#), 29 July 2004, para 101.

478 See above [67-79, 82-108, 146-163].

479 See above [53-67, 80-82, 111-122].

Nexus requirement

266. The individual acts must be committed as part of a widespread or systematic attack directed against the civilian population.⁴⁸⁰ There must therefore be a sufficient nexus between the individual acts and the attack.⁴⁸¹ The temporal and geographical proximity of the acts are relevant,⁴⁸² but acts committed before or after the core attack against the civilian population may also be considered part of that attack if they are sufficiently connected.⁴⁸³

267. The reviewed information indicates that the transfers were carried out by members of the Russian occupying forces and authorities.⁴⁸⁴ These acts were committed in the exercise of their duties and appear to have been in furtherance of the Russian Federation's policy to control Ukrainian territories and their population. Thus, the deportations were connected to the attack described above.

Conclusion

Taken together, the reviewed information indicates the existence of an attack directed against a civilian population within the meaning of Article 7 of the Rome Statute.

480 ICC Elements, Introduction to Article 7, para 2.

481 ICTR, Prosecutor v. Akayesu, ICTR964T, [Trial Judgment](#), 2 September 1998, para 579. Relevant indicators include: the similarities between the perpetrator's acts and those occurring within the attack; the nature of the events and circumstances surrounding the perpetrator's acts; the temporal and geographical proximity of the accused's acts with the attack. See also ICTY, Prosecutor v. Tadić, IT 94-1-T, [Trial Judgment](#), 7 May 1997, paras 629–633; ICC, Prosecutor v. Ntaganda, ICC-01/04-02/06-2359, [Trial Judgment](#), 8 July 2019, para 696.

482 Ambos, 'Article 7', in Kai Ambos (ed), Rome Statute of the International Criminal Court: Article-by-Article Commentary (Beck/Hart 2021) Bloomsbury Collections <accessed 15 January 2026>, p 157, para 18.

483 ICTY, Prosecutor v. Kunarac, Kovač and Vuković, IT-96-23 & IT-96-23/1-A, Appeal Judgment, 12 June 2002, para 100.

484 See above [40-50].

Deportation

Deportation or forcible transfer (First element)

268. Similar to Article 8(2)(a)(vii) of the Rome Statute, 'deported' under Article 7(1)(d) denotes transfer to the territory of another state, while 'forcibly transferred' denotes relocation to another place, implying, a contrario, a location within the same state.⁴⁸⁵ As this report focuses on the transfer of Ukrainian prisoners to the Russian Federation, it will consider only the legal elements relevant to 'deportation'.

269. Deportation can be effected either through the physical removal of the targeted individuals or by coercive acts that cause them to leave the area where they were lawfully present.⁴⁸⁶

270. As discussed in relation to the corresponding war crime, deportation is generally prohibited under international law, except in narrowly defined circumstances. States are typically forbidden from deporting their own nationals in most cases and from arbitrarily deporting foreign nationals.⁴⁸⁷

485 See ICC, [Prosecution's Request for a Ruling on Jurisdiction under Article 19\(3\) of the Statute](#), ICC-RoC46(3)-01/18-1, 9 April 2018, paras 20-27. See also Stahn, 'Article 7' in Kai Ambos (ed), *Rome Statute of the International Criminal Court: Article-by-Article Commentary* (Beck/Hart 2021) Bloomsbury Collections <accessed 15 January 2026>, p 187, 60.

486 ICC Elements, Article 7(1)(d), para 1.

487 See Stahn, 'Article 7' in Kai Ambos (ed), *Rome Statute of the International Criminal Court: Article-by-Article Commentary* (Beck/Hart 2021) Bloomsbury Collections <accessed 15 January 2026>, p 280, 228 and further references in fn 1001. ICC, Situation in the Republic of the Union of Myanmar, ICC01/19, [Article 15 Decision](#), 14 November 2019, para 98.

