



**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

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INTRODUCTION

1. On 26 February 2024, ten years will have passed since protesters clashed in Simferopol amid reports that the Parliament of the Autonomous Republic of Crimea would schedule a vote on separation from Ukraine. Days before these clashes, the Maidan protests in Kyiv had reached an apex, leading to the departure of then President of Ukraine Viktor Yanukovich and the establishment of an interim Government of Ukraine. By 27 February 2014, armed individuals without insignia took over buildings of the Crimean local government. In the presence of gunmen, members of the Parliament of Crimea proceeded to dismiss the local government and elected a new ‘head of Crimea’. By 21 March 2014, a rapid succession of political decisions by the Russian Federation¹ led to the illegal annexation of the temporarily occupied Autonomous Republic of Crimea and the city of Sevastopol, Ukraine (hereinafter “Crimea”). On 27 March 2014, the UN General Assembly, in its resolution 68/262, affirmed its commitment to the sovereignty, political independence, unity, and territorial integrity of Ukraine within its internationally recognized borders and, among other things, underscored that the referendum held on 16 March had “no validity” and could not form the basis for any alteration of the status of Crimea.²
2. Immediately following these events, the Russian Federation imposed Russian legal and administrative systems in Crimea, in violation of international humanitarian law (IHL).³ Residents of Crimea have either had to comply with the occupying authorities, leave the territory, or dissent and face repression, detention, torture, or disappearance. Over the following decade, occupying authorities progressively applied measures that limited fundamental freedoms, including the rights to freedom of expression, assembly, religion, and belief. As a result, the Russian Federation has established effective control over all spheres of public life, including the media, the

¹ On 6 March 2014, the Parliament of Crimea adopted a resolution calling for a referendum on the status of the peninsula to be held on 16 March 2014, basing the decision on the “absence of legitimate State organs in Ukraine”. On 18 March 2014, a Treaty on the Accession of the Republic of Crimea to the Russian Federation (Treaty on Accession) was signed in Moscow, and on 21 March 2014, the Parliament of the Russian Federation ratified a “Constitutional Law on the Accession of the Republic of Crimea to the Russian Federation and the Creation of the New Constituent Entities of the Republic of Crimea and the City of Federal Importance Sevastopol within the Russian Federation”.

² Resolution 68/262, paras. 1 and 5.

³ See Annex 2, Legal Framework, para. 47.

education and healthcare systems, pensions, social services, taxation, civil documentation and registration, the judiciary, and property ownership. Expressions of minority religions and cultures, including those of the Crimean Tatars and ethnic Ukrainians, have been suppressed. This control has been reinforced within a climate of impunity for serious violations of human rights and IHL.⁴

3. The United Nations Human Rights Monitoring Mission in Ukraine (HRMMU) has monitored and reported on the human rights situation in Crimea since March 2014. It has produced 49 public reports on Ukraine, including two thematic reports dedicated to the human rights situation in Crimea (see Annex I).

I. IMPOSITION OF RUSSIAN CITIZENSHIP AND LEGAL AND ADMINISTRATIVE SYSTEMS

4. In the immediate aftermath of the illegal annexation of Crimea, the Russian Federation purported to impose its own citizenship by law on residents of the region, as well as its own legal and administrative systems. Individuals who resisted these impositions faced severe repercussions, as detailed in Section III below.

A. Russian Federation citizenship

5. On 21 March 2014, the Russian Federation automatically extended Russian citizenship to all Ukrainian citizens and stateless persons who permanently resided in Crimea.⁵ Authorities of the Russian Federation compelled residents to accept this citizenship, or else lose their rights to reside in Crimea and access employment, housing and property. IHL prohibits forcing the inhabitants of an occupied territory from swearing allegiance to the occupying Power.⁶ The imposition of citizenship of the occupying Power falls under this prohibition.
6. Although authorities of the Russian Federation ostensibly provided an exception whereby residents could reject Russian citizenship in writing before 18 April 2014, HRMMU documented cases of Crimean residents who formally rejected Russian citizenship and subsequently discovered they were nevertheless considered as citizens of the Russian Federation, despite not holding Russian passports. However, the Russian Federation generally considered residents who rejected Russian citizenship or did not meet ambiguous permanent residency requirements as “foreigners”: they could no longer reside permanently in Crimea and risked deportation. From 2017 to 2024, Crimean courts ordered the deportation of at least 864 individuals (mostly Ukrainian citizens) considered foreigners under Russian Federation law.⁷ Forcible transfers and deportations of protected persons from an occupied territory are prohibited under IHL.⁸
7. Residents without Russian citizenship were deprived of several important rights and services. They could not benefit from medical insurance, vote or be elected, apply to hold a public meeting, or re-register their private vehicles. They also had limited access to social security and public services.⁹ Tenants of social housing with

⁴ See, for example, OHCHR, *Situation of human rights in the temporarily occupied Autonomous Republic of Crimea and the city of Sevastopol (Ukraine)*, issued pursuant to General Assembly Resolution 71/205 and covering the period from 22 February 2014 to 12 September 2017 (hereinafter “OHCHR first report on Crimea”), paras. 13 and 85, www.ohchr.org/sites/default/files/Documents/Countries/UA/Crimea2014_2017_EN.pdf; *Situation of human rights in the temporarily occupied Autonomous Republic of Crimea and the city of Sevastopol, Ukraine: report of the Secretary-General*, A/HRC/53/64, 26 May 2023, para. 14, <https://digitallibrary.un.org/record/4013498?ln=en>.

⁵ Russian Federation, “Constitutional Law on the Accession of the Republic of Crimea to the Russian Federation and the Creation of the New Constituent Entities of the Republic of Crimea and the City of Federal Importance Sevastopol within the Russian Federation” (21 March 2014), art. 5.

