

***SEVERE DEPRIVATION  
OF LIBERTY IN THE KHARKIV REGION  
OF UKRAINE DURING  
THE RUSSIAN OCCUPATION***

**KHARKIV HUMAN RIGHTS PROTECTION GROUP  
2023**



This publication  
made possible by the generous support of the American people,  
provided through the United States Agency for International Development (USAID)  
within the framework of the “Human Rights in Action” Program,  
which is performed by the Ukrainian Helsinki Union for Human Rights.  
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General edition  
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**Severe deprivation of liberty in the Kharkiv region of Ukraine during the russian occupation** / Vladyslav Dolzhko, Gennadiy Tokarev; CO Kharkiv Human Rights Protection Group. — Kharkiv, 2023. — 86 p.

ISBN 978-617-8186-19-7

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# LIST OF ABBREVIATIONS

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**AF RF** — the Armed Forces of the Russian Federation

**AFU** — the Armed Forces of Ukraine

**ATO** — anti-terrorist operation

**DB** — the database of the T4P Initiative

**DB-KHPG** — the database of the KHPG

**FSB RF** — the Federal Security Service of the Russian Federation

**GRU RF** — the Main Intelligence Directorate of the Russian Federation

**GUNP** — Main Directorate of the National Police of Ukraine (regional headquarter of NPU)

**ICC** — the International Criminal Court

**ICRC** — the International Committee of the Red Cross

**ITT** — temporary detention center

**KHPG** — the Kharkiv Human Rights Protection Group

**KPP** — checkpoint

**MoD RF** — the Ministry of Defense of the Russian Federation

**RF** — Russian Federation

**RF serviceman** — a serviceman or other person from the RF AF personnel acting as a serviceman

**RF troops** — include the RF Armed Forces, other RF military formations, and all illegal armed groups controlled by the RF, including the troops of the so-called “DPR”, the so-called “LPR”, private military companies, mercenary groups, and other illegal armed groups participating in the armed conflict in Ukraine on the side of RF

**RK Ukraine** — The Ukrainian Red Cross Society

**ROKK** — The Russian Red Cross Society

**Rosgvardia** — the National Guard of Russia (military formation of the Russian Federation)

**RS ICC** — Rome Statute of the International Criminal Court

**SBU** — the Security Service of Ukraine

**SIZO** — pre-trial detention center

**SKR** — the Investigative Committee of the Russian Federation

**so-called CVO** — the «special military operation» (the term used in the RF to describe an aggressive large-scale war against Ukraine)

**so-called “DPR”** — the self-proclaimed Donetsk People’s Republic

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**so-called “LPR”** — the self-proclaimed Luhansk People’s Republic

**SU GUNP** — Investigative Department of the Main Directorate of the National Police of Ukraine

**T4P** – the “Tribunal for Putin” Initiative of the Ukrainian human rights NGOs

**TOT** — the part of the sovereign territory of Ukraine temporarily occupied by RF troops

**UTC** — united territorial community

**UTS** — urban-type settlement

**VK** — penal colony (penal camp)

**VPS** — Division of the State Border Guard Service

# EXECUTIVE SUMMARY

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1. On March 2, 2022, ICC Prosecutor Karim A.A. Khan announced the opening of an investigation into the Situation in Ukraine from November 21, 2013, onwards, thereby encompassing within its scope any past and present allegations of war crimes, crimes against humanity or genocide within the meaning of the Rome Statute committed on any part of the territory of Ukraine by any person.
2. The NGO Kharkiv Human Rights Protection Group (hereinafter — the KHPG) submits to the Office of the ICC Prosecutor this Submission, containing information on cases of unlawful arrest and detention in places of deprivation of liberty of civilians in the Kharkiv Region after the beginning of the large-scale military invasion of the Russian Federation in Ukraine in February 2022.
3. Section I of the Submission, Introduction, provides brief information about KHPG activity and expresses gratitude to the international institutions that supported our efforts and partner organizations that participated in collecting data.
4. Section II, Methodology, describes the types of information sources, tools for analyzing the collected data, the methods for collecting, verifying, and summarizing the information, and its storage in both paper and electronic form in the relevant database.
5. Section III, Summarizing the collected information, systematizes and analyzes the information about the recorded by KHPG incidents, which can be preliminarily qualified as imprisonment or severe deprivation of physical freedom allegedly committed by the RF servicemen. This information includes data documented by the KHPG and entered into the database from February 24, 2022, to March 31, 2023. Documentation, supplementation, and clarification of the already recorded information continue, and KHPG plans to update this Submission.
6. Section IV, Preliminary legal qualification of recorded crimes, is devoted to substantiating the KHPG legal stand regarding the presence in the documented actions of the RF servicemen of the elements of the above crime against humanity.
7. The final section, Conclusions, summarizes the findings of the Submission.
8. The appendixes to this Submission contain a depersonalized register of the victims of severe deprivation of liberty, whose testimonies were received by KHPG through personal contacts, and a register of these testimonies and the standard document templates used by KHPG for documenting the information.

# I. INTRODUCTION

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9. KHPG was legally registered in 1992 but had been operating as a human rights group of the Kharkiv Memorial Society since 1989. KHPG investigates specific cases of human rights violation, considering up to three thousand written appeals per year, informs the Ukrainian state and society about human rights, and monitors the compliance with human rights and fundamental freedoms in Ukraine. KHPG activities aim to improve the human rights situation in Ukraine. It works in such areas as the right to life, freedom from torture and ill-treatment, freedom from arbitrary detention, freedom of speech and information, the right to privacy, and rights of vulnerable groups of people: prisoners, people living with HIV, drug addicts, asylum seekers, and others.
10. In 2003 the KHPG created a Strategic Cases Centre (SLC), which yearly handles up to 200 significant cases in both national courts and the ECHR. The SLC lawyers have filed 635 applications to the ECHR and won 185 cases under Articles 2, 3, 5, 6, 8, 13, and other European Convention on Human Rights articles. Eighty-five cases have passed the communication stage and are currently awaiting consideration on the merits, while the remaining cases are pending communication from the ECHR — more than half of them concern crimes committed before the start of the full-scale phase of this war.
11. Before the beginning of the full-scale phase of this war, KHPG also prepared and sent to the Office of the ICC Prosecutor a submission under Article 15 of the Rome Statute of the International Criminal Court (RS ICC). In response, KHPG received a letter from the Office of the ICC Prosecutor<sup>1</sup>.
12. In 2022–2023 the KHPG permanently monitored developments related to the armed aggression of the Russian Federation against Ukraine. It collected and studied relevant information from open sources and personal communication with victims and witnesses of crimes committed by the Russian military. Such personal contacts were carried out either in the KHPG reception rooms or during visits to the territories liberated from the Russian occupation by the Armed Forces of Ukraine.
13. On March 24, 2022, as a response to the all-out aggression of Russia against Ukraine in February 2022, KHPG, together with the NGO Center for Civil Liberties and the Ukrainian Helsinki Human Rights Union, founded the global Initiative T4P (Tribunal for Putin). The Initiative’s participants in all regions of Ukraine document events containing signs of crimes under the Rome Statute of (genocide, crimes against humanity, war crimes). The Initiative seeks to use the existing UN, Council of Europe, OSCE, EU, and the ICC mechanisms to bring perpetrators to justice and prevent such gross crimes in the future. To that end, it cooperates with national investigative authorities.
14. This Submission has been prepared by Vladyslav Dolzhko and Gennadiy Tokarev under the general supervision of Yevhen Zakharov.
15. KHPG is grateful to the following international charitable institutions that supported our work during the war and our efforts to collect, document, and analyze information and prepare this Submission: the European Union, the United States Agency for International

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<sup>1</sup> No. OTP-CR-461/20 of November 2, 2020



Development (USAID), Danish Institute Against Torture DIGNITY (Denmark), Czech charitable foundations People in Need and Prague Civil Society Center, the Democracy Promotion Fund of the U.S. Embassy in Ukraine, Panorama Global Foundation (USA), Freedom House (USA), Open Archive (USA), European Prison Litigation Network (Paris), and the Norwegian Helsinki Committee.

## II. METHODOLOGY

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16. This section describes certain aspects and features of the methodology for collecting and processing information obtained both from open sources and through personal contacts with victims, relatives of victims, and witnesses of instances of severe deprivation of physical liberty, as well as the specifics of preparing this Submission.

### II.1. DATABASES

#### II.1.1. Database (DB) of the T4P initiative

##### *General information about the DB*

17. The DB of the global initiative T4P is a relational database designed specifically for the collection, processing, and analysis of information on international crimes.<sup>2</sup>
18. The DB was developed in 2016–2017 and significantly upgraded in 2022–2023. The DB contains tools to collect, verify, and systematically analyze the data entered and is based on the open MySQL database management system. Employees of the member organizations of the T4P initiative look for information about a specific event allowing them to believe that an alleged international crime has been committed (shelling of civilian objects, killing of civilians, torture, and other alleged international crimes under the RS that fall under the jurisdiction of the ICC). To document such events, they use data received directly from witnesses and victims, as well as information from open sources (social media, media news, and government reports).
19. Once verified, data about each event is entered into our DB as a specific case. Information search prioritizes media files and personal data that can be subsequently verified using the open-source intelligence (OSINT) approach and/or through direct contact with victims and witnesses. Whenever possible, employees of the participating organizations record events at the field, take pictures of the destroyed buildings using drones, and personally interview witnesses.
20. The information in the DB is closed, personal data is additionally encrypted, but statistics are publicly available.
21. The T4P initiative's process of documentation is organized on a regional principle: various NGOs are responsible for documentation in different regions of Ukraine. Usually, these NGOs collect information in the areas where they have worked for years and understand the local geography and specifics. In some regions, the T4P Initiative has collected more data on international crimes than is available for the Ukrainian government or international organizations.

##### *Technical specifications of the DB*

22. Until February 24, 2022, it was a simple MySQL database located on an internal server in the KHPG office and designed to convert data from spreadsheets to the DB, as well as to edit and enter data manually using a simple web interface. The DB also allowed outputting the statistical reports based on pre-prepared queries. Personal data entering DB was encrypted (AES\_ENCRYPT<sup>3</sup>) using a key that could be changed at any time.

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<sup>2</sup> <https://t4pua.org/en/1202>

<sup>3</sup> <https://dev.mysql.com/doc/refman/8.0/en/encryption-functions.html>

23. After February 24, 2022, the need emerged to transfer the DB to an external server to provide remote access for many documenters working with it. To achieve this, an authorization module was created for users with different level of access rights (guest, documenter, editor, lawyer, admin, with or without the right to view personal data). The DB was hosted on the server of “Mirohost” (a Ukrainian company)<sup>4</sup>. The company’s servers are physically located in Europe. The Ukrainian hosting was selected to provide documenters in Ukraine with convenience and speed in interaction with the DB.
24. At the first stage of the DB’s operation, factors limiting its capacity to work in new conditions and solve new problems were identified. To overcome these limits, the DB’s data structure and the web interface to work with it have continuously improved and developed following the tasks arising while documenting international crimes. In other words, the DB is being upgraded to meet the limited possibilities of documenting crimes in wartime, the growing threat to data security, and the need for different classifications and statistical data processing at any given time.
25. The following technical improvements have been added to protect personal data and improve the DB’s performance:
  - 1) access to the folder where media files and documents (in the form of binary files) from “testimonies” section are stored was closed. Thus, you can view or download such files only by logging in to the DB and entering the personal data encryption key;
  - 2) access to media files and documents (binary files) in the “Case” section of each episode is fully prohibited except for the lawyer handling the case;
  - 3) the “hard binding” of data types to database tables has been changed. Instead, the possibility of expanding the categories embedded into the DB without changing its structure was introduced, but only by changing the configuration parameters, i.e., using a simple “category constructor”<sup>5</sup> for the entered data;
  - 4) a module was created to automatically record all changes in data records entered by documenters automatically. The history of changes (“change log”) is stored in the database in encrypted form and cannot be changed through the DB interface. That is, storage is based on the “black box” principle;
  - 5) a module has been created to automatically record all views of individual episodes and personalities if they were viewed by a documenter who did not initially generate the record and by a lawyer who is not handling specific “Case”. The viewing history storage is based on the “black box” principle;
  - 6) a two-factor authorization mechanism has been implemented, which provides for the entry of an additional code sent to the user’s email address after the user logs in with a username, password, and personal data encryption code.
  - 7) a module for registering all login attempts with failed authorization has been connected. When a specific limit of “authorization errors” is reached, further attempts to log in from the IP address of this user will be blocked. In addition, the time intervals between authorization attempts have been increased. The IP address can be unblocked by the DB’s admin;
  - 8) to improve security and data storage, two regular checks were introduced: periodic analysis of the use of the DB interface program modules and removal of outdated modules that have lost their relevance; also, a periodic removal of inactive users from the DB and/or change of user passwords are being conducted;

<sup>4</sup> <https://mirohost.net>

<sup>5</sup> The database is expanded not by adding new tables (their number remains fixed) and not by adding new tools (they do not change), but by introducing new categories, each of which is assigned its own number and value.

- 9) all the Security Lab's technical recommendations to protect the DB from potential hacker attacks have been implemented.
26. At the time of preparation of this Submission, the DB is an online MySQL database with a web interface that is displayed in any Internet browser. On the server side, requests and commands to the database are executed using scripts in the PHP-8 programming language. The DB was created and is operated by the KHPG, access to the source code of the DB, and therefore the ability to modify its organizational structure, is exclusively available to a technical specialist of the KHPG.

#### ***Access to the DB***

27. Ordinary users have two options to access the DB. The access with the possibility to edit data is granted exclusively to KHPG-authorized documenters of the T4P initiative. There is an exhaustive list of these documenters who work with the DB exclusively in person. The access to view the information stored in the DB is granted exclusively by the KHPG permission. It is limited to an exhaustive list of persons and requires a clearly defined purpose (for example, giving "guest" access to officers of Ukrainian law enforcement bodies).
28. Only the KHPG technician can provide access to the DB upon the relevant order of the organization's Director. The use rules of the DB prohibit transferring the granted access to other persons.
29. The DB can be accessed by login, password, and encryption key, which additionally protects personal data. Protection through two-factor authentication is also provided.

#### ***Documenters***

30. Documenters from individual organizations-members of the T4P Initiative operate DB (there are about 50 people). All users had previously undergone group and personal training in entering information. Also, the instructions for working with the DB were developed and integrated to its interface to ensure correct and uniform data entry<sup>6</sup>.
31. The documenting requires, in addition to technical skills, also basic knowledge of international humanitarian law. Thus, KHPG conducted legal training on this topic for the documenters. In addition, training courses were organized for documenters on how to apply the new ICC Eurojust guidelines for civil society (2022) in their work. After the trainings, the documentarians are required to perform their work in full accordance with the learned standards.
32. The entry of information into the database was controlled by professional supervisors — the most experienced documenters who have knowledge in the field of international humanitarian law and international criminal law. Control by supervisors allows us to minimize the number of errors of documenters when entering information and their prompt correction in case of detection.

#### ***Entering information about the incident into the DB***

33. The kinds of information stored in the DB regarding each case (in the DB is called an "episode") of severe deprivation of liberty, corresponds to the elements of the crime in accordance with the ICC Elements of Crimes, and includes the date (interval, period, if the exact date is unknown), the place, the circumstances of the event, the type of the event, its previous qualification according to the RS ICC, and the personalities associated with the event (victims, witnesses and perpetrators of crimes).
34. An episode in the DB has the following features:
- 1) each episode has a unique number and is associated with the date (or probable date interval) of the event, as well as with the place where the event took place or the object that was affected (address, coordinates);

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<sup>6</sup> See Annex 4. Instructions for documenting crimes in the DB.

- 2) each episode can be accompanied by testimonies, which can include text information and any number of media files (photos, videos, documents, etc.);
  - 3) testimonies have their own unique number and can be attached to any episode or set of episodes;
  - 4) it is possible to link any of “personalities” (personal details of individuals) with any episode and specify the role of each person in the given episode;
  - 5) the episode contains notes selected by the documenter from the list regarding the type of event, the affected object, the preliminary legal qualification of the event and damages, as well as keywords — these data are used when compiling statistical reports;
  - 6) each episode may have an optional section with information regarding the progress of the legal case originated from that episode, which may contain information and files with restricted access;
  - 7) each episode necessarily contains data on the source of receiving information about severe deprivation of liberty.
35. The software developed by the KHPG allows checking the correctness of addresses spelling, finding and indicating repetitions of the same episodes, and protecting personal data by their automatic encoding and storage in the encoded form. By entering the access key, all personal data is decoded and can be processed.

#### *The DB security*

36. The DB contains tools to prevent illegal modification, deletion, or distortion of the information entered.
37. The DB records any actions related to adding new or editing previously entered information. Only the KHPG technician can view the change logs. Also, only the KHPG technician can delete the entered episodes. Other database users, including users with the right to edit data, do not have the right to delete previously entered episodes.
38. All media files uploaded to the DB are simultaneously stored in two hosting sites: the main one is located in Ukraine and operated by “Mirohost” company; the backup one is located in Germany and operated by “IONOS” firm. The DB is backed up daily, and the backups are stored in four different storages.
39. DB is equipped with two-factor user authentication.

#### *Information filtering*

40. The analysis of collected information on the facts of severe deprivation of liberty is carried out by means of the DB tools, in particular, by means of specific queries. Specific queries are filters capable of isolating episodes by certain parameters, such as place, date of event (interval, period), type of event, legal qualification. It is also possible to search by keywords.
41. The DB allows generating reports showing generalized information in tabular form (distribution of episodes over a certain period of time, by location, type of loss, type of objects and type of events) and graphically — on maps built on the basis of Google Maps.

### **II.1.2. Separate database of the KHPG (DB-KHPG)**

42. One more database is used to manage specific criminal proceedings in which the lawyers cooperating with the KHPG provide primary and secondary legal assistance to victims. Access to it has only operators of this database (DB-KHPG) and lawyers representing victims. Also, three

employees of DIGNITY have guest (read only) access to the DB-KHPG, who advise the KHPG on issues of documentation and preparation of collected materials for the OTP of the ICC.

43. The DB-KHPG is built on the same platform as the DB<sup>7</sup>, with specific technical features noted below.

***Technical features of the DB-KHPG***

44. The DB-KHPG additionally contains a group of fields “Case”. The DB also provides a group of fields “Case”, however, given the specifics of documenting information in the DB, this group is not used. Instead, in the DB-KHPG, “Case” contains a significant number of fields that contain information about the progress of a legal case at the national and international levels, about the legal actions taken in the case, as well as all accompanying legal documents (records of investigating actions, expert reports, necessary media files, etc.)
45. All confidential data about a person is stored within the group “Case”. Therefore, the DB-KHPG is organized in such a way that only the lawyer (lawyers) handling these cases and the administrator have access to the group of fields “Case” in individual episodes. Other DB-KHPG users have access only to a brief description of the event (“testimony”), which allows them to get a general understanding of the event and its category but does not allow to learn the progress of the investigation, the details of the severe deprivation of liberty and personal data.
46. The DB-KHPG also contains service functions that made it possible to determine exactly which lawyers handled specific cases at a certain stage and the chronology of their legal actions.
47. In order to ensure the confidentiality of personal data, within the “Case” group of fields, a lawyer conducting a legal case can independently through the interface of the DB-KHPG encrypt individual files that have been uploaded to this section. This encryption is aimed at preventing unauthorized access to the contents of files in the event that an attacker gains physical access to the servers on which the DB-KHPG is stored.
48. After the file is encrypted, it is stored in the DB-KHPG in an encrypted form and needs to be decrypted before further use. Decryption is also carried out independently through the interface of the DB-KHPG by a lawyer conducting a legal case.

## **II.2. METHODOLOGY OF GATHERING EVIDENCE FROM OPEN SOURCES**

49. The information provided in this Submission was retrieved from various sources. Some of the documented data was obtained from open, publicly available sources. All open sources of information can be roughly divided into two groups: official and unofficial. Official sources include all publications or statements by public officials. Unofficial sources include all other information sources available on the Internet or other open platforms, including, but not limited to, media publications, articles on web resources, social media posts, news stories, reportages, etc.
50. The information collection process also has specific features depending on the information type and source. While retrieving information from publicly available sources, documenters identify data about an event that has signs of an international crime and store it in a database. Documenters also record (save, take a screenshot or a screen record) the source of information in such a way as to make visible the link to this source and the date and time of recording as well as preserving, if possible, available metadata. These files that fix the source of information are also added to the database, where they cannot be changed or deleted.

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<sup>7</sup> See subsection II.1.1. Database (DB) of the T4P initiative.

51. When collecting information from open sources, the documenter verifies the retrieved data. This is often done by looking for information about the event from other sources and comparing the data obtained. Another way of verification is through direct contact with victims or witnesses who can confirm the event with their testimony.

### II.3. METHODOLOGY OF COLLECTING TESTIMONIES THROUGH PERSONAL CONTACTS AND THEIR FURTHER PROCESSING

52. The methodology of information collection by KHPG staff during personal contact with victims and witnesses of severe deprivation of physical liberty is described in the KHPG Standard Operating Procedures. This internal regulation was drafted by KHPG in cooperation with the Danish Institute Against Torture DIGNITY and based on the Guidelines for civil society organizations developed jointly by the European Union Agency for Criminal Justice Cooperation (Eurojust) and the Office of the ICC Prosecutors<sup>8</sup>.
53. The procedure to collect testimony generally includes several stages: (1) preparation and planning of the interview, (2) recording of the interview, (3) documenting the interview recording and processing the data obtained, and (4) post-interview stage.
54. During the first stage (preparation and planning of the interview), the KHPG interviewers: collect background information about the person to be interviewed; conduct a risk assessment for the interviewer and the person to be questioned; determine the interview objectives and topics to be discussed; ensure, as far as possible, the convenient logistics, appropriate interview format, and a calm and private environment. During this stage, the KHPG interviewers also clarify from the person to be interviewed their wishes regarding the place and the interview format, obtain prior consent to record the interview by technical means, etc. At this stage, the person is necessarily asked whether a lawyer or attorney represents them and whether they have given this testimony to the representatives of the law enforcement agencies of Ukraine or the representatives of the Office of the ICC Prosecutor.
55. The second stage (the interview itself and the recording of the interview) starts with a mandatory re-explanation of the interview format, the purpose of the interview, and the amount of information to be covered, as well as clarification of whether the person has a legal representative or whether the testimony was earlier provided to law enforcement officials. Then the person is offered to fill in the informed consent form (see form 3 in Annex 3 to this Submission) and/or the consent to process personal data form (see form 2 in Annex 3 to this Submission)<sup>9</sup>. The KHPG interviewer must explain to the person how their data are stored, who will have access to it, and how the person can withdraw the consent given.
56. After that, the interviewing process takes place, considering the requirements of the trauma-conscious approach to interviewing. In agreement with the person being interviewed, the stated testimony is recorded using technical means. The KHPG interviewer may take notes during the interview to avoid the need for repeated interviews, which can retraumatize the interviewee. The

<sup>8</sup> Documenting international crimes and human rights violations for accountability purposes: Guidelines for civil society organizations. (2022). Eurojust, International Criminal Court. Retrieved April 22, 2023 from: [https://www.icc-cpi.int/sites/default/files/2022-09/2\\_Eurojust\\_ICC\\_CSOs\\_Guidelines\\_2-EN.pdf](https://www.icc-cpi.int/sites/default/files/2022-09/2_Eurojust_ICC_CSOs_Guidelines_2-EN.pdf)

<sup>9</sup> According to the KHPG practice, the informed consent form is required when the testimony of a person will be used in international procedures. If the testimony obtained is used exclusively within the national jurisdiction of Ukraine, then the Ukrainian legislation requires only the signed consent to process personal data form.

KHPG team conducting interviews in the field usually includes a psychologist who can be engaged by the KHPG interviewer if necessary. At the request of the person being interviewed, they can also make an appointment for a future session with the KHPG psychologist.

57. At the end of the interview, the KHPG employee, in case of detection of signs of an international crime in the person's testimony, offers this person to apply to the national law enforcement agencies of Ukraine and/or the Office of the Prosecutor of the ICC. The person's consent to such an appeal is recorded by filling out an application for legal aid form (see form 1 in Annex 3 to this Submission). The application for legal aid serves as a basis for any legal action taken in the person's interests on both the national and international levels.
58. In exceptional cases, the interview may be conducted via remote communication when an in-person interview is impossible or inconvenient. In this case, at the preparatory stage, the KHPG employees provide the most secure channel of communication with the person (in particular, considering the availability of end-to-end encryption in the chosen method of contact) and try to use the most trauma-conscious approach to the interview. Documents the person needs to sign can be sent via telecommunication applications (if the person can print them) or through regular mail. Then the person returns the completed form to the interviewer in the manner most convenient for them.
59. During the third stage (documenting the interview recording and processing the data obtained), which takes place already after the return of the documenters to the KHPG's office, the information collected by the documenters is stored, digitized (if necessary) and transferred to the operators of the DB-KHPG.
60. The DB-KHPG operators have access to a general (brief) description of the event, personal data of victims, witnesses, deceased persons, and initial statements of victims, including an application for the provision of legal assistance<sup>10</sup> as well as a consent to processing of personal data<sup>11</sup> and/or an informed consent<sup>12</sup>. Operators cannot access criminal case files, complete interview records, or other sensitive evidence. Such information is passed on by the documenters directly to the lawyers.
61. The DB-KHPG operator's job includes creating a new episode (input) in the DB-KHPG, indicating the place, time, a brief description of the event, personal data of victims, witnesses, deceased, and perpetrators, and attaching technical documents (statements, informed consent forms).
62. After the data are entered into the DB-KHPG, the operator notifies the documenter who initially provided them with the information about the episode.
63. The documenter compiles a list of persons who wish to receive assistance from the KHPG. This assistance may include, in particular, legal assistance at the national or international levels, the transfer of information about person's case to the OTP of the ICC via inclusion into the Submission, etc. A mandatory condition for the provision of legal assistance was the presence of an application for the provision of legal assistance as well as a consent to processing of personal data (for national proceedings) and/or an informed consent (for international proceedings).
64. The KHPG management analyzed the lists and distributed cases among lawyers or paralegals cooperating with the organization, considering the types of legal assistance requested by the victims.

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<sup>10</sup> See Annex 3. Form 1. The form of application for the provision of legal assistance.

<sup>11</sup> See Annex 3. Form 2. The form of consent to processing of personal data; used by the KHPG in proceedings at the national level.

<sup>12</sup> See Annex 3. Form 3. Informed consent form; used by the KHPG in cases where there are international procedures.



65. After receiving information about the case, the lawyer immediately notes it in the DB-KHPG by making a corresponding mark with their name. All uploaded materials on the case, information about its procedural status, and complete records of testimony from that moment on become inaccessible to other DB-KHPG users. It allows the lawyer to upload any new information related to the case without threats to its confidentiality.
66. The lawyer also turned to the documenter, who was supposed to hand over confidential materials and/or information obtained during communication with the victim.
67. During the final stage, the KHPG interviewer, if possible, contacts the person sometime after the interview and asks about the person's condition and offers, if necessary, to consult the KHPG psychologist at the place of their deployment.

## II.4. PREPARATION OF THE SUBMISSION

68. Drafting this Submission started with several preliminary steps. An array of information, collected and processed as of March 31, 2023, served as a basis for preparing the Submission.
69. Firstly, the lawyers of KHPG selected cases containing information about the victims or witnesses of harsh deprivation of liberty. For each of these cases, a description of the event was drawn up, which to some extent formalizes the testimony of the victim or witness, but at the same time preserves all the details precisely as they were documented during the interview. Special attention was paid to such circumstances as periods and places of detention, the process of capture, torture in captivity, information about the alleged perpetrators of crimes, release from captivity, etc.
70. When compiling the description of events, all personal data, including surnames, names, and patronymics, were depersonalized entirely. Still, all such information received from the interviewees is retained and can be provided at the request of the ICC. The depersonalized set of testimonies is contained in Annex 1 to this Submission.
71. The resulting set of testimonies was then analyzed. Eventually, the text of each testimony was structured in the form of a table, whose columns contain the information relevant to severe deprivation of physical liberty in a more concise but accurate manner, in particular:
  - 1) the identity of the victim or a relative of the victim (depersonalized),
  - 2) the manner of capture,
  - 3) the probable reason (motivation) for the capture,
  - 4) place of detention,
  - 5) information about the use of torture and/or inhuman conditions of detention,
  - 6) information about the victim's release (if any),
  - 7) information about the alleged perpetrators of severe deprivation of liberty (submitted without further processing), and
  - 8) information about other persons who were held together with the victim.This table, presented in Annex 2 to this Submission, is a convenient tool for navigating the testimonies using the required search criteria.
72. Section III of this Submission has been compiled based on these testimonies and information documented from open sources. It provides generalized information divided into the following categories:
  - 1) general information on documented incidents,
  - 2) information on victims of severe deprivation of liberty,

- 3) information on places and periods of severe deprivation of liberty and conditions of detention in these places,
- 4) information on torture accompanying severe deprivation of liberty,
- 5) information on alleged perpetrators of severe deprivation of liberty, and
- 6) information on filtration as a specific type of severe deprivation of liberty.