271. During armed conflict, deportation is allowed on exceptional grounds for the protection of the persons concerned and must be temporary.⁴⁸⁸ Article 49(2) of the Fourth Geneva Convention prohibits the forcible transfer or deportation of protected persons from occupied territory unless justified for the protection of civilians or imperative military reasons.⁴⁸⁹ Judicial decisions have clarified these exceptions. The ICTY held that evacuation may lawfully occur to ensure the security of civilians in areas threatened by military operations or intensive bombing, or for imperative military reasons, such as when the presence of civilians hampers military operations.⁴⁹⁰ Similarly, transfers may be permitted for humanitarian reasons unrelated to conflict, such as in the event of epidemics, natural disasters, or otherwise life-threatening conditions,⁴⁹¹ provided that the humanitarian crisis is not the product of the perpetrators' own unlawful actions.⁴⁹² Even when evacuation falls within these narrow exceptions, transfers become unlawful if they violate the duties and standard imposed under Article 49(3) of the Fourth Geneva Convention or Article 17(1) of Additional Protocol II.⁴⁹³

272. In other words, any deportation carried out without justification under international law is considered unlawful and may constitute a crime against humanity.

273. In the present case, and as argued in relation to the corresponding war crime,⁴⁹⁴ the interviewee accounts suggest that Ukrainian prisoners were deported to the Russian Federation, thereby meeting the cross-border element, and were carried out forcibly.⁴⁹⁵ In particular, the accounts indicate that the Ukrainian prisoners were 'moved against their will or without a genuine choice'.⁴⁹⁶

488 See above [224]. See also Article 19 of Third Geneva Convention (on the evacuation of prisoners of war); Article 17 of the Additional Protocol II (applicable to non-international armed conflict; forced displacements of populations are permitted under limited circumstances, namely if they are carried out for "the security of the persons involved or for imperative military reasons") (ICRC, Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II), 8 June 1977, 1125 UNTS 609, available at <https://ihl-databases.icrc.org/en/ihl-treaties/apii-1977> (Additional Protocol II); Prosecutor v. Popović et al., IT0588T, [Trial Judgment \(Volume 1\)](#), 10 June 2010, paras 901; ICTY, Prosecutor v. Stakić, IT-97-24-A, [Appeal Judgment](#), 22 March 2006, para 284.

489 See above [224].

490 ICTY, Prosecutor v. Blagojević and Jokić, IT-02-60-T, [Trial Judgment](#), 17 January 2005, para 597; Prosecutor v. Popović et al., IT0588T, [Trial Judgment \(Volume 1\)](#), 10 June 2010, para 901; ICC, Situation in the Republic of the Union of Myanmar, ICC01/19, [Article 15 Decision](#), 14 November 2019, para 98.

491 ICRC, Commentary of 1987 to Additional Protocol II, p. 1473. See also ICTY, Prosecutor v. Stakić, IT-97-24-A, [Appeal Judgment](#), 22 March 2006, para 287; Prosecutor v. Popović et al., IT0588T, [Trial Judgment \(Volume 1\)](#), 10 June 2010, para 903; Prosecutor v. Blagojević and Jokić, IT-02-60-T, [Trial Judgment](#), 17 January 2005, para 600.

492 ICTY, Prosecutor v. Stakić, IT-97-24-A, [Appeal Judgment](#), 22 March 2006, para 287; Prosecutor v. Popović et al., IT0588T, [Trial Judgment \(Volume 1\)](#), 10 June 2010, para 903; ICC, Situation in the Republic of the Union of Myanmar, ICC01/19, [Article 15 Decision](#), 14 November 2019, para 98.

493 ICTY, Prosecutor v. Blagojević and Jokić, IT-02-60-T, [Trial Judgment](#), 17 January 2005, para 597; Prosecutor v. Popović et al., IT0588T, [Trial Judgment \(Volume 1\)](#), 10 June 2010, para 902.

494 To the extent that the legal elements of war crimes and crimes against humanity overlap, they will not be discussed further in this section.

495 See above [221].

496 ICTY, Prosecutor v. Mladić, IT0992T, [Trial Judgment \(Volume III of V\)](#), 22 November 2017, para 3119.

274. Furthermore, the deportations appear to have been carried out without any grounds permitted under international law. The accounts reviewed, together with open-source information, do not indicate that the deportations constituted a lawful evacuation, nor that they were carried out under humane conditions.⁴⁹⁷

Lawful presence (Second element)

275. As regards the Second element of Article 7(1)(d) of the Statute, the lawful presence of a person must be assessed on the basis of international law and is not to be equated with the requirement of lawful residence.⁴⁹⁸

276. In the present case, the interviewees and other Ukrainian prisoners appear to have been persons lawfully present in Ukraine, serving custodial sentences in Ukrainian penitentiary facilities.⁴⁹⁹

Mental Elements (Article 30 of the Rome Statute, and Third and Fifth elements)

277. As with the findings related to the corresponding war crime,⁵⁰⁰ the reviewed information derived from the interviewees' accounts suggests that the perpetrators acted with the requisite intent and knowledge within the meaning of Article 30 of the Rome Statute in relation to the deportation of Ukrainian prisoners to the Russian Federation.