⁶ 1907 Hague Regulations, art. 45.

⁷ Information provided by the Russian Federation court registry.

⁸ Fourth Geneva Convention, art. 49.

⁹ OHCHR first report on Crimea, paras. 61-70.

lease agreements concluded under Ukrainian legislation were forced to sign new social lease contracts under Russian Federation law; however, they needed Russian citizenship to enter into these contracts.¹⁰ Crimean government and municipal employees were also obliged to acquire a Russian Federation passport and renounce their Ukrainian citizenship by 18 April 2014 in order to keep their jobs.

8. A Presidential decree, promulgated in 2020, restricted land ownership in Crimea to Russian Federation citizens and legal entities in 27 territories of Crimea.¹¹ As a result, landowners without Russian citizenship, including Ukrainian citizens, risked losing their land. According to the last available statistics, in April 2023, the number of plots owned by ‘foreign’ citizens had decreased from 13,859 to 7,003 (5,803 in Crimea²³ and 1,200 in Sevastopol²⁴). On 24 May 2023, the State Council of the Republic of Crimea adopted an additional resolution to appropriate property belonging to Ukrainian citizens in Crimea. In practice, this led to the nationalization of buildings, including that of the Mejlis, a key self-governing institution of the Crimean Tatar people, which had already been seized by Russian Federation security forces in September 2014.
9. Such all-encompassing restrictions ultimately effectively compelled residents to assume Russian citizenship. By 2024, only around 0.5% of the official residents of Crimea did not hold such citizenship.¹²

B. Russian legal and administrative systems

10. By January 2015, the Russian Federation had purported to revoke Ukrainian laws and impose its own legal and administrative systems in Crimea, in violation of the IHL obligation to respect the existing laws of the occupied territory.¹³ In 2016, Crimea was administratively attached to the Southern Federal District of the Russian Federation, further strengthening central policy implementation. HRMMU has documented serious human rights violations affecting residents of Crimea as a result of these measures.

Judicial and penal system

11. The “Treaty on Accession” purported to repeal Ukrainian penal legislation and replace it with Russian Federation penal legislation by 1 January 2015. Local courts discontinued all pending appeal proceedings in violation of fair trial rights,¹⁴ and prison sentences were requalified as per Russian Federation law, even when such requalification resulted in longer sentences.¹⁵
12. Courts¹⁶ charged and convicted individuals for acts committed prior to occupation by the Russian Federation and which were lawful under Ukrainian legislation. For example, in 2017 a court convicted a leader of the Mejlis and sentenced him to eight years of imprisonment for organizing mass protests in February 2014, before

¹⁰ Russian Federation, Housing Code (2004), art. 49(5). HRMMU documented 45 cases concerning 78 individuals (28 men, 41 women, 6 boys and 3 girls) that ended with eviction orders.

¹¹ Russian Federation, President’s Decree no. 201 of 20 March 2020.

¹² *Situation of human rights in the temporarily occupied Autonomous Republic of Crimea and the city of Sevastopol, Ukraine: report of the Secretary-General, A/78/340, 1 September 2023, <https://digitallibrary.un.org/record/4023206?ln=en>, para. 38.*

¹³ In line with international humanitarian law, the penal laws of the occupied territory shall remain in force and may only be repealed or suspended by the occupying Power in cases where they constitute a threat to its security or an obstacle to the application of relevant international humanitarian law provisions. See Fourth Geneva Convention, art. 64.

¹⁴ Everyone convicted of a crime has the right to his or her conviction and sentence being reviewed by a higher tribunal according to law. International Covenant on Civil and Political Rights (ICCPR), art. 14(5)

¹⁵ The transitional period between the Ukrainian legal system and the Russian legal system caused confusion for legal practitioners and legal uncertainty for rights holders. The *Annual Report of the High Commissioner for Human Rights of the Russian Federation for 2014* mentions in relation to Crimea that the “objective difficulties of the transition period throughout 2014” have given rise to “a number of legal and law enforcement grey areas” which have encouraged corruption schemes, Moscow, 2015, p. 96.

¹⁶ Unless indicated otherwise, “courts” refer to both courts located in Crimea and, when considering cases of Crimean residents standing trial, courts located in the Russian Federation. Under IHL, courts of the occupying Power must sit in the occupied territory.

the Russian Federation's legal framework was imposed in Crimea. This retroactive application of criminal provisions violates international human rights and applicable humanitarian law.¹⁷

13. Since 2014, HRMMU has documented persistent violations of due process rights. In 154 cases, courts convicted Ukrainian citizens following proceedings that failed to ensure fair trial guarantees. Courts frequently ignored credible claims of human rights violations occurring in detention, including allegations of torture, ill-treatment, and arbitrary arrest and detention.¹⁸
14. Defendants, including those facing terrorism or extremism-related charges, were pressured into dismissing their privately-hired lawyers in exchange for leniency. In one case, three Crimean Tatar defendants were pressured by Federal Security Service (FSB) officers and warned, through their family members, that having "pro-Ukrainian" counsel would harm their defence.¹⁹ Pressure not to engage independent legal representation increased after the full-scale armed attack launched by the Russian Federation against Ukraine on 24 February 2022. In 2023, Russian authorities disbarred five prominent Crimean human rights lawyers from criminal cases.²⁰
15. All penitentiary institutions in Crimea were integrated into the penitentiary system of the Russian Federation, which led to the deportation of prisoners from Crimea to penitentiary institutions across the Russian Federation, contrary to provisions of IHL.²¹ Some detainees, including in pre-trial detention, were transferred to remote prisons, which limited the frequency of family and lawyers' visits. HRMMU documented the case of a Ukrainian filmmaker arrested in Simferopol on 11 May 2014 on suspicion of "plotting terrorist acts". Two weeks later, he was transferred to a pre-trial detention facility in the Russian Federation, and, after his conviction in 2015, he was remanded to a high security penal colony in the Siberian region of Yakutia. In several cases, requests from detainees to meet with Ukrainian consular officers were rejected on the basis that their imposed "Russian citizenship" prevailed under Russian Federation law. HRMMU continues to receive accounts of intimidation, harassment, and inadequate medical assistance to prisoners deported from Crimea to the Russian Federation.