Various subsections of Section III (except subsection III.3.6) are based primarily on the testimonies received by KHPG staff through personal contact with victims or relatives of victims of severe deprivation of liberty. Subsections III.1 and III.6 are based on the information documented in the T4P Initiative database and collected mainly from open publicly available sources, combined with the results of the KHPG documentation teams' visits to the de-occupied settlements of the Kharkiv Region.

73. Section IV of this Submission, which provides a preliminary legal qualification of the documented incidents, was compiled based on summarizing and analyzing the collected information. This section uses the definition of the elements of «Crime against humanity of imprisonment or other severe deprivation of physical liberty» (ICC RS Article 7(1)(e)), as described in the Elements of Crimes<sup>13</sup>.
74. After compiling the overall picture based on the information processed, Executive Summary and Section I (Introduction) were drafted. Section II on the methodology was also drafted. Section V summarizes our research and provides conclusions from documenting, processing, and presenting the information.
75. Annex 3 to this Submission contains the forms of two standard documents used by KHPG staff when interviewing witnesses through personal contact: (1) the application for legal aid form and (2) the informed consent form.
76. Annex 4 to this Submission contains approved instructions for working with the DB.

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<sup>13</sup> Elements of Crimes. (2011). International Criminal Court. Retrieved on 20.04.2023 from <https://www.icc-cpi.int/sites/default/files/ElementsOfCrimesEng.pdf>

# III. SUMMARIZING THE COLLECTED INFORMATION

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## III.1. GENERAL INFORMATION ABOUT DOCUMENTED INCIDENTS OF CRIMES AGAINST HUMANITY

77. From February 24, 2022, to March 31, 2023, KHPG documented in the database of the T4P Initiative a total of 213 incidents related to a severe deprivation of physical freedom, which were committed in the TOT of the Kharkiv Region. These incidents were geographically distributed as follows.
78. One hundred thirty-six incidents of a severe deprivation of physical liberty were documented in the TOT of the Iziurm district of the region. Fifty-seven of these incidents were recorded in the TOT of the city of Iziurm, and another 49 incidents — in the TOT of the city of Balakliia.
79. Information about 43 incidents involving severe deprivation of physical liberty was collected in the TOT of the Kupiansk district of the region. Of these, 24 incidents were documented in the TOT of the city of Kupiansk, eight — in the TOT of the Shevchenkove UTS, and four — in the TOT of the Dvorichne settlement.
80. In the TOT of the Kharkiv district of the region, information about 36 incidents related to severe deprivation of physical liberty was documented. Of these, 13 incidents were documented in the TOT of the Derhachi UTC (ten of which were in the TOT of Kozacha Lopan village), eight — in the TOT of the Tsyrukun UTC, and four — in the TOT of Lyptsi village.
81. In the TOT of the Chuhuiv district of the region, information about 18 incidents involving severe deprivation of physical liberty (of which 12 incidents - in the TOT of the city of Vovchans'k) was documented.

## III.2. INFORMATION ON VICTIMS OF SEVERE DEPRIVATION OF LIBERTY

82. Analyzing the collected testimonies allows us to distinguish between specific categories of victims of severe deprivation of liberty<sup>14</sup>.
83. Firstly, the former ATO participants were often victims of a deprivation of physical liberty<sup>15</sup>. We can note the facts of the ruthless torture of these people, during which the victims were “interrogated” about their participation in the ATO, questioned about other ATO participants, and accused of assisting the Armed Forces of Ukraine, in particular, of directing UAF fire on the positions of Russian troops. Also, the testimonies of many people who did not participate in ATO themselves contain references to ATO participants’ severe deprivation of physical liberty.

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<sup>14</sup> The following list of categories is by no means exhaustive. It is based solely on the evidence collected and studied by KHPG, particularly those listed in Annex 1 to this Submission. We are confident this list will be clarified and supplemented in the following submissions.

<sup>15</sup> For more details, see cases Nos. 1, 2, 8, 12, 13.

84. A separate subgroup within this first group is the relatives of ATO participants who also became victims of a severe deprivation of liberty due to their family ties.<sup>16</sup> It is important to stress that the absence of close relations with ATO participants and information about them was not considered, and such people were still captured and held in captivity. While in detention, relatives of ATO participants were subjected to “interrogations” when they were questioned under torture about the victim’s relationship with the relative and the latter’s whereabouts.
85. Another group consisted of former Ukrainian military and law enforcement officers who were no longer employed in corresponding bodies at the time of their detention<sup>17</sup>. They were also subjected to “interrogations”, in particular, regarding their past service.
86. A separate group consisted of individuals who refused to cooperate with the Russian military.<sup>18</sup> In such cases, they were captured and, according to available evidence, forced to perform duties (including specialized work, like repairing equipment) that they had previously refused to do voluntarily.
87. One more category consisted of persons who allegedly demonstrated disagreement (as interpreted by the Russian military) with the temporary occupation of the territory by the Russian troops or spoke negatively about the Russian troops in general<sup>19</sup>. The Russian military often stopped people on the street, checking their documents and phones. When they found any information, message, or post they subjectively interpreted as «negative,» they arrested this person. During the captivity, the victim was “interrogated” about the content of such messages, about the addressees, accused of assisting the Ukrainian Armed Forces, and even forced to write an apology for such messages or give interviews to Russian propagandistic journalists.
88. A separate mention should be made of people who were captured because the Russian military allegedly suspected them of having ties to the UAF, especially of helping the UAF by allegedly adjusting fire.<sup>20</sup> However, the Russian military did not provide evidence or specific information about these suspicions. Instead, such victims were simply “interrogated” under torture and then either released or sent for repeated “interrogations”, which were often conducted by the FSB or GRU officers (after which the person was either released or, according to available evidence, transported to Russia and further detained in the RF).
89. Regarding gender, most of those captured were men, although there were also some instances of women being held captive.<sup>21</sup> The evidence we collected shows that the Russian military treated men much more cruelly. During “interrogations” and torture of men, the physical influence methods aimed at inflicting physical pain and suffering prevailed.
90. Women were more often subjected to psychological influence methods, for example, threats of execution (although it should be noted that our organization has documented cases of torture and rape of women, which will be described in more detail in the subsequent submissions). Also, instances of minors<sup>22</sup> and even young children<sup>23</sup> held in captivity were recorded.

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<sup>16</sup> For more details, see cases Nos. 5, 8, 13.

<sup>17</sup> For more details, see cases Nos. 6, 9, 12, 13.

<sup>18</sup> For more details, see cases Nos. 15, 16.

<sup>19</sup> For more details, see cases Nos. 14, 19.

<sup>20</sup> For more details, see cases Nos. 10, 11, 17, 21, 22.

<sup>21</sup> See cases Nos. 11, 17, 18, 22.

<sup>22</sup> See case No. 14.

<sup>23</sup> See case No. 18.

### III.3. INFORMATION ON PLACES AND DURATION OF SEVERE DEPRIVATION OF LIBERTY, AS WELL AS CONDITIONS OF DETENTION

91. The analysis of the collected data shows that in most cases, severe deprivation of liberty in the TOT of the Kharkiv region of Ukraine happened in the specially equipped torture chambers, i.e., premises where the Russian military held prisoners, tortured, and “interrogated” them.
92. On October 20, 2022, Volodymyr Tymoshko, the Head of the Kharkiv regional GUNP, announced during a briefing that as of that date, 22 Russian torture chambers had been discovered in the de-occupied territory of the Kharkiv Region. Of these, four torture chambers were in the city of Izium, four in the city of Kupiansk, three in the Kozacha Lopan village, two in the Shevchenkove UTS, two in the city of Vovchansk, one in Velykyi Burluk UTS, one in the Pisky-Radkivski village, one in the Borova UTC, and one in the Lyptsi village.
93. Mr. Tymoshko also stressed that this is not an exhaustive list of places of severe deprivation of liberty and torture. Also, in some cases, Russian troops took Ukrainians to the RF, where they were detained and tortured.<sup>24</sup> KHPG has cases in progress when the victims of severe deprivation of liberty were captured in the TOT of the Kharkiv Region, then forcibly transferred to RF, and are still kept in captivity there.<sup>25</sup>
94. As of January 2, 2023, the Kharkiv regional GUNP was informed about the discovery of 25 torture chambers in the de-occupied territory of the Kharkiv region.<sup>26</sup>
95. This Submission presents information obtained through personal contact with victims, relatives of victims, and witnesses about the following places of severe deprivation of liberty:
- 1) basement (cellar) near the premises of the trucks transport service station (also known as the Balakliia motor park),
  - 2) premises of the Balakliia Police Division,
  - 3) shed near the Slavutych store in the Cherkaski Tyshky village, Kharkiv district,
  - 4) basement of the Kozacha Lopan railway station building in the Kozacha Lopan UTS, Kharkiv district,
  - 5) the premises of the Goptivka checkpoint,
  - 6) the premises of the Kozacha Lopan VPS,
  - 7) the premises of the Kupiansk District Police Department ITT,
  - 8) the premises of the Vovchansk Police Division,
  - 9) on the territory of the Vovchansk Aggregate Plant,

as well as in the Russian Federation. Also, subsection III.3.6. of this Submission contains information from public sources about other places of deprivation of liberty in the TOT of the Kharkiv Region.

<sup>24</sup> Fedorkova, T. (October 20, 2022, 16:15). They were electrocuted, deprived of sleep, and not fed: Where and how the torture chambers of the Russian occupiers operated in the Kharkiv region. *Suspilne Novyny*. Retrieved April 13, 2023 from: <https://suspilne.media/299088-bili-strumom-ne-davali-spati-ne-goduvali-de-i-ak-diali-kativni-rosijskih-okupativ-na-harkivsini/>

<sup>25</sup> See cases Nos. 12, 15, 21, 22, 23.

<sup>26</sup> The police found 25 torture chambers in the de-occupied Kharkiv region. (January 2, 2023). *Radio Liberty*: <https://www.radiosvoboda.org/a/news-kativni-kharkivshchyna/32204182.html>

### III.3.1. Information on the places of severe deprivation of liberty in the TOT of the city of Balakliia, Iziium district

96. The city of Balakliia, Iziium district of the Kharkiv Region, was temporarily occupied by the RF troops on March 2, 2022, and de-occupied by the AFU on September 11, 2022<sup>27</sup>. The KHPG documented the testimonies of victims, relatives of victims, or witnesses of severe deprivation of liberty, that took place in two locations in Balakliia: (1) basement (cellar) near the premises of the trucks transport service station (also known as the Balakliia motor park; Zahorodna Str., Balakliia), (2) premises of the Balakliia Police Division (Zhovtneva Street, Balakliia).
97. The analysis of the data collected by KHPG allows us to assume that the basement (cellar)<sup>28</sup> near the premises of the trucks transport service station was used for a short-term detention of captured persons, in particular, to conduct the so-called “interrogations”, after which the captive was either released or transported to another location where they were held for a more extended period.
98. The victims testified that conditions of detention in the basement (cellar) near the premises of the Balakliia trucks transport service station were inhuman and similar to torture. In particular, PERSON\_005 testified that during the detention, he was not provided with any food or even water, there were no cots or toilets, no daylight in the room, and the air temperature was about –1 degree Celsius. PERSON\_008, who was held for a certain period in the same location, also confirmed the lack of food. As far as we can tell from the testimonies, some victims were kept in this basement with bags over their heads and handcuffed all the time; thus, even to go to the toilet, they needed the help of other prisoners.
99. During the detention in the basement (cellar) near the Balakliia motor park, prisoners were taken to “interrogations”. These “interrogations” were presumably conducted on the premises of the truck transport service station. During such “interrogations”, prisoners were beaten and tortured by electric shocks and mock executions.
100. Some of the victims who were not released after being held in the basement near the Balakliia truck transport service station were transferred to the basement of the Balakliia Police Division<sup>29</sup>. According to the KHPG data, people were detained on the premises of the Balakliia Police Division for much longer. Special cells were set up in the basement of the Police Division, where prisoners were kept.
101. Conditions of victims’ detainment in the basement of the Balakliia Police Division were also inhuman. Firstly, the number of people held in the cells was two-to-four times higher than the relevant standards established for prisons<sup>30</sup>. In particular, PERSON\_008 testified that the size of the cell labeled «0» in which he was held approximately 1.5 by 3 meters, while at least six other people were held with him. PERSON\_15, who was later also held in cell No. 0, stated in his testimony that he was held in a two-person cell with six other people. Secondly, the food also did not meet

<sup>27</sup> On Affirmation of the List of Territories where Hostilities are (were) Conducted or Temporarily Occupied by the Russian Federation: Order of the Ministry on Reintegration of the Temporarily Occupied Territories of Ukraine of 22.12.2022, No. 309: as of February 27, 2023. (2023). Retrieved April 13, 2023 from <https://zakon.rada.gov.ua/laws/show/z1668-22#Text>.

Hereinafter in the text of the Submission, information on the date of the beginning of the temporary occupation of a settlement or territory by Russian troops and the date of de-occupation of a settlement or territory by the Armed Forces of Ukraine, unless otherwise stated, is taken from this source.

<sup>28</sup> Hereinafter, information about this place of severe deprivation of liberty, unless otherwise stated, is taken from cases Nos. 3, 4, 6.

<sup>29</sup> Hereinafter, the information about this place of severe deprivation of liberty, unless otherwise stated, is taken from cases Nos. 4, 5, 6, 7.

<sup>30</sup> Living space per prisoner in prison establishments: CPT standards. CPT/Inf (2015) 44. Council of Europe. Official edition. Strasbourg. (2015). Retrieved April 14, 2023 from <https://rm.coe.int/16806cc449>

the prescribed rules<sup>31</sup>: PERSON\_008 testified that he was given one liter of water and one spoon of porridge per day. PERSON\_015 stated that prisoners were not provided with food at all for several days and were given one bottle of water per day for the entire cell. The prisoners had to use a bucket in the cell for physiological needs, as they were not allowed to go to the toilet or for a walk (to get some fresh air). PERSON\_015 testified that he and another man were even beaten because they asked to be taken out for fresh air.

102. It can be concluded from the victims' testimonies that many people were held in the basement of the Balakliia Police Division building. For example, six other people were held in a cell with PERSON\_008. PERSON\_15 also testified that he was held in a cell with six others. We have not established the exact number of cells from the testimonies of the victims we interviewed. Still, according to available information, at least several cells were in this basement. PERSON\_015 mentions in his testimony neighboring cells with prisoners whose personal data he could remember, including cell No. 1.
103. Prisoners being held in the basement of the Balakliia Police Division building were also "interrogated" and tortured. The "interrogations" took place in the Police Division premises, under which the basement was located. Prisoners were taken for "interrogations" from the basement and then returned to their cells. The analyzed testimonies allow us to conclude that during these "interrogations", people were beaten and tortured even more severely than during their detention in the basement near the Balakliia motor park. In particular, they were hit with hands, feet, clubs, and rifle butts on the face and body and subjected to electric torture by a stun gun.

### **III.3.2. Information on the places of severe deprivation of liberty in the TOT of some settlements of the Kharkiv district of the Kharkiv region**

104. This subsection combines the information about the places of a severe deprivation of physical freedom in the TOT of some settlements of the Kharkiv district of the Kharkiv region, which are located relatively close to each other and the border between Ukraine and the Russian Federation. It allowed to transport the victims of a severe deprivation of physical freedom from one location to another and return them. According to the testimonies collected and analyzed by the KHPG, these places were part of an internally connected «network» of places of detention for captured civilians in this territory.
105. This subsection will contain information about the following four places of severe deprivation of liberty: (1) a shed near the Slavutych store in the village of Cherkaski Tyshky, Kharkiv district; (2) the basement of the Kozacha Lopan railway station building in the Kozacha Lopan UTS, Kharkiv district; (3) the premises of the Hoptivka checkpoint; (4) the premises of the Kozacha Lopan VPS<sup>32</sup>.
106. The analysis of the evidence collected allows us to assume that these places of severe deprivation of physical liberty were probably part of an interconnected network, where a specific «functional purpose» was ascribed to each location (it will be described in more detail below).
107. The first of the above-mentioned places of severe deprivation of physical liberty was a shed near the Slavutych store in the village of Cherkaski Tyshky, Kharkiv district<sup>33</sup> (the Cherkaski Tyshky village was temporarily occupied by Russian troops on February 24, 2022, and de-occupied by the Armed Forces of Ukraine on May 10, 2022). According to available evidence, the shed near the

<sup>31</sup> On the European Prison Rules: Recommendation Rec(2006)2-rev of the Committee of Ministers to member States. (2020). Retrieved April 14, 2023 from [https://search.coe.int/cm/Pages/result\\_details.aspx?ObjectId=09000016809ee581](https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016809ee581)

<sup>32</sup> Hereinafter, the information about this place of severe deprivation of liberty, unless otherwise stated, is taken from case No. 9.

<sup>33</sup> Hereinafter, the information about this place of severe deprivation of liberty, unless otherwise stated, is taken from cases Nos. 8, 9, 10, 11.

- Slavutysh store was one of the locations where people were held immediately after their capture. As to its «functional purpose», this shed was likely one of the places where new prisoners were «received» and initial “interrogations” were conducted.
108. Prisoners were usually “interrogated” in the adjacent premises; thus, people held in the shed at the time sometimes heard the sounds of blows. During the “interrogations”, male prisoners were severely beaten and tortured: hit with a rifle butt and kicked, hit against a table, attempted to cut off their ears, tortured with electricity (using a stun gun) and mock executions, and forced to kneel. Prisoners in this place of detention were usually “interrogated” several times and asked the same or similar questions. After the “interrogation”, some prisoners had to sign their testimonies, which were recorded by their “interrogators”.
  109. Conditions of detention in the shed near the Slavutysh store were inhuman and close to torture: PERSON\_023 testified that neither he nor other prisoners were provided with food and water during his detention and that prisoners were forced to use a shared bucket in the cell instead of the toilet. PERSON\_030 testified that food was given once a day in a shared bucket, and PERSON\_035 also said that prisoners were not allowed to go to the toilet and were given food in a bucket.
  110. When PERSON\_023 was in detention in this shed, frost began, and due to staying for a long time (about two weeks) in an unheated shed, he suffered frostbite all over his body. PERSON\_030 also testified that the prisoners were forced to sleep on a concrete floor when the temperature outside was from –5 to +1 degrees Celsius.
  111. According to the testimonies of the prisoners in the shed, many people were held in captivity with them. In particular, PERSON\_030 testified that about ten people were held in the shed while he stayed there. PERSON\_23 said three other people were brought with him to the shed, held there, and subjected to “interrogations”. PERSON\_034 testified that in addition to PERSON\_035, three other men were held with him.
  112. According to PERSON\_034 and PERSON\_035, there was at least one Russian citizen (according to his words) being held in the shed, who allegedly came from the Russian Federation to the border with Ukraine. Also, a suspicious person who pried information from prisoners was placed there briefly (this information was later used during “interrogations” of prisoners).
  113. It is also worth noting that according to PERSON\_030, on March 14, 2022, the Russian military shelled this shed. As can be understood from the testimonies, this happened while the prisoners were still being held there. They were transferred to a neighboring village on the same day and released.
  114. The next place of detention was the basement of the Kozacha Lopan railway station building in Kozacha Lopan UTS, Kharkiv district<sup>34</sup> (Kozacha Lopan was temporarily occupied by Russian troops on February 24, 2022, and de-occupied by the Armed Forces of Ukraine on September 11, 2022).
  115. Prisoners were held en masse and in inhuman conditions in the basement of the Kozacha Lopan railway station building. When PERSON\_044 and two other men were brought into a room (cell) measuring approximately 3 × 3 meters, there were already some eight people. In the evening of the same day, ten more prisoners were added, including PERSON\_043. During the first two days of PERSON\_044’s stay in the basement, the prisoners were not provided with any food, and then in the afternoon, they were given porridge and a piece of bread.
  116. The prisoners were “interrogated” at the railway station premises (PERSON\_043 testified that it was on the second floor of the station building, while PERSON\_044 said it was on the second floor in room #3). During the “interrogations”, the prisoners were beaten and tortured: PERSON\_043 was beaten so severely that he almost lost consciousness (when he was dragged back and thrown into the cell, he had bloody bruises on his back, stomach, and face, and for the first hour after the

<sup>34</sup> Hereinafter, the information about this place of severe deprivation of liberty, unless otherwise stated, is taken from cases Nos. 12, 13.



- torture, he could not even recognize his son). PERSON\_044 testified that during one “interrogation”, he was hit all over his body with a whip and a club, strangled with a rope, his head was punctured with a hard object similar to a bar of laundry soap; also, a knife was put to his neck from behind, and his left earlobe was cut. During another “interrogation”, he was subjected to electric torture by connecting wires to his earlobes and nose. It is worth noting that both PERSON\_043 and PERSON\_044 testified that from the very beginning of the first “interrogation”, they were ordered to undress to the waist, and only then were they beaten.
117. PERSON\_043 and PERSON\_044 also testified that in addition to the beatings during the “interrogations”, a «battalion commander» (as they understood his rank) of the so-called “LPR” troops, who appeared to be heavily intoxicated, came to their cell and abused the prisoners. In particular, the «commander» came to the cell with a wooden bat, and first, he beat a 17-year-old boy, and then he beat PERSON\_043 unconscious and waited for him to die (one of the guards called a doctor, who injected PERSON\_043 with adrenaline). The next day, this «commander» came to the cell again with a handgun, asked the prisoners when Lenin’s birthday was, and, without receiving an answer, fired a shot at the ceiling.
  118. According to PERSON\_044, the Russian military forced him to labor on their orders against his will physically; in particular, they sent him to dig trenches near a high school in the Kozacha Lopan UTS for two days.
  119. The data collected allows us to assume that the basement of the Kozacha Lopan railway station building and the shed near the Slavutych store were «first-level»<sup>35</sup> detention facilities where captured persons were placed for a short time for initial “interrogation”. However, as far as we could learn from the victims’ testimonies, the main decisions regarding further detention or release of captured people were usually made elsewhere. Therefore, all the victims held in these «first-level» places of deprivation of liberty and whose testimonies were collected and processed by KHPG were later transferred to the «second-level» places, where the decision on further detention or release of the prisoner could be made.
  120. One such place was the premises of the Goptivka checkpoint<sup>36</sup> (a crossing point on a border between Ukraine and the Russian Federation), located next to the village of Goptivka, Kharkiv district (the Goptivka village was temporarily occupied by Russian troops on February 24, 2022, and de-occupied by the Armed Forces of Ukraine on September 13, 2022).
  121. According to victims of a severe deprivation of liberty, people at the Hoptivka checkpoint were also held in inhuman conditions close to torture: PERSON\_034 testified that 20 people were held in a cell measuring three by five meters; there was no air to breathe, so some people began to suffocate.
  122. According to some testimonies, prisoners were “interrogated” at the Goptivka checkpoint by, among others, FSB RF and GRU RF officers. For example, PERSON\_023 testified that he was “interrogated” by a GRU officer and an FSB officer, and PERSON\_044 also testified that he was “interrogated” by FSB officers.
  123. The “interrogations” at the Goptivka checkpoint were repeatedly accompanied by the torture of victims with electricity: live wires were connected to parts of the prisoner’s body (in particular, to the fingers). PERSON\_044 testified that wet rags were put on his body during torture for better contact of electrodes with the skin.
  124. According to PERSON\_045, who was 17 years old at the time, during the “interrogation” at the Hoptivka checkpoint, he was hit on the head with a rubber stick and forced to answer questions,

<sup>35</sup> The «levels» of the places of detention are descriptive notions and were developed by the KHPG based on identified behavioral patterns of the Russian military while treating the captured victims. «Levels» denotes the revealed characteristic features of victims’ treatment.

<sup>36</sup> Hereinafter, the information about this place of severe deprivation of liberty, unless otherwise stated, is taken from cases Nos. 8, 10, 12, 13, 14.

threatened to sit his anus on a glass bottle; after that, electrical clamps were connected to his fingers, and electricity was switched on: first for five seconds, and then for about 30 seconds. After the “interrogation”, the teenager was forced to write an «apology» and give interviews to Russian propagandist journalists.

125. It is worth noting that, according to PERSON\_023, after the “interrogation” at the Hoptivka checkpoint, he was forced to sign a document stating that he had no claims against the Russian military and that the Russian servicemen had not tortured him.
126. During their detention at the Goptivka checkpoint, captured people were also forced to work for the benefit of the Russian military. For example, PERSON\_034 testified that on the second day of his detention at the Goptivka checkpoint, he and other prisoners were sent to work, and on the third day, he was forced to unload goods while beaten with a rifle butt.
127. According to the testimony of PERSON\_044, the prisoners held on the premises of the Hoptivka checkpoint were taken to an unknown destination at the end of July 2022 (as it turned out, they were sent to the RF).
128. Another place of a severe deprivation of physical liberty, similar in nature and «function», was the premises of the Kozacha Lopan VPS. According to the testimony of PERSON\_030, who was held in a shed near the Slavutych store in the Cherkaski Tyshky village and then transferred to the premises of the Kozacha Lopan VPS, the latter was the location where the decision was made whether the prisoner should be tried or released.
129. Similarly, to what took place at the Hoptivka checkpoint, victims at the Kozacha Lopan VPS during “interrogation” were tortured with electricity. For example, PERSON\_030 testified that his “interrogators” used a stun gun on him.

### **III.3.3. Information on the place of severe deprivation of liberty in the premises of the ITT of Kupiansk District Police Department in the TOT of the city of Kupiansk**

130. Evidence collected by KHPG allows us to state that one of the places of a severe deprivation of physical freedom was the Temporary Detention Center (ITT), which is located on the premises of the Kupiansk District Police Department in Kupiansk (the city of Kupiansk was temporarily occupied by the Russian troops on February 24, 2022, and de-occupied by the Armed Forces of Ukraine on September 9, 2022).
131. PERSON\_001 was brought to the ITT of the Kupiansk District Police Department after his capture and search of his apartment. According to him, at the Kupiansk District Police Department, he was documented «as a detainee», but no reasons for his detention were explained. PERSON\_003 testified that he was beaten with hands, feet, and rifle butts during his capture, and during the transportation, his hat was pulled over his eyes and taped to his head. But his testimony does not mention any documents compiled at the Kupiansk District Police Department when he was detained.
132. The captured persons in the ITT of the Kupiansk District Police Department were held in cells. In particular, PERSON\_003 testified that after the first “interrogation”, he was placed in cell No.10, where another severely beaten prisoner was already being held. Other persons, residents of Kupiansk and Kupiansk district of the Kharkiv region, including the mayor of Kupiansk, were also brought to the cell where PERSON\_003 was held. PERSON\_003 testified that all prisoners were tortured while being held in the ITT. PERSON\_001 also testified that after he was brought to the Kupiansk District Police Department, he was placed in one of the ITT’s cells. He shared this cell with other prisoners, the number of which was constantly changing. After one of the “interrogations”, PERSON\_001 was transferred to another cell.

