



# Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

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## Committee against Torture Eighty-second session

### Summary record of the 2197th meeting\*

Held at the Palais Wilson, Geneva, on Friday, 25 April 2025, at 3 p.m.

*Chair:* Mr. Heller

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Consideration of reports submitted by States Parties under article 19 of the Convention  
(*continued*)

*Seventh periodic report of Ukraine (continued)*

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\* No summary record was issued for the 2196th meeting.

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*The meeting was called to order at 3 p.m.*

**Consideration of reports submitted by States Parties under article 19 of the Convention** *(continued)*

*Seventh periodic report of Ukraine (continued)* ([CAT/C/UKR/7](#); [CAT/C/UKR/QPR/7](#))

1. *At the invitation of the Chair, the delegation of Ukraine joined the meeting.*
2. **The Chair**, welcoming the delegation of Ukraine to the meeting, explained that the other members of the delegation would be participating via video link.
3. **A representative of Ukraine** said that the process for the development of the act ratifying the Rome Statute of the International Criminal Court had included consultations with the Court concerning gaps in national legislation, primarily regarding the criminal liability of military commanders and other individuals acting in that capacity, as well as crimes against humanity and genocide. The Criminal Code had been amended to bring it into line with the Rome Statute.
4. Although article 64 of the Constitution provided for certain restrictions on rights and freedoms under martial law or during states of emergency, the freedoms of opinion and religion had not been restricted despite the declaration of martial law in Ukraine following the full-scale invasion by Russia. However, in August 2024, the President had signed a law to protect the constitutional order, which banned activities by the Russian Orthodox Church as the ideological extension of the regime of the aggressor State and as an entity complicit in the war crimes and crimes against humanity perpetrated in the name of that State and its ideology.
5. While no severe restrictions on freedom of expression had been introduced, domestic media were facing challenges due to the mobilization of their staff, the reduction of their financial resources and the partial or complete destruction of media infrastructure as a consequence of the armed aggression by Russia. Nevertheless, a comprehensive reform to align the legal framework governing the media sector with Directive 2010/13/EU of the European Parliament and of the Council of 10 March 2010 on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the provision of audiovisual media services had been completed and had received a positive assessment by the European Union. Ukraine had been found, in the 2024 enlargement report of the European Commission, to have made some progress in protecting journalists, the media and freedom of expression and had risen 18 places, to sixty-first of 180 countries, in the Reporters Without Borders 2024 World Press Freedom Index.
6. **A representative of Ukraine** said that, of the 91 temporary detention facilities of the National Police, 24 were not currently operating, most because they were undergoing repair, had been destroyed or were located in Russian-occupied territories. In response to problems repeatedly pointed out by the European Court of Human Rights, the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment and the Parliamentary Commissioner for Human Rights (Ombudsperson), a unified custody information subsystem had been set up pursuant to an order of the Ministry of Internal Affairs of 2022 to help guarantee the fundamental rights of detainees and prevent unfounded accusations against personnel. The subsystem, in which all actions pertaining to persons held in police custody were recorded, had been introduced in all temporary detention facilities, except those that were located in the temporarily occupied territories or had been damaged or destroyed, and in over 130 local police units; it was already having a positive impact on the observance of human rights. The electronic database, which was supplemented by 24-hour video surveillance, included detainees' personal information, notably their nationality, passport number, employment details and need for a lawyer or interpreter, as well as information on the circumstances of and reasons for their detention, any visible bodily injuries, the date and nature of any health-related complaints, any medical examinations or doctor's recommendations, and details of their release or transfer to other State authorities. Database entries would be stored for 25 years, after which time all references to individuals by name would be automatically removed.

7. Following up on National Police Order No. 441 of 26 May 2021, which had introduced the positions of chief of sector and human rights inspector to monitor the observance of detainees' rights, Order No. 854 of 8 August 2024 had established further monitoring measures in temporary detention facilities. In addition, amendments to the Code of Criminal Procedure had been adopted in 2024 to enhance the effectiveness of officials responsible for observing respect for detainees' rights, specify the process for their appointment and establish their obligation, when rights violations, including torture, were detected, to take immediate action to put an end to the conduct and report the case.