Freedom of assembly and freedom of the media

16. Russian Federation law applied in Crimea required prior authorization to hold public events.²² The occupying authorities imposed even more stringent requirements and permissions for public assemblies in August 2014. In July 2016, they issued a resolution reducing the number of locations where public events could be organized from 665 to 366. Participants in peaceful assemblies who had not received "authorization" were convicted and subjected to fines, community service, and imprisonment. Law enforcement agencies issued written warnings to potential participants in assemblies, in particular Crimean Tatars in advance of commemorative dates important to the community. Crimean Tatars who nonetheless took part in unauthorized demonstrations, for example, to commemorate the Crimean Tatar deportation of May 1944, were regularly arrested, interrogated for hours, and fined.
17. Occupying authorities systematically curtailed access to independent, Ukrainian, or minority media. Analogue broadcasts of Ukrainian television channels were shut off, with Russian TV channels broadcast in their place. In June 2014, the only Ukrainian language newspaper, Krymska svitlytsia, was banned from distribution and had

¹⁷ ICCPR, art. 15; Additional Protocol 1 to the Geneva Conventions of 1949, art. 75.

¹⁸ See, for example, European Court of Human Rights, *Nechiporuk and Yonkalo v. Ukraine*, Application No. 42310/04, Judgment, 21 April 2011, paras. 277-280.

¹⁹ OHCHR, *Report on the situation of human rights in the temporarily occupied Autonomous Republic of Crimea and the city of Sevastopol, Ukraine*, 13 September 2017 to 30 June 2018, A/HRC/39/CRP.4, 21 September 2018, para. 21.

²⁰ *Situation of human rights in the temporarily occupied Autonomous Republic of Crimea and the city of Sevastopol, Ukraine: report of the Secretary-General*, A/78/340, 1 September 2023, para. 9, <https://digitallibrary.un.org/record/4023206?ln=en>.

²¹ Fourth Geneva Convention, art. 49.

²² The Human Rights Committee has noted that legislation requiring prior permission of State officials to hold any assembly "undercuts the idea that peaceful assembly is a basic right". See General Comment no. 37 on the right of peaceful assembly, CCPR/C/GC/37, para. 70.

to vacate its rented premises. Crimean Tatar media outlets TR and Avdet were among those denied re-registration under Russian Federation legislation and thus compelled to cease operations on the peninsula. By 1 April 2015, a mere 232 media outlets²³ out of a previous 3,000 registered under Ukrainian regulations were authorized to work. The occupying authorities allowed minority language media to continue operating only if they had no political content or supported the official Russian Federation position on the status of Crimea. Human rights NGOs informed HRMMU that the authorities blocked their websites without prior notice.²⁴

Property rights

18. Changes to legal and administrative structures adversely affected the enjoyment of property rights. The State Council of the Republic of Crimea initiated a process of “nationalization” amounting to the large-scale expropriation of public and private property without compensation or regard for IHL provisions protecting property from seizures.²⁵ According to some estimates, at least 5,516 real estate assets have been expropriated to date in Crimea,²⁶ including seizure from private companies and individuals without compensation, legal certainty or sufficient safeguards.²⁷
19. In December 2022, another resolution of the State Council of the Republic of Crimea initiated the free transfer of Crimean land to Russian Federation service members taking part in hostilities in Ukraine, those disabled during conflict, and family members of those killed.²⁸ By December 2023, service members had received 730 plots of land.²⁹

Military conscription

20. Authorities of the Russian Federation also conscripted male residents of Crimea, including a large number of protected persons, into the Russian Federation’s armed forces. After 24 February 2022, this meant that protected persons were liable for active duty against their own country, in the Russian Federation’s ongoing full-scale armed attack on Ukraine. As of 31 December 2023, at least 30,000 Crimean men had been conscripted through 18 military drafts since 2015,³⁰ in addition to one official conscription campaign in September 2022. IHL strictly prohibits an occupying Power from compelling protected persons to serve in its armed or auxiliary forces.³¹ Many male residents of Crimea left the peninsula to avoid conscription.

²³ Information reported by Roskomnazor, a state agency in the Russian Federation with law enforcement functions in the media and information sectors.

²⁴ *Situation of human rights in the temporarily occupied Autonomous Republic of Crimea and the city of Sevastopol, Ukraine: report of the Secretary-General*, A/HRC/50/65, 1 June 2022, para. 32, <https://digitallibrary.un.org/record/3993273?ln=en>.

²⁵ OHCHR first report on Crimea, paras. 171-176.

²⁶ This figure is based on information collected by OHCHR from open sources. OHCHR, *Report on the human rights situation in Ukraine, 16 February - 15 May 2018*, 1 June 2018, paras. 100-101, https://www.ohchr.org/sites/default/files/Documents/Countries/UA/ReportUkraineFev-May2018_EN.pdf. See also OHCHR first report on Crimea, paras. 171-176.

²⁷ *Situation of human rights in the temporarily occupied Autonomous Republic of Crimea and the city of Sevastopol, Ukraine: report of the Secretary-General*, A/74/276, 2 August 2019, para. 54, <http://undocs.org/A/74/276>.