278. The Third element requires that the perpetrator must have been 'aware of the factual circumstances that established the lawfulness of such presence'.⁵⁰¹ Therefore, there is no need to demonstrate that the perpetrator made any legal determination concerning the lawfulness of the person's presence or was aware that it was lawful.

279. The interviewee accounts suggest that the perpetrators were aware of the fact that they were Ukrainian civilian prisoners serving ordinary custodial sentences in penitentiary facilities. This awareness is further supported by the observed anti-Ukrainian attitudes and sentiments directed towards the prisoners.

280. As regards the Fifth element, the perpetrator need not have 'knowledge of all characteristics of the attack or the precise details of the plan or policy of the State or organisation';⁵⁰² it suffices that he or she is aware of the existence of the attack in general.⁵⁰³

497 See above [217-239].

498 See Stahn, 'Article 7' in Kai Ambos (ed), *Rome Statute of the International Criminal Court: Article-by-Article Commentary* (Beck/Hart 2021) Bloomsbury Collections <accessed 15 January 2026>, p 278, 227; ICTY, *Prosecutor v. Popović et al.*, IT0588T, [Trial Judgment \(Volume 1\)](#), 10 June 2010, para 900; ICC, *Situation in the Republic of the Union of Myanmar*, ICC01/19, [Article 15 Decision](#), 14 November 2019, para 99. This legal element is not required in relation to the corresponding war crime (see above para [199]).

499 See for instance [50].

500 See above [240-244].

501 ICC Elements, Article 7(1)(d), Third element.

502 ICC Elements, Introduction to Article 7, para 2.

503 ICC, *Prosecutor v. Gbagbo*, ICC02/1101/11656Red, *Confirmation of Charges Decision*, 13 June 2014, para 214; ICC, *Prosecutor v. Ntaganda*, ICC-01/04-02/06-2359, [Trial Judgment](#), 8 July 2019, para 696; *Prosecutor v. Katanga*, ICC-01/04-01/07-3436-tENG, [Trial Judgment](#), 7 March 2014, para 1099.

281. The reviewed information indicates that the perpetrators acted as members of the Russian occupying forces and authorities, including the Russian armed forces, various special forces and units, and the FSIN, or under their authority, and were able to observe the effects and consequences as the attack unfolded. Through the exercise of their functions, they participated in the implementation of the deportation operation and contributed to the targeting of Ukrainian prisoners. In these circumstances, the information reviewed suggests that the perpetrators were aware that their conduct was part of a widespread or systematic attack directed against a civilian population, namely Ukrainian prisoners.

Conclusion

282. The 233 mutually corroborating interviewee accounts reviewed in this report, together with open-source information, indicate that personnel of the Russian occupying forces and authorities forcibly deported hundreds of Ukrainian prisoners from occupied territory to the territory of the Russian Federation in early November 2022. Taken together, these accounts describe conduct consistent with the crime against humanity of deportation, carried out as part of a widespread or systematic attack against the civilian population, within the meaning of Article 7(1)(d) of the Rome Statute.

Chapter VII

Recommendations

Recommendations

283. To the Government of the Russian Federation:

1. Immediately end the deportation and transfer of Ukrainian prisoners from the territory of Ukraine to the Russian Federation.
2. Put an end to the unlawful transfer of Ukrainian prisoners between places of detention within the territory of the Russian Federation.
3. Refrain from imposing additional punitive measures on released Ukrainian prisoners, including detention in migration centres and imposition of administrative or financial sanctions, such as fines for alleged illegal border crossings.
4. Immediately cease all acts of torture and other forms of ill-treatment against Ukrainian prisoners. End the practice of coercing Ukrainian prisoners to acquire or accept Russian citizenship.
5. Ensure the prompt, safe, and dignified return of all Ukrainian prisoners held in penitentiary facilities within the Russian Federation to the territory of Ukraine, in cooperation with Ukrainian authorities, relevant international organisations and, where appropriate, with the facilitation of third states.
6. Conduct prompt, impartial and effective investigations into international crimes allegedly committed against Ukrainian prisoners, ensuring accountability for the perpetrators and redress to the victims and survivors.