8. Persons held in temporary detention facilities of the National Police or in local police units received one hot meal a day. By order of the Ministry of Internal Affairs of 2023, cells must be appropriately equipped and have natural and artificial lighting, and facilities intended for the detention of individuals must, by law, be connected to the drinking water network and fire hydrants.

9. Since the declaration of martial law on 24 February 2022, National Police investigators had initiated over 144,000 criminal proceedings in connection with offences related to the armed conflict, most of which had been transferred by the courts to various other bodies. Furthermore, more than 83,400 criminal proceedings had been launched in connection with the disappearance of 92,880 people owing to the Russian aggression, including some 5,600 civilians and 77,270 members of the security and defence forces. Pretrial investigations in those cases, including DNA testing, had led to more than 9,670 individuals being found alive and more than 8,810 individuals being confirmed deceased.

10. To ensure comprehensive and impartial documentation and investigation of war crimes, specialized departments had been established in the main National Police stations in Chernihiv, Dnipropetrovsk, Donetsk, Kharkiv, Kherson, Kyiv, Luhansk, Mykolaiv, Odesa, Sumy and Zaporizhzhia Oblasts and the city of Kyiv. Specialized centres had also been established to trace persons who went missing in special circumstances, including through the collection of DNA samples from relatives, information gathering and meetings with representatives of non-governmental organizations (NGOs).

11. A law had been adopted in 2017 to bring the Criminal Code and the Code of Criminal Procedure into line with the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention). From 2018 to March 2025, the National Police had initiated investigations into over 70,680 cases of domestic violence; over 11,750 cases had been referred to the criminal courts, while some 5,070 cases had been closed for lack of evidence that an offence had been committed. From January 2020 to March 2025, local police units had responded to nearly 270,000 reports of domestic violence made to the emergency services, leading to the recording of nearly 150,000 administrative offences, the issuance of 113,330 restraining orders, the registration of some 93,180 alleged perpetrators for preventive monitoring and the initiation of over 7,760 criminal proceedings.

12. In 2021, the National Police had begun establishing specialized domestic violence units and mobile response teams to better target prevention and response efforts and reach the most vulnerable areas. In 2024, nearly 5,500 police officers had received training in preventing and combating domestic violence, and 165 police officers had participated in 1 of 11 sessions held specifically on responding to domestic violence calls. In January and February 2025, eight police prevention units had taken part in two advanced training courses on a strategic framework for developing inter-agency cooperation on preventing and combating gender-based violence including domestic violence.

13. Practical steps were taken to ensure that cases of trafficking in persons were investigated in a prompt, thorough and impartial manner and that procedural decisions were taken within a reasonable time frame. In 2025, 380 National Police investigators had been assigned to handle such cases. From 2018 to early 2025, 1,550 trafficking cases had been investigated, of which over 1,100 had been referred to the courts while nearly 400 had been closed for lack of evidence that an offence had been committed. In February and March 2025, National Police investigators had received training, with international support, in the

categorization of trafficking-related offences and the tracing of financial flows from trafficking.

14. The immigration police cooperated with the law enforcement agencies of European Union countries to implement the operational plan to combat human trafficking, illegal migration and sexual exploitation of children and, in 2024, had taken part in three pan-European events under the plan. One focus of the plan was Ukrainian nationals who had moved to European countries owing to the full-scale invasion by the Russian Federation. Ukraine had joined two international task forces to combat human trafficking and migrant smuggling in 2024, and 92 searches had been conducted in Ukraine as part of 11 criminal proceedings.

15. **A representative of Ukraine** said that, given the public demand for justice, the State Investigation Bureau continued to thoroughly investigate cases relating to the Revolution of Dignity or Maidan Revolution. The Bureau prioritized the gathering and submission to the courts of evidence of offences committed by high-ranking officials and law enforcement personnel. Its efforts had led to the conviction of 14 individuals. Over 140 cases involving 277 defendants had been referred to the courts in the past four years, among them the flagship case against State leaders and heads of law enforcement agencies, including the former President, the security service chief and his first deputy, the Minister of Internal Affairs and his deputy, the Minister of Defence, the capital police chief and his deputy and the commander of the Berkut regiment, for the murder of 67 civilians and maiming of 887 activists during the period 18–20 February 2014.