²⁸ “Republic of Crimea”, “Law on Amendments to the Law of the Republic of Crimea on the Provision of Land Plots Owned by Republic of Crimea or Municipal Property” (2022), <http://crimea.gov.ru/app/17850>.

²⁹ Information published by Russian occupying authorities, <https://crimea.ria.ru/20231214/uchastnikam-svo-v-krymu-vydeleno-uzhe-730-zemelnykh-uchastkov--aksenov-1133556408.html>.

³⁰ For previously reported numbers, see OHCHR, *Report on the situation of human rights in the temporarily occupied Autonomous Republic of Crimea and the city of Sevastopol, Ukraine*, 13 September 2017 to 30 June 2018, 1 September 2018, para. 73, https://www.ohchr.org/sites/default/files/Documents/Countries/UA/CrimeaThematicReport10Sept2018_EN.pdf; OHCHR, *Report on the human rights situation in Ukraine*, 16 November 2018 - 15 February 2019, para. 114, 1 March 2019, <https://www.ohchr.org/sites/default/files/Documents/Countries/UA/ReportUkraine16Nov2018-15Feb2019.pdf>. All figures are approximate and primarily based on reports of the Ministry of Defense of the Russian Federation.

³¹ Fourth Geneva Convention, art. 51. A violation of this article is also a grave breach of the Convention, art. 147.

II. DISPLACEMENT AND DEMOGRAPHIC CHANGE

21. The illegal annexation of Crimea also caused displacement. By the end of April 2014, there were 7,207 internally displaced persons (IDPs) registered in all regions of Ukraine, the majority of whom were Crimean Tatars.³² According to the last available official statistics,³³ over 50,000 IDPs from Crimea had registered in other parts of Ukraine.
22. Meanwhile, between 2014 and 2017, over 100,000 Russian citizens, including pensioners, public servants, and servicepersons with their families, were officially relocated to Crimea.³⁴ This has substantially affected the composition of certain institutions. For example, as of 31 December 2023, 15 of the 74 judges of the Supreme Court of Crimea had been transferred from courts in the Russian Federation.³⁵ Any measures by an occupying Power “to organize or encourage” transfers of its own civilian population into the territory it occupies is prohibited under IHL.³⁶ This outflow of Ukrainian citizens and influx of Russian citizens have significantly affected the demographic make-up of Crimea.

III. REPRESSIVE TACTICS AGAINST PERSONS OPPOSING OCCUPATION

23. Crimean residents who did not comply with Russian occupying authorities frequently faced repressive acts, including intimidation, invasive house searches, arbitrary arrest or detention, torture or ill-treatment, enforced disappearance, and judicial harassment,³⁷ instilling generalised fear and stifling expression of any opposition. Russian authorities especially targeted persons perceived as opposing the occupation, including bloggers, journalists, supporters of the Tatar Mejlis, pro-Ukrainian and Maidan activists, as well as persons who advocated for strict compliance with the tenets of Islam.³⁸ More recently, individuals opposed to the full-scale armed attack on Ukraine by the Russian Federation have also faced repressive measures.
24. Since 2014, HRMMU has documented 104 enforced disappearances (95 men and 9 women) of pro-Ukrainian activists, affiliates of Crimean Tatar institutions, and journalists in Crimea. As of 26 February 2024, 44 had been released after being abducted or arbitrarily detained, 37 were held in custody, 21 were still

³² OHCHR, *Report on the human rights situation in Ukraine*, 15 May 2014, para. 119, <https://www.ohchr.org/sites/default/files/Documents/Countries/UA/HRMMUReport15May2014.pdf>.

³³ Based on information received on 31 January 2022 from the Office of the President’s Representative on Crimea.

³⁴ OHCHR, *Report on the situation of human rights in the temporarily occupied Autonomous Republic of Crimea and the city of Sevastopol, Ukraine, 13 September 2017 to 30 June 2018*, 1 September 2018, para. 79, www.ohchr.org/sites/default/files/Documents/Countries/UA/CrimeaThematicReport10Sept2018_EN.pdf

³⁵ This verification is based on an analysis of judges’ rulings in the Russian Federation court registry as of 31 December 2023.

³⁶ Fourth Geneva Convention, art. 49; See also *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory*, Advisory Opinion, International Court of Justice (2004), para. 120. Note that voluntary movements of civilians from the Russian Federation to Crimea are not prohibited.

³⁷ See OHCHR first report on Crimea, para. 96; OHCHR, *Report on the situation of human rights in the temporarily occupied Autonomous Republic of Crimea and the city of Sevastopol, Ukraine, 13 September 2017 to 30 June 2018*, 1 September 2018, paras. 18, 20, 22; HRMMU, *Enforced disappearances in the Autonomous Republic of Crimea and the city of Sevastopol, Ukraine, temporarily occupied by the Russian Federation*, 31 March 2021, pp. 3-12, <https://ukraine.un.org/sites/default/files/2021-03/BN%20Enforced%20dis%20Crimea%20ENG.pdf>; *Situation of human rights in the temporarily occupied Autonomous Republic of Crimea and the city of Sevastopol, Ukraine: report of the Secretary-General*, A/HRC/53/64, 26 May 2023, paras. 8-11, <https://digitallibrary.un.org/record/4013498?ln=en>.