133. It can be concluded from the testimonies of the victims interviewed by the KHPG that the ITT of the Kupiansk District Police Department served as a place of mass detention: the victims testified about other people (primarily residents of Kupiansk and Kupiansk district) who were detained and taken for “interrogations” simultaneously with them. This conclusion is also supported by the testimony of PERSON\_001 about how the prisoners liberated themselves when the Russian servicemen abandoned the Kupiansk District Police Department. The Security Service of Ukraine also published information that in the cells of the ITT of the Kupiansk District Police Department, which were designed for 140 people, the Russian military simultaneously held more than 400 prisoners, which forced the victims of a severe deprivation of liberty to sleep standing up<sup>37</sup>.
134. While detained on the premises of the ITT of the Kupiansk District Police Department, the victims were also subjected to “interrogations”, during which they were severely beaten and tortured, including by electric shock. PERSON\_001 testified that he was repeatedly “interrogated” with electrical clamps on his fingers connected to live wire. PERSON\_003 testified that during the “interrogations”, he was hit with a metal pipe, a military officer’s belt wrapped around the “interrogator” arm, and a sandbag. He was also tortured with electric shocks: live wires were connected to his ears and genitals while he was knocked down to the floor with water on it and “interrogated” about his service in the ATO and whether he had weapons.
135. It can be established from PERSON\_003’s testimony that some Russian militaries who held and tortured civilians in this ITT were servicemen of the so-called “LPR”, but they had asked permission from an FSB officer when deciding whether to release the detainees. PERSON\_003 also testified that the detainees were tortured by former Ukrainian law enforcement officers who had defected to the enemy. PERSON\_003 testified that the military who captured him arrived at his house in passenger cars with the «Z» mark and the Russian flag.
136. Both PERSON\_001 and PERSON\_003 testified that they managed to escape from this place of a severe deprivation of liberty because the Russian military abandoned the premises of the Kupiansk District Police Department due to the AFU offensive to liberate the Kharkiv region. After the departure of the Russian military, the prisoners released themselves from their cells. They mostly found their phones and documents on the premises of the Kupiansk District Police Department, thus becoming free.

#### **III.3.4. Information on the places of severe deprivation of liberty in the TOT of the city of Vovchansk, Chuhuiv district**

137. Russian troops temporarily occupied the city of Vovchansk on February 24, 2022. It was de-occupied by the Armed Forces of Ukraine on September 12, 2022. According to the testimonies of the victims’ relatives, which we managed to collect and document, one of the places of a severe deprivation of liberty in the TOT of the city of Vovchansk, Chuhuiv district, was the premises of the Vovchansk Police Division (Kolokoltsova Str., city of Vovchansk).
138. According to the testimony of PERSON\_080, at least from May to the end of July 2022, on the premises of the Vovchansk Police Division were based the Rosgvardia units headed by the serviceman with the call sign «Grom».
139. They captured the son of PERSON\_080, allegedly due to assistance to the Armed Forces of Ukraine (he was accused of allegedly talking on the phone about the Vovchansk Aggregate Plant). Unfor-

<sup>37</sup> SBU investigates how occupants illegally detained citizens in Kupyansk: 400 people in cells designed for 140 (video). (September 16, 2022). Security Service of Ukraine. Retrieved April 16, 2023 from <https://ssu.gov.ua/novyny/sbu-rozsliduiyak-okupanty-nezakonno-utrymuvaly-hromadian-u-kupiansku-400-liudei-u-kamerakh-rozrakhovanykh-na-140-video>

- unately, there is no more detailed evidence of the detention of PERSON\_080's son in captivity at the Vovchansk Police Division, as, after the re-capture, the victim was, according to unofficial information, taken to the RF, where his fate remains unknown.
140. Another place of a severe deprivation of liberty in the TOT of the city of Vovchansk, according to the testimonies of the city residents, was the premises of the Vovchansk Aggregate Plant.
  141. The case of the abduction and illegal deprivation of liberty of PERSON 058 contains evidence from various sources confirming that PERSON 058, along with other victims, was probably held on the territory of the Vovchansk Aggregate Plant. Later, this information was verified by a man released from the Vovchansk Aggregate Plant, where, according to him, many captured Ukrainians were held. Sometime later, another unidentified man confirmed this information. He called PERSON\_062 from an unspecified phone number and said that her husband and others were being held captive in Vovchansk, where they were forced to repair Russian military equipment.
  142. From the testimony of PERSON\_080, it can be established that during the temporary occupation of the city of Vovchansk by Russian troops, residents knew that the Russian military used the premises of the Vovchansk Aggregate Plant as a place of detention for captured people. Looking for her captured son, PERSON\_080 first went to the plant, where she was told that the list of detained people did not contain her son's name, and only then did she look for him in other places.
  143. Oleg Toporkov, the deputy director of the Vovchansk Aggregate Plant, was forced to live under temporary occupation and hide from the Russian military for several months. According to his testimony, various people were detained on the plant's premises, including ATO participants, pro-Ukrainian patriots, former law enforcement officers, officials of the authorities and local self-governments, teachers, and even a priest who was held for three days and tortured with electric shocks. He testified that both women and men had been held at the plant, and the main reason for the detention was all kinds of patriotic support for Ukraine or demonstration of pro-Ukrainian attitudes<sup>38</sup>.
  144. Mr. Toporkov describes the procedure of capture and detention on the premises of the plant as follows: there is a pedestrian bridge near the plant where a checkpoint was located; if checkpoint guards did not like somebody, regardless of gender or age, they dragged this person for "interrogation", sometimes without any reason<sup>39</sup>.
  145. According to Mr. Toporkov, the victims of a severe deprivation of liberty were probably held on the premises of the largest of the workshops, workshop No. 20. It is a rectangular building with a central part some eight meters high and three-story buildings, containing locker rooms, offices, and storage rooms, attached to it on the sides. Workshop No. 20 measures approximately 150 by 50 meters, and many isolated rooms are inside<sup>40</sup>.
  146. Serhiy Bolvinov, the head of the Kharkiv regional SU GUNP, also reported that in the TOT of the city of Vovchansk, the Russian military had set up places of deprivation of liberty and torture in the premises of the Vovchansk Aggregate Plant and the city Police Division<sup>41</sup>.

<sup>38</sup> Volokha D. (July 22, 2022). Deputy director of the plant: At the plant in Vovchansk, Russians "tortured even the priest with electric shocks". Human rights in Ukraine. Retrieved April 16, 2023 from <https://khp.org/1608810929>

<sup>39</sup> See the previous footnote.

<sup>40</sup> Skachko, I. (August 04, 2022). The Vovchansk aggregate plant: Russian torture chamber according to Chechen patterns. Human rights in Ukraine. Retrieved April 18, 2023 from <https://khp.org/1608810987>

<sup>41</sup> Bolvinov, S. Facebook post of September 29, 2022. Facebook (Serhiy Bolvinov). Retrieved on April 18, 2023 from [https://www.facebook.com/story.php?story\\_fbid=pfbid0hq8nv4wzRwdCubWBRCNTnX5z54sLbu1AwaX6UcsVCBax6CfGYEYz9jZzrVC6rfcsI&id=100002276907245](https://www.facebook.com/story.php?story_fbid=pfbid0hq8nv4wzRwdCubWBRCNTnX5z54sLbu1AwaX6UcsVCBax6CfGYEYz9jZzrVC6rfcsI&id=100002276907245)

### III.3.5. Information on the cases of severe deprivation of liberty in the RF

147. The KHPG managed to document the testimonies about civilians' severe deprivation of liberty in the RF<sup>42</sup>. In such cases, it is extremely difficult to determine the place where a captured civilian is held. Usually, relatives manage to find out no more than the name of the city or region of the RF where the person is held, and this is often unofficial information.
148. We believe that collected evidence allows us to distinguish two characteristic patterns of behavior of the Russian military concerning the detention of victims in the RF. The first pattern covers the cases when the Russian military captured victims in the TOT of Ukraine, particularly of the Kharkiv Region, and took them to the RF. They were held captive and tortured in RF during a certain period, then returned to the TOT and released. Volodymyr Tymoshko, the Head of the Kharkiv Region GUNP, described a similar pattern of behavior by the Russian military during a briefing on October 20, 2022<sup>43</sup>. In such cases, it is possible to establish contact with the victims later and interview them in more detail.
149. The second pattern covers the cases when people were captured in the TOT of Ukraine, held for some time in places of severe deprivation of liberty also in the TOT, and then transferred to the RF, after which no detailed information about their fate was available<sup>44</sup>. In some cases, relatives, with the help of a lawyer, managed to obtain documentary evidence that a person was being held in the RF<sup>45</sup>. Sometimes this information could be obtained only from unofficial sources, including other people<sup>46</sup>, and in a certain number of cases, relatives received letters from the victim<sup>47</sup>, which usually had no return address, but were marked «Russian Post».
150. It is worth noting that sometimes, with the extensive lawyers' help, including in the RF, it was possible to launch legal procedures to establish the place of detention of the victim. For example, in one of our cases, the victim's family was fraudulently transferred to the RF, while the victim, a university student, was taken prisoner. When part of the family managed to return to Ukraine, they initiated the search for the victim's location in the RF: they contacted KHPG, and the KHPG lawyer helped to draw up and submit the necessary requests to the Ukrainian authorities to try to establish the place of detention of the victim in the RF.
151. Simultaneously, the other part of the family, which remained in the RF, hired a Russian lawyer who launched the relevant court proceedings in the RF. However, these proceedings were not successful in terms of the victim's release, as the Russian court stated that he «was detained for illegal actions, while he is not a defendant in any criminal cases, he is not being prosecuted, and therefore he does not have any procedural rights, including the right to a lawyer»<sup>48</sup>.
152. As to the places where victims are held in the RF, it is currently impossible to conduct any investigation, as the available information is limited to the name of the settlement where the victim is likely to be held. The situation is additionally complicated because victims are often transferred from one place of detention to another. Nevertheless, we will still list the locations in the RF where

<sup>42</sup> Hereinafter, information on the facts of severe deprivation of liberty in the Russian Federation, unless otherwise stated, is taken from cases Nos. 12, 15, 21, 22, 23.

<sup>43</sup> Fedorkova, T. (October 20, 2022, 16:15). They were electrocuted, deprived of sleep, and not fed: Where and how the torture chambers of the Russian occupiers operated in the Kharkiv region. Suspilne Novyny. Retrieved April 16, 2023 from <https://suspilne.media/299088-bili-strumom-ne-davali-spati-ne-goduvali-de-i-ak-diali-kativni-rosijskih-okupantiv-na-harkivsini/>

<sup>44</sup> See cases Nos. 12, 15, 21, 22, 23.

<sup>45</sup> In particular, see case No. 21.

<sup>46</sup> In particular, see cases Nos. 12, 22, 23.

<sup>47</sup> In particular, see cases Nos. 15, 23.

<sup>48</sup> For more details see case No. 21.

victims are likely to be held, based on the testimonies we have received: (1) the city of Belgorod<sup>49</sup>, 2) the city of Stary Oskol in the Belgorod region<sup>50</sup>, and (3) the city of Nizhny Novgorod<sup>51</sup>.

153. Thus, the group of cases where victims were taken to the territory of the RF, where they are likely to be held in captivity, are the most challenging. They are difficult from a legal point of view since neither the Russian authorities nor even the Russian courts provide comprehensive information to relatives about at least the place and conditions of detention and the state of health of the victims, but also inflict enormous moral damage to the victim's relatives, who cannot even be sure that their loved one is still alive.

### III.3.6. Information from public sources on other places of deprivation of liberty in the TOT of the Kharkiv region

154. In addition to personal contact with victims, relatives of victims, and witnesses of severe deprivation of physical liberty, KHPG collects and processes data from open sources. This subsection summarizes the collected information about the places of severe deprivation of liberty, which was not included in the previous sections and obtained from open sources. The KHPG continues to interview the victims and, possibly, will present obtained through personal contact testimonies concerning the places mentioned below in the subsequent submissions.
155. The KHPG has documented the evidence that during the temporary occupation of Izium, the RF troops turned the building of the Izium District Police Department into their base, where they kept the captured people and tortured them, in particular, with electric shocks<sup>52</sup>. According to a FB post by Serhiy Bolvinov, the head of the Kharkiv regional SU GUNP, the victims were held in the dark basement of the Izium District Police Department building for several weeks to several months<sup>53</sup>.
156. The Kharkiv regional police also reported the discovery of a place of a severe deprivation of liberty and torture in the basement of a residential building in the Pisky-Radkivski village, Izium district. The victims were tortured by burying into the ground alive, then digging them out; torturers also put gas masks with a smoldering rag inside on victims<sup>54</sup>.
157. Another place of a severe deprivation of liberty was documented in the TOT of the Kupiansk district, Kharkiv region. The Russian military arranged it in the basement of the military enlistment office building in the Shevchenkove UTS, where prisoners were kept in metal cages and tortured<sup>55</sup>.
158. According to Valeriy Prykhodko, the head of the Shevchenkove UTC, the Russian military also set up places of a severe deprivation of liberty and torture in several locations in Shevchenkove, in particular: (1) in a farm located on the ring road on the outskirts of the village, where victims were hung from a metal hook and intimidated; (2) a «commandant's office» and a place of a severe

<sup>49</sup> See case No 22.

<sup>50</sup> See case No 22

<sup>51</sup> See case No 23.

<sup>52</sup> Solodovnyk, M., Novosel, O. (September 19, 2022, 20:00). What the torture chamber of the Russian occupiers in the Izium District Police Department building looks like: a photo report. *Suspilne Novyny*. Retrieved April 18, 2023 from <https://suspilne.media/283415-ak-vigladae-kativna-rosijskih-okupantiv-u-rajviddilku-policii-izuma-fotoreportaz/>

<sup>53</sup> Bolvinov, S. Facebook post of September 19, 2022. Facebook (Serhiy Bolvinov). Retrieved April 18, 2023 from [https://www.facebook.com/permalink.php?story\\_fbid=pfbid04FqnPmtzuDwmFz72eouv4anwftoaZR6qdRAmtZxgauhVSCzykbsDj9t4W4RHc4JI&id=100002276907245](https://www.facebook.com/permalink.php?story_fbid=pfbid04FqnPmtzuDwmFz72eouv4anwftoaZR6qdRAmtZxgauhVSCzykbsDj9t4W4RHc4JI&id=100002276907245)

<sup>54</sup> Police reported a torture chamber found in the Kharkiv region. (October 05, 2022, 09:58). *Radio Liberty*. Retrieved April 18, 2023 from <https://www.radiosvoboda.org/a/news-kharkivshchyna-kativnia/32066087.html>

<sup>55</sup> Torture chamber in the basement of the military enlistment office building. (September 16, 2022, 17:23). *Donbas.Realii*. Retrieved April 18, 2023 from <https://t.me/donbassrealii/10250>

- deprivation of liberty and torture were set up in the buildings that previously housed the administrative services center and the military enlistment office; (3) the “interrogations” took place in the prosecutor’s office<sup>56</sup>.
159. Mr. Prykhodko reported that victims were held for extended periods (up to 60 days), tortured with electric shocks, and forced to work for the Russian military. Mr. Prykhodko stated that he saw traces of blood in the police office building and the aftermath of a grenade explosion in the administrative services center building. Mr. Prykhodko also reported a place of a severe deprivation of liberty and torture in a roadside cafe on the way from Shevchenkove UTS to Kupiansk<sup>57</sup>.
160. According to the Office of the Prosecutor General, in the TOT of the Kozacha Lopan UTS, Kharkiv district, the Russian military set up two places of a severe deprivation of liberty and torture: (1) in the basement of the railway station building and (2) in the basement of a local shop<sup>58</sup>. According to Hromadske Radio, in the TOT of the Kozacha Lopan UTS, the Russian military, in addition to the places mentioned above, allegedly used for severe deprivation of liberty and torture also: (3) the basement of a vegetable storage building (a large basement with a metal cage, several dirty mattresses on the concrete floor, plastic plates with food and water leftovers in front of the bars); (4) the basements of the warehouses in one of the enterprises; (5) the police office building<sup>59</sup>.
161. According to Hromadske TV, in the TOT of the Liptsi village, Kharkiv district, the Russian military allegedly used the following locations for a severe deprivation of liberty and torture: (1) the premises of the fire station in the center of the village, where the Russian military was based at the time, and (2) the premises of the local production unit of Kharkivoblenergo (the Kharkiv region power distribution enterprise)<sup>60</sup>. Also, according to a Suspilne publication, citing the words of Anton Yevtushenko, deputy head of the Dergachi District Prosecutor’s Office, more than half of the Liptsi village residents were taken by Russian troops to the RF<sup>61</sup>.
162. The National Police of Ukraine informed on its Facebook page that in the TOT of the Velykyi Burluk UTS, Kupiansk District, the Russian military allegedly turned the premises of the local Police Division into their fortified base and used it as a place of a severe deprivation of liberty and torture<sup>62</sup>.

<sup>56</sup> Horbatenko, S. (January 04, 2023, 10:17). «They shot him, cut off his head, and set his body on fire»: The terror of Russian troops in the Shevchenkove UTS. Radio Liberty. Retrieved April 18, 2023 from: <https://www.radiosvoboda.org/a/okupatsija-vojenni-zlotchiny-shevchenkove/32199391.html>

<sup>57</sup> See the previous footnote.

<sup>58</sup> In Kozacha Lopan, two torture chambers were found where the Russian troops tortured civilians during the occupation. (September 20, 2023). Office of the Prosecutor General. Retrieved April 18, 2023 from: <https://www.gp.gov.ua/ua/posts/u-kozacii-lopani-pid-cas-okupaciyi-rosiiska-armiya-piddavala-civilnix-torturam-viyavleno-dvi-kativni>

<sup>59</sup> Yefymenko, O. (November 05, 2022, 15:40). «When I entered here, I became speechless,»: a resident of Kozacha Lopan said about the torture chamber. Hromadske Radio. Retrieved April 18, 2023 from: <https://hromadske.radio/publications/naterpilysia-tut-liudy-strakhiv-selyshche-de-katuvally-kozhnoho-druhoho-mistsevoho>

<sup>60</sup> Khomenko, O., Bida, O. (October 19, 2022, 10:23). «Bit\*h, you won’t live to see the morning». Memories of the occupation: Torture by electricity, broken teeth, and broken ribs. Hromadske TV. Retrieved April 18, 2023 from: <https://hromadske.ua/posts/suo-ti-do-ranku-ne-dozhivesh-spogadi-pro-okupaciyu-katuvannya-strumom-vibiti-zubi-ta-zlamani-rebra>

<sup>61</sup> Tsvetkova, S., Mavrychev, V. (September 25, 2022, 14:55). About half of the people were taken to Russia: The Prosecutor’s Office about residents of the de-occupied Liptsi in the Kharkiv region. Suspilne Novyny. Retrieved April 18, 2023 from: <https://suspilne.media/285355-blizko-polovini-ludej-vivezli-do-rosii-prokuratura-pro-deokupovani-lipci-na-harkivini/>

<sup>62</sup> National Police of Ukraine. Facebook post of October 4, 2022. Facebook (Official page of the National Police of Ukraine). Retrieved April 18, 2023 from: [https://www.facebook.com/UA.National.Police/videos/1318377475233181/?refsrc=deprecated&\\_se\\_imp=0zoHE6lrn9dTwa1vf](https://www.facebook.com/UA.National.Police/videos/1318377475233181/?refsrc=deprecated&_se_imp=0zoHE6lrn9dTwa1vf)

### III.4. INFORMATION ON KINDS OF TORTURE THAT WERE APPLIED DURING SEVERE DEPRIVATION OF LIBERTY

163. Victims usually provide detailed information about their torture, which was, in fact, an integral part of a severe deprivation of physical liberty. Based on testimonies collected and processed by KHPG, we can define three main categories of situations when victims were usually tortured.
164. Firstly, during the capture of civilians, the RF military almost always used physical violence in the form of beating the victim and cruel actions to disorient and restrict the victim's mobility (pulling a victim's hat over the eyes and taping it to the head, blindfolding, etc.). They also used psychological violence, including threats of execution. The same category includes episodes of beatings or torture during transportation to the place of detention, especially when the transport stopped, and people were beaten somewhere in the forest or the middle of the road, as well as threats of execution that accompanied such beatings.
165. The second, and undoubtedly the broadest category, is torture during the so-called "interrogations". The primary purpose of detaining people and their subsequent severe deprivation of physical liberty was to "interrogate" them. These so-called "interrogations" were essentially pure torture aimed at obtaining information the victims did not even possess. Other grounds for "interrogation" were the so-called suspicions of assisting the Ukrainian Armed Forces, mainly through fire adjustment. Such suspicions were wholly unfounded but were used as a peremptory justification for captivity.
166. The third category includes torture committed as a mockery of the victims. In particular, there were cases when victims could be beaten for no reason, just for fun. One example is the beating of prisoners, including a minor boy, by the «commander» of a battalion of the so-called "LPR" troops who, according to the victims, was intoxicated<sup>63</sup>.
167. As to methods of torture, the testimonies studied most frequently named the following:
- Hitting victims' faces, heads, and bodies by hands (including hands in tactical gloves), feet, and various objects (rifle butts, rubber truncheons, wooden bats, belts, etc.);
  - Electric torture, in particular, using stun guns or connecting live wires to the victim's fingers, ears, and nose;
  - Making cuts on the victim's ears and fingers or attempting to cut off body parts, including ears, even when such attempts were never completed;
  - Torture through mock executions. Usually, the victim was told that they would be executed, so the Russian military ordered the victim to dig a grave for themselves. Several hours later, when the prisoner finally dug a hole large enough for burial, they were beaten or put against the wall, and torturers were shot in the wall near the head and then returned to prison. Sometimes it happened without digging a grave: the Russian military just pointed their weapons at the victim, started the countdown (if it was during the "interrogation", they continued to ask questions), and shot near the victim (diverted their weapons at the last moment). The same category includes shots at the victim with blank cartridges.
  - Starvation and generally detention in inhuman conditions close to torture when victims were not provided with food for several days or not allowed to go to the toilet more often than was set by guards.

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<sup>63</sup> See more about this event in cases Nos. 12 and 13.



168. It is worth stressing that in some cases, the Russian military, after “interrogations” or severe deprivation of liberty, forced the victim to say on video or in other ways that they were not tortured (or that they were, in fact, treated well).
169. More information about torture will be presented in the subsequent KHPG submissions, which are currently in preparation.

### III.5. INFORMATION ON ALLEGED PERPETRATORS OF SEVERE DEPRIVATION OF LIBERTY

170. The testimonies of the victims of a severe deprivation of physical freedom, collected and processed by KHPG, allowed us to compile the list of the kinds of participating Russian troops and identify call signs and external signs of the individual Russian servicemen who were probably the perpetrators of this crime<sup>64</sup>.
171. Most often, civilians were captured by the military of the so-called “LPR”, by the “Russians” and the “Chechens”; the “Buryats” were also mentioned. Initial “interrogations” were most often conducted by the military of the so-called “LPR”, representatives of the so-called “LPR” police, and the “Chechens.” Still, in some instances, the FSB RF staff conducted such “interrogations”. Further “interrogations”, particularly “interrogations” at the Goptivka checkpoint and Kozacha Lopan VPS, were more often performed by the FSB or GRU staff.
172. As for individual Russian military personnel who were likely perpetrators of the crime of severe deprivation of liberty, we can present the following list<sup>65</sup>:
- f. A Russian serviceman with the call sign “Ali”<sup>66</sup>. According to PERSON\_015, “Ali” was of “Chechen appearance”. He tried to cut off PERSON\_015’s left ear with a scimitar from the museum exposition but failed because it was not sharp enough. He was in the same group as “Irbis”.
  - g. A Russian military with the call sign “Irbis”<sup>67</sup>. According to PERSON\_015, “Irbis” was the “leader” of the group of Russian servicemen who captured PERSON\_015. “Irbis” also stopped “Ali” when the latter wanted to cut off the victim’s ear.
  - h. A Russian serviceman with the call sign “Kaliningrad”<sup>68</sup>. When PERSON\_023 was held captive in a shed near the Slavutych store in the Cherkaski Tyshky village, Kharkiv district, he heard the call sign of this Russian serviceman.
  - i. A Russian serviceman with the call sign “Granit”. When PERSON\_023 was held captive in a shed near the Slavutych store in the Cherkaski Tyshky village, Kharkiv district, he heard the call sign of this Russian serviceman.
  - j. A Russian serviceman with the call sign “Khan”. When PERSON\_023 was held captive in a shed near the Slavutych store in the Cherkaski Tyshky village, Kharkiv district, he heard the call sign of this Russian serviceman.
  - k. A Russian serviceman with the call sign “Yarik”. When PERSON\_023 was held captive in a shed near the Slavutych store in the Cherkaski Tyshky village, Kharkiv district, he heard the call sign of this Russian serviceman.

<sup>64</sup> For more details, please, see Annex 1 and Annex 2 to this Submission.

<sup>65</sup> In the text of this Submission, the call signs of the Russian military are printed in transliteration from Russian.

<sup>66</sup> Information about this Russian serviceman was provided in case No. 6.

<sup>67</sup> Information about this Russian serviceman was provided in case No. 6.

<sup>68</sup> Information about Russian servicemen with call signs «Kaliningrad», «Granit», «Khan», and «Yarik» was provided in case No. 8.

- l. Russian military with the call sign “Bilyi” (White)<sup>69</sup>. When PERSON\_045 was “interrogated” at the Hoptivka checkpoint, one of the armed men in the uniform present during the so-called “interrogation” was called “Bilyi”; he had the same inscription on his T-shirt.
- m. A Russian military with the call sign “Vityaz”<sup>70</sup>. According to PERSON\_065, “Vityaz” was the “leader” of the group of servicemen who captured the victim. He was in the same group as “Ara”.
- n. A Russian military with the call sign “Ara”. According to PERSON\_065, “Ara” was “deputy” of “Vityaz” in the group who captured the victim.
- o. A Russian military with the call sign “Shaman”<sup>71</sup>. According to PERSON\_067, “Shaman” was the “senior” of the group of Russian servicemen who captured the victim. Other Russian military said that “Shaman” was supposedly a “deputy” (a member of some representative body). PERSON\_067 also testified that he saw “Shaman” severely beating a member of the Ukrainian military. According to PERSON\_065, the “Shaman” drove the victim home after release from captivity, and a week later returned and forced the victim to recite a speech, which he recorded on video. According to the KHPG data, “Shaman”’s name is probably Valeriy Viktorovych Shamanov<sup>72</sup> as PERSON\_067 identified “Shaman” from the photo on the Internet, and this is recorded in the materials of the relevant criminal proceedings.
- p. A Russian military with the call sign “Dushman” who was also called a “combat”<sup>73</sup> (probably, he was a battalion commander). According to PERSON\_067, “Dushman” was a young man of short stature. PERSON\_067 also testified that “Dushman” beat the victim with the rifle butt.
- q. Russian military (probably Rosgvardia serviceman) with the call sign “Grom”<sup>74</sup>. According to PERSON\_080, during the temporary occupation of the city of Vovchansk, Chuhuiv district, Rosgvardia units were based in the premises of the Vovchansk Police Division. Their “chief” was a military man with the call sign “Grom”. He was answering PERSON\_080’s requests regarding her son, who was held captive first in the Police Division premises and then in the RF.
- r. The «commander» of a battalion of the so-called “LPR” troops<sup>75</sup>. According to the victims, this serviceman seemed intoxicated, brutally beat prisoners with a wooden bat, and misbehaved, threatening them with a gun and shooting in the air.

### III.6. INFORMATION ON THE SO-CALLED FILTRATION AS A SPECIFIC FORM OF SEVERE DEPRIVATION OF LIBERTY

173. Filtration should be understood as a forced, legally unregulated process of retrieving the personal data of detainees, their social contacts, views and attitudes towards the RF, their danger to the authorities or services of the RF, as well as their readiness and consent to cooperate with the authorities or services of the RF<sup>76</sup>.

<sup>69</sup> Information about this Russian serviceman was provided in case No. 14.

<sup>70</sup> Information about Russian servicemen with call signs «Vityaz» and «Ara» was provided in case No. 17.

<sup>71</sup> Information about this Russian serviceman was provided in cases Nos. 17 and 18.

<sup>72</sup> Shamanov Valeriy Viktorovich. (2023). Wikipedia. Retrieved May 01, 2023 from: [https://uk.wikipedia.org/wiki/Шаманов\\_Валерій\\_Вікторович](https://uk.wikipedia.org/wiki/Шаманов_Валерій_Вікторович)

<sup>73</sup> Information about this Russian serviceman was provided in case No. 18.

<sup>74</sup> Information about this Russian serviceman was provided in case No. 22.

<sup>75</sup> Information about this Russian serviceman was provided in cases Nos. 12 and 13.