284. To the Government of Ukraine:

1. Take all lawful measures to guarantee the prompt, safe and dignified return to Ukraine of the Ukrainian prisoners illegally deported to the Russian Federation.
2. Provide comprehensive support for returned Ukrainian prisoners, including legal, social, medical, and psychological assistance, to facilitate their rehabilitation and reintegration into the Ukrainian society.
3. Ensure effective access to justice for Ukrainian prisoners unlawfully deported, by removing barriers to reporting violations, enabling their meaningful participation in judicial proceedings, and providing integrated legal and psychosocial support, in coordination with relevant international accountability and investigative mechanisms.
4. Conduct prompt, impartial, and effective investigations into alleged international crimes committed against Ukrainian prisoners, ensuring full respect for the rights, needs, and dignity of victims and survivors, and facilitating their effective participation throughout all stages of criminal proceedings.
5. Ensure that the entire period of detention served by the Ukrainian prisoners is fully recognised – including time spent in the penitentiary facilities and migration detention centres – and counted toward the total duration of their prison sentence.
6. Ensure that the prisoners who have fully served their prison sentences while detained in penitentiary facilities of the Russian Federation, are not subjected to further imprisonment but are released without delay upon their return to Ukraine.

285. To the International Criminal Court:

1. Investigate the deportation of Ukrainian prisoners to penitentiary facilities within the Russian Federation, in accordance with its mandate in the situation in Ukraine and the principle of complementarity, to ensure accountability and redress for potential war crimes and crimes against humanity.

286. To the international organisations and non-government organisations in Ukraine:

1. Provide additional support to the Ukrainian prisoners returned to Ukraine, if the resources allocated by the Governments are not sufficient for their effective rehabilitation and restoration of their rights.
2. Support and engage in public awareness-raising initiatives to draw attention to the problem of unlawful deportation of Ukrainian prisoners to the Russian Federation and their ill-treatment by the Russian occupying forces and authorities.
3. Continue to monitor, gather and preserve evidence of deportations of Ukrainian prisoners to penitentiary establishments within the Russian Federation, in support of future accountability processes.

287. To third states:

1. Provide support to Ukrainian prisoners located on the territory of third states to facilitate their return to Ukraine and access to justice.

Annexes

Annex 1

A copy of the certificate of release, issued to S.V., a former Ukrainian prisoner deported to the Russian Federation, indicating his place of release as Holoprystanska Penitentiary Facility no. 7.

СПРАВКА ОБ ОСВОБОЖДЕНИИ

Серия ХЕР №00419 Часть «Б»

Выдана гражданину [REDACTED]

Дата рождения [REDACTED]

Место рождения: Николаевская область

Гражданство Украины

Судимость: 2 раза

о том, что он отбывал наказание в Государственном учреждении ИК «Голопристанская исправительная колония (№7)» на основании: приговора Ленинского р/с г. Николаева [REDACTED] по ч.1 ст. 152, ч.2 ст.153, ч.1 ст.70 УК Украины к 5 годам лишения свободы.

[REDACTED] по [REDACTED] откуда освобожден - «08» сентября 2021г.

на основании По окончании срока наказания. и направляется по месту жительства:

[REDACTED]

20 г.

Должность, фамилия и подпись личности, которая заполнила справку: инспектор ОСУ _____

Врио начальника Управления службы исполнения наказаний по Херсонской области О.В.ТЮТЮРАЙ (ФИО)