³⁸ Such individuals are often accused of belonging to extremist groups banned in the Russian Federation, such as *Hiz ut-Tahrir*.

missing and two were found dead.³⁹ None of the victims or their families have been provided with any form of redress.⁴⁰ Despite reports filed by lawyers and relatives with law enforcement agencies and appeals to the occupying authorities, HRMMU has found no credible information indicating that the authorities of the Russian Federation had opened investigations into the disappearances.⁴¹

25. Since 2014, OHCHR has documented 55 cases of torture or ill-treatment allegedly carried out by officers of the FSB in Crimea against individuals in their custody.⁴² Occupying authorities in Crimea used torture and ill-treatment against persons charged with extremism, affiliation with groups banned in the Russian Federation, sabotage, or 'anti-Russian' activities. Victims, mainly men, were subjected to mock executions, beatings, electric shocks, and sexual violence, to coerce them to confess their alleged engagement in unlawful activities or to elicit incriminating information about others.⁴³ When victims reported torture or ill-treatment to Russian Federation law enforcement agencies or courts, investigations were usually initiated in the form of "inquiries".⁴⁴ The European Court of Human Rights, applying standards mirroring those in the International Covenant on Civil and Political Rights, has found that similar "pre-investigation inquiries" conducted in the Russian Federation fell short of what is required for an effective remedy.⁴⁵ In some cases, medical personnel refused to document the victims' injuries, which further undermined the investigations.
26. As of 15 February 2024, HRMMU had documented 7 criminal prosecutions (all against men) and 583 administrative prosecutions (against 359 men and 224 women) for the offences of "public actions directed at discrediting" and "obstructing" Russian armed forces. An overwhelming majority resulted in convictions. Crimean residents were convicted for opinions shared in private conversations or for simply mentioning the Russian Federation's "attack", "aggression", or occupation of Crimea. Social media posts, comments or "no war" hashtags also formed the basis for prosecution. In March 2023, for example, Russian authorities prosecuted a woman for "discrediting the Russian armed forces" after she uploaded a video to social media where she wore a vyshyvanka (Ukrainian traditional embroidered shirt) and nail polish in the colours of the Ukrainian flag.
27. In the early stages of the occupation, Russian Federation authorities placed stringent restrictions on manifestations of, among other things, Crimean Tatar identity, and prominent leaders and organizations of the community, among others, came under scrutiny of law enforcement authorities. The restrictions have reportedly

³⁹ The first case refers to the killing of a Crimean Tatar activist. See OHCHR, *Accountability for killings in Ukraine from January 2014 to May 2016*, 25 May 2016, paras. 119-121, https://www.ohchr.org/sites/default/files/Documents/Countries/UA/OHCHRThematicReportUkraineJan2014-May2016_EN.pdf. The second case refers to a retired serviceperson of the Ukrainian armed forces who was captured by the Russian armed forces in Kherson and transferred to Sevastopol in March 2022, where he died from injuries suffered through torture. See *Situation of human rights in the temporarily occupied Autonomous Republic of Crimea and the city of Sevastopol, Ukraine: report of the Secretary-General*, A/78/340, 1 September 2023, para. 22, <https://digitallibrary.un.org/record/4023206?ln=en>.

⁴⁰ HRMMU, *Enforced disappearances in the Autonomous Republic of Crimea and the city of Sevastopol, Ukraine, temporarily occupied by the Russian Federation*, 31 March 2021, <https://ukraine.un.org/sites/default/files/2021-03/BN%20Enforced%20dis%20Crimea%20ENG.pdf>.

⁴¹ For a more comprehensive overview, see OHCHR, *Report on the situation of human rights in the temporarily occupied Autonomous Republic of Crimea and the city of Sevastopol (Ukraine)*, 13 September 2017 to 30 June 2018, 1 September 2018, paras. 32-35.

⁴² This includes 24 cases of torture or ill-treatment by Russian law enforcement officers against persons detained following house raids in Kherson city and Kherson and Zaporizhzhia regions and subsequently transferred to Crimea in 2022-2023.

⁴³ See OHCHR, *Report on the human rights situation in Ukraine, 16 August - 15 November 2017*, 1 December 2017, para. 138, https://www.ohchr.org/sites/default/files/Documents/Countries/UA/UARReport20th_EN.pdf.

⁴⁴ *Proverka soobscheniya o prestuplenii* ("Inquiry on a report of a crime").

⁴⁵ European Court of Human Rights, Application No. 46956/09, *Lyapin v. Russia*, Judgment, 24 July 2014, paras. 133-137. See also, *Situation of human rights in the Autonomous Republic of Crimea and the city of Sevastopol, Ukraine: report of the Secretary-General*, A/75/334, 1 September 2020, para. 18, <https://digitallibrary.un.org/record/3885151?ln=en>.

been closely connected to the suppression of political dissent and alternative political opinion.⁴⁶ The Mejlis⁴⁷ remains banned in Crimea, and its estimated 2,500 members face the risk of criminal prosecution for belonging to an alleged extremist organization. In its recent judgment of 31 January 2024 on proceedings instituted by Ukraine in 2017, the International Court of Justice found that the Russian Federation, by maintaining its ban on the Mejlis, had violated the Court's 2017 order of provisional measures⁴⁸ that the Russian Federation refrain from maintaining or imposing limitations on the ability of the Crimean Tatar community to conserve its representative institutions, including the Mejlis.⁴⁹

28. Prominent persons from the Crimean Tatar community, including Mustafa Dzhemilev and Refat Chubarov, the former and current leaders of the Mejlis, were issued entry bans, with the effect of preventing them from going to their homeland. The wider impact of imposing entry bans on prominent leaders of the Crimean Tatar community can be further contextually understood in light of the historical deportation of the Crimean Tatar community from the peninsula in May 1944 and the decades which elapsed before they were allowed to return. Both men subsequently faced prosecution in Crimea and were sentenced to imprisonment following *in absentia* trials.⁵⁰