<sup>76</sup> Zakharov, E. (March 14, 2023). Ukrainian territories occupied by Russia: Terror, disappearances and mass deportation to Russia. T4P. Retrieved April 18, 2023 from: <https://t4pua.org/en/1506>

174. Usually, filtration takes place in two stages. The so-called «primary filtration» is carried out on the streets of the occupied settlements, at checkpoints, through an inspection of the entire settlement by checking each house<sup>77</sup>, as well as at the so-called «filtration points»<sup>78</sup>.
175. The first stage of filtration includes document checks, fingerprinting and initial interviews. At the filtration points, this stage can last several hours to several days, depending on the queue length. Much attention is paid to men, particularly military age, who are questioned especially thoroughly, sometimes with violence. The checkers try to determine the person's previous affiliation with the armed forces, law enforcement, border guards, and other state and local authorities. Women are asked about the location of their husbands and whether they serve in the army. The content of all phones is examined in search of pro-Ukrainian inscriptions or melodies. If people are suspected of disloyalty to the RF, they are detained while often separating families; even mothers and children can be separated<sup>79</sup>.
176. If a person has been «filtered,» they receive a small rectangular piece of paper with the person's surname, name, patronymic, date of birth, a stamp with the name of the filtration point, the word «Fingerprinted,» the date and signature of the person (without a full name) who performed the filtering. This sheet (the so-called «certificate») was to be carried with the passport. The certificate was a pass permitting movement on the temporarily occupied territory and also the entrance to the Russian Federation<sup>80</sup>.
177. During the second stage, detainees are escorted for further in-depth filtration for 30 days in filtration camps. These are places of detention, usually unofficial, with deplorable conditions: overcrowding, poor nutrition, often without access to water, lighting, toilets, fresh air, and no medical care. The so-called «interrogations» are conducted in such camps with the participation of the FSB officers and include violence and various types of torture. The general goal of detention in these camps is to break a person and to extract a confession of loyalty to the Russian Federation. Those who pass this second filtration stage are released after 30 days and can travel to the Russian Federation. Those who do not pass the second filtration stage disappear without a trace, and nothing is known about their fate. There is a version that Russian courts convict them «for opposing» the so-called CVO. At least one such case is known<sup>81</sup>.
178. It is rather hard to receive and document information about filtration, especially from its victims and their relatives. Despite this, KHPG managed to collect some data about the places of filtration reportedly set up in the TOT of the Kharkiv Region.
179. Probably the largest of the filtration camps in the TOT of the Kharkiv region was located on the premises of the Vovchansk Aggregate Plant in the city of Vovchansk, Chuhuiv district. On April 24, 2022, Oleh Sinehubov, the Head of the Kharkiv Regional Military Administration (OVA), reported that «in Vovchansk, the occupiers took one of the plants to the Russian Federation, and on its

<sup>77</sup> Savva, M. (March 07, 2023). «Filtration» of Ukrainian citizens by the occupying forces. A form of violence on many levels. T4P. Retrieved April 18, 2023 from: <https://t4pua.org/en/1480>

<sup>78</sup> Zakharov, E. (March 14, 2023). Ukrainian territories occupied by Russia: Terror, disappearances and mass deportation to Russia. T4P. Retrieved April 18, 2023 from: <https://t4pua.org/en/1506>

<sup>79</sup> See the previous footnote.

<sup>80</sup> Savva, M. (March 07, 2023). «Filtration» of Ukrainian citizens by the occupying forces. A form of violence on many levels. T4P. Retrieved April 18, 2023 from: <https://t4pua.org/en/1480>

<sup>81</sup> Zakharov, E. (March 14, 2023). Ukrainian territories occupied by Russia: Terror, disappearances and mass deportation to Russia. T4P. Retrieved April 18, 2023 from: <https://t4pua.org/en/1506> 18.04.2023

- premises created a kind of prison, a real concentration camp where people were subjected to torture, forced to cooperate and join the ranks of the Russian Armed Forces»<sup>82</sup>.
180. In an interview with KHPG journalists, Oleh Toporkov, Deputy Director of Vovchansk Aggregate Plant, said that the captured victims were probably held in the workshop No. 20, where the Russian military, according to his information, set up a «concentration camp». Mr. Toporkov noted that he knew up to a dozen people who were taken to the RF after having been held at the plant<sup>83</sup>.
181. Mr. Toporkov noted that various units and formations of the Russian armed forces were located at the plant. They included mobilized Russian soldiers, the so-called «people's militia» and «security forces» of the so-called «DPR» and «LPR», Rosgvardia units, and regular Russian servicemen. The victims were usually escorted by the military of the so-called «DPR» and «LPR». According to Mr. Toporkov, the FSB officers led the whole process and mainly conducted the so-called «interrogations»<sup>84</sup>.
182. The Kharkiv Regional Police Directorate (GUNP) reported that the Russian military had established a 'filtration point' in the basement of the Liptsi Interschool educational and production complex in the TOT of Liptsi village, Kharkiv district. This building was taken over by the so-called «LPR» «people's militia» and was used as a place of intermediary filtration, after which, presumably, victims were taken to the RF<sup>85</sup>.

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<sup>82</sup> Oleh Sinehubov: Russian occupants took an enterprise out of Vovchansk, Kharkiv region, and set up a prison on its premises. (April 24, 2022, 20:58). Suspilne Novyny. Retrieved April 18, 2023 from: <https://suspilne.media/232197-rosijski-okupanti-vivezli-z-vovcanska-na-harkivini-pidpriemstvo-j-oblastuvali-turmu-sinehubov/>

<sup>83</sup> Skachko, I. (August 04, 2022). The Vovchansk aggregate plant: Russian torture chamber according to Chechen patterns. Human rights in Ukraine. Retrieved April 18, 2023 from: <https://khpg.org/1608810987>

<sup>84</sup> See the previous footnote.

<sup>85</sup> Police of the Kharkiv Region. Facebook post of September 26, 2022. Facebook (Official page of GUNP in the Kharkiv region). Retrieved April 18, 2023 from: <https://www.facebook.com/police.kharkov/posts/pfbid02ydx8MJVRJcAgbmc9uNCnvATsjsbS-qy56L45JCpkon6RXxyKBhZwQRCLUQmPNJ4Awql>

## **IV. PRELIMINARY LEGAL QUALIFICATION OF RECORDED CRIMES**

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183. Article 7(1)(e) of the Rome Statute states that imprisonment or other severe deprivation of physical liberty in violation of fundamental rules of international law, when committed as part of a widespread or systematic attack directed against any civilian population, with knowledge of the attack, constitutes a “crime against humanity”<sup>86</sup>.
184. As such, according to the Elements of Crimes,<sup>87</sup> the crime against humanity of imprisonment or other severe deprivation of physical liberty under Article 7(1)(e) of the Rome Statute consists of 5 elements:
- a. The perpetrator imprisoned one or more persons or otherwise severely deprived one or more persons of physical liberty.
  - b. The gravity of the conduct was such that it was in violation of fundamental rules of international law.
  - c. The perpetrator was aware of the factual circumstances that established the gravity of the conduct.
  - d. The conduct was committed as part of a widespread or systematic attack directed against a civilian population.
  - e. 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.

### **IV.1. THE PERPETRATOR IMPRISONED ONE OR MORE PERSONS OR OTHERWISE SEVERELY DEPRIVED ONE OR MORE PERSONS OF PHYSICAL LIBERTY**

185. The existence of a severe deprivation of liberty conducted by the organs of the RF against citizens of Ukraine has been well-documented throughout this Submission and remains indisputable.

### **IV.2. THE GRAVITY OF THE CONDUCT WAS SUCH THAT IT WAS IN VIOLATION OF FUNDAMENTAL RULES OF INTERNATIONAL LAW**

186. The testimonies collected and processed by the KHPG, and other participants of the T4P coalition allow us to assert that the Russian military performed mass illegal and unjustified captures of civilians accompanied by physical force, beatings, insults, inhuman treatment, and torture. The KHPG strongly believes that the actions taken by the Russian military go against the essential principles of international law.

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<sup>86</sup> <https://www.icc-cpi.int/sites/default/files/RS-Eng.pdf>

<sup>87</sup> Elements of Crimes, ISBN No. 92-9227-232-2 ICC-PIOS-LT-03-002/15

187. It has become a widely accepted practice among states to prohibit severe deprivation of liberty, especially in international armed conflicts. This prohibition is now considered a rule of customary international law.<sup>88</sup> Moreover, the notion that detention must not be arbitrary is a fundamental principle of both international humanitarian law and human rights law.<sup>89</sup>
188. In terms of international humanitarian law, in the ICTY case of *Prosecutor v. Jadranko Prlić*,<sup>90</sup> it was explained «that Articles 68 and 78 of the Fourth Geneva Convention, which provide for lawful detention measures in the context of an occupation, must be given consideration when assessing whether there was an unlawful imprisonment within the meaning of [the ICTY] Statute. Therefore, the Chamber holds that the imprisonment of individuals is unlawful within the meaning of [the ICTY] Statute when:
- i. the individuals in question who are in occupied territory and committed an offence, solely to harm the Occupying Power, without such offence having caused harm to the lives or bodily integrity of the members of the occupying forces or administration, without having created a substantial collective danger and without seriously damaging the property of the occupying forces or administration or the facilities used by them, were detained for a period of time disproportionate to the offence committed in contravention of Article 68 of the Fourth Geneva Convention;
  - ii. the individuals in question who are in occupied territory, were detained in contravention of Article 78 of the Fourth Geneva Convention, whereas there is no substantial reason to believe that the security of the Detaining Power rendered it absolutely necessary;
  - iii. the procedural safeguards required by Article 78 of the Fourth Geneva Convention were not afforded to the individuals detained, even where initial detention was justified.»
189. Furthermore, according to the Court,<sup>91</sup> «concerning Article 42 of the Fourth Geneva Convention, the Appeals Chamber has established that the imperative reasons of security' had to be such that detention was 'absolutely necessary' to ensure the security of a State. The Chamber holds that this definition also applies to Article 78 of the said treaty. In this respect, the jurisprudence of the Tribunal generally grants broad discretion to the party having recourse to this measure in deciding what constitutes a threat to its security. Nevertheless, the Detaining Power does not possess blanket authority to detain the entire civilian population of a party to the conflict. It must establish for each individual that he or she poses a specific risk to the security of the State, such that it is necessary to detain them. Certain acts are considered prejudicial to the security of a State: espionage, sabotage and 'intelligence with the enemy Government or enemy nationals'. However, the mere fact that a person is a national of or shares the same opinion as an enemy party does not per se justify the deprivation of liberty. By the same token, the fact that a man is of military age does not necessarily constitute a threat to the security of the enemy. Internment and placement in assigned residence are exceptional measures and must be ordered only after careful consideration of each individual case.»
190. Regarding the nature of the events of the full-scale armed aggression of the RF against Ukraine, firstly, the Russian military, in fact, attacked individual civilians. In particular, the armed Russian servicemen invaded civilian homes or otherwise came into direct contact with targeted persons, then used physical force against civilians (knocked them to the ground, twisted their arms behind their backs, beat them) and began to check documents or ask questions while threatening them with weapons.

<sup>88</sup> See ICRC, Rule 99, Deprivation of Liberty, <https://ihl-databases.icrc.org/en/customary-ihl/v1/rule99>

<sup>89</sup> See OHCHR, Working Group on Arbitrary Detention, *Compilation of Deliberations* (17.10.2013)

<sup>90</sup> *Prosecutor v. Jadranko Prlić*, Case No. IT-04-74-T, Judgement (TC), 29 May 2013, paras. 63–68.

<sup>91</sup> *Ibid.*

191. Secondly, when a victim was effectively immobilized, let alone able to raise any objections, the Russian military conducted a search of the victim's home, taking away any cash, valuable personal belongings (computers, TVs, mobile phones, tablets, etc.), and documents (most often, property ownership documents and identity documents). Some people were beaten during the search. Based on their behavior and outcomes, the actions of the Russian military cannot be considered a legitimate search since they failed to follow proper procedural protocols. Victims usually describe these actions as outright robbery.
192. Thirdly, after the search, the Russian military usually took measures to disorient the captured civilians: put a sack (or hat) over the victims' heads and attach them tightly to their heads with scotch or something else to make victims feel suffocated. Some captives were beaten repeatedly. The Russian military also tied the victims' hands. In such a state, people were transported to places of detention. Some were kept in custody further in the same condition.
193. Fourthly, the collected data shows that civilians were captured without any registration, documentation, or control by the relevant authorities (court or at least the prosecutor). Therefore, from a legal point of view, the victims or their relatives had no possibility to protect their rights or appeal against arbitrary capture and detention, which was usually accompanied by torture and bodily harm. Moreover, the KHPG documented a case when the detained victim was taken to the RF and continued being held captive there. But even in this instance, the Russian court denied the victim the fundamental right to a lawyer<sup>92</sup>, which is crucial to any legal system worldwide. In fact, it is unrecognized detention, which is always unlawful.
194. After the capture, the Russian military transported the victims to places of detention. Victims were transported either in cars intended for passenger transportation (in the passenger seats of cars or SUVs) or in the backs of trucks. In the latter case, victims were tied up and lying on the floor of the trucks. Many victims recall the experience as being «thrown into the truck» without any regard for proper transportation conditions, which could be particularly challenging for immobilized people. Victims were also transported blindfolded (with sacks and hats taped to their heads).
195. Civilians were deprived of physical liberty on various premises, but victims complained of inhuman conditions of detention everywhere. Many victims of a severe deprivation of liberty receiving the KHPG assistance were kept in basements, cellars, or other basement-like premises without daylight, which, we argue, is clearly forbidden by Article 118 of the Fourth Geneva Convention.
196. Besides, the conditions of detention of civilians deprived of liberty were generally described by victims as inhuman. People were held on premises where the number of prisoners exceeded the prison standards by 2-4 times<sup>93</sup>. The food in the places of detention also did not meet the established standards for prisoners<sup>94</sup>: it was barely enough to prevent the «captures» from starving to death. They were sometimes not fed at all but were only given one bottle of water (1 liter) for the entire cell. Medical care was also absent, although almost all these «civilian POWs» needed it after torture, beatings, and «interrogations»<sup>95</sup>.
197. All victims describe how the Russian military «interrogated» them as part of their detention. These «interrogations», as we can assume from testimonies, were the main goals for capturing and abducting civilians and their subsequent detention. According to the victims, during «interrogations», the Russian military did not follow the usual procedural norms created to safeguard

<sup>92</sup> See case No. 21.

<sup>93</sup> Living space per prisoner in prison establishments: CPT standards. CPT/Inf (2015) 44. Council of Europe. Strasbourg. (2015). Retrieved April 18, 2023 from <https://rm.coe.int/16806cc449>

<sup>94</sup> On the European Prison Rules: Recommendation of 01.07.2020 no. Rec(2006)2-rev. (2020). The CE Council of Ministers. Retrieved April 18, 2023 from [https://search.coe.int/cm/Pages/result\\_details.aspx?ObjectId=09000016809ee581](https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016809ee581)

<sup>95</sup> See more information on the conditions of detention in section IV.3 of this Submission.

- “interrogated” person’s rights. The Russian army or FSB officers beat civilian prisoners, tortured them in other ways (e.g. with electric shocks<sup>96</sup>), and morally humiliated and abused them while continuing to ask questions. Some of the victims interviewed by KHPG recalled that they repeatedly lost consciousness from the torture and injuries during “interrogation”, but the Russian military just doused them with water to regain consciousness and continued to “interrogate” them.
198. Also, the Russian military commonly used «mock executions», which put extreme psychological pressure on the victim. During the “interrogation” or at any other time, a person was quite seriously told that they would be shot. Before the «execution», the victim was taken to the yard (or brought to the forest) and ordered to dig a grave for themselves. During a few hours, the prisoner dug a hole large enough to bury a person (sometimes several meters deep). Then the victims who smoked were offered a «last cigarette», while others — some «last wish», after which the Russian military beat the victim or put them against the wall and shot very close to their heads. After this «spectacle» ended, a person was returned to prison. Sometimes the «mock execution» was staged without digging a hole: the Russian military pointed a weapon at the victim, counted down slowly and loudly (if it was during the “interrogation”, they continued to ask questions), and then fired at the victim diverting their weapons at the last moment.
199. Most of the victims experienced all of the above for more than one day, as, according to the data we collected, only a small number of captured civilians were released by the Russian military on the same day or the following days. Many continued to be held for several days or weeks before being “interrogated”. The “interrogations” themselves also continued for several days or weeks in a row. After the “interrogations” ended, a significant number of prisoners were not released but continued to be held in captivity. The Russian military voluntarily released only a small number of victims. Moreover, there have been a significant number of cases when the victims of a severe deprivation of liberty were taken to the territory of the RF, where they continue to be held captive until now, although they are civilians.
200. Separately we should mention the filtration carried out by the Russian military in the TOT: people captured for filtration were held, according to various accounts, from one month (those who successfully «passed the filtration») to an indefinite period. There is very little information about those who «failed the filtration»: some were taken to Russia, and there is no information at all about others. During the filtration, as during other types of detention, Russian servicemen and FSB officers “interrogated” the victims while mocking and torturing these «civilian POWs»<sup>97</sup>.
201. Considering all the above, the KHPG believes that the use of deprivation of liberty and detention by the Russian military against civilians in the TOT, as documented by the T4P Initiative, is a clear violation of multiple fundamental international law norms.

### **IV.3 THE PERPETRATOR WAS AWARE OF THE FACTUAL CIRCUMSTANCES THAT ESTABLISHED THE GRAVITY OF THE CONDUCT**

202. We submit that the persons responsible for the severe deprivation of liberty committed during the armed aggression of the RF against Ukraine, and identified as employees of the FSB, RF troops, or other formations under the control of the Government of the RF, directly participated in the execution of the tasks of establishing and maintaining the control of the administration of the

<sup>96</sup> See more on torture during detention in section IV.4 of this Submission.

<sup>97</sup> See more about so-called “filtration” in section IV.6 of this Submission.



RF in the temporarily occupied territories of Ukraine, and therefore were fully aware of the actual circumstances that establish the gravity of the conduct.

#### **IV.4. THE CONDUCT WAS COMMITTED AS PART OF A WIDESPREAD OR SYSTEMATIC ATTACK DIRECTED AGAINST A CIVILIAN POPULATION**

203. The KHPG believes that in the context of the acts committed by the military of the RF and presumably bearing the signs of international crimes, it is impossible to speak about one separate crime in isolation from others. For example, even the testimonies of individual victims and witnesses set out in Annex 1 to this Submission refer to several different acts that can be preliminarily qualified as different international crimes under the Rome Statute. Therefore, we are convinced that acts of severe deprivation of physical liberty, described in this Submission, are part of the implementation by the RF armed forces of a widespread and systematic attack directed against the civilian population.
204. In the ICTY case of *Prosecutor v. Jadranko Prlić*,<sup>98</sup> the Court explained that «the adjective “widespread” refers to the attack being conducted on a large scale as well as to the high number of victims it caused, whereas the adjective ‘systematic’ emphasises the organised character of the acts of violence and the improbability of their random occurrence. Thus, it is in the ‘patterns’ of the crimes, in the sense of the deliberate, regular repetition of similar criminal conduct that one discerns their systematic character. Among the factors which may be taken into account in determining whether the attack meets either or both conditions (‘widespread’ or ‘systematic’) are the consequences of the attack on the civilian population targeted, the number of victims, the nature of the acts, the possible participation of political officials or authorities, or any identifiable pattern of crime in the sense defined above.» Importantly, “only the attack, not the individual acts of the accused, must be widespread or systematic. Moreover, the acts of the accused need only be a part of this attack, and all other requirements being met, a single act or relatively limited number of acts by that person would be characterised as a crime against humanity, unless those acts may be said to be isolated or random.»<sup>99</sup>
205. Furthermore, in the ICTY case of *Prosecutor v. Kunarac, Kovac and Vukovic*,<sup>100</sup> it was clarified that «the widespread or systematic nature of the attack is essentially a relative notion. The Trial Chamber must first identify the population which is the object of the attack and, in light of the means, methods, resources and result of the attack upon this population, ascertain whether the attack was indeed widespread or systematic.»
206. Regarding the nature of the events of the full-scale armed aggression of the RF against Ukraine, the testimonies in Annex 1 to this Submission alone mention at least nine places of a severe deprivation of liberty in the TOT of the Kharkiv region. Adding it to the information from open sources documented by KHPG and presented in subsection III.3.6 of this Submission, we can speak about at least 23 places of severe deprivation of liberty in the TOT of the Kharkiv region. It is worth noting that on October 20, 2022, Volodymyr Tymoshko, the Head of the Kharkiv regional GUNP, announced during a briefing that as of that date, 22 Russian torture chambers had been discovered in the de-occupied territory of the Kharkiv region.

<sup>98</sup> *Prosecutor v. Jadranko Prlić*, Case No. IT-04-74-T, Judgement (TC), 29 May 2013, paras. 41–42.

<sup>99</sup> *Ibid.*

<sup>100</sup> *Prosecutor v. Kunarac, Kovac and Vukovic*, «Judgement», IT-96-23-T and IT-96-23/1-T, 22 February 2001, para. 430

207. Of these, four torture chambers were located in the city of Izium, four — in the city of Kupiansk, three in the Kozacha Lopan village, two in the Shevchenkove UTS, two in the city of Vovchansk, one in Velykyi Burluk UTS, one in the Pisky-Radkivski village, one — in the Borova UTS, and one in the Liptsi village. Mr. Tymoshko also stressed that this is not an exhaustive list of places of severe deprivation of liberty and torture. Also, in some cases, Russian troops took Ukrainians to the RF, where they were detained and tortured<sup>101</sup>.
208. All documented by the KHPG cases of capturing civilians with a subsequent severe deprivation of physical liberty were committed in the TOT of the Kharkiv region. According to their testimonies, these civilians did not execute actions that could be characterized as armed resistance or guerrilla warfare and could not be considered a significant threat to Russian troops. Thus, we can preliminarily qualify these acts as attacks explicitly directed against the civilian population.
209. Also, we have documented evidence and information that may indicate the possible involvement in the organization and execution of a severe deprivation of physical liberty of FSB officers, GRU officers, Russian military personnel, in particular, the Rosgvardia, military personnel and members of the so-called «people's militia» of the so-called «LPR» and «DPR». Based on repeated testimonies of victims and data from open sources, we can conclude that the FSB controlled the process of capturing, holding in captivity, conducting «interrogations», filtering, and granting permission to release victims.
210. Based on the information provided in section III of this Submission, we have reasons to believe that the places of severe deprivation of physical liberty, allegedly organized by the Russian military in the TOT of the Kharkiv Region, constituted an interconnected and at least two-level system, where each place of detention performed certain functions and was managed by a specific group of responsible persons.

#### **IV.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**

211. According to the testimonies of victims who survived the deprivation of liberty and torture and then shared information with members of the T4P Initiative, the Russian military did not act spontaneously. On the contrary, they deliberately captured civilians and kept them in inhuman conditions for extended periods for specific purposes: to conduct «interrogations», to persuade them to cooperate, to force them to perform certain work, etc.<sup>102</sup>
212. In the ICTY case of Prosecutor v. Perišić Trial,<sup>103</sup> it was clarified that «an 'attack' may be defined as a course of conduct involving the commission of acts of violence. In the context of crimes against humanity, an 'attack' is distinct from the concept of 'armed conflict' and not limited to the use of armed force. Rather, it may encompass any mistreatment of the civilian population. The attack may precede, outlast or continue during the armed conflict and need not be part of it.»

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<sup>101</sup> Fedorkova, T. (October 20, 2022, 16:15). They were electrocuted, deprived of sleep, and not fed: Where and how the torture chambers of the Russian occupiers operated in the Kharkiv region. *Suspilne Novyny*. Retrieved April 13, 2023 from <https://suspilne.media/299088-bili-strumom-ne-davali-spati-ne-goduvali-de-i-ak-diali-kativni-rosijskih-okupantiv-na-harkivsini/>

<sup>102</sup> See more about the motives for taking Ukrainian citizens as «civilian POWs» and the categorization of victims in section III.2 of this Submission.

<sup>103</sup> ICTY, Prosecutor v. Perišić, «Judgement», IT-04-81-T, 6 September 2011, para. 82

213. Furthermore, in the ICC case of Prosecutor v. Muthaura, Kenyatta and Ali,<sup>104</sup> it was elaborated that «the qualifier ‘any civilian population’ has been previously interpreted to mean ‘groups distinguishable by nationality, ethnicity or other distinguishing features’. In the view of the Chamber, the civilian population targeted can include a group defined by its (perceived) political affiliation.»
214. According to the ICTY,<sup>105</sup> «the attack must be directed against a civilian population of any sort. The expression ‘directed against’ indicates that, in the event of a crime against humanity, the civilian population must constitute the primary target of the attack. In order to determine whether this was the case, the Trial Chamber must consider, among other indicia, the means and methods employed during the attack, the status of the victims, their number, the discriminatory character of the attack, the nature of the crimes committed during the attack, the resistance to the assailants at the time, as well as the extent to which the attacking forces may be said to have complied or attempted to comply with the precautionary requirements of the laws of war.» Importantly, “while the establishment of the actus reus of a crime against humanity requires that the crime occur as part of a widespread or systematic attack directed against a civilian population, the victims of the underlying crime do not have to be civilians.”<sup>106</sup>
215. Finally, in the foundational ICTY case of Prosecutor v. Tadić,<sup>107</sup> «the inclusion of the word ‘any’ makes it clear that crimes against humanity can be committed against civilians of the same nationality as the perpetrator or those who are stateless, as well as those of a different nationality.»
216. Accordingly, we submit that the members of the FSB and the armed forces of the RF, having been deployed to Ukraine to capture, detain, “interrogate”, torture and punish Ukrainian nationals, were fully aware of the existence of the attack against the civilian population of Ukraine in order to subjugate it, force into cooperation or liquidate.

<sup>104</sup> Prosecutor v. Muthaura, Kenyatta and Ali, «Decision on the Confirmation of charges», ICC-01/09-02/11-382-Red, 23 January 2012, para. 110

<sup>105</sup> Prosecutor v. Jadranko Prlić, Case No. IT-04-74-T, Judgement (TC), 29 May 2013, para. 36

<sup>106</sup> Prosecutor v. Zdravko Tolimir, Case No. IT-05-88/2-A, Judgement (AC), 8 April 2015, para 142

<sup>107</sup> Prosecutor v. Tadić (alias «Dule»), «Judgement», IT-94-1-T, 7 May 1997, para. 635

## V. CONCLUSIONS

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217. Summarizing the above, we believe that data collected by KHPG provides sufficient grounds to assert that in the Kharkiv Region, the Russian military during the period analyzed committed against Ukrainians a crime against humanity under Article 7(1)(e) of Rome Statute, namely «imprisonment or other severe deprivation of physical liberty in violation of fundamental rules of international law».

# ***Annexes***

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# **Annex 1. UNIFIED DEPERSONALIZED REGISTER OF TESTIMONIES RECEIVED BY KHPG FROM VICTIMS AND WITNESSES OF HARSH DEPRIVATION OF LIBERTY AS A RESULT OF PERSONAL CONTACTS<sup>108</sup>**

## **Case No. 1**

PERSON\_001 lives in the village of Borivske, Kupiansk district, Kharkiv region, and is the director of a local school. On September 2, 2022, between 10:00 and 11:00, PERSON\_001 was in the apartment of his relative PERSON\_002, who lives in the neighboring building. When PERSON\_001 was about to go home, six men armed with assault rifles and wearing Russian military uniforms entered his apartment, pushed PERSON\_001 to the ground, put his hands behind his back, handcuffed him and took him to his apartment in the next building.

While in PERSON\_001's apartment, the men asked PERSON\_001 about the documents and the school's seal. They searched the entire apartment, as well as the basement and garage. They confiscated PERSON\_001's personal belongings, including a smartphone, data storage devices (flash drives, etc.), and an air pistol and ammunition.

After the search, these individuals took PERSON\_001 to the premises of the Temporary Detention Center (TDC) located in the Kupiansk District Police Department, where they drew up documents for the detainee, but did not explain the reasons for his detention. After that, PERSON\_001 was placed in a cell. PERSON\_001 remembers that there were other people in the cell with him, and their number was constantly changing.

Three days later, PERSON\_001 was taken for his first «interrogation». A bag was placed over PERSON\_001's head, so he could not see the «interrogator». PERSON\_001's hands were handcuffed, and PERSON\_001's fingers were equipped with clamps that were connected to an electric current. During the «interrogation» PERSON\_001 was asked about school documents, participation in the ATO, and information about the Ukrainian military. After the 'interrogation', PERSON\_001 was returned to his cell and later that day transferred to another cell. Later, there was another 'interrogation', the questions were similar, and PERSON\_001 was again tortured with electric shocks.

On the evening of the sixth day of PERSON\_001's stay in the temporary detention facility, PERSON\_001 heard voices and noise from people moving around in the corridors and rooms of the building where he was held. Then everything became quiet, no one responded to his calls. People in other cells broke the bars, found the keys to the cells and released everyone.