16. In addition to the deployment of 60,000 law enforcement personnel by the criminal organization led by the former President, efforts to counter the protests had included the use of a so-called “procedural block”, whereby hundreds of police investigators, prosecutors and judges had baselessly detained activists as an intimidation measure, and the involvement of so-called *titushky*, or civilians who had taken part in the beating, torture, illegal detention and murder of activists.

17. An important area of work for the State Investigation Bureau in the Maidan cases consisted in gathering evidence of the participation of the Russian special services in countering the protests. Some 4,000 instances of criminal activity had been recorded in that connection, with more than 2,500 victims.

18. For the first time in the country’s law enforcement history, a separate special unit for the investigation of torture and ill-treatment had been established under the State Investigation Bureau. However, war crimes committed by members of the Russian military fell outside the Bureau’s jurisdiction.

19. **A representative of Ukraine** said that there were three main criminal cases related to the actions of the Aidar territorial defence battalion. The first case, against two defendants who had attacked individuals and their homes, was at the trial stage. The second case, which centred on one defendant although the offences alleged had been committed by some of the same individuals as in the first case, was also at the trial stage, but there had been disruptions due to periods of occupation by the Russian military that had caused the proceedings to be moved to a different area of the country. The trial in the third case had been suspended because the defendant had been conscripted into the Ukrainian military; it would resume if he was demobilized.

20. The first case concerning the Azov regiment had been opened in 2015 following allegations that members of the regiment had inflicted serious bodily harm on a person, a man who had subsequently died. The crime was being investigated in Mariupol, where it had been committed, but the investigation had been hampered by the occupation of that city since 2022. In the second case, the investigation had been closed owing to lack of evidence that an offence had been committed.

21. War crimes were investigated by the Security Service of Ukraine and the National Police. Strictly speaking, in accordance with the Code of Criminal Procedure, war crime investigations were the responsibility of the Security Service. However, because of the ongoing conflict, the very large number of such crimes committed by Russia and the shortage of resources, the assistance provided by the police had helped greatly. The latest figures

available showed that 160,315 war crimes had been documented in Ukraine, 995 medical facilities had been destroyed or damaged and 167,500 residential buildings had also been damaged or destroyed.

22. Statistics showed that most crimes of torture were committed by Russians against Ukrainians, both prisoners of war and civilians. Investigators were aware that returning prisoners of war in particular needed rehabilitation and were not always ready to speak about their experiences. With regard to interviewing, a person-centred approach had been adopted in order to avoid exerting undue pressure; it was understood that it could be necessary to wait months to obtain statements.

23. The figures for executions of prisoners of war were alarming. In 2022, the Russians had executed 57 Ukrainian soldiers who had been trying to surrender on the battlefield. In 2023, 11 had been executed and, in 2024, 149. In the year to date, 51 executions had been documented.

24. As for conflict-related sexual violence committed by Russians, 353 offences had been documented, 226 of them against female victims and 127 against male victims; that total included 19 children. It was not easy for people, particularly men, to talk about such experiences, but it was likely that nearly every prisoner of war returning from Russia had been subjected to a crime of that nature.

25. A special unit had been created in the Office of the Prosecutor General to investigate war crimes committed by Ukrainian soldiers. There were currently 20 major cases under investigation.

26. In line with the Manual on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Istanbul Protocol), the Ministry of Health now required all doctors to complete a special form for a patient on admission to hospital, recording any signs of torture.

27. **A representative of Ukraine** said that the appropriate free legal aid centre was automatically informed of an arrest and was expected to appoint a lawyer within the hour. No procedural action could be taken until the lawyer arrived, which should be within the next hour after that; any evidence gathered in the interim would not be admissible in court. Persons detained by the Security Service of Ukraine were entitled to representation appointed from a pool of defence lawyers specially accredited to that Service. The time lapse between arrest and the moment that information about the arrest reached legal aid centres was monitored; the Office of the Prosecutor General was notified of excessive delays in order to guard against rights violations. Procedures to prevent torture included collaboration between the National Police and the Coordination Centre for Legal Aid Provision on the custody record system and the requirement for defence counsel to inform the prosecutor should the client report torture.