IV. SUPPRESSION OF EXPRESSIONS OF RELIGION, CULTURE AND IDENTITY

29. Russian authorities suppressed expressions of Ukrainian identity and culture, and severely restricted religious freedom. They also banned expressions of diverse sexual orientations and gender identities.
30. Russian Federation law imposed in Crimea required public organisations, including religious communities, to re-register to obtain legal status. Only Russian citizens were allowed to register a religious community. The number of registered religious organizations had dropped from 2,083 to 907 in Crimea⁵¹ as of 31 December 2022. Without registration, religious communities cannot open bank accounts, employ people, invite foreigners, or rent State-owned property. The Ukrainian Orthodox Church of the Kyiv Patriarchate (UOC-KP) chose not to re-register under Russian Federation law and thus has no legal recognition. Since 2014, at least 17 UOC-KP churches have been either seized by occupying authorities or closed due to non-renewal of their property leases.
31. In 2016, the Parliament of the Russian Federation adopted legal amendments – referred to as the “Yarovaya package” – as an anti-terrorism measure. The amendments criminalize proselytizing, preaching, praying, or disseminating religious materials outside of “specially designated places”, like officially recognized religious

⁴⁶ *Situation of human rights in the temporarily occupied Autonomous Republic of Crimea and the city of Sevastopol, Ukraine: report of the Secretary-General, A/74/276, 2 August 2019, para. 46, <https://digitallibrary.un.org/record/3825582?ln=en>.*

⁴⁷ While the Mejlis is not supported by all Crimean Tatars, it is viewed by many as a self-governing and traditional body of an indigenous people. The Mejlis holds executive powers and its members are chosen from among the members of an elected assembly, the Kurultai.

⁴⁸ *Application of the International Convention for the Suppression of the Financing of Terrorism and of the International Convention on the Elimination of all forms of racial discrimination (Ukraine v. Russian Federation) Judgment, 31 January 2024 (2024/8); Request for the indication of provisional measures, 19 April 2017, General List No. 166, para. 106.*

⁴⁹ *Application of the International Convention for the Suppression of the Financing of Terrorism and of the International Convention on the Elimination of All Forms of Racial Discrimination (Ukraine v. Russian Federation), paras. 390-392.*

⁵⁰ Mr. Chubarov was sentenced *in absentia* to six years of imprisonment for organizing “mass disturbances” during a rally before the Crimean Parliament on 26 February 2014. Mr. Dzhemilev was sentenced *in absentia* to three years of imprisonment for illegally crossing the Administrative Boundary Line, possession of firearms and ammunition.

⁵¹ The term “religious organizations” includes parishes, congregations, theological schools, monasteries, and other constituent parts of a church or religious group, with or without legal entity status prior to the occupation.

institutions, effectively banning missionary groups and house prayers.⁵² HRMMU has documented 95 related court cases in Crimea since the introduction of the 'Yarovaya package', including for publishing content on social media without the full official name of the religious organization; leading a Muslim prayer for a local congregation without official authorizing documentation; leading Muslim rites and practices in a mosque without being the official imam of that mosque; and conducting evangelic sermons in a private home.

32. A 2017 decision of the Supreme Court of the Russian Federation imposed a blanket prohibition on all congregations of Jehovah's Witnesses, declaring the group an "extremist organization".⁵³ This decision affected an estimated 8,000 congregants on the peninsula.
33. The introduction of Russian Federation legislation prohibiting "propaganda of non-traditional sexual relations" has also effectively denied lesbian, gay, bisexual, transgender, intersex, queer plus (LGBTIQ+) individuals in Crimea the ability to fully realise their right to personal autonomy and right to express themselves freely, consistent with their identity. Russian occupying authorities have refused to authorise assemblies for the recognition of the human rights of LGBTIQ+ individuals. Virtually all LGBTIQ+ initiatives that existed in Crimea before 2014 had disappeared from the peninsula by 2018. The last public gathering conducted by LGBTIQ+ activists in Crimea of which HRMMU is aware took place in 2013.
34. Members of Ukrainian cultural organizations have been threatened and interrogated by the Russian Federation occupying authorities on dubious grounds.⁵⁴ Occupying authorities have restricted public activities involving expressions of Ukrainian culture and identity. Occupying authorities have also shut down institutions promoting Ukrainian culture and traditions. The Museum of Ukrainian Vyshyvanka - a traditional Ukrainian embroidery - was closed in February 2015, and books by contemporary Ukrainian authors were removed from the Franko Library located in Simferopol.
35. Education in the Ukrainian language has almost disappeared from Crimea. By the end of 2014, occupying authorities had removed Ukrainian as a language of instruction from university-level education. In the 2013-2014 academic year, 12,694 students were educated in the Ukrainian language. By the 2022-23 academic year, only 197 students (0.1 per cent of all students) were fully instructed in Ukrainian and only 3,486 students learned Ukrainian as a school subject, an elective course, or an extracurricular activity.⁵⁵ There is now only one Ukrainian-language school in Crimea, and only one Ukrainian class is offered in a Russian-language school in Simferopol.⁵⁶ In its judgment of January 2024, the International Court of Justice found that the way in which the Russian Federation had implemented its educational system in Crimea after 2014 with regard to school education in the Ukrainian language had violated its obligations under Articles 2(1)(a) and 5(v) of the International Convention on the Elimination of All Forms of Racial Discrimination.⁵⁷

⁵² Maximum fines amount to the equivalent of \$780 for individuals or \$15,000 for organizations.

⁵³ *Situation of human rights in the Autonomous Republic of Crimea and the city of Sevastopol, Ukraine: report of the Secretary-General*, A/HRC/44/21, 19 June 2020, para. 35, <https://digitallibrary.un.org/record/3872508?ln=en>

⁵⁴ OHCHR, *Report on the situation of human rights in the temporarily occupied Autonomous Republic of Crimea and the city of Sevastopol, Ukraine*, 13 September 2017 to 30 June 2018, 1 September 2018, para. 54.