PERSON\_001, together with other people who had been released from their cells, inspected the rooms where the 'interrogations' had taken place. Some documents and cell phones of PERSON\_001 and other people were found in these rooms.

In the morning, a so-called 'police officer' and a Russian military officer returned to the temporary detention facility and said that everyone could leave. After that, PERSON\_001 returned home with the help of another person who was also detained in the temporary detention facility.

In connection with the above-mentioned events, PERSON\_001 filed a criminal complaint with the law enforcement agencies of Ukraine. The pre-trial investigation is ongoing.

<sup>108</sup> The information in this annex is based exclusively on the testimonies of victims, relatives of victims or other witnesses of severe deprivation of physical liberty, whose testimonies were collected by KHPG during personal contacts.

## Case No. 2

PERSON\_003, born in 1964, was a resident of the Veteran Garden Society near the village of Hlushkivka, Kupiansk district, Kharkiv region; PERSON\_003 had previously participated in the ATO.

During the armed aggression of the Russian Federation in Ukraine on February 24, 2022, the territory where PERSON\_003 lived was seized by Russian troops.

On May 30, 2022, at about 11:00 a.m., when PERSON\_003 was in the garden of his former father-in-law's house, cars with a «Z» mark and a Russian flag drove up to the house. Seven men in military uniforms got out of the cars and started punching, kicking and hitting PERSON\_003 with their rifle butts. After the beating, they put a hat on the victim's head, wrapped him with tape and brought him to the premises of the Temporary Detention Center (TDC), which is located in the premises of the Kupyansk District Police Department.

There, PERSON\_003 was beaten with a metal pipe and an officer's belt wrapped around his arm, with comments and swearing about his participation in the ATO. After that, the victim was taken to cell No. 10 in the temporary detention facility, where PERSON\_004, aged approximately 50-53, was also held and severely beaten.

The next day, the Russian military took PERSON\_003 to another room, where they connected wires to his ears and genitals, knocked him to the floor with water on it, and tortured him with electric shocks, while «interrogating» him about the circumstances of his service in the ATO and the presence of weapons.

The next day, PERSON\_003 was beaten with a sandbag on his head and body. Other persons, residents of the city of Kupiansk and Kupiansk district of Kharkiv region, including the mayor of Kupiansk, were also brought to the cell where PERSON\_003 was held. All the detainees were tortured during their stay in the temporary detention facility.

PERSON\_003 testified that some of the Russian military who detained civilians and tortured them in the temporary detention facility were from the so-called «LPR», but when deciding on the release of detainees, the so-called «LPR» military asked permission from an FSB officer; PERSON\_003 also testified that the detainees were tortured by former Ukrainian law enforcement officers who had defected to the enemy.

On September 7, 2022, when the Armed Forces of Ukraine conducted an offensive operation to liberate the Kharkiv region, PERSON\_003 was released from captivity and returned to freedom.

On December 1, 2022 PERSON\_003 applied for legal aid to KHPG. On the same day the lawyers of KHPG organized a forensic medical examination of PERSON\_003. Since a considerable time had passed since PERSON\_003 had been injured, the expert could not reliably conclude on the injuries that could have been caused during his unlawful deprivation of liberty.

On January 26, 2023, the Prosecutor's Office opened an investigation into the abduction, illegal deprivation of liberty and torture of PERSON\_003. As PERSON\_003 was kept in detention for more than three months, during this time he had contact with many other people who had also been abducted and kept in the same room with him; PERSON\_003 provided investigators with detailed information about such people, as well as a description of those who «interrogated» him, as well as people who collaborated with the Russian military.

## Case No. 3

PERSON\_005 was abducted by the Russian military at a checkpoint on Peremohy Street in Balakliya, Iziurm district, Kharkiv region, after which he and two other men were taken to the forest. In the woods, PERSON\_005 and the other two men were severely beaten and threatened with death.

After that, PERSON\_005 was taken to the basement of the car park (Zahorodna Street) in the city of Balakliya, Iziium district, Kharkiv region, where PERSON\_005 was held captive by Russian military personnel from April 3, 2022 to April 5, 2022.

PERSON\_005's hands were tied and a bag was placed over his head. When PERSON\_005 was placed in the basement, he heard that other prisoners were held in the basement. One of the prisoners held in the basement (PERSON\_006) was recognized by PERSON\_005 by his voice. PERSON\_006 helped PERSON\_005 to go to the toilet. PERSON\_007 was also in the basement. At first, PERSON\_007 was taken out of the basement in an unknown direction, and then, after physical violence, PERSON\_006 was also taken away.

PERSON\_005 testified that he was held in inhumane conditions close to torture: all the time without water, without food, in a basement with no beds, no toilet, no daylight, and an air temperature of about -1 degree Celsius.

In connection with the above events, PERSON\_005 filed a criminal complaint with the law enforcement agencies of Ukraine. The pre-trial investigation in the case is ongoing.

## Case No. 4

PERSON\_008 testifies that between April 18, 2022, and April 28, 2022, he was held captive by the Russian military in the city of Balakliya, Iziium district, Kharkiv region.

Between April 18 and April 20, 2022, PERSON\_008 was held in captivity at the premises of the Balakliia Police Department (Zhovtneva Street, Balakliia). During his capture, PERSON\_008's hands and head were taped with duct tape. At the Balakliya Police Department, PERSON\_008 was punched and kicked in the head, torso, arms and legs, and then beaten with a rubber baton on the head, arms, legs and back; he was also stunned near his ribs on the right and left. Due to his injuries, PERSON\_008 subsequently sought medical treatment at a hospital.

Then, from April 20 to April 22, 2022, PERSON\_008 was kept in the basement (cellar) of the Balakliya Motor Park (Zahorodnia Street, Balakliya).

After that, from April 22 to April 28, 2022, he was again held at the Balakliya Police Department. Together with PERSON\_008, PERSON\_009, PERSON\_010, PERSON\_011, PERSON\_012<sup>109</sup>, as well as two brothers PERSON\_013 and PERSON\_014 were detained.

PERSON\_008 testified that he was held in a cell measuring approximately 1.5 by 3 meters; the detainees were given 1 liter of water for all of them and 1 spoon of porridge per person per day, and when he was kept in the basement (cellar), he was not given food at all; he was not taken to the toilet; he was not provided with medical care.

In connection with the above-mentioned events, PERSON\_008 filed a criminal complaint with the law enforcement agencies of Ukraine. The pre-trial investigation is ongoing.

## Case No. 5

PERSON\_012 testifies that in the period from April 23, 2022, to May 14, 2022, the Russian military and Russian law enforcement officers held him captive and tortured him in the premises of the Balakliya Police Department (Balakliya, Iziium district, Kharkiv region).

On April 23, 2022, at around 13:00, PERSON\_012 was in the village of Volokhiv Yar at his friend PERSON\_95's place, where they were slaughtering a pig in the yard. At that moment, two cars arrived at the gate: (1) a light gray Chevrolet Niva with no license plate, and (2) a light green Dacha Logan with

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<sup>109</sup> PERSON\_012's testimony is set out in Case No. 5.



no license plate. Three men in green camouflage uniforms with weapons (assault rifles and pistols) entered the yard from these vehicles; two of the men were wearing balaclavas. PERSON\_012 testified that the men were probably FSB officers. These men, wearing green camouflage uniforms, ordered PERSON\_012 and PERSON\_95 to show their identification documents. After checking his documents, the men in green camouflage uniforms took PERSON\_012 out of the yard under his arms. Next to one of the two cars they had arrived in, the uniformed men put a bag over PERSON\_012's head and handcuffs on his hands, and then put him in a light green Dacha Logan car.

In addition to PERSON\_012, there were three other Russian servicemen in the Dacha Logan car. Later, the car began to move in a direction unknown to PERSON\_012 (PERSON\_012 continued to be held with a bag over his head). After about 5 minutes, the car stopped; the driver got out and opened the door where PERSON\_012 was sitting. The driver took the bag off PERSON\_012's head and said that they needed to talk; at that moment, PERSON\_012 saw that the car had stopped on the section of the road between the village of Yakovenkove, Iziium district, Kharkiv region, in the direction of the city of Balakliya, Iziium district, Kharkiv region. The Russian military (driver) then punched PERSON\_012 in the face several times (three or four) with his right fist in a tactical glove, causing PERSON\_012 to have a bruise under his eye and a split upper and lower lip.

After this beating, the Russian military again put a bag over PERSON\_012's head and drove him around various checkpoints on the outskirts of Balakliya for about 30 minutes. Then, as PERSON\_012 later realized, the car arrived at the Balakliya Police Department, where one of the Russian military personnel took PERSON\_012 through the gate to a cell in the temporary detention facility. Before entering the cell, a bag and handcuffs were removed from PERSON\_012's head; PERSON\_012 saw that the metal door of the cell was marked with the number «0».

10-15 minutes after PERSON\_012 was brought to the cell, another man with injuries was brought to the cell. PERSON\_012 later learned that this man's name was PERSON\_008<sup>110</sup>. PERSON\_012 was held in this cell for 20 days; during this time, the Russian military did not «interrogate» PERSON\_012 and sometimes let him out for a walk. PERSON\_012 testified that PERSON\_008 was held in a cell for about 1 week; periodically, the Russian military took PERSON\_008 for «interrogation» at the Balakliya Police Department, after which PERSON\_008 returned with traces of bodily injuries on his face and body.

PERSON\_012 testified that from the very first day of his detention in cell number 0, he tore a metal slider from his sweatshirt and scratched his name, initials and date (23 April 2022) on the wall to the right of the cell entrance, and later marked the number of days he spent in the cell; PERSON\_008 also began to scratch in a similar way.

On the 20th day of PERSON\_012's detention, he was taken, as he testified, probably by the FSB officers to the first floor of the Balakliya Police Department for «interrogation». There were three people in camouflage uniforms in the office (one of them was wearing a balaclava). One of the RF military officers sat PERSON\_012 on a chair next to the wall, and the RF military officer sat at the table opposite, took out a PM pistol and put it on the table, pointing the muzzle at PERSON\_012 — in this way, the RF military officers exerted psychological pressure on PERSON\_012. The Russian military then told PERSON\_012 to tell them about his brothers, one of whom was a participant in the ATO; PERSON\_012 replied that he did not keep in touch with his brothers and did not know their whereabouts. After that, the Russian military asked PERSON\_012 about his «last wish», to which PERSON\_012 replied that he wanted to use the toilet and drink water; the Russian military complied with PERSON\_012's request and then took him to cell number «0». When the Russian military returned PERSON\_012 to the cell, PERSON\_008 was no longer there, but a local resident, PERSON\_015, was being held in the cell<sup>111</sup>. After

<sup>110</sup> PERSON\_008's testimony is set out in Case 3a

<sup>111</sup> PERSON\_015's testimony is set out in Case No. 6

that, the Russian military no longer «interrogated» PERSON\_012. On May 14, 2022, the Russian military released PERSON\_012.

In connection with the above-mentioned events, PERSON\_008 filed a criminal complaint with the law enforcement agencies of Ukraine. The pre-trial investigation is ongoing. In the case, PERSON\_012 was interviewed and an investigative experiment was conducted, during which PERSON\_012 showed investigators where he was captured by the Russian military, where he was beaten by a Russian military officer (on the road between the village of Yakovenkove and the city of Balakliya) and where PERSON\_012 was held in captivity (in the premises of the Balakliya Police Department).

## Case No. 6

On March 26, 2022, at about 11:30 a.m., PERSON\_015 was at his home in Balakliia, Izyum district, Kharkiv region. At that time, about ten so-called “LPR” soldiers arrived in PERSON\_015’s yard in a UAZ 452 car and an armored KAMAZ vehicle. The so-called “LPR” soldiers put a bag over PERSON\_015’s head and took him to the UAZ car at gunpoint with a handgun and assault rifle. PERSON\_015 asked permission to say goodbye to his mother, but the so-called “LPR” military refused.

PERSON\_015 testified that he was probably taken to the truck service station (also known as the Balakliya Auto Park; Zahorodna Street, Balakliya). There, PERSON\_015 was approached by a man who appeared to be Russian. This man began to «interrogate» PERSON\_015, and during the «interrogation» threatened PERSON\_015 with «shooting in the knees». In the evening, PERSON\_015 was released. During the day of PERSON\_015’s captivity, they did not remove the bag and handcuffs; refused to give him water when he asked for it; threatened to kill him if he told anyone about where he was held and what he was questioned about. This was the first time PERSON\_015 was taken prisoner.

On May 5, 2022, the Russian military (according to PERSON\_015, they were Kadyrov’s men and Russians) arrived at PERSON\_015’s house in four vehicles: (1) an armored Tiger vehicle, (2) an armored KAMAZ vehicle, (3) a blue metallic Toyota Corolla, and (4) a yellow vehicle.

The Russian military pointed a weapon at PERSON\_015, ordered him to hand over the keys to the Balakliya Museum of Local Lore (PERSON\_015’s wife was the museum director), and conducted a «search» of PERSON\_015’s home (stole binoculars, a rifle, UAH 15,000 in cash, USD 1,200 in cash, a laptop, and other items). During the «search,» when the Russian military found things with Ukrainian symbols, they beat PERSON\_015 with their hands.

Then the Russian military brought PERSON\_015 to the museum and asked him about the exhibits. During this ‘interrogation’, they mocked him, saying that ‘the Ukrainian nation should be slaughtered like pigs’. In the semi-basement of the museum, the Russian military continued to beat PERSON\_015, hitting him numerous times with a sling and rifle butts, and kicking him. PERSON\_015 repeatedly lost consciousness from numerous beatings.

During the «interrogation», a Russian military officer (according to PERSON\_015, of «Chechen appearance») with the call sign «Ali» tried to cut off PERSON\_015’s left ear with a yataghan from the museum’s collection, but he failed because the item was not sharp. The Russian military with the call sign «Irbis», who was in charge, said not to cut it off in order not to contaminate the Toyota car.

In the evening of the same day, PERSON\_015 was probably taken again to the Balakliya motor park (PERSON\_015 testified that he smelled a strong odor of diesel fuel). There, the Russian military imitated the execution of PERSON\_015 (shooting above his ear). Then the Russian military again beat PERSON\_015 with a rubber stick, fists and legs, causing PERSON\_015 to lose consciousness again. After that, PERSON\_015 was thrown into the basement, where PERSON\_015 lay for an unknown amount of time.

Later, the Russian military pulled PERSON\_015 out of the basement and took him to the first floor, where he heard a man screaming and being hit in the body. When the man was taken out, PERSON\_015 was brought in. There, PERSON\_015 was beaten again because he had fought in Chechnya in the early 1990s; PERSON\_015 lost consciousness again.

After that, PERSON\_015 was doused with water and wires were attached to his arms and legs. When PERSON\_015's mask fell off, he saw a rheostat on the table. The Russian military «interrogated» PERSON\_015 about the «ATO file». During the «interrogation», PERSON\_015 was electrocuted and hit with other objects all over his body. When the Russian military officer in charge came, PERSON\_015 told him that when PERSON\_015 resigned from the position of district military commissar, there was not even the term «ATO». The 'chief' replied that he had heard PERSON\_015 and ordered him to be killed.

After that, PERSON\_015 was taken out (he walked 73 steps), put against the wall, shot near his head and simultaneously hit on the back. PERSON\_015 lost consciousness again and fell down. PERSON\_015 regained consciousness when he was being loaded into an armored KAMAZ truck. During the trip, two or three more prisoners were thrown into the armored KAMAZ truck.

After that, PERSON\_015 was taken to the basement of the Balakliya Police Department (Zhovtneva Street, Balakliya) and placed in a cell with a sign «0». PERSON\_015 was held there until May 23, 2022. PERSON\_015 was held in a two-person cell with six other people. When PERSON\_015 was brought to the cell, other people were already being held there, including residents of the village of Verbivka. PERSON\_015's cellmates tied him up with a sports shirt because his ribs hurt.

PERSON\_015 testified that he and another man were beaten by the Russian military because PERSON\_015 and another man asked to be taken out to breathe fresh air. PERSON\_015 also testified that they were not allowed to eat for several days; they were given one bottle of water for the entire cell; and that instead of a toilet, there were two buckets.

Together with PERSON\_015, PERSON\_012 was held in the cell<sup>112</sup> (a volunteer whose two vehicles were taken away: (1) a Hyundai Santa Fe and (2) an orange minibus), and PERSON\_016.

PERSON\_015 also testified that PERSON\_017 (in the cell next to the first one), PERSON\_018, PERSON\_019 (he was held for 46-49 days) were held in neighboring cells.

On May 23, 2022, PERSON\_015 was taken for «interrogation» and informed that PERSON\_015 could be released but warned not to «rejoice» because they threatened to kill him anyway. PERSON\_015 went to his mother, who lived in Balakliia. When PERSON\_015 arrived at his mother's house, PERSON\_020 and PERSON\_021 were there.

In connection with the above events, PERSON\_015 filed a criminal complaint with the law enforcement agencies of Ukraine. The pre-trial investigation is ongoing.

## Case No. 7

PERSON\_022, born in 1977, was captured by the Russian military and forcibly taken to the premises of the Balakliya Police Department (Zhovtneva Street, Balakliya), where he was illegally detained in a prison cell.

While PERSON\_022 was being held at the Balakliya Police Department, he was repeatedly «interrogated» by the Russian military. During these 'interrogations', the RF military used physical and mental violence against PERSON\_022, in particular, beat him all over his body and threatened him.

After the release from the «captivity» PERSON\_022 turned to KHPG for legal and psychological assistance. According to the consulting opinion of the specialist, which was received by the lawyer of KHPG on March 13, 2023, PERSON\_022 was diagnosed with the bruise of the left elbow joint, bruise of

<sup>112</sup> PERSON\_012's testimony is set out in Case No. 5

the chest, bruise of the cervical spine. Currently, PERSON\_022 is receiving assistance from a psychologist who will further prepare a specialist opinion on the psychological state of PERSON\_022.

In connection with the above-mentioned events, PERSON\_022 filed a criminal complaint with the Security Service of Ukraine, and a pre-trial investigation was initiated. The lawyer of KHPG also filed a statement on the initiation of a criminal case to the IC of the Russian Federation, from which the answer was received on the acceptance of the statement.

## Case No. 8

On March 3, 2022, at around 10:00 a.m., PERSON\_023 was at his home in the village of Cherkaski Tyshky, Kharkiv district, Kharkiv region. At that time, PERSON\_023 was accompanied by his wife PERSON\_024 and two families of acquaintances, in particular, PERSON\_025, PERSON\_026 and her son PERSON\_027, as well as PERSON\_028.

At that time, two vehicles approached the house: (1) a URAL truck and (2) a black SUV. More than 10 soldiers of the assault brigade of the so-called "LPR" got out of the vehicles.

The Russian military made everyone in the house face the wall and the fence and asked if everyone had left the house. The Russian military threatened that if anyone hid, they would be «shot on the spot». After that, the Russian military conducted a «search» in the house, as a result of which they took the documents of ownership of the property and six cell phones.

PERSON\_023 testified that the Russian military pulled a hat over his head so that it covered his eyes and taped it to his head. After that, the Russian military threw him into the cargo compartment of a URAL car and drove him in an unknown direction.

During the day, four more people were thrown into the body of the URAL car, including PERSON\_029, PERSON\_030<sup>113</sup> and PERSON\_031, all of whom are former ATO participants. According to PERSON\_023, they were brought to the Slavutych store and placed in a shed where coffins were being made; it was already around 5:00 p.m.

After that, the Russian military took PERSON\_023, PERSON\_029, PERSON\_030 and PERSON\_031 in turn for «interrogation» in a neighboring room. During the 'interrogation', the Russian military threatened to shoot PERSON\_023 and cut off his ears. PERSON\_023 testified that he was «interrogated» about his son PERSON\_032, who had previously served in the ATO.

The next day, the Russian military again «interrogated» PERSON\_023 and threatened to kill him, but, according to PERSON\_023, the «interrogation» was already conducted by an FSB officer.

During their detention, the Russian military did not give PERSON\_023 and other prisoners any water or food; they used a bucket to go to the toilet.

PERSON\_023 also testified that during his captivity he heard the call signs of the Russian military, in particular, «Kaliningrad», «Granit», «Khan» and «Yarik».

The Russian military «interrogated» PERSON\_023 for about two weeks. During the «interrogations», the Russian military constantly beat PERSON\_023 on the legs, in particular, they beat him on the knee of his left leg with a rifle butt and kicked him. The Russian military also used a stun gun and electrocuted PERSON\_023.

On March 5, 2022, frost began to set in, and PERSON\_023 suffered frostbite all over his body as he and other prisoners were held in a completely unheated shed.

On March 10, 2022, the Russian military took PERSON\_023 and other prisoners for so-called «interrogation» at the Hoptivka checkpoint, where PERSON\_023 was «interrogated» by a GRU officer and an FSB officer. PERSON\_023 testified that during his stay at the Hoptivka checkpoint, he was given a

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<sup>113</sup> The testimony of PERSON\_030 is set out in Case No. 9

document to sign stating that PERSON\_023 had no claims against the Russian military and that the Russian military had not tortured him.

On March 14, 2022, PERSON\_023, PERSON\_033, PERSON\_030 and four other men who had previously served in the ATO and lived in the village of Liptsi were released at the cemetery in the village of Liptsi.

In connection with the above-mentioned events, PERSON\_023 filed a criminal complaint with the law enforcement agencies of Ukraine. The pre-trial investigation is ongoing.

## Case No. 9

On March 3, 2022, PERSON\_030 came home to his mother, who lives in the village of Ruski Tyshky, Kharkiv district, Kharkiv region. When PERSON\_030 entered the house, the Russian military put a gun to PERSON\_030's head, turned PERSON\_030 to face the wall and began to «search» the house (seemingly looking for weapons).

After the «search», the Russian military pulled a hat over PERSON\_030's eyes and taped it to his head; then PERSON\_030 was put into a truck. After the Russian military learned that PERSON\_030 had previously served in the special forces, they also taped his hands to the side of the vehicle. PERSON\_030 was then driven in an unknown direction, with the vehicle stopping two more times during the trip.

After PERSON\_030's duct tape was unwound and his hat was removed, he realized that the Russian military had brought him to the Slavutych base<sup>114</sup>. Around 14:00, PERSON\_030 was taken to a shed and later taken for «interrogation». From the very beginning of the «interrogation», the Russian military began to beat PERSON\_030 on the head and torture him, in particular, they began to cut his ears and fingers. During the «interrogation», the Russian military wanted to know the location of the Ukrainian Armed Forces.

The next day, the Russian military «interrogated» PERSON\_030 three times; all of the so-called «interrogations» were conducted by different persons, but they asked the same questions. PERSON\_030 testified that one of the «interrogators» was an FSB officer. The Russian military also «interrogated» PERSON\_030 about his military service.

PERSON\_030 testified that during his detention in captivity, the Russian military «interrogated» him three times a day. During these «interrogations», the Russian military constantly beat PERSON\_030 with their hands and rifle butts.

PERSON\_030 was held in inhumane conditions: he slept on a concrete floor when the temperature outside was approximately –5 to 1 degree Celsius; he was given food once a day in a bucket.

During the first four days, PERSON\_030 was held in the barn with PERSON\_023<sup>115</sup>, PERSON\_031 and another young man. On the fourth day of PERSON\_030's detention, PERSON\_033 was brought to the barn. PERSON\_030 testified that during this time, about 10 people were detained with him.

PERSON\_030 was detained in a barn near the Slavutych store until March 12, 2022. On March 12, 2022, the Russian military took PERSON\_030, PERSON\_023, PERSON\_033 and another man from the village of Liptsi, Kharkiv district, Kharkiv region, to the premises of the Border Guard Service (BGS) department «Kozacha Lopan». There, PERSON\_030 was «interrogated» and constantly shocked with a stun gun. PERSON\_030 testified that he learned that the premises of the Border Guard Service «Kozacha Lopan» was the place where the decision was made whether the prisoner was «tried or released».

<sup>114</sup> In other testimonies, this place is also called the «Slavutych» store.

<sup>115</sup> PERSON\_023's testimony is set out in Case No. 8

On the morning of March 13, 2022, PERSON\_030 and other prisoners were brought back to the Slavutych base in Cherkasy Tyshky. The Russian military promised to release the prisoners on March 14, 2022.

On March 14, 2022, the Russian military shelled the barn where PERSON\_030 and other prisoners were held. Around 10:00, the Russian military put hats over the prisoners' eyes, taped them to their heads, and drove them in an unknown direction (the car drove for 15–20 minutes).

Then the prisoners, including PERSON\_030, were unloaded from the vehicle, lined up in a row and the bolt was pulled. Then the «senior» among the Russian military announced that the prisoners were being released; he ordered the prisoners to count to 200 and then remove their blindfolds.

When PERSON\_030 took off his blindfold, he realized that the Russian military had dropped off the prisoners in the village of Liptsi, Kharkiv district, Kharkiv region. Then PERSON\_030 and other prisoners went to the village council and asked the village head to take them to Ruski Tyshky. When PERSON\_030 arrived in Ruski Tyshky, he went to his mother's house.

In connection with the above-mentioned events, PERSON\_030 filed a criminal complaint with the law enforcement agencies of Ukraine. The pre-trial investigation is ongoing.

## Case No. 10

On March 18, 2022, PERSON\_034 and his girlfriend PERSON\_035<sup>116</sup> were near the Slavutych store in the village of Cherkaski Tyshky, Kharkiv district, Kharkiv region. At that moment, PERSON\_034 was approached by about ten Russian military officers who began to check PERSON\_034 and other people who were nearby; after the check, the Russian military officers put people against the wall.

After that, the Russian military took PERSON\_034 for «interrogation» in the garage, while PERSON\_035 remained standing on the street near the Slavutych store. When PERSON\_034 was taken into the garage, the Russian military first beat him severely and only then began to «interrogate» him. PERSON\_034 testified that he was «interrogated» by the leader of the group of soldiers, but PERSON\_034 did not know his name. PERSON\_034 was wearing a hat pulled over his eyes and taped to his head.

During the 'interrogation', PERSON\_034 was asked for personal information, as the Russian military thought that PERSON\_034 was a fire spotter, and asked whether PERSON\_034 had any ties to the Ukrainian Armed Forces. After the 'interrogation', the Russian military made PERSON\_034 sign a paper with something written on it, and sent him to a shed. The Russian military also demanded that PERSON\_034 give them his phone number.

On the first day, the Russian military gave PERSON\_034 and the other 'prisoners' something to eat. PERSON\_034 testified that 3 other men were held captive with him. In the evening of that day, the Russian military brought PERSON\_036 to the barn and began asking the prisoners who they were and how they got there. The next morning, the Russian military took PERSON\_036 away.

PERSON\_034 testified that on the same evening, PERSON\_037, who, according to him, was a Russian citizen, was brought to the barn. PERSON\_037 told the prisoners that he had arrived at the Russian-Ukrainian border, after which he was captured by the Russian military and sent to the barn.

PERSON\_034 testified that a doctor visited the barn in the morning and evening. The second day passed without incident, and the Russian military did not beat PERSON\_034.

On the third day, in the morning, the Russian military summoned PERSON\_035 for «interrogation»; four hours later, PERSON\_035 was released.

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<sup>116</sup> PERSON\_035's testimony is set out in Case No. 11

After that, PERSON\_034 was summoned for «interrogation». From the very beginning of the 'interrogation', the Russian military started beating PERSON\_034. He believes that this happened after PERSON\_036 told the Russian military about their conversation on the first day. Since the Russian military did not receive any information from PERSON\_034, he was threatened with execution. After the «interrogation», the RF military took PERSON\_034 out and drove him around. Then the Russian military put PERSON\_034 on his knees, put the butt of the gun to his head and «removed» the bolt of the assault rifle.

It was not the fourth day that PERSON\_034 was taken from the barn again. On that day, PERSON\_034's mother brought PERSON\_034's phone to the Russian military. When PERSON\_034 unlocked the phone for the Russian military, they began to check it. After some time, the Russian military found photos of a man in a military uniform on PERSON\_034's phone and started asking PERSON\_034 who the man was; PERSON\_034 did not answer them, so the Russian military hit him so hard against a table that PERSON\_034 almost lost consciousness.

On the fifth day, one of the prisoners was taken out of the shed, and 20 minutes later PERSON\_034 was taken out as well. Outside, a Russian military man (according to PERSON\_034, «Chechen in appearance») told PERSON\_034 to «say goodbye to his life». After these words, PERSON\_034 was approached by two soldiers of the so-called "DPR" and asked PERSON\_034 what he thought about the «situation in Donetsk and Luhansk». After that, PERSON\_034 and another prisoner were loaded into a car and taken to the Goptivka checkpoint. When they arrived, the Russian military put the prisoners against the wall and ordered them not to move. After three hours of waiting, PERSON\_034 was taken for «interrogation».