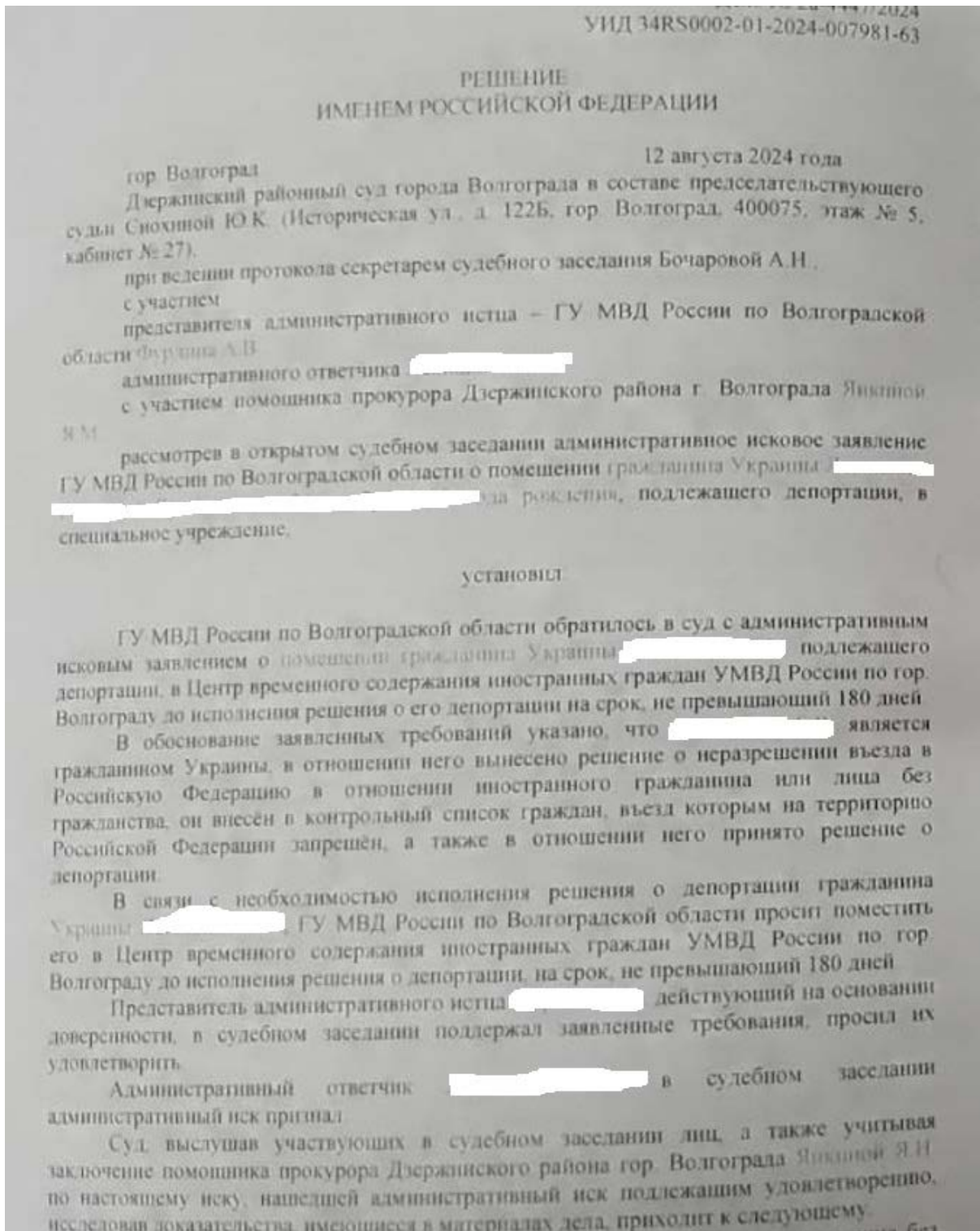
Врио начальника ОСУ И.Ю.РОСИНСКАЯ (ФИО)

Справка получил [REDACTED] (подпись) [REDACTED] (ФИО)

[REDACTED]

Annex 2

Extract from the decision of the Volgograd District Court of the Russian Federation on placement of O.L., a former Ukrainian prisoner, into the Detention Centres for Foreigners (ЦВИГ) for alleged illegal crossing of the state border of the Russian Federation .



DIGNITY Publication Series on Torture and Organized Violence

Deportation to hell - Forcible Transfer of Ukrainian Prisoners to Russia

By Olena Ashchenko, Adelaide Pereira Figueiras

This publication is prepared in collaboration between DIGNITY – Danish Institute Against Torture, The Kharkiv Human Rights Protection Group and Protection of Prisoners of Ukraine

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DIGNITY –Danish Institute Against Torture has been working with international development, research and advocacy in the field of torture prevention and rehabilitation of torture victims for over three decades. During this time, DIGNITY has built up valuable expertise together with a variety of partners in different sectors all over the world.

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