⁵⁵ Ministry of Education, Sciences, and Youth of the "Republic of Crimea". Statistics cited in this section exclude Sevastopol.

⁵⁶ By contrast, 222,800 of 230,300 (96.7%) students receive their education in Russian.

⁵⁷ *Application of the International Convention for the Suppression of the Financing of Terrorism and of the International Convention on the Elimination of All Forms of Racial Discrimination (Ukraine v. Russian Federation)*, Judgment, 31 January 2024 (2024/8), paras. 358-370.

CONCLUSION

36. The illegal 2014 annexation of Crimea by the Russian Federation led to the unlawful imposition of Russian citizenship and law and institutions across all spheres of life. Occupying authorities repressed opposition, perpetrating serious violations of human rights and IHL. These violations have not been effectively investigated.
37. Russian Federation occupying authorities in Crimea have consistently suppressed freedom of expression, including by members of minority cultures and identities, and severely curtailed the freedom of religion of minority groups, particularly those opposing official narratives, most notably the Mejlis. The space for civil society to operate, criticize or advocate has considerably shrunk. Media outlets have been shut down, disproportionately affecting Crimean Tatar and Ukrainian communities, their rights to freedom of expression and access to information, and to enjoy and maintain their own cultures and identities.
38. The failure by the Russian Federation to uphold its obligations under IHL as the occupying Power in Crimea creates numerous and complex issues for Ukraine with respect to future re-integration of the peninsula, including the re-issuance of official documents, the classification and implementation of court decisions, and the regularization of expropriated property.
39. In ten years of reporting on the human rights situation in the peninsula, the disregard of the Russian Federation for its obligations under IHL has inflicted serious and enduring harm on the people of Crimea. A similar pattern is emerging in other parts of Ukraine: eight years after occupying and illegally annexing Crimea, the Russian Federation proceeded to occupy and then illegally annex areas of Donetsk, Luhansk, Kherson, and Zaporizhzhia regions, where OHCHR has documented violations of a similar nature.
40. HRMMU will continue monitoring and reporting on the human rights situation in Crimea and in other occupied areas of Ukraine, including in Donetsk, Kherson, Luhansk and Zaporizhzhia regions in line with its mandate.⁵⁸

⁵⁸ Reporting is mandated by the UN General Assembly, see A/Res/78/221, 19 December 2023.

ANNEX I: TEN YEARS OF REPORTING ON CRIMEA BY THE UN HUMAN RIGHTS MONITORING MISSION IN UKRAINE

41. The UN Human Rights Monitoring Mission in Ukraine (HRMMU) was deployed on 14 March 2014, at the invitation of the Government, to monitor and report on the human rights situation throughout Ukraine, with a particular focus on the Autonomous Republic of Crimea and the southern and eastern regions of Ukraine. It has several offices throughout the country, along with an office in Chisinau, Moldova. Since the full-scale armed attack by the Russian Federation against Ukraine on 24 February 2022, HRMMU has focused its monitoring on the human rights impact of that attack and the resulting armed hostilities across the country.
42. The then Assistant Secretary-General for Human Rights was the last United Nations official to visit the Crimean peninsula on 21 and 22 March 2014. As HRMMU has had no practical access to Crimea since then, HRMMU has been monitoring the situation in Crimea remotely, in accordance with its usual methodology.
43. OHCHR reports are based on verified information collected from sources that are assessed as credible and reliable, according to OHCHR methodology. Information is included where the “reasonable grounds to believe” standard of proof is met. OHCHR reports are primarily based on direct interviews with victims of alleged human rights violations in Crimea, which are further verified with other sources, including relatives of victims, witnesses, human rights defenders (including women human right defenders), lawyers, and representatives of civil society. Reports also draw from information obtained from court documents, official records, analysis of relevant legislation, open sources and other relevant material.
44. To date, OHCHR has published 44 reports on Ukraine (37 periodic reports and 7 thematic reports), including two thematic reports on the human rights situation in Crimea. OHCHR has also been main contributor to 9 reports of the Secretary-General on the human rights situation in Crimea.
45. OHCHR reports on Ukraine, as elsewhere, serve a variety of important purposes. In particular, they provide national stakeholders, United Nations organs and the international community at large with reliable, verified information about human rights and humanitarian law violations committed in Ukraine, enabling them to consider appropriate actions for the protection of victims, for ensuring non-recurrence and for holding perpetrators accountable. OHCHR reports on Ukraine have been used and referenced in proceedings before the International Court of Justice and the European Court of Human Rights, among others.
46. OHCHR and Secretary General's reports on Crimea:
 - a. OHCHR, “Situation of human rights in the temporarily occupied Autonomous Republic of Crimea and the city of Sevastopol (Ukraine)”, issued pursuant to General Assembly resolution 71/205 and covering from 22 February 2014 to 12 September 2017, www.ohchr.org/sites/default/files/Documents/Countries/UA/Crimea2014_2017_EN.pdf
 - b. OHCHR, “Report on the situation of human rights in the temporarily occupied Autonomous Republic of Crimea and the city of Sevastopol (Ukraine), 13 September 2017 to 30 June 2018”, issued pursuant to General Assembly resolution 72/190, www.ohchr.org/sites/default/files/Documents/Countries/UA/CrimeaThematicReport10Sept2018_EN.pdf
 - c. Situation of human rights in the temporarily occupied Autonomous Republic of Crimea and the city of Sevastopol, Ukraine : report of the Secretary-General A/74/276, 2 August 2019, <https://digitallibrary.un.org/record/3825582?ln=en>
 - d. Situation of human rights in the temporarily occupied Autonomous Republic of Crimea and the city of Sevastopol, Ukraine : report of the Secretary-General A/HRC/44/21, 19 June 2020, <https://digitallibrary.un.org/record/3872508?ln=en>