During the 'interrogation', PERSON\_034 was tied to a chair, wires were wrapped around his fingers and he was electrocuted. After this «interrogation,» PERSON\_034 was taken by another Russian military officer, who again began to «interrogate» PERSON\_034. After the «interrogation,» this Russian military told the convoy that PERSON\_034 would be shot tomorrow.

PERSON\_034 testified that 20 people were held in a 3×5 meter cell; there was no air to breathe, so some people started to suffocate. PERSON\_034 testified that he remembered several men who were also held in this room (including a man from the village of Tsyркuny, other men from the village of Lyptsi, and a man who had been previously held with PERSON\_034 in a barn). In the evening, the prisoners were given porridge with fat and a cup of tea with rose hips.

On the second day, the prisoners were sent to work. On the third day, the prisoners were sent to unload goods. On that day, PERSON\_034 was beaten with a rifle butt.

On the fourth day, the Russian military put PERSON\_034 in a car and drove him to the village of Strilecha, Kharkiv district, Kharkiv region, where he was released. During his captivity, PERSON\_034 developed swelling in his legs.

When PERSON\_034 reached the village of Hlyboke, he was «interrogated». At the exit from Hlyboke village, at a military checkpoint, a Russian serviceman started shooting at PERSON\_034 and told him not to move.

When PERSON\_034 approached the village of Lyptsi, the Russian military again started shooting at PERSON\_034's legs. In the village of Lyptsi, PERSON\_034 went to his apartment, but was unable to enter it because he did not have the keys. Then PERSON\_034 went to his friends who lived in the village of Lyptsi.

The next morning, on March 25, 2022, PERSON\_034's mother came to pick him up and took him away.

In connection with the above events, PERSON\_034 filed a criminal complaint with the law enforcement agencies of Ukraine. The pre-trial investigation in the case is ongoing.

## Case No. 11

On March 18, 2022, PERSON\_035 and her boyfriend PERSON\_034<sup>117</sup> were riding a scooter to get humanitarian aid; near the Slavutych store in the village of Cherkaski Tyshky, Kharkiv district, Kharkiv region, PERSON\_035 and PERSON\_034 were stopped by Russian military personnel. The Russian military called for the «elders» and ordered PERSON\_035 and PERSON\_034 to face the wall; after that, the Russian military blindfolded PERSON\_035 and PERSON\_034.

The Russian military then took PERSON\_034 to a barn, while PERSON\_035 waited outside. After that, the Russian military took PERSON\_035 to the garage and began to «interrogate» her; PERSON\_035 testified that the Russian military asked her whether PERSON\_035 had any ties to the Ukrainian Armed Forces, the Russian military also said that PERSON\_035 and her boyfriend were allegedly «under suspicion» and the Russian military asked how PERSON\_035 «felt about Donetsk and Luhansk». During the «interrogation», the Russian military threatened PERSON\_035 with execution. In addition, the Russian military «interrogated» PERSON\_035 about PERSON\_034's father, noting that PERSON\_035 and PERSON\_034 were allegedly «giving» PERSON\_034's father information about the location of Russian troops. PERSON\_035 notes that during the «interrogation» the Russian military wrote something down, and at the end they ordered him to «sign the interrogation».

PERSON\_035 was then taken to a barn where her boyfriend PERSON\_034 and three other men were being held (PERSON\_035 later learned that the men were PERSON\_038, PERSON\_039 and PERSON\_040). Later, PERSON\_036 was brought to the barn, and after a while, PERSON\_037 was also brought, who said that he was from the Russian Federation and had come to the Russian-Ukrainian border to pick up his aunt. Then PERSON\_036 began to suspiciously ask the prisoners for information. The first day of PERSON\_035 and PERSON\_034's captivity ended.

The next day, the Russian military took PERSON\_036 away, and he never appeared again. Later, PERSON\_037 was also taken away — he was transferred to another cell, to his mother and aunt. PERSON\_035 testified that the Russian military did not allow prisoners to go to the toilet and gave them food in a bucket.

On the third day, the Russian military again took PERSON\_035 for «interrogation» and started asking the same questions as during the previous «interrogation». PERSON\_035 testified that the Russian military asked PERSON\_035 about her father's car, which they learned about from PERSON\_036. During the 'interrogation', the Russian military gave PERSON\_035 tea to drink.

PERSON\_035 testified that during the «interrogation» the Russian military repeatedly threatened her with execution; they also offered PERSON\_035 to «give up» information about the Ukrainian Armed Forces and former ATO participants, but PERSON\_035 replied that she did not know anything and that she had come here to visit her friends. PERSON\_035 testified that, in her opinion, the «main» among the Russian military who held and «interrogated» her was, according to her, a «Chechen» — he was in command of everyone and other Russian military obeyed him and consulted him.

Then PERSON\_035 was taken to a barn, and later PERSON\_034 was taken for «interrogation». PERSON\_035 heard her boyfriend PERSON\_034 being severely beaten and breathing heavily afterwards. PERSON\_035 testified that she heard the Russian military telling her boyfriend PERSON\_034 that they were going to shoot him, and that they would do it, as PERSON\_035 literally heard, «in the name of the Russian Federation». After the «interrogation,» PERSON\_034 was taken to a barn. A few hours later, PERSON\_035 asked the Russian military for a pill for PERSON\_034. Two hours later, the Russian military brought PERSON\_035 a Validol pill. In the evening, a doctor came, examined PERSON\_035 and PERSON\_034, and left.

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<sup>117</sup> The testimony of PERSON\_034 is set out in Case No. 10.



On March 21, 2022, the Russian military summoned PERSON\_035 for «interrogation» and allowed her to take off her hat. The Russian military told PERSON\_035 that she and her boyfriend PERSON\_034 were «mistaken for others» and that she was being released. The Russian military also told PERSON\_035 not to tell anyone about these events. The Russian military then told PERSON\_035 to go home and bring her cell phone and PERSON\_034's cell phone, and to bring PERSON\_034's mother, PERSON\_041. The Russian military also told PERSON\_035 that she had to provide them with proof that her boyfriend's father, PERSON\_042, had provided a firefighter's license.

After that, the Russian military gave PERSON\_035 a scooter. PERSON\_035 took all the necessary documents and, together with PERSON\_041, arrived at the Slavutych store where PERSON\_035 and PERSON\_034 were held captive. When they arrived, they were approached by a Russian military officer; he took PERSON\_041's phones and documents, put a black bag over PERSON\_041's head, and took PERSON\_041 for «interrogation». The Russian military later released PERSON\_041.

In the evening of the same day, PERSON\_035 and PERSON\_041 returned to pick up PERSON\_034, but the Russian military refused to hand him over and did not even provide any information about the whereabouts of PERSON\_034. Therefore, PERSON\_035 and PERSON\_041 returned home.

The next morning, PERSON\_035 and PERSON\_041 again arrived at the Slavutych store; there, the Russian military told PERSON\_041 to bring them her phone. Around 15:00, PERSON\_035 and PERSON\_041 brought PERSON\_041's phone to the Russian military, but no one took it. On the same day, the Russian military (according to PERSON\_035, a «Russian» and a «Chechen») told them that PERSON\_034 «needs to be held for further investigation».

On March 23 and 24, 2022, PERSON\_035 and PERSON\_041 were unable to do anything because the roads were blocked. On March 25, 2022, the Russian military released PERSON\_034.

PERSON\_035 was not detained again. PERSON\_035 also testified that every day, while PERSON\_035 and PERSON\_034 were held in captivity, PERSON\_041 came to the Slavutych store, but the Russian military told her that PERSON\_034 and PERSON\_035 had allegedly been taken to Belgorod (RF).

In connection with the above-mentioned events, PERSON\_035 filed a criminal complaint with the law enforcement agencies of Ukraine. The pre-trial investigation is ongoing.

## Case No. 12

PERSON\_043, military pensioner, born in 1976, was a participant in the ATO in 2015, after which he worked as a teacher at a military university and retired. He lives with his wife and son PERSON\_044<sup>118</sup> in the village of Nova Kozacha, Kharkiv district, Kharkiv region, near the border with the Russian Federation.

On February 24, 2022, the settlement where PERSON\_043 lived, as well as the adjacent territories of the Kharkiv region, were seized by the Russian military.

In early April 2022, the Russian military repeatedly came to PERSON\_043's house, but he was hiding in the nearby village of Turovo. On April 6, 2022, the Russian military found PERSON\_043 there, took him along with other local residents and took him to the village of Kozacha Lopan, where he was placed in the basement of the Kozacha Lopan railway station in Kozacha Lopan, Kharkiv district. His son, PERSON\_044, who had been taken from his home earlier by the Russian military, was also in the same basement.

About half an hour later, PERSON\_043 was taken for «interrogation» to the second floor of the station, where he was ordered to strip to the waist and beaten so badly that he almost lost consciousness.

<sup>118</sup> The testimony of PERSON\_044 is set out in Case No. 13.

When he was dragged and thrown into the cell, he had bloody bruises on his back, stomach and face. At first, after the torture, PERSON\_043 could not even recognize his son.

At approximately 22:00 on the same day, a battalion commander of the so-called “LPR” military, who appeared to be in a state of severe alcohol intoxication, came to the cell with a wooden bat in his hands. First that commander beat a 17-year old boy PERSON\_045<sup>119</sup> (also a local resident), and then beat PERSON\_043 unconscious, expecting him to die. Fortunately, one of the guards called a doctor, after which PERSON\_043 was injected with adrenaline.

For the next three days, PERSON\_043 was not tortured, arguing that he might not be able to withstand the torture and die.

On April 15, 2022, PERSON\_044 and three other people were released and allowed to go home; PERSON\_043, who was still very weak before his son’s release, remained in the basement of the Goptivka checkpoint with other Ukrainians deprived of their physical liberty.

As far as PERSON\_044 knows, the rest of the prisoners held at the Goptivka checkpoint were taken to an unknown destination (as it turned out later, to the territory of the Russian Federation) at the end of July 2022.

On June 15, 2022, one of the local residents of the village of Kozacha Lopan told PERSON\_043’s wife that he was fine and was being held in the Russian Federation, which was later confirmed by another person who worked under the occupation authorities in Kozacha Lopan.

At the end of September, at the request of PERSON\_043’s wife, the Security Service of Ukraine initiated criminal proceedings over the abduction, illegal deprivation of liberty and torture of her husband.

### **Case No. 13**

PERSON\_044, born in 1999, served in the State Border Guard Service of Ukraine in 2018–2021.

As of 24 February 2022, PERSON\_044 lived in a private house in the village of Nova Kozacha, Kharkiv district, Kharkiv region, with his mother PERSON\_046 and father PERSON\_043<sup>120</sup>, who had been a participant in the ATO in 2015, and had worked as a teacher at a military university and retired.

On February 24, 2022, the settlement where PERSON\_044 lived, as well as the adjacent territories of Kharkiv region, were seized by the Russian military.

On April 4, 2022, at about 8:30 am, while PERSON\_044 was still sleeping, Russian military vehicles drove up to the house. PERSON\_043 woke up PERSON\_044 and offered to flee, but PERSON\_044 refused, and then PERSON\_043 fled on his own.

The Russian military conducted a «search» in PERSON\_044’s house, holding PERSON\_044 at gunpoint the entire time. After that, the Russian military took PERSON\_044 to his neighbor PERSON\_047; PERSON\_047 was also taken from the house by the Russian military. On the way, the Russian military also took PERSON\_048, a former police officer and ATO participant, from his home.

PERSON\_044 and his fellow villagers were blindfolded and put into an armored Tiger vehicle and brought to the Kozacha Lopan railway station in Kozacha Lopan, approximately 5 km from PERSON\_044’s house. At the station, all the detainees were taken to the basement, where there were already about 8 people in a room (cell) measuring approximately 3 x 3 meters. There was no furniture or ventilation in the basement, and everyone sat directly on the concrete floor. PERSON\_044 testified that for the first two days, the prisoners were not given food at all, then once a day they were given field porridge.

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<sup>119</sup> The testimony of PERSON\_045 is set out in Case No. 14.

<sup>120</sup> PERSON\_043’s testimony is set out in Case No. 12.

Approximately 2 hours later, PERSON\_044 was taken to the second floor of the station to room No. 3, where there were two men in military uniforms with emblems of the so-called "LPR". He was ordered to undress to the waist, after which one of the men beat PERSON\_044 all over his body with a whip, a truncheon, strangled him with a rope, and hit his head with a hard object similar to a bar of laundry soap.

They also put a knife to his neck from behind and cut his left earlobe. During the «interrogation», the Russian military asked PERSON\_044 questions about his former service, as well as the fact that PERSON\_044 had many contacts of his colleagues in his phone, so the people who conducted the «interrogation» thought that PERSON\_044 was allegedly a fire adjuster of the Ukrainian Armed Forces. The second man recorded the testimony. Tired of torturing PERSON\_044, he was taken back to his cell.

On April 5, 2022, around 20:00, 10 more people were placed in a cell in the basement, including PERSON\_044's father, PERSON\_043. About half an hour later, PERSON\_043 was taken to the second floor of the station for «interrogation» and 15 minutes later was brought back and thrown into a cell. PERSON\_043 was stripped to the waist, and had bloody abrasions on his back, stomach and face. For the first few minutes after returning to the cell, PERSON\_043 could not recognize his son PERSON\_044.

At approximately 22:00 on the same day, the commander of a battalion of the so-called "LPR" military, who appeared to be in a state of severe alcohol intoxication, came to the cell with a wooden bat in his hands. At first, this «commander» beat a 17-year-old boy, PERSON\_045, and then beat PERSON\_043 unconscious and waited for him to die. Fortunately, one of the guards called a doctor, after which PERSON\_043 was injected with adrenaline.

For the first two days, PERSON\_044 was not allowed to eat or drink. On April 6, 2022, around 12:00 p.m., the detainees were brought porridge and a piece of bread. At approximately 14:00 on the same day, PERSON\_044 was again taken to the second floor of the station building for «interrogation» with his hands tied and blindfolded, so he cannot say how many people were in the room. This time, PERSON\_044 was tortured with electric shocks by connecting wires to his earlobes and nose. The questions were the same as the last time.

For the next three days, PERSON\_043 was not tortured, arguing that he might not survive the torture and die.

On the third day of PERSON\_044's stay in the basement, the same «battalion commander» of the so-called "LPR" came there with a gun in his hand, asked when Lenin's birthday was, and, without receiving an answer, fired a shot at the ceiling.

On the fourth and fifth days, PERSON\_044 was sent to dig trenches near a high school in the village of Kozacha Lopan.

On the sixth day, PERSON\_044 and PERSON\_043 were taken to the Hoptivka checkpoint on the border between the Kharkiv region of Ukraine and the Belgorod region of the Russian Federation.

There, PERSON\_044 was again tortured with electric shocks, but with greater intensity and using water (wet rags) to make the electrodes more in contact with his body. After PERSON\_044, his father, PERSON\_043, was tortured with electricity. PERSON\_044 does not know what the people who tortured him looked like, as he was blindfolded, but he knows that the «interrogation» was conducted by the FSB officers.

At the end of September, the Security Service of Ukraine initiated criminal proceedings on the fact of abduction, illegal deprivation of liberty and torture at the request of PERSON\_044. PERSON\_044 underwent a forensic medical examination, which revealed one bodily injury, which, according to the expert, could have been sustained during his illegal deprivation of liberty.

## Case No. 14

PERSON\_045 is a student at Kharkiv College, and lived with his grandmother in the village of Kozacha Lopan, Kharkiv district, Kharkiv region, located near the border with Russia.

On February 24, 2022, in the morning, military vehicles of the Russian Armed Forces crossed the state border with Ukraine and entered the village of Kozacha Lopan; from that time until the liberation of the village by the Ukrainian Armed Forces in September 2022, Kozacha Lopan was occupied.

On 17 April 2022, at approximately 12:00–12:30, PERSON\_045, who was 17 years old at the time, left his house for an open space in a field where he could connect to the mobile Internet to check in for college classes. At that moment, PERSON\_045 was approached by two people in green uniforms, who pointed a gun at him, took him to a car standing next to the field and forced him to lie on the ground. According to PERSON\_045, one of the soldiers in green uniform was «of Eastern appearance, probably Buryat», and the other said he was from the so-called “LPR”. The Russian military went through PERSON\_045’s phone and found his correspondence with friends in the Telegram application, where he made negative statements about the Russian occupation and told them what was happening in Kozacha Lopan.

Upon learning of this, the Russian military transported PERSON\_045 to the premises of Nova Poshta. There, he was «interrogated» by a man in a uniform with the inscription «LPR Police» who threatened PERSON\_045 with execution during the «interrogation».

After that, PERSON\_045 was pulled over his head and eyes with a hat and taken to the Hoptivka checkpoint. There, they took his personal belongings, including his phone, watch and chain, and began to «interrogate» him again; PERSON\_045 testified that he was «interrogated» by two people in uniforms with chevrons and the inscription «LPR Police». After the «interrogation», PERSON\_045 was taken to a cell.

According to PERSON\_045, there were 6 people in the cell, including PERSON\_049, whose family lived near PERSON\_045. At first, PERSON\_045 did not recognize PERSON\_049 because the latter was severely beaten and was lying with broken ribs. PERSON\_050 from Tsupivka, PERSON\_051 from Nova Kozacha, PERSON\_052 from Cherkaska Lozova and PERSON\_53 from Makarivka were also held in the cell. The cell did not have toilet or beds, everyone sat and slept on the floor.

After 20 minutes, PERSON\_045 was taken for «interrogation» again, with up to 10 men in uniform and with weapons in the room, speaking Russian, and he was allowed to speak «surzhyk». One of these men was called «Bilyi» by others, and he had the same inscription on his T-shirt. The Russian military reviewed the records on PERSON\_045’s phone and asked to whom PERSON\_045 allegedly passed information about the Russian troops; PERSON\_045 denied that he had passed such information to anyone, for which the Russian military beat PERSON\_045 on the head with a rubber stick and demanded that he answer questions. The Russian military also threatened PERSON\_045 with putting his anus on a glass bottle, but did not do so.

After that, electrical clamps were connected to PERSON\_045’s fingers and an electric current was applied: first for 5 seconds, and then for about 30 seconds.

After the torture was over, PERSON\_045 was taken to the corridor and ordered to write that he apologized for insulting the Russian military and allegedly passing information about them. Also, the Russian military forced PERSON\_045 to answer questions from Russian propaganda journalists by threatening him with new torture; PERSON\_045’s answers were recorded on video and later distributed on the Internet.

After that, PERSON\_045 was detained for another 13 days in a cell of approximately 16 square meters.

On May 10, 2022, PERSON\_045 was put in a car and taken to his grandmother's house. At the same time, the Russian military took away PERSON\_045's passport. Also, for another two weeks, PERSON\_045 went to check in at the «commandant's office» of the Russian military on the orders of the Russian military.

The SBU initiated criminal proceedings over the abduction, illegal deprivation of liberty and torture of PERSON\_045.

## Case No. 15

On February 24, 2022, in connection with the outbreak of large-scale military operations by the Russian Federation against Ukraine, PERSON\_054, together with his father PERSON\_055 and mother PERSON\_056, moved to their country house in the Symbol gardening community in Chuhuiv district, Kharkiv region, where the family has lived since then. In late March, PERSON\_056 left the settlement and went to Poland.

While living in the garden community, PERSON\_054 began volunteering, namely, he regularly traveled to the city of Kharkiv (Kharkiv region) in his own car to bring humanitarian food aid to the garden society, as the settlement had problems with food supply.

At the beginning of April 2022 (the exact date is unknown), the Symbol garden society was seized by Russian troops.

After a while, the connection with PERSON\_054 disappeared, but PERSON\_054's aunt, PERSON\_057, continued to keep in touch with local residents - her cousin and PERSON\_056, who was in Poland.

One day in early April, the Russian military came to the garden community to find a car mechanic. They had information about specific individuals who could be suitable for the job, including PERSON\_054. However, local residents refused to cooperate with the Russian military voluntarily.

On April 13, 2022, between 14:00 and 18:00, the Russian military broke into PERSON\_054's house. They seized PERSON\_054, his father PERSON\_055, and three other men who were in the house at the time, namely PERSON\_058<sup>121</sup>, PERSON\_059 and PERSON\_060. The Russian military accused PERSON\_054 of allegedly adjusting the fire of the Ukrainian military, although PERSON\_054, as far as PERSON\_057 knows, did not actually do so.

After that, the Russian military put bags over the heads of PERSON\_054, his father PERSON\_055, PERSON\_058, PERSON\_059 and PERSON\_060, loaded the captured civilians into a car and took them to an unknown location.

The father of one of the abducted men, PERSON\_061, later went to a checkpoint of the Russian military to see his son, PERSON\_060, but the Russian military refused to do so, hinting that the captured men would be physically abused and released soon.

In April — May 2022, the Russian military repeatedly came to PERSON\_054 and PERSON\_055's home, where they took away their car and household appliances.

The abduction of PERSON\_054, PERSON\_055 and other men was reported by a local resident.

PERSON\_057 turned for legal aid to KHPG. The lawyer of KHPG helped PERSON\_057 to draw up a statement to the law enforcement authorities of Ukraine, which provided information that the pre-trial investigation into the abduction of PERSON\_054, PERSON\_055 and other persons was already underway. The lawyer of KHPG also sent statements to various bodies of the Russian Federation, including the IC of the Russian Federation, regarding the place of detention, health and conditions of detention of PERSON\_054 and PERSON\_055, but there was no response.

<sup>121</sup> The circumstances of PERSON\_058's harsh deprivation of liberty are set out in Case No. 16

In October 2022, PERSON\_057 was informed that PERSON\_054 was being held captive in the territory of the Russian Federation; PERSON\_057 also received a letter written by PERSON\_054.

## Case No. 16

PERSON\_058 lived with his wife PERSON\_062 and two young children (born in 2014 and 2016) on the territory of the garden community «Symbol», which is located near the village of Pishchane in the Chuhuiv district of Kharkiv region.

Since February 24, 2022, fierce fighting between the RF Armed Forces and the Ukrainian Armed Forces has taken place at PERSON\_058's place of residence. The RF Armed Forces temporarily seized part of the territory of Kharkiv region, including the village of Shestakove, located 8 kilometers from PERSON\_058's place of residence; the RF military set up a checkpoint near the Symbol garden community.

On April 13, 2022, in the afternoon, PERSON\_058 left his house and went to his neighbor PERSON\_060, who was engaged in car repairs. After that, PERSON\_058 did not return home; his wife PERSON\_062 was unable to find out his whereabouts because there was no mobile communication with PERSON\_058.

On the morning of 14 April 2022, PERSON\_062 went to PERSON\_060's house and found the house open and unoccupied. Another neighbor, PERSON\_063, told PERSON\_062 that her husband as well as PERSON\_060, PERSON\_054<sup>122</sup>, PERSON\_055<sup>123</sup> and PERSON\_059 were taken by armed people.

An eyewitness, PERSON\_063, testified that on April 13, 2022, between 14:00 and 18:00, armed men wearing the uniform of the Russian Armed Forces broke into one of the houses of the Symbol garden community, put bags over the heads of the five men (PERSON\_054, PERSON\_055, PERSON\_058, PERSON\_059 and PERSON\_060), loaded them into a car and drove them away in an unknown direction. The Russian military also took the car of one of the abducted men and the car of PERSON\_063.

PERSON\_063 also testified that the Russian military came for specific people, as they mentioned the names of the people they came for; all of these forcibly captured people were farmers, and therefore were well versed in machinery and cars. In the case of one of the abducted men, the Russian military allegedly had information that he had directed fire at Russian troops' positions.

According to the wife of PERSON\_060, it is known that during the occupation, the Russian military told local residents that the abductees were alive and were being held on the territory of the Vovchansk Aggregate Plant in Vovchansk, Chuhuiv district, Kharkiv region, which was seized by Russian troops from the first day of the war. Later, this information was confirmed by a man released from the Vovchansk Aggregate Plant, where, according to him, many captured Ukrainians were being held. Some time later, this information was confirmed by another unidentified man who called PERSON\_062 from an unidentified phone number and said that her husband, along with others, was being held captive in Vovchansk, where they were forced to repair Russian military equipment.

On May 7, 2022, at the request of PERSON\_064, who is the daughter of PERSON\_060, the Security Service of Ukraine launched a pre-trial investigation into the abduction of PERSON\_058 and the above-mentioned persons. Despite all the efforts of PERSON\_062, including repeated appeals to the Russian authorities, she still does not know the fate of her husband and his whereabouts.

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<sup>122</sup> The circumstances of PERSON\_054's harsh deprivation of liberty are set out in Case No. 15.

<sup>123</sup> The circumstances of PERSON\_055's harsh deprivation of liberty are set out in Case No. 15.

## Case No. 17

On April 8, 2022, seven Russian servicemen broke into the house of PERSON\_065 in the village of Kutuzivka, Kharkiv district, Kharkiv region, including a Russian serviceman with the call sign «Vityaz» (he was the «leader» among them), a Russian serviceman with the call sign «Ara» (he was the «deputy» of «Vityaz») and five other Russian servicemen armed with assault rifles.

The Russian military informed PERSON\_065 that PERSON\_066 claimed that PERSON\_065 was a gunner for the Ukrainian Armed Forces and the mother-in-law of a Ukrainian Security Service officer. PERSON\_065 denied everything.

The Russian military «searched» PERSON\_065's house, took PERSON\_065's personal belongings and frightened the children who lived in the house. As the Russian military could not find PERSON\_065's phone, they took her captive, threatening her with torture and execution.

PERSON\_065 was taken to the village of Vesele, where he was held in captivity for three days and not given any food at all. The Russian military «interrogated» PERSON\_065 about SBU officers, but PERSON\_065 replied that he did not know anyone. After this detention, a Russian military man with the call sign «Shaman» took PERSON\_065 home.

A week later, the «Shaman» returned to PERSON\_065, accompanied by other Russian military personnel. «Shaman» forced PERSON\_065 to recite a speech in which PERSON\_065 was supposed to say that she was at home and that the Russian military had not beaten her; «Shaman» recorded the speech on camera. «Shaman» then said that PERSON\_065 would be exchanged for the daughter of «Shaman» who was detained in Kharkiv.

On April 27, 2022, the village of Kutuzivka was liberated by the Armed Forces of Ukraine.

In connection with the above-mentioned events, PERSON\_065 filed a criminal complaint with the law enforcement agencies of Ukraine. The pre-trial investigation is ongoing.

## Case No. 18

On March 27, 2022, PERSON\_067 was at his home in the village of Vilkhivka, Kharkiv district, Kharkiv region. At around 11:00, about 20 Russian military broke into the yard of PERSON\_067's house; according to him, there was a «senior» among the Russian military, whom they called by the call sign «Shaman» and said that «Shaman» was allegedly a deputy.

The Russian military beat PERSON\_067, tied him up and began to «search» PERSON\_067's house and yard; in the cellar, the Russian military found PERSON\_067's valuables, including documents, money, a cell phone, tablet, laptop, and a small TV.

Then PERSON\_067 was «interrogated» in a neighboring house; during the «interrogation», the Russian military beat PERSON\_067 with their rifle butts and kicked him (as a result, PERSON\_067's nose was broken), imitated his execution by shooting over his head.

Потім військові РФ повели ОСОБА\_067 до «комбата» (ймовірно, командира батальйону); PERSON\_067 testified that the «commander» was a young man of short stature. «The 'commander' also beat PERSON\_067 with the butt of his assault rifle.

PERSON\_067 testified that he saw Russian soldiers killing captured Ukrainian servicemen (with yellow and blue armbands).

PERSON\_067 was not taken to the toilet for about a day. At around 12:00 the next day, PERSON\_067 was brought to 'Shaman'; there, PERSON\_067 saw with his own eyes how 'Shaman' was beating Ukrainian servicemen very badly. The 'Shaman' was accompanied by his 'bodyguard' in a military uniform

similar to that worn by Soviet paratroopers. PERSON\_067 testified that he saw the Russian military torture Ukrainian servicemen there.

After that, the Russian military took PERSON\_067 to the village of Vesele, Kharkiv district, Kharkiv region. Together with PERSON\_067, they took two boys from the rehabilitation center located in Vesele village. PERSON\_067 testified that in the village of Vilkhivka, he and the two boys were kept separately. One of the two boys was from the town of Merefa, Kharkiv district, Kharkiv region; and PERSON\_067 knows that he was brought to the rehabilitation center in Vesele village by the district police officer of Vilkhivka village.

