

**Distinguished President,**

**Excellencies,**

At the end of its second mandate, the Independent International Commission of Inquiry on Ukraine is pleased to brief the Human Rights Council on the findings during this period.

The Russian Federation's full-scale invasion of Ukraine has resulted in thousands of casualties, damage, destruction, unbearable suffering, and hardships for the civilian population. More than 10,000 civilians have been killed and close to 20,000 others have been injured during this period, according to OHCHR.

Since the Commission's establishment, our investigations have focused on patterns of violations. The Commission has travelled to Ukraine 26 times and visited 90 settlements. We express our deep gratitude to victims and witnesses, to those who shared with us valuable information, and appreciate the access and information provided by the Government of Ukraine. The Commission regrets that communications addressed to the Russian Federation have remained unanswered.

Russian armed forces have continued to commit unlawful attacks with explosive weapons in populated areas. Such weapons have caused the largest number of civilian casualties, as well as large-scale damage and destruction. Some of the attacks have affected medical facilities and cultural objects. As mentioned in our previous reports, waves of attacks on energy-related infrastructure, which Russian armed forces carried out repeatedly, starting in October 2022, were systematic and widespread.

Russian authorities further committed the war crimes of wilful killing, torture, rape, sexual violence, and the unlawful transfer of children, among other crimes.

The Commission has also described a few human rights violations committed by Ukrainian authorities against persons they accused of collaborating with the Russian Federation.

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The present report is a continuation of previous investigations but focuses in particular on three aspects: the siege of Mariupol; treatment of Ukrainian prisoners of war; and violations of cultural property.

The siege and the heavy fighting with the use of explosive weapons in Mariupol, from the outset of the Russian full-scale invasion until end of May 2022, had a devastating impact on civilians. Thousands reportedly died. The Commission has had no access to the city but interviewed over 80 residents who were present during the siege. Survivors described relentless shelling; buildings collapsing and killing loved ones; dead bodies strewn on the street or piled up in hospitals; medical institutions lacking basic necessities to treat the injured; hundreds sheltering in egregious conditions. A woman, who took shelter in a hospital, describing gravely injured people, stated, *"You walk among all these people, who beg for help, and you cannot do*

*anything for them, I could not stop crying.*” Residents of Mariupol continue to cope with deep trauma and fear.

More recent explosive weapons attacks carried out by Russian armed forces in populated areas have impacted multiple civilian objects. The Commission investigated strikes affecting residential buildings, supermarkets, a restaurant, and a café. In some, a large number of civilians were present at the time of the attacks. Russian armed forces often failed to take feasible precautions to verify that objects affected were not civilian. The Commission reiterates its view that the multiplicity of such attacks shows a pattern of disregard by Russian armed forces for possible harm to civilians.

Several of the attacks investigated hit medical institutions and cultural objects, which have special protection under international humanitarian law. These attacks affected hospitals in Mariupol and a clinic in Dnipro. Two waves of explosive weapons also affected cultural objects in the historic centre of Odesa. Furthermore, the Commission found that the seizure by Russian authorities of cultural property from Kherson, in violation of international humanitarian law, is a war crime.

Turning now to personal integrity violations, many of them occurred in the context of house searches conducted by Russian authorities to identify civilians allegedly supporting Ukrainian authorities. Evidence gathered during our second mandate continues to show that Russian authorities’ use of torture against civilians was widespread and systematic.

As mentioned earlier, the present report focuses on cases of torture of Ukrainian prisoners of war. Victims were subjected to relentless, brutal treatment for prolonged periods, often in several detention facilities in the Russian Federation. Recurrent beatings, electric shocks, torture with a sexual dimension, and other practices were used to extract information, punish and intimidate. Food deprivation led to significant weight loss. One former detainee stated: *“It was barbaric. It was unbearably painful. I was almost all the time on the floor, as my wounds were bleeding, but those animals were laughing and ordering me to stand up.”* Victims suffer from long-lasting physical and mental trauma. One victim had undergone 36 hospitalizations after release.

Available evidence suggests that torture occurred with the knowledge of superiors and in the context of a prevailing sentiment of impunity. It also appears to show practices that call for a division of labour involving different entities.

Furthermore, the Commission has continued to investigate cases of rape and other sexual violence against women and girls committed by Russian authorities in areas under their control. Victims’ ages range from 15 to 83 years. These acts also amounted to torture as a war crime. Perpetrators committed additional acts of violence against victims and family members, which also qualify as torture. In two situations, Russian authorities apparently used sexual violence as a punishment against women they accused of supporting Ukrainian authorities.

Supplementing our previous investigations, the Commission has in this report documented the transfer by Russian authorities of 46 children aged below five years, from an institution in Kherson city to Crimea. As of the time of the writing of our report, most of the children had not returned to areas under Ukrainian Government control, according to Ukrainian authorities. Such prolonged transfer is unlawful and constitutes a war crime.

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The Commission reiterates its deep concern at the scale, spread and gravity of the violations and crimes it has documented in the context of the full-scale invasion of Ukraine by the Russian Federation. The evidence gathered continues to demonstrate that Russian authorities are responsible for a wide array of violations of international humanitarian law and international human rights law and war crimes. The Commission recommends further investigations to determine whether some violations may qualify as crimes against humanity.

We emphasize the importance of investigating all violations and crimes and of holding perpetrators accountable. Both judicial and non-judicial accountability are significant in this regard. Measures that support the rights and needs of the victims are key in these processes.