- e. Situation of human rights in the temporarily occupied Autonomous Republic of Crimea and the city of Sevastopol, Ukraine : report of the Secretary-General A/75/334, 1 September 2020, <https://digitallibrary.un.org/record/3885151?ln=en>
- f. Situation of human rights in the temporarily occupied Autonomous Republic of Crimea and the city of Sevastopol, Ukraine : report of the Secretary-General A/HRC/47/58, 27 May 2021, <https://digitallibrary.un.org/record/3929482?ln=en>
- g. Situation of human rights in the temporarily occupied Autonomous Republic of Crimea and the city of Sevastopol, Ukraine : report of the Secretary-General A/76/260, 2 August 2021, <https://digitallibrary.un.org/record/3937748?ln=en>
- h. Situation of human rights in the temporarily occupied Autonomous Republic of Crimea and the city of Sevastopol, Ukraine : report of the Secretary-General A/HRC/50/65, 1 June 2022, <https://digitallibrary.un.org/record/3993273?ln=en>
- i. Situation of human rights in the temporarily occupied Autonomous Republic of Crimea and the city of Sevastopol, Ukraine : report of the Secretary-General A/77/220, 25 July 2022, <https://digitallibrary.un.org/record/3985582?ln=en>
- j. Situation of human rights in the temporarily occupied Autonomous Republic of Crimea and the city of Sevastopol, Ukraine : report of the Secretary-General A/HRC/53/64, 26 May 2023, <https://digitallibrary.un.org/record/4013498?ln=en>
- k. Situation of human rights in the temporarily occupied Autonomous Republic of Crimea and the city of Sevastopol, Ukraine : report of the Secretary-General A/78/340, 1 September 2023, <https://digitallibrary.un.org/record/4023206?ln=en>

ANNEX II: LEGAL FRAMEWORK

47. As parties to an international armed conflict, the Russian Federation and Ukraine are bound by treaty and customary international humanitarian law (IHL), primarily the four Geneva Conventions of 1949, their 1977 Additional Protocol I, the 1907 Hague Convention IV with its annexed Regulations concerning the Laws and Customs of War on Land (Hague Regulations), and other IHL treaties and rules of customary IHL.
48. IHL applies to situations of armed conflicts, as well as to cases of partial or total occupation of the territory of a State, even if the occupation meets with no armed resistance.⁵⁹ Annexation⁶⁰ of occupied territory is illegal and does not deprive protected persons of protection under IHL.⁶¹ An occupying Power does not acquire sovereignty over the occupied territory; therefore, the occupying Power is required to respect the existing laws and institutions of the occupied territory as far as possible and to avoid making far-reaching changes in the existing order or to the intrinsic characteristics of the occupied territory.⁶² The existing penal laws of the occupied territory shall remain in force with the exception that they may be repealed or suspended by the Occupying Power in cases where they constitute a threat to its security or an obstacle to the application of IHL. Judicial institutions shall also continue to function to ensure the effective administration of justice.⁶³ Furthermore, the occupying Power may not alter the status of judges in the occupied territory, nor take any coercive measures against those who abstain from fulfilling their functions for reasons of conscience.⁶⁴
49. The continuity envisaged by these provisions preserves the rights that residents enjoyed prior to occupation⁶⁵ and facilitates the re-integration of the territory at the end of occupation. For example, continuity in criminal laws ensures that sentences remain valid and continuity in the education system means that children can continue their studies without disruption at the end of occupation. Similarly, IHL provides for continuity in the composition of the occupied territory's population: the individual or mass forced transfer or deportation of protected persons is prohibited, as well as the transfer of the civilian population of the occupying Power into occupied territory.⁶⁶
50. The Russian Federation also continues to be bound by international human rights treaties⁶⁷ and customary law, which apply concurrently with IHL and mutually reinforce the protection of human rights during armed conflict. The human rights obligations of States apply extraterritorially in all circumstances where they exercise jurisdiction or effective control, including in occupied territory.⁶⁸ This includes non-derogable rights, even in times of emergency, such as the rights not to be subjected to arbitrary deprivation of life, torture or other cruel, inhuman or degrading treatment or punishment, fundamental fair trial guarantees, and the right to an effective remedy for victims. International human rights law also prohibits discrimination on grounds of language, opinion, and national or social origin,⁶⁹ and guarantees the right to take part in cultural life.⁷⁰

⁵⁹ Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949, art. 2(2).

⁶⁰ Defined as a unilateral act of a State through which it proclaims its sovereignty over the territory of another State.

⁶¹ Fourth Geneva Convention, art. 47.

⁶² International Committee of the Red Cross, Commentary to article 47 of the Fourth Geneva Convention.

⁶³ Fourth Geneva Convention, art. 64.

⁶⁴ Fourth Geneva Convention, art. 54.

⁶⁵ International Committee of the Red Cross, Commentary to article 47 of the Fourth Geneva Convention.

⁶⁶ The occupying Power may temporarily evacuate protected persons from an area if required for the security of the population or imperative military reasons, however the population must not be displaced out of occupied territory unless impossible to avoid for material reasons. Fourth Geneva Convention, art. 49.

⁶⁷ Both Ukraine and the Russian Federation have ratified the International Protocol on Civil and Political rights (ICCPR), the International Covenant on Economic, Social and Cultural Rights (ICESCR), the Convention Against Torture, the International Convention on the Elimination of All Forms of Racial Discrimination.

⁶⁸ Human Rights Committee, General Comments no. 31 (para. 10) and no. 36 (para. 63).

⁶⁹ ICCPR, art. 2.

⁷⁰ ICESCR, art. 15(a).