PERSON\_067 testified that he was then transferred to the village council of Vesele village, where he continued to be held in captivity, along with other prisoners and Russian military personnel who allegedly refused to take up arms. Among the Russian military personnel who refused to take up arms and were held together with PERSON\_067 was a man who introduced himself as a teacher from Donetsk; the «teacher» had a phone that PERSON\_067 used to contact his brother to inform PERSON\_067's wife.

PERSON\_067 testified that he was accompanied by a man from Kharkiv, PERSON\_068 from the village of Vesele, PERSON\_069 with his wife PERSON\_070 and 5-year-old son PERSON\_071 (PERSON\_069 and PERSON\_070 sheltered PERSON\_067 after escaping from captivity); there was also a local woman, brought by a «combatant» (the «combatant» was called «Dushman» by the Russian military).

PERSON\_067 testified that from May 1 to May 5, 2022, the Russian military shelled the village of Vesele with cluster munitions.

On May 5, 2022, the Russian military began to withdraw to the city of Belgorod (RF); at that time, PERSON\_067 managed to escape.

In connection with the above events, PERSON\_067 filed a criminal complaint with the law enforcement agencies of Ukraine. The pre-trial investigation is ongoing.

## Case No. 19

On the morning of 24 August 2022, PERSON\_072 drove his car to the market in Balakliia, Izyum district, Kharkiv region, to buy food. Then PERSON\_072 moved to Kazmiruk Square, where there was cellular network coverage, to call his family and friends. PERSON\_072 left the car near the stage and went to the park.

After making a few calls, PERSON\_072 was about to walk to his car, but was stopped by a representative of the so-called «military police of the Russian Federation». The RF military officer checked PERSON\_072's passport and phone; when checking the phone, the RF military officer found records that he interpreted as allegedly «anti-Russian and nationalist».

The Russian military put a bag over PERSON\_072's head, took his passport, phone, wallet, glasses, and took him to an unknown location in a special vehicle, where he was put in a cage in the basement. PERSON\_072 told the Russian military that he was taking care of his wife, who was bedridden and unable to move her legs and arms independently, and therefore completely dependent on PERSON\_072's care, but this did not affect the Russian military. PERSON\_072 spent the night and the next day in a cold basement.

The following evening, at around 21:00, the Russian military took PERSON\_072 out of the cage, put a bag over his head, gave him a phone and passport, and transported him to another location. When the car stopped, the Russian military pulled PERSON\_072 out of the car and, pushing him in the back, brought PERSON\_072 to a building (PERSON\_072 remembers that there was ventilation) and began to consult among themselves about where to shoot him: one man said that he should be taken to a cliff, and another suggested doing it in the shower, as it was easy to wash off the blood there.



Then PERSON\_072 was thrown into a cell where they removed the bag from his head. PERSON\_072 testified that in a cell designed for two people (there were two beds, or rather prison bunks), five people were held: two slept on the bunks, and three others slept on the floor where there was free space. The ventilation in the cell was often turned off, and then moisture began to flow through the walls and it became extremely difficult to breathe.

According to PERSON\_072, he felt worse because of the lack of information about his wife, who has a rare and incurable disease and is bedridden. PERSON\_072 and his wife have been living alone for several months on the outskirts of the forest; PERSON\_072 takes care of his wife. PERSON\_072 was very worried that because the Russian military had taken him prisoner, his wife would lie helpless in a wet bed for several days.

On the fourth day, PERSON\_072 called the duty officer and told him that he was hiding an assault rifle at home. PERSON\_072 believed that the Russian military would take him to show him the place and he would find out what happened to his wife. The duty officer told PERSON\_072 that he would report back, but three more days passed before the duty officer took PERSON\_072 out of the cell and asked if PERSON\_072 had told him the truth about the weapon. By that time, it was already the eighth day and PERSON\_072 concluded that if no one had found his wife yet, she had no chance of surviving, and if she had been found alive earlier, there was no point in making any unnecessary movements. Therefore, PERSON\_072 told the officer on duty that he had made up the story about the weapon only to help his wife.

On Wednesday, September 7, 2022, other Russian military personnel arrived at the prison where PERSON\_072 was being held. These Russian military closed the windows in the cells (PERSON\_072 testified that this was the first time this had happened during his detention), removed the camouflage netting from two secret vehicles that had been there all along, and drove the vehicles outside the prison. PERSON\_072 testified that the Russian military probably fired and returned to the yard.

Then, in the room where PERSON\_072 was being held, some kind of «panic» began among the Russian military. An officer of the Russian military, accompanied by a Russian soldier with an assault rifle, walked down the corridor. This officer looked into the cells and counted the prisoners, illuminating their faces with a green light. PERSON\_072 realized that the Ukrainian Armed Forces had launched an offensive, and therefore the Russian military was preparing for a possible retreat. PERSON\_072 had the impression that the Russian military were preparing to «clean up» the prison and were waiting for the prisoners to be killed. The next night PERSON\_072, along with other people, spent in tightly locked cells, without ventilation and food.

In the morning, PERSON\_072 and his cellmates realized that only prisoners remained in the building. Due to the fact that there was a shrapnel hole in the armored glass in the neighboring cell, they were able to break the glass with a wall table and free themselves in half an hour. Then these people released other prisoners (there were both men and women), including PERSON\_072. Then all the people started looking for their phones and documents; most of them found.

Then PERSON\_072 ran home. On the way, he met a woman he knew who told him that his wife was being looked after. When he got home, PERSON\_072 saw that his wife was alive, but very weak. She had completely refused to eat for more than two weeks. PERSON\_072's neighbors and relatives took care of his wife. Unfortunately, her illness is not in remission, but PERSON\_072 is trying to alleviate her suffering.

PERSON\_072 also testified that his car, which he had left on the square, was taken by Russian military (in his words, «Ingush»), and that they shot him with automatic weapons while he was retreating.

In connection with the above-mentioned events, PERSON\_072 filed a criminal complaint with the law enforcement agencies of Ukraine. The pre-trial investigation is ongoing.

## Case No. 20

On March 21, 2022, at about 10:00, PERSON\_073 was at home in the city of Vovchansk, Chuhuiv district, Kharkiv region. At that moment, two cars (one of the cars was a Mitsubishi L-200 pickup truck) with Russian military arrived in PERSON\_073's yard. The Russian military pointed machine guns at PERSON\_073, asked him if he knew PERSON\_074, to which PERSON\_073 replied in the affirmative, after which they put a bag on PERSON\_073 and put him in the back of a Mitsubishi L-200.

After that, the Russian military took PERSON\_073 outside the city, where they beat PERSON\_073 and shot him with blank cartridges, threatening to kill him. The Russian military beat PERSON\_073 all over his body with kicks, assault rifles and a pickaxe; the Russian military knocked out PERSON\_073's teeth.

After that, the Russian military again loaded PERSON\_073 into a car and drove him to what PERSON\_073 later found out was the premises of the Russian military base in the city of Vovchansk. There, the Russian military put PERSON\_073 on the floor and continued to beat him. When PERSON\_073 was being held at the Russian military base in Vovchansk, several other people were brought there; among them, PERSON\_073 recognized PERSON\_074 by his voice. Later, PERSON\_073 heard the sound of an assault rifle shot during the «interrogation» of PERSON\_074.

The Russian military then hit PERSON\_073 several times with a hammer, causing PERSON\_073 to lose consciousness. When PERSON\_073 regained consciousness, he saw how the Russian military were about to take PERSON\_074 and PERSON\_075 away. When PERSON\_073 regained consciousness, he did not demonstrate this in any way, and therefore the Russian military probably decided that PERSON\_073 was dead.

The Russian military pulled PERSON\_073 out of the building and left him on the street. Then PERSON\_073 got to his home on his own.

In connection with the above events, PERSON\_073 filed a criminal complaint with the law enforcement agencies of Ukraine. The pre-trial investigation in the case is ongoing.

## Case No. 21

PERSON\_076 lived with her husband PERSON\_078, son, daughter-in-law, granddaughter and grandson PERSON\_077 in the village of Vilkhivka, Kharkiv district, Kharkiv region. PERSON\_077 is a college student.

On February 26, 2022, Russian troops occupied the village of Vilkhivka; from that time until March 29, 2022, this territory was taken. Residents of the village of Vilkhivka spent almost all their time in shelters, basements and cellars, without means of subsistence, as fierce fighting was taking place in the village.

On 29 March 2022, PERSON\_076, together with PERSON\_077's grandson, PERSON\_078's husband, son, daughter-in-law, niece and twenty other neighbors, were hiding in the basement of the house next door to theirs (the owners of the house were not in the village at the time).

Around 11:00 on that day, PERSON\_077 decided to go to the barn near the village council to feed his chickens (he and his friend had organized a small business), as they had not left the village for three days before due to shelling.

Around 13:30, the Russian military knocked on the basement of the house where PERSON\_076 and other people were hiding, but they were not allowed to enter. After some time, PERSON\_079's neighbor, who was fetching water, came and said that all of us in the basement had to run to the village of Verkhnia Rohanka, Kharkiv district, Kharkiv region, in an hour, because allegedly at 15:00 «the

Russian military would sweep the village of Vilkhivka off the face of the earth by air». Then, everyone who was in the basement came out and ran towards the village of Verkhnia Rohanka. PERSON\_077 has not returned to this day. From there, the Russian military took everyone to a «safe place» in a KRAZ truck at gunpoint; as a result, PERSON\_076 and her family (except for PERSON\_077's grandson) were forcibly transferred to the Russian Federation.

At the first opportunity, PERSON\_076 escaped and returned to Ukraine. Her son, daughter-in-law and grandson remained in the Russian Federation and began to take all possible steps to find PERSON\_077.

PERSON\_077's mother, while in the territory of the Russian Federation, found a lawyer who filed a report of the crime with the IC of the Russian Federation and the MoD of the Russian Federation. The MoD of the Russian Federation provided a response stating that PERSON\_077 was «detained» for allegedly opposing the so-called «acting President»; it was also reported that there were no criminal proceedings against PERSON\_077 and that «verification measures» were being carried out against him. After that, the lawyer in the Russian Federation filed a complaint with the court against the inaction of the investigating authorities. The lawyer's complaint was denied.

The Russian court noted that PERSON\_077 was allegedly «detained for illegal actions, while he is not a defendant in any criminal cases, he is not being prosecuted, and therefore he does not have any procedural rights, including the right to a lawyer». The decision of the court of appeal upheld the decision of the court of first instance and dismissed the complaint of the Russian lawyer.

In Ukraine, on November 23, 2022, PERSON\_076, with the help of a lawyer, filed a report on the abduction of her grandson with the law enforcement agencies of Ukraine. The pre-trial investigation in the case is ongoing. On December 12, 2022, a response was received from the Coordination Headquarters for the Treatment of Prisoners of War that PERSON\_077 was included in the register of the National Information Bureau for Prisoners of War, Forced Deportees and Missing Persons. Also, PERSON\_077's stay in captivity in the Russian Federation was confirmed by the ICRC.

As a result of all these actions, it can be argued that the Russian Federation is well aware of the detention of PERSON\_077, who is a civilian, in captivity on the territory of the Russian Federation, but Russian officials continue to unreasonably and illegally hold this person in captivity, contrary to both Russian and international law.

## Case No. 22

PERSON\_080 is the mother of PERSON\_081. PERSON\_080 states that since February 24, 2022, the city of Vovchansk, Chuhuiv district, Kharkiv region, has been occupied by the Russian military.

On May 10, 2022, at around 10:00 a.m., when PERSON\_080 was in her apartment in the city of Vovchansk, four members of the Russian Armed Forces came to her apartment. Two of them remained standing in the doorway, and two went into the kitchen, where they asked for PERSON\_080's passport and took his picture.

The Russian military then asked where PERSON\_080's son, PERSON\_081, was. PERSON\_080 replied that he was in the village of Vilcha, Chuhuiv district, Kharkiv region (about 10 kilometers from the city of Vovchansk), but did not give the exact address of PERSON\_080 because she did not know. The Russian military asked who PERSON\_081 was living with, and PERSON\_080 replied that she was living with her civilian wife. The Russian military asked for the name and address of the civilian wife, but PERSON\_080 said that she did not know the address and gave her maiden name instead of her current one.

It was at this time that PERSON\_080's son PERSON\_081 and his common-law wife PERSON\_082 entered PERSON\_080's apartment. The Russian military immediately asked PERSON\_081 where his phone was, and he replied that he did not know. At this time, PERSON\_082 took out his phone, but the Russian military said that they needed PERSON\_081's phone. The Russian military then told PERSON\_080 that they needed his phone and ordered him to look for it.

After that, PERSON\_081 and PERSON\_082 were taken by the Russian military to the entrance, where a KAMAZ truck (gray body) was parked. PERSON\_080 asked the Russian military if they would return her son and his civilian wife home, and the Russian military replied in the affirmative.

In the evening of the same day, PERSON\_080 and her ex-husband PERSON\_083 went to look for their son at the Vovchansk Aggregate Plant (Pushkinska Street, Vovchansk). There, the Russian military told them that their son was not there, but promised to find out the next day.

PERSON\_082's civilian wife was released on the same day around 20:30, after which she immediately went to her home in Vilcha village.

The next day, PERSON\_080 and PERSON\_083 went to the Vovchansk Aggregate Plant again, but were told that their son was not on the list. After that, PERSON\_080 and PERSON\_083 searched for their son in other places, and then went to the premises of the Vovchansk police department (Kolo-koltsova Street, Vovchansk), where the Rosgvardia units were stationed at the time. At the police station, PERSON\_080 and PERSON\_083 said that their son's name was on the list.

On May 16, 2022, PERSON\_080 and PERSON\_083 again went to the Rosgvardia military at the Vovchansk police department to find out what happened to their son and when he would be released. The Rosgvardia servicemen replied that PERSON\_081 was «not a good person, he does not want peace».

Later that day, PERSON\_080 brought her son sneakers (the Russian military allowed her to bring sneakers), and PERSON\_080 showed her son through the window. PERSON\_080 asked when her son would be released, and the Russian military told her «soon». When asked by PERSON\_080 about the reason for her son's detention and imprisonment, the Russian military told her that it was because he talked a lot on the phone and talked about the Vovchansk Aggregate Plant. PERSON\_080 continued to go to the Vovchansk police station every day.

On May 18, 2022, PERSON\_081 was released. On the same day, he went home to Vilcha village, where he lived with his civilian wife.

On June 8, 2022, PERSON\_080 was again visited by the Russian military and asked whether her son was with her or in Vilcha village. The Russian military said they needed him for a conversation and that they would release him today. On the same day, the RF military went to Vilcha village, and at 10:00 PERSON\_081 was abducted for the second time by the RF military (in particular, the Rosgvardia military). PERSON\_080 learned from his son's civilian wife that PERSON\_081 had left a note saying that he would return the same day or the next day.

On the same day, PERSON\_080 again went to the place where the Rosgvardia units were based (the premises of the Vovchansk police department), but at the checkpoint, the Russian military told her that the chief was not there and they did not know anything. PERSON\_080 continued to go there every day, but was not provided with information.

One day, PERSON\_080 came and asked to call the «main man» nicknamed «Grom» (her son had previously told PERSON\_080 about this Russian military officer). PERSON\_080 asked Grom where her son was, and Grom replied that PERSON\_081 was in Russia. PERSON\_080 asked Grom why her son had been captured and held captive again, to which Grom replied that the Vovchansk aggregate plant had been hit, and that PERSON\_081 was allegedly talking on the phone about the plant.

Two weeks later, Grom told PERSON\_080 that PERSON\_081 was being investigated by the Russian Federation's IC. Then, two weeks later, Grom told PERSON\_080 that the Russian Federation's IC had completed its work on PERSON\_081 and that they should wait for a decision.

On July 20, 2022, Grom told PERSON\_080 that PERSON\_081 was fine and would be released soon.

On July 21, 2022, PERSON\_080's acquaintances went to the Investigative Committee of the Russian Federation in Moscow (RF), but they were told that PERSON\_081 was not on the list.

On July 24, 2022, PERSON\_080 was approached by a deputy of Grom and told that PERSON\_081 was alive and well and that he would tell Grom that PERSON\_080's son was not on the lists of the Russian Federation's IC.

On July 5, 2022, a Monday, PERSON\_080 was approached by «Grom» and told that he did not know where PERSON\_081 was, but that PERSON\_081 was alive and well, and then told to come on Thursday (July 28, 2022).

On July 28, 2022, on Thursday, PERSON\_080 came to the checkpoint of the Rosgvardia, where she was told that there was no one in charge and that there would be no one at all.

About ten times PERSON\_080 contacted the Russian military about the whereabouts, health and conditions of her son, but each time she was only promised a response in a week or two. PERSON\_080 also managed to learn from the Russian military that he was in the city of Belgorod (RF), and later transferred to the city of Stary Oskil (Belgorod region, RF).

In addition, the Russian military informed PERSON\_080 that her son PERSON\_081 was suspected of crimes against the Russian Federation, refused to cooperate with the FSB, and therefore did not want to and would not be allowed to go home.

On September 1, 2022, PERSON\_081 called PERSON\_080's daughter and informed her that PERSON\_081 was in a detention center in the Russian Federation for allegedly providing information to the Ukrainian military. Also, during this phone conversation, PERSON\_080's daughter was offered to cooperate with the Russian Federation, which could allegedly speed up PERSON\_081's release from captivity, but she refused.

In connection with the above-mentioned events, PERSON\_080 filed a criminal complaint with the law enforcement agencies of Ukraine. The pre-trial investigation is ongoing.

## Case No. 23

PERSON\_084 and his son PERSON\_085 lived in the village of Tsyrkuny, Kharkiv district, Kharkiv region. PERSON\_084 and PERSON\_085 are civilians.

On March 30, 2022, PERSON\_084 and PERSON\_085 were captured by the military of the so-called "LPR". PERSON\_084 was held in captivity for more than a day, and his son PERSON\_085 was never released. The exact place of detention of PERSON\_084's son is not known, but PERSON\_084 was informed by phone that his son PERSON\_085 was being held captive in the territory of the Russian Federation.

PERSON\_084 applied for legal assistance to KHPG. Through the mediation of the lawyer of KHPG, PERSON\_084 sent an appeal to the ICRC, as well as a number of appeals to the authorized bodies of Ukraine and the Russian Federation for information about the place of detention of PERSON\_085, his health and conditions of detention.

On February 28, 2023, ICRC representatives informed PERSON\_084 during a telephone conversation that his son PERSON\_085 was probably being held captive in the city of Nizhny Novgorod (RF). Also, through intermediaries, PERSON\_085 managed to pass the letter to his family.

In connection with the above events, PERSON\_084 filed a criminal complaint with the law enforcement agencies of Ukraine. The pre-trial investigation in the case is ongoing.

## Annex 2. THE REGISTER OF VICTIMS AND RELATIVES OF THE VICTIMS OF HARSH DEPRIVATION OF LIBERTY, WHOSE TESTIMONIES WERE RECEIVED BY KHPG AS A RESULT OF PERSONAL CONTACTS<sup>124</sup>

Victim (or the victim's relative)	Capture method	Probable cause (motivation) behind the capture	Place of detention
1	2	3	4
<b>PERSON_001</b>	Armed Russian servicemen (6 people) in the victim's apartment pushed him to the ground, handcuffed him behind his back, and conducted a «search» (took his valuables)	They were looking for documents and the school's seal, "interrogating" them about their participation in the ATO and about the military of the Armed Forces of Ukraine	The premises of the Temporary Detention Center (TDC) located in the premises of the Kupiansk District Police Department (held in at least two different cells)
<b>PERSON_003</b>	Armed Russian servicemen (7 people) arrived at the victim's yard and began punching, kicking and beating him with rifle butts; after the beating, they pulled a hat over the victim's eyes and taped it to his head	He was beaten and tortured because of his participation in the ATO, "interrogated" about the circumstances of his service and the presence of weapons	The premises of the temporary detention center located in the Kupiansk district police department (cell No. 10)
<b>PERSON_005</b>	He was captured at a checkpoint and taken to the forest, where he was severely beaten and threatened with death		Basement (cellar) of a truck service station in Balakliya, Izyum district
<b>PERSON_008</b>	During the capture, the victim's hands and head were taped		The premises of the Balakliya police department; basement (cellar) of the truck service station in Balakliya, Izyum district
<b>PERSON_012</b>	Armed men in green camouflage uniforms (two were wearing balaclavas) entered the yard, checked the victim's documents, put a bag over his head and handcuffed his hands	The victim was "interrogated" about the victim's brothers, one of whom was an ATO participant	The premises of the Balakliya Police Department (cell No. 0)

<sup>124</sup> The information in this annex is based exclusively on the testimonies of victims or relatives of victims of severe deprivation of physical liberty, whose testimonies were collected by KHPG during personal contacts.

Use of torture, information on inhumane conditions of detention	Is there any information about release	Probably perpetrators of severe deprivation of liberty <sup>125</sup>	Other persons held together with the victim <sup>126</sup>
5	6	7	8
During the «interrogations» the victim was wearing a bag over his head and handcuffed, and was electrocuted because of the marks on his fingers	Released on his own (together with other prisoners)		
He was beaten with a metal pipe and an officer's belt used as knuckles, cursed about his participation in the ATO; during "interrogations", wires were connected to his ears and genitals and he was electrocuted; he was hit on the head and body with a sandbag	He freed himself (as a result of the offensive of the Ukrainian Armed Forces, the territory was de-occupied)	Some of them were military personnel of the so-called 'LPR', but when deciding on the release of detainees, the 'LPR' military asked permission from an FSB officer	PERSON_004 (approximately 50–53 years old, severely beaten), other residents of Kupiansk and Kupiansk district, in particular, and Kupiansk city head
During the detention, a bag was put over the victim's head and his hands were tied; the victim was kept in inhuman conditions close to torture: all the time without water, without food, in a basement room with no sleeping places, no toilet, no daylight, at an air temperature of about –1 degree Celsius.			PERSON_006 (saw physical violence against him), PERSON_007
At the Balakliya police station, he was punched and kicked in the head, torso, arms and legs, and then beaten with a rubber truncheon on the head, arms, legs and back; he was also stunned with a stun gun near his ribs on the right and left sides. The victim was held in a cell measuring approximately 1.5 by 3 meters; he was given 1 liter of water and 1 spoon of porridge per day, and in the basement (cellar) — no food at all; he was not taken to the toilet; he was not provided with medical care			PERSON_009, PERSON_010, PERSON_011, PERSON_012 <sup>127</sup> , as well as brothers PERSON_013 and PERSON_014
During the transportation, they stopped the car and punched the victim in the face several times (three or four) with the right fist in a tactical glove, causing a bruise under his eye and a split upper and lower lip; during the "interrogation" they psychologically pressured the victim and threatened him with a "PM" pistol	Russian military releases victim	He was allegedly captured, detained and "interrogated" by the Russian Federal Security Service	PERSON_008 <sup>128</sup> , (he was "interrogated" and returned with injuries on his face and body), PERSON_015 <sup>129</sup>

<sup>125</sup> Based on the testimony of the victim or a relative of the victim, submitted without further processing.

<sup>126</sup> According to the victim or a relative of the victim.

<sup>127</sup> The testimony of PERSON\_012 is set out in Case No. 5.

<sup>128</sup> The testimony of PERSON\_008 is set out in Case No. 4.

<sup>129</sup> The testimony of PERSON\_015 is set out in Case No. 6.

Victim (or the victim's relative)	Capture method	Probable cause (motivation) behind the capture	Place of detention
1	2	3	4
PERSON_015	During the second seizure, the victim's house was "searched" (valuables and cash were taken), and when they found Ukrainian symbols, the victim was beaten	The Russian military ordered the victim to hand over the keys to the Balakliya Museum of Local Lore (the victim's wife was the museum director); mocked the victim because of his Ukrainian nationality; also "interrogated" him about the "ATO file"; the victim used to be a district military commissar, but he resigned a long time ago	Transportation service station for trucks in Balakliya, Izyum district; the premises of the Balakliya police department (cell no. 0)
PERSON_022			The premises of the Balakleya Police Department
PERSON_023	11 soldiers of the assault brigade of the so-called "LPR" forced everyone to face the wall and the fence, threatened to kill them, "searched" the house (took valuables and documents), pulled a hat over their eyes and taped it to their heads	The victim was "interrogated" about his son, who used to be an ATO participant	A shed near the Slavutych store in the village of Cherkaski Tyshky, Kharkiv district; taken for "interrogation" and detained at the Hoptivka checkpoint
PERSON_030	The Russian military put a weapon to the victim's head, put him against the wall, "searched" the apartment, pulled a hat over his eyes and taped it to his head, and tied his hands to the side of the truck	The victim used to serve in the special forces and was "interrogated" about the location of the Ukrainian Armed Forces	A shed near the Slavutych store in the village of Cherkaski Tyshky, Kharkiv district; Kozacha Lopan Air Force Station in Kozacha Lopan, Kharkiv district
PERSON_034	About ten armed Russian soldiers stopped him, checked his documents, put him against the wall, pulled a hat over his eyes and taped his head with duct tape	The Russian military believed the victim to be a Ukrainian Armed Forces fire adjuster; the victim's girlfriend was told that the victim had "fallen under suspicion"	A shed near "Slavutych" store in the village of Cherkaski Tyshky, Kharkiv district; taken for "interrogation" and detained at the Goptivka checkpoint
PERSON_035 (woman)	The Russian military stopped the scooter, put the victim against the wall, and blindfolded her	The victim was told that she "fell under suspicion" and that she and her boyfriend were giving up the location of Russian troops; she was "interrogated" about her "feelings about Donetsk and Luhansk"	A shed near the Slavutych store in the village of Cherkaski Tyshky, Kharkiv district



Use of torture, information on inhumane conditions of detention	Is there any information about release	Probably perpetrators of severe deprivation of liberty <sup>125</sup>	Other persons held together with the victim <sup>126</sup>
5	6	7	8
During the "interrogation", they threatened to "shoot the knees", held him with a bag over his head and tied his hands, did not give him water, and threatened to kill him if he told about his detention; during the second capture, the victim was beaten and they tried to cut off the victim's ear; Later, the victim was beaten with a rubber stick, punched and kicked, causing the victim to lose consciousness again; during the "interrogation" the victim was electrocuted; a mock execution was performed; the victim was kept in inhumane conditions: they were not allowed to eat for several days; they were given one bottle of water for the entire cell; there were two buckets instead of a toilet.	During the "interrogation," the victim was told that they were releasing him, but threatened to kill him anyway	The first time, about 10 soldiers of the so-called "LPR" were captured; the second time, the "Kadyrovites" and Russians, in particular, a soldier with the call sign "Ali" and a soldier with the call sign "Irbis" (he was the "main" among the Russian military)	The victim shared the cell with PERSON_012 <sup>130</sup> and PERSON_016; in the neighboring cells were: PERSON_017, PERSON_018, PERSON_019 (he was held for 46–49 days)
During the "interrogations" he was beaten all over his body and threatened (he was diagnosed with a bruised left elbow, a bruised chest, and a bruised cervical spine)			
During the "interrogations," the victim was constantly beaten on the legs, in particular, the knee of the left leg was hit with a rifle butt and kicked, and the victim was electrocuted (a stun gun was used); threatened to shoot and cut off his ears; detained in inhumane conditions: kept in an unheated shed, given neither water nor food, and he used a bucket for a toilet	They took him to a cemetery in a neighboring village and released him	The victim was captured by the military of the so-called LPR and "interrogated" by the FSB (at the Goptivka checkpoint, by a GRU and FSB officer); during the captivity, the victim heard the call signs of the Russian military who were holding them, in particular, "Kaliningrad", "Granit", "Khan" and "Yaryk"	PERSON_029, PERSON_030 <sup>131</sup> , PERSON_031
During the "interrogation", the Russian military hit the victim on the head, made cuts on his ears and fingers; beat him with their hands and rifle butts; the victim was held in inhumane conditions: he slept on a concrete floor when the temperature outside was approximately –5 to 1 degrees Celsius; he was given food once a day in a bucket; during the "interrogation" at the Kozacha Lopan air force station in the village of Kozacha Lopan, Kharkiv district, he was constantly electrocuted (using a stun gun)	They took him to a neighboring village and released him	One of the "interrogators" was an FSB officer	PERSON_023 <sup>132</sup> , PERSON_031, PERSON_033; in total about 10 different people
During the "interrogations," the victim was beaten; driven around in circles; forced to kneel, put a buttstock to his head and "removed" the bolt of the gun; during the "interrogation" at the Hoptivka checkpoint, the victim was tied to a chair, wires were tied to his fingers and he was electrocuted; the victim was held in inhumane conditions: 20 people were held in a 3 × 5 meter cell; there was no air to breathe, some people started to suffocate; the victim was forced to do forced labor, during which they were beaten with rifle butts	They took him to a neighboring village and released him there	Military of the s.-c. "DPR"; Russian military of "Chechen appearance"	PERSON_035 <sup>133</sup> , PERSON_036, PERSON_037, The victim remembered several men in the cell at the Goptivka checkpoint
During the "interrogation", the victim was threatened with execution; the victim was held in inhumane conditions: they did not allow prisoners to go to the toilet and gave them food in a bucket	During another "interrogation," they said she was "mistaken for another," and therefore released; they warned her not to tell anyone	The "chief" among the Russian military who detained and "interrogated" the victim was a "Chechen" (he commanded the others, the others obeyed him and consulted him)	PERSON_034 <sup>134</sup> , PERSON_038, PERSON_039, PERSON_040, PERSON_036, PERSON_037, as well as PERSON_041

<sup>130</sup> The testimony of PERSON\_012 is set out in Case No. 5.

