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**The situation in the temporarily occupied territories
of Ukraine**

**The responsibility to protect and the prevention of
genocide, war crimes, ethnic cleansing and crimes
against humanity**

Letter dated 24 April 2024 from the Permanent Representative of Ukraine to the United Nations addressed to the Secretary-General

Last March marked two years since the liberation of areas of the Kyiv, Chernihiv, Kharkiv and Sumy regions of Ukraine from the Russian occupation. This anniversary serves as a reminder of vicious atrocities that were committed by the Russian militants in the early stages of the full-scale invasion of Ukraine in 2022 and that became emblematic of the pattern of gross and systematic human rights violations and heinous war crimes by Russia against the people of Ukraine.

The memory of tragic events that took place in Bucha, Irpin, Borodyanka, Yahidne and other towns and villages in northern Ukraine two years ago, and the relevant facts established since then, compel us to once again demand justice for the victims and accountability for the perpetrators.

Let me recall the sequence of these developments. In February 2022, as soon as Putin's regime launched its unprovoked and unjustified invasion of Ukraine, it became evident that it would not shy away from the cruellest methods and that this war would have a devastating toll on millions of civilian lives.

In Bucha and many other Ukrainian towns and cities, Russian forces indiscriminately shot, illegally detained, tortured and summarily executed civilians. Residents were deliberately fired upon with automatic weapons for no apparent reason when leaving houses for food. Households were regularly raided, with men often questioned and either killed on the spot or detained and later executed. The carnage was not random. Intercepted phone conversations indicate that Russian soldiers called it "zachistka" – the cleansing of the so-called "Nazis" through the torture and summary execution of civilians.

The subsequent liberation of areas of northern Ukraine in late March 2022 led to horrifying revelations about the scale of atrocities, which shocked the consciousness of billions around the world. In one district of Bucha alone, more than



9,000 incidents of war crimes were documented, with 1,800 civilians killed. Many bodies have been found mutilated and burned.

Russian leadership was quick to claim that Ukraine “faked” the footage of the atrocious events that were so well depicted by international media organizations. But the response of the international community was swift and decisive: amid widespread condemnation following the atrocities uncovered in Bucha, the General Assembly adopted a resolution suspending the Russian Federation’s membership in the Human Rights Council.¹

For its part, the Human Rights Council mandated the Independent International Commission of Inquiry on Ukraine (the Commission) to conduct an impartial and thorough investigation of the events, the conclusions of which were unequivocal. The Commission has collected evidence that showed a widespread pattern of summary executions in 17 localities under Russian control, including Bucha.² It has further clarified that atrocities committed in Bucha became notorious due to the high number of civilians killed and executed; executions at Yablunska Street and a children’s camp, as well as a mass grave between Myrotske and Vorzel, were verified by victims’ and witnesses’ interviews, medical documentation, video evidence, etc.³

These findings were echoed by the Office of the United Nations High Commissioner for Human Rights in its thematic report entitled “Killings of civilians: summary executions and attacks on individual civilians in Kyiv, Chernihiv and Sumy regions in the context of the Russian Federation’s armed attack against Ukraine: 24 February–31 October 2022”. Based on collected evidence and dozens of eyewitness testimonies, the report depicts in detail the killing and summary execution of civilians in places of detention and on the spot in the middle of the streets in Bucha.⁴

The conclusions of the United Nations mechanisms were complemented by the report of the Moscow Mechanism of the Organization for Security and Cooperation in Europe, which qualified the killings and summary executions, along with the evidence of torture chambers in Bucha, as emblematic of grave breaches of the Geneva Conventions of 1949 and the Protocols Additional thereto, i.e. war crimes.⁵

Authoritative international media organizations provided their own first-hand reports and open source investigations. On 1 April 2022 – the very first day after the de-occupation –journalists from the British Broadcasting Corporation (BBC) were able to enter the town and witness the corpses and burned tanks.⁶ An investigation conducted by Bellingcat provided videos and photos of deceased individuals in civilian clothes appearing that very day in social media channels.⁷ On 4 April 2022, the visual investigations team of the *New York Times* conducted analysis of videos and satellite images showing that the victims in the streets of Bucha had been killed

¹ Resolution ES-11/3.

² Report of the Independent International Commission of Inquiry on Ukraine (A/HRC/52/62), para. 53.

³ Conference room paper of the Independent International Commission of Inquiry on Ukraine (A/HRC/52/CRP.4), paras. 300 and 323–339. Available at www.ohchr.org/sites/default/files/2023-08/A_HRC_52_CRP.4_En%20%28003%29.pdf.

⁴ Available at www.ohchr.org/sites/default/files/documents/countries/ukraine/2022/2022-12-07-OHCHR-Thematic-Report-Killings-EN.pdf.

⁵ Organization for Security and Cooperation in Europe and Office for Democratic Institutions and Human Rights, *Report on Violations of International Humanitarian and Human Rights Law, War Crimes and Crimes against Humanity Committed in Ukraine* (1 April–25 June 2022), 14 July 2022, pp. 38–41, 61–64 and 90. Available at www.osce.org/files/f/documents/3/e/522616_0.pdf.

⁶ See www.bbc.com/news/world-europe-60970818.

⁷ See www.bellingcat.com/news/2022/04/04/russias-bucha-facts-versus-the-evidence/.

more than three weeks before the news of the massacre started spreading on 2 April 2022.⁸

Perhaps the most illustrative example of the shock and distress that were felt by those who visited Bucha in the initial days after liberation is a quote by Al Jazeera reporter Imran Khan: “Shooting that report was one of the toughest moments of my career and it will remain with me forever. One of the ways of dealing with violent death, certainly for me, is to not look too closely at the dead. That was impossible here in Bucha. [...] What my team and I witnessed was a war crime.”⁹

As at 5 April 2024, the Prosecutor General’s Office of Ukraine had identified 146 servicemen of the Russian armed forces as suspects for war crimes committed in the Bucha district, indicted 93 and convicted 19. Most of them belong to the 64th Motor Rifle Brigade of the Russian Ground Forces, which in the aftermath of its withdrawal from Bucha was rewarded for its crimes by Putin’s regime with the honorary “Guards” status.

Despite overwhelming evidence collected over the past two years, the Kremlin has been shamelessly spreading disinformation and denying its involvement in the Bucha massacre and continues to do so until this day. But after two years of tireless efforts to establish the truth about these events it is clear that the well-documented character of the Bucha massacre was an early precursor of a deliberate and systematic strategy of terror against the civilian population, which is still being carried out by Russia as part of its aggression against Ukraine.

Victims and survivors of atrocities committed in Bucha and other Ukrainian cities deserve justice, which can only be served when the Russian Federation bears full responsibility and every individual involved in planning, organizing, ordering, inciting and executing those acts is held accountable.

I would appreciate your kind assistance in having the present letter distributed as a document of the General Assembly, under agenda items 62 and 129, and of the Security Council.

(Signed) Sergiy Kyslytsya
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⁸ See www.nytimes.com/2022/04/04/world/europe/bucha-ukraine-bodies.html.

⁹ See www.aljazeera.com/news/2022/5/29/reporters-notebook-killings-in-ukrainian-town-of-bucha.