28. A new challenge had arisen, in that prisoners might be illegally removed from Ukraine to the Russian Federation and, having served their sentence there, be required to continue serving their sentence in Ukraine upon return. Every effort was made, including through remote consultation and visits, to provide legal advice and information on legal aid, for which all imprisoned persons in Ukraine were eligible.

29. Children involved in criminal or administrative proceedings were eligible for legal aid. Interviews with children in such proceedings and in cases of domestic and sexual violence were conducted in child-friendly facilities. A pilot project was under way whereby support from a psychologist was made available to minors. For minors in conflict with the law, another pilot project had been launched on restorative justice and mediation, with a view to giving the children a chance to return to society.

30. Legal aid was also available to vulnerable groups and low-income persons, including internally displaced persons. Primary and secondary legal aid were available to survivors of domestic or sexual violence, and a major publicity campaign was under way to raise awareness of survivors' right to seek legal aid and on procedures for obtaining protection and justice. Victims of trafficking in persons and undocumented persons were eligible for secondary legal aid.

31. In cooperation with the military ombudsman, training was conducted in military training centres to raise awareness of military law and international humanitarian law.

32. **A representative of Ukraine** said that, as the Security Service of Ukraine had repeatedly stated to representatives of international organizations and journalists, no one was held in custody at the premises of that Service in Kharkiv Oblast. Unfettered access to those premises had been granted to a monitoring mission in August 2017 and, on another occasion, representatives of the media had been invited to visit in order to demonstrate to the public at large that the allegations of illegal detention were groundless. An internal inspection had found no evidence of illegal detention.

33. The Security Service operated only one specially designated place of temporary detention, which was located in Kyiv. The procedures for holding detainees and persons taken into custody by the Security Service were based on the Constitution, the Universal Declaration of Human Rights and relevant international law and prohibited intentional actions that would cause physical or mental suffering or humiliation. Certain amendments to the procedures had been made at the request of the Ombudsperson.

34. Access to detainees by international and national monitoring organizations was granted in accordance with national and international law. Inspections by representatives of the Organization for Security and Cooperation in Europe (OSCE), the European Union and the International Committee of the Red Cross (ICRC), as well as the Ombudsperson and the Office of the Prosecutor General, had revealed no violations of human rights, unlawful deprivation of liberty, torture or degrading treatment. The Security Service had revoked the instruction on preventive detention in the occupied zone, adopted in 2014.

35. With regard to the shooting of Ukrainian prisoners of war by the Russian military, Security Service investigators were conducting pretrial investigations in a number of proceedings brought under article 438 of the Criminal Code, on war crimes, including investigations into 88 alleged extrajudicial executions in violation of the Geneva Convention relative to the Treatment of Prisoners of War (Third Geneva Convention).

36. Investigators were also looking into the alleged ill-treatment of captured members of the security and defence forces of Ukraine by representatives of Russian military formations, law enforcement agencies and special services. The repeated and constant use of physical, psychological and sexual violence in places of detention in Russia and in temporarily occupied territories of Ukraine had been established on the basis of testimony by liberated members of the Ukrainian security and defence forces, and signs of torture confirmed by forensic medical examinations. Such acts were classified as war crimes. All of the 4,300 returned Ukrainian prisoners of war had been recognized as victims owing to their psychological condition resulting from ill-treatment and appalling detention conditions.

37. Since February 2022, 403 individuals had been detained following investigations by the Security Service under the provisions of the Criminal Code on collaboration. Overall, more than 5,800 persons had been declared suspects, many of them in absentia. Draft legislation to revise the provisions on liability for collaboration was currently before the parliament.

38. As for suspected collaboration by educational and medical personnel in the occupied territories, the Security Service had developed standards for investigating such cases and pretrial investigations in more than 800 criminal proceedings were under way. Nearly 400 members of staff of educational institutions, including over 100 teachers, had received notifications of suspicion. Teachers not involved in administrative duties or