<sup>131</sup> The testimony of PERSON\_030 is set out in Case No. 9.

<sup>132</sup> The testimony of PERSON\_023 is set out in Case No. 8.

<sup>133</sup> The testimony of PERSON\_035 is set out in Case No. 11.

<sup>134</sup> The testimony of PERSON\_034 is set out in Case No. 10.

Victim (or the victim's relative)	Capture method	Probable cause (motivation) behind the capture	Place of detention
1	2	3	4
PERSON_043	Captured together with other local residents	The victim was an ATO participant in 2015, after which he worked as a teacher at a military university and retired; the victim's son served in the State Border Guard Service of Ukraine in 2018-2021	The basement of the premises of the Kozacha Lopan railway station in Kozacha Lopan, Kharkiv district; the basement of the Goptivka checkpoint
PERSON_044	The Russian military broke into the house, held the victim at gunpoint, and "searched" the house	In 2018-2021, the victim served in the State Border Guard Service of Ukraine; the victim's father was an ATO participant in 2015, after which he worked as a teacher at a military university and retired; the Russian military thought that since the victim had previously served, he was supposedly adjusting the fire of the Ukrainian Armed Forces	The basement of the premises of the Kozacha Lopan railway station in Kozacha Lopan, Kharkiv district; the basement of the Goptivka checkpoint
PERSON_045 (minor at the time of capture)	They took him to a car at gunpoint, forced him to lie down on the ground, and searched his phone	The Russian military went through the victim's phone and found his correspondence with friends in the Telegram application, where he made negative statements about the Russian occupation and told them what was happening in the village of Kozacha Lopan	Interrogated in the premises of the 'Nova Poshta' in the village of Kozacha Lopan, Kharkiv district; detained and 'interrogated' at the 'Hoptivka' checkpoint; basement of the 'Kozacha Lopan' railway station in the village of Kozacha Lopan, Kharkiv district
PERSON_054 PERSON_055	They broke into the house, captured the victims and other local residents, put bags over their heads and took them to an unknown location	The Russian military came to the village to find a car mechanic (they had information about specific people who could do the job, including the victim), but the locals refused to cooperate with the Russian military voluntarily	Probably on the territory of the Russian Federation
PERSON_058	He was seized from his home by armed men wearing Russian Armed Forces uniforms, who put bags over the victims' heads, loaded them into a car and drove them to an unknown destination	The Russian military came for specific people, as they called the names of the people they came for; the victim and other people forcibly captured with him were farmers, and therefore were well versed in repairing machinery and cars	During the occupation, the Russian military told local residents that the abductees were being held on the territory of the Vovchansk Aggregate Plant in Vovchansk, Chuhuiv district (information about the capture in Vovchansk was confirmed by another source)

Use of torture, information on inhumane conditions of detention	Is there any information about release	Probably perpetrators of severe deprivation of liberty <sup>125</sup>	Other persons held together with the victim <sup>126</sup>
5	6	7	8
During the "interrogation", the victim was beaten so badly that he almost lost consciousness (later he could not recognize his son for an hour), and had bloody bruises on his back, stomach and face; the "commander" of a battalion of the so-called "LPR" military, while intoxicated, beat the victim with a wooden bat almost to death (the victim was later administered adrenaline by the Russian military)	According to available data, at the end of July 2022, he was forcibly transferred to the territory of the Russian Federation, where he continues to be held	"Commander" of a battalion of the s.-c. "LPR" (was in a state of intoxication)	PERSON_044 <sup>135</sup> , PERSON_045 <sup>136</sup>
The victim's earlobe was cut; the victim was held in inhumane conditions: there were already about 8 people in the room (cell) measuring approximately 3 x 3 meters; there was no furniture or ventilation, everyone was sitting directly on the concrete floor; for the first two days, the prisoners were not given food at all, then once a day they were given field porridge; during the "interrogation" he was ordered to undress to the waist, after which one of the men beat the victim all over the body with a whip, a baton, strangled him with a rope, and punctured his head with a hard object similar to a piece of laundry soap; during the next 'interrogation', he was tortured with electric shocks by connecting wires to his earlobes and nose; he was forced to perform forced labor, namely digging trenches; during the 'interrogation' at the Hoptivka checkpoint, when the victim was blindfolded, he was again tortured with electric shocks, but with greater force and using water (wet rags) to improve the contact of the electrodes with the body		"Interrogated" by two s.-c. 'LPR' soldiers; "commander" of a battalion of s.-c. 'LPR' soldiers (was intoxicated); at the 'Goptivka' checkpoint, "interrogated" by Russian FSB officers	PERSON_043 <sup>137</sup> , PERSON_047 was also captured from his home PERSON_048 was also captured from his home
During the "interrogation", the victim was threatened with execution; the victim was held in inhumane conditions: there was no toilet or beds, everyone sat and slept on the floor; during the "interrogation", the victim was beaten on the head with a rubber stick; they threatened to put the victim's anus on a glass bottle, but did not do so; electrical clamps were connected to the fingers and an electric current was applied: first for about 5 seconds, and then for about 30 seconds; under the coercion of repeated torture, the victim was forced to answer questions from Russian propaganda journalists (the answers were recorded on video and distributed on the Internet)	He was put in a car and taken to his grandmother's house, but his passport was taken away; he was ordered to report to the "commandant's office" of the Russian military for a period of time	Detained by the Russian military: one was "of oriental appearance, probably Buryat", the other introduced himself as a member of the so-called "LPR"; in the premises of the "Nova Poshta" in Kozacha Lopan village, Kharkiv district. Was "interrogated" by a man in a uniform with the inscription "LPR Police"; "interrogation" at the Goptivka checkpoint was again conducted by two people in uniforms with chevrons and the inscription "LPR Police"; one of the Russian military had the call sign "Bilyi" (and the same inscription on his T-shirt)	PERSON_049 (was beaten heavily and lying with fractured ribs), PERSON_050, PERSON_051, PERSON_052, PERSON_053
	PERSON_054 is held in captivity on the territory of the Russian Federation		PERSON_058 <sup>138</sup> , PERSON_059, PERSON_060
It is known that the victim was forced to repair Russian military equipment			PERSON_060, PERSON_054 <sup>139</sup> , PERSON_055 <sup>140</sup> , PERSON_059

<sup>135</sup> The testimony of PERSON\_044 is set out in Case No. 13.

<sup>136</sup> The testimony of PERSON\_045 is set out in Case No. 14.

<sup>137</sup> The testimony of PERSON\_043 is set out in Case No. 12.

<sup>138</sup> The circumstances of PERSON\_058's harsh deprivation of liberty are set out in Case No. 16.

<sup>139</sup> The circumstances of PERSON\_054's harsh deprivation of liberty are set out in Case No. 15.

<sup>140</sup> The circumstances of PERSON\_055's harsh deprivation of liberty are set out in Case No. 15.

Victim (or the victim's relative)	Capture method	Probable cause (motivation) behind the capture	Place of detention
1	2	3	4
PERSON_065 (woman)	Armed Russian soldiers broke in, "searched" the house (took personal belongings), and captured him	The Russian military believed that the victim was a gunner for the Ukrainian Armed Forces and the mother-in-law of an SBU officer; during a "search" of the victim's home, the Russian military failed to find the victim's phone	Vesele village
PERSON_067	About 20 Russian military broke into the victim's yard, beat the victim, tied him up, "searched" the victim's house and yard (took valuables, documents and money); transferred him to a neighboring house, kicked and beat him with rifle butts, and imitated an execution by shooting over his head		At first, he was held in a neighbor's house in the village of Vilkhivka, Kharkiv district (where the Russian military set up their headquarters); then he was transferred to the village council building in the village of Vesele (where the Russian military headquarters were also set up)
PERSON_072	The Russian military stopped the victim, checked his passport and phone (they found records that were interpreted as allegedly "anti-Russian and nationalist"), put a bag over his head, took his passport, phone, wallet, glasses, and took him to an unknown location in a special vehicle, where he was put in a cage in the basement	He was stopped by a representative of the so-called "military police of the Russian Federation"; the Russian military checked the victim's passport and phone; while checking the phone, the Russian military found records that he interpreted as allegedly "anti-Russian and nationalist"	First in one place, and then moved to another, where there was ventilation (probably in the city of Balakliya)
PERSON_073	Two cars arrived in the yard, the Russian military asked the victim a question, after the victim's affirmative answer, the Russian military put a bag over his head and put him in the back of a pickup truck; they took him out of town, where they beat him and imitated an execution	They checked the documents and asked the victim if he knew a particular person, to which the victim replied in the affirmative	The premises of the Russian military base in the city of Vovchansk, Chuhuiv district
PERSON_076 (regarding the deprivation of physical liberty of the grandson PERSON_077)	According to the available information, PERSON_077 was "detained" for allegedly opposing the so-called "special military operation"	PERSON_077 was "detained" for allegedly opposing the so-called "special military operation"; it was also reported that there were no criminal proceedings against PERSON_077 and that "verification measures" were being conducted against him	Territory of the Russian Federation

Use of torture, information on inhumane conditions of detention	Is there any information about release	Probably perpetrators of severe deprivation of liberty <sup>125</sup>	Other persons held together with the victim <sup>126</sup>
5	6	7	8
The victim was held in inhumane conditions: no food for three days; threatened with torture and execution	After the "interrogation," the Russian military with the call sign "Shaman" took the victim home; a week later, "Shaman" returned to the victim, accompanied by other Russian military, and forced the victim to deliver a speech, which he recorded on video	The captors were a Russian serviceman with the call sign 'Vityaz' (he was the 'leader' among them), a Russian serviceman with the call sign 'Ara' (he was 'Vityaz's' deputy') and five other Russian servicemen armed with assault rifles; a Russian serviceman with the call sign 'Shaman' drove the victim home and then forced him to recite a speech for the video	
During the capture, the victim was repeatedly kicked and beaten with assault rifle butts (his nose was broken); during the "interrogation" he was again beaten with a rifle butt; they simulated an execution by shooting over his head	He escaped from captivity on his own when the Russian military was about to retreat to the city of Belgorod (Russia)	Among the soldiers who captured the victim was a "senior" with the call sign "Shaman" (the Russian military said that "Shaman" was a deputy); a Russian serviceman who was called a "commander" (probably a battalion commander) and called by the call sign "Dushman" (a young man of short stature); next to "Shaman" walked his "bodyguard" in a military uniform similar to that worn by Soviet paratroopers	PERSON_068, PERSON_069, PERSON_070 (woman), PERSON_071 (5-year old child); the victim saw several other people from different settlements of Kharkiv region who were also held in captivity, as well as allegedly Russian military personnel who refused to take weapons
They threatened to shoot him; the victim was held in inhuman conditions: five people were kept in a cell designed for two people (there were two beds, or rather prison bunks): two slept on the bunks, three others slept on the floor, where there was free space; the ventilation in the cell was often turned off, and then moisture began to flow down the walls and it became extremely difficult to breathe; one night the victim and other people were held in tightly locked cells, without ventilation and food	He was freed on his own when the Russian military left the building where the prisoners were held due to the offensive of the Ukrainian Armed Forces	A representative of the so-called "military police of the Russian Federation"; an officer of the Russian military	
They beat the victim, imitated an execution (fired blank cartridges at the victim); beat the victim all over the body with their feet, machine guns and a pickaxe, knocking out the victim's teeth; continued to beat the victim at the "base" when the victim was already lying on the floor; hit the victim several times with a hammer, causing the victim to lose consciousness	The Russian military dragged the victim outside, as they thought he was already dead, from where the victim escaped on his own		PERSON_074
Answers were received that there are no criminal proceedings against PERSON_077 and that "verification measures" are being carried out against him; according to the decision of the Russian court, PERSON_77 does not have any procedural rights, including the right to a lawyer	Continued to be held on the territory of the Russian Federation		

Victim (or the victim's relative)	Capture method	Probable cause (motivation) behind the capture	Place of detention
1	2	3	4
<p><b>PERSON_080</b> (regarding the severe deprivation of physical liberty of her son <b>PERSON_081</b>) — <i>first capture</i></p>	<p>The Russian military entered the apartment, checked his passport, took his picture; asked about his son; PERSON_081 (the son) and his civilian wife PERSON_082 entered, the military ordered him to show them his phone, took PERSON_081 and PERSON_082 to the entrance, and loaded them into a KAMAZ truck</p>	<p>When asked by PERSON_080 about the reason for her son's detention and imprisonment, the Russian military told her that it was because he talked a lot on the phone and told about the Vovchansk Aggregate Plant, which had allegedly been hit</p>	<p>The premises of the police department in Vovchansk</p>
<p><b>PERSON_080</b> (regarding the severe deprivation of physical liberty of her son's civilian wife <b>PERSON_082</b>)</p>			
<p><b>PERSON_080</b> (regarding the severe deprivation of physical liberty of her son <b>PERSON_081</b>) — <i>second capture</i></p>	<p>The Rosgvardia military again came to PERSON_080's house and asked about his son's whereabouts, saying that they needed him "for a conversation"; PERSON_081 was abducted for the second time at the place of residence of his civilian wife (the civilian wife said that PERSON_081 left a note that he would return the same day or the next day)</p>	<p>When asked by PERSON_080 about the reason for her son's detention and imprisonment, the Russian military told her that it was because he talked a lot on the phone and told about the Vovchansk Aggregate Plant, which had allegedly been hit</p>	<p>Territory of the Russian Federation (according to the Russian military, first held in the city of Belgorod (RF), and then transferred to the city of Stary Oskil (RF); then informed that PERSON_081 was in a detention center in the Russian Federation</p>
<p><b>PERSON_084</b></p>	<p>Seized by the military of the so-called "LPR"</p>		
<p><b>PERSON_084</b> (regarding the severe deprivation of physical liberty of his son <b>PERSON_085</b>)</p>			<p>According to information from the ICRC, he is probably being held in the city of Nizhny Novgorod (RF)</p>

Use of torture, information on inhumane conditions of detention	Is there any information about release	Probably perpetrators of severe deprivation of liberty <sup>125</sup>	Other persons held together with the victim <sup>126</sup>
5	6	7	8
	After the first abduction, PERSON_081 was released after about a week of detention	At that time, the Rosgvardia was stationed in the premises of the police department in Vovchansk; the "main" military officer among the Rosgvardia military, who was based in the premises of the police department in Vovchansk at that time, was called "Thunder"; according to "Thunder", PERSON_080 was being held by the Russian Federation IC (PERSON_080 was not on the lists of the Russian Federation IC); it was also reported that the FSB was "working" with PERSON_081	
	Released on the evening of the same day		
	Released after about a day of detention	Seized by the military of the so-called "LPR"	
	Continues to be held in captivity on the territory of the Russian Federation		

## ANNEX 3. FORMS OF STANDARDIZED DOCUMENTS USED BY KHPG IN THE PROCESS OF COLLECTING AND PROCESSING INFORMATION FROM VICTIMS AND WITNESSES OF ILL-TREATMENT<sup>141</sup>

### Form 1. THE FORM OF APPLICATION FOR THE PROVISION OF LEGAL ASSISTANCE<sup>142</sup>

To the Director  
of the non-governmental organization  
“Kharkiv Human Rights Protection Group”  
Zakharov Ye. Yu.

[FULL NAME OF THE APPLICANT]  
[ADDRESS OF RESIDENCE]  
[CONTACT DATA (PHONE NUMBER, EMAIL)]

#### **Application For the provision of legal assistance**

I, [SURNAME, NAME, PATRONYMIC], [DATE OF BIRTH], phone number [CONTACT PHONE NUMBER], request to provide me the secondary legal defense due to the fact that

[BRIEF SUMMARY OF THE CIRCUMSTANCES]

[DATE]

[SIGNATURE] [FULL NAME]

<sup>141</sup> In the forms provided in this Annex, the information in square brackets [] shall be filled in by the applicant.

<sup>142</sup> On the basis of this application a person receives qualified legal assistance from KHPG, which includes, in particular, but not exclusively, assistance during national procedures in Ukraine (initiation and representation during pre-trial investigation), assistance in legal communication with the authorities of the Russian Federation, appeal to international human rights mechanisms (UN treaty bodies), submission of testimony to the ICC, etc.



## Form 2. THE FORM OF CONSENT TO PROCESSING OF PERSONAL DATA<sup>143</sup>

To the Director  
of the non-governmental organization  
"Kharkiv Human Rights Protection Group"  
Zakharov Ye. Yu.

[FULL NAME OF THE APPLICANT]  
[ADDRESS OF RESIDENCE]  
[CONTACT DATA (PHONE NUMBER, EMAIL)]

### **Consent to processing of personal data**

I [SURNAME, NAME, PATRONYMIC], born on [DATE OF BIRTH], passport series [PASSPORT SERIES] No. [PASSPORT NUMBER], issued by [THE BODY THAT ISSUED THE PASSPORT]

In accordance with the Law of Ukraine "On Protection of Personal Data", in order to provide me with legal, psychological and humanitarian assistance, record (document) war crimes, prepare statistical, administrative and other information on personnel issues, I consent to:

processing of my personal data from primary sources to the extent of the following, in particular, information about my profession, passport data, personal information (age, gender, marital status, family composition), information about my registered or actual place of residence, information related to my health status within the limits determined by law, information on benefits and special social statuses

use of personal data, which involves any actions of the owner of personal data to process such data, their protection, as well as actions to grant partial or full rights to process personal data to other subjects of relations related to personal data, carried out with the consent of the subject of relations related to personal data, carried out with the consent of the personal data subject or in accordance with the law (Article 10 of the said Law);

dissemination of personal data, which involves actions to transfer information about an individual with the consent of the subject of personal data (Article 14 of the said Law);

in case of changes in my personal data, I undertake to provide, as soon as possible, updated, reliable information and originals of the relevant documents to supplement my personal data.

[DATE]

[SIGNATURE] [FULL NAME ]

<sup>143</sup> Drafted in accordance with the requirements of the domestic legislation of Ukraine on ensuring the observance of the right to personal data protection; used by KHPG in proceedings at the national level.

**Form 3. INFORMED CONSENT FORM****INFORMED CONSENT FORM**

This informed consent is given to the Kharkiv Human Rights Protection Group (“KHPG”) and the Danish Institute against Torture (“DIGNITY”).

Your informed consent is required to both collect and use information you provide for the purpose of criminal investigation and/or prosecution and broader accountability efforts in response to alleged serious violations of international law, such as international crimes and human rights violations committed since Russia’s invasion of Ukraine on 24 February 2022.

By giving your informed consent, you acknowledge that you have been informed and that you understand the nature and the scope of documentation activity, accept to participate in it and accept that the information you provide can be shared with the competent national and/or international investigative authorities, including the Office of the Prosecutor of the International Criminal Court.

You also accept that the provided information may be shared with other international bodies, such as the European Court of Human Rights, UN treaty bodies and/or other international/regional mechanisms mandated to foster accountability efforts in Ukraine.

By signing this document, you are providing your informed consent.

I hereby acknowledge and confirm that:

- This is a voluntary process and I have provided information, documentation or physical items freely, without any form of coercion, threat or duress.
- I was informed that the information, documentation or physical items I have provided might be used in criminal investigations and/or prosecutions and be shared with the competent national and/or international investigative authorities, including the Office of the Prosecutor of the ICC.
- I was informed that the information, documentation or physical items I have provided might be also used in international human rights litigation, UN human rights procedures and/or reparations proceedings.
- I was informed about my right to withdraw my consent at any time prior to such information being shared with the competent international and/or national authorities.
- I am aware that my identity, as well as any information I have provided, might be disclosed to the parties in future criminal and/or other legal proceedings.
- I understand the nature and the purpose of the documentation activity, the potential use of the information I have provided, as well as all the potential risks associated with my participation in this activity.

I hereby consent to:

1. Check consented activity
  - give an account of what you have experienced or witnessed;
  - hand over information, documentation or other items;
  - being photographed and having physical injuries documented;
  - dissemination of information in media and on the Internet;
  - other [please describe]
2. Sharing the information, documentation or physical items that I have provided with:

- the Office of the Prosecutor of the ICC and their use in criminal investigations and/or prosecutions;
- competent Ukrainian national authorities and their use in criminal investigations and/or prosecutions;
- competent foreign national authorities acting under the principle of universal jurisdiction and their use in criminal investigations and/or prosecutions abroad;
- other competent international mechanisms and their use in human rights litigation and/or other broader accountability efforts, UN human rights procedures and/or reparations proceedings.

3. Any limitations (please elaborate):

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Name: \_\_\_\_\_

Signed: \_\_\_\_\_

Dated: \_\_\_\_\_

**On processing of personal data:**

I accept that the KHPG holds personal data and my informed consent to the processing of my personal data by KHPG and its partner organization DIGNITY — acquired by KHPG documenters/lawyers in the process of their documentation activities and/or legal aid work — for the purpose of advancing accountability arising out of the Russia-Ukraine war since 24 February 2022.

I have read the KHPG/DIGNITY Statement on Processing of Personal Data in full and understand their policies regarding collection and the use of my personal data, as well as the exercise of my privacy rights in accordance with the Law of Ukraine No. 2297 “On Personal Data Protection” (“PDP”), and the European Union General Data Protection Regulation (“GDPR”) when the information is shared with the KHPG’s partner institution DIGNITY, headquartered in Denmark.

***Statement on Processing of Personal Data***

This statement explains how and why the Kharkiv Human Rights Protection Group (“KHPG”) and the Danish Institute against Torture (“DIGNITY”) use the personal data you provide in the course of your interview. The reason we need to explain this before the interview is to ensure you are fully informed of your right to data protection and privacy that you are entitled to in accordance with the Law of Ukraine No. 2297 “On Personal Data Protection” (“PDP”) and the EU General Data Protection Regulation (“GDPR”) once the information has been further processed by DIGNITY (headquartered in Copenhagen, Denmark).

***I. Information we collect***

In the course of this interview, the KHPG will collect **personal data** about you that will be further processed by the KHPG and its partner organisation DIGNITY. The types of personal data which we may collect from you include your name, address, and contact details; your date and place of birth; your educational background; information about incidents and events involving you as a victim or witness (for example, details of torture or other alleged crimes you have been subjected to or witnessed). We may also collect and use **special categories of personal data** about you including your racial or ethnic origin, political opinions, physical and mental health, religious or philosophical beliefs, trade union membership, sexual orientation and gender identity.

***1. How we use this information***

We collect, store, review, and further process this personal data to:

- Share the information regarding alleged international crimes with competent national and/or international investigative and prosecutorial bodies, including the Office of the Prosecutor of the International Criminal Court, for the purpose of criminal investigations and prosecutions.

- Share the information regarding alleged international crimes and human rights violations with other international accountability mechanisms, which have been set up since Russia's invasion of Ukraine on 24 February 2022.
- Provide you with information and support, where needed and possible; and
- Allow us to contact you in the future if we need to.

We will only collect the amount of personal data required to fulfil these functions effectively.

### ***2. Sharing personal data***

The KHPG and DIGNITY may share your personal data with the following third parties:

- The Office of the Prosecutor of the ICC and their use in criminal investigations and/or prosecutions.
- Competent Ukrainian national authorities and their use in criminal investigations and/or prosecutions.
- Competent foreign national authorities acting under the principle of universal jurisdiction and their use in criminal investigations and/or prosecutions abroad.
- Other competent international mechanisms and their use in human rights litigation and/or other broader accountability efforts, UN human rights procedures and/or reparations proceedings.

When we have given you enough information to enable you to make an informed decision, we will be asking you if you consent to the sharing of your personal data with these third parties. We may also share your personal data where the person or entity who is receiving it has a legitimate interest for which processing is necessary and proportionate.

In very exceptional cases, we may be required to share your personal data with other bodies if we are under a legal duty to do so, where doing so would not violate international human rights law. This may be where we are required to do so by a court order or for the purposes of prevention of fraud or other crime.

### ***3. Storing personal data***

We will store and transfer your personal data using methods that are secure in order to prevent your personal data from being accessed in an unauthorised way, altered, or lost. We monitor for any suspected data breach and will notify you and any applicable regulator of a suspected breach where we are legally required to do so.

### ***4. International Data Transfer***

When your personal data is being transferred from the legal jurisdiction of Ukraine to the European Union, a third country or an international organization, this may only be done if the third country or the international organization in question meets the legal requirements of providing an adequate level of protection for individuals' rights to privacy and data protection.

### ***5. Data retention***

We will only retain your personal data for as long as necessary to fulfil the purposes for which we collected it, including for the purposes of satisfying accounting, or reporting requirements. When determining the retention period, we consider the amount, nature, and sensitivity of the information, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.

### ***6. Your rights***

Under certain circumstances, by law you have the right to:

- **Withdraw consent** at any time.

- **Request access** to your personal data (commonly known as a “data subject access request”). This enables you to receive a copy of the personal data we hold about you and to check that we are lawfully processing it.
- **Ask us to correct personal data** that we hold about you that is incorrect, incomplete, or inaccurate.
- **Ask us to erase your personal data** from our files and systems where there is no good reason for us continuing to hold it.
- **Object to us using your personal data** to further our legitimate interests.
- **Ask us to restrict or suspend the use of your personal data**, for example, if you want us to establish its accuracy or our reasons for using it.
- **Ask us to transfer your personal data** to another person or organisation, for example a medical or legal professional supplying services to you.

### *7. Contact*

If you want to exercise any of your rights, wish to withdraw consent, complain or have any queries about the processing of your personal data or the safeguards we put in place to protect it, please contact:

**Email:** KHPG at [consent@khpg.org](mailto:consent@khpg.org) and DIGNITY at [gdpr@dignity.dk](mailto:gdpr@dignity.dk)

**Mail:** KHPG, 27 Svobody Street, #4, Kharkiv, 61002, Ukraine  
DIGNITY, Bryggervangen 55, 2100 København, Denmark

### *8. Complaints*

You also have the right to make a complaint at any time to the data protection regulator in the country in which your data is being processed.

Complaints regarding processing of personal data could be filed respectively with:

In **Ukraine**, the Ombudsman / Commissioner for Human Rights — <https://ombudsman.gov.ua>.

In **Denmark**, where DIGNITY is located, the Danish Data Protection Agency — [datatilsynet.dk](http://datatilsynet.dk).

*Інформаційне видання*

**Долшко Владислав Віталійович  
Токарев Геннадій Володимирович**

**ЖОРСТОКІ ПОЗБАВЛЕННЯ СВОБОДИ  
НА ОКУПОВАНІЙ РОСІЄЮ  
ХАРКІВЩИНІ**

*(англійською мовою)*

Відповідальний за випуск та редактор: *Євгеній Захаров*

Підписано до друку 12.09.2023  
Формат 60 × 84 <sup>1</sup>/<sub>8</sub>. Папір офсетний. Умов. друк. арк. 9,99.  
Наклад 25 прим.

ГО «ХАРКІВСЬКА ПРАВОЗАХИСНА ГРУПА»  
61002, Харків, а/с 10430  
khp.org та library.khp.org

Друк:  
ТОВ «ВИДАВНИЦТВО «ПРАВА ЛЮДИНИ»»  
61002, Харків, вул. Дарвіна, 7, кв. 35  
Свідоцтво Державного комітету телебачення і радіомовлення України  
серія ДК № 4783 від 23.10.2014 р.  
ел. пошти: distribution.hr.publisher@gmail.com  
publisher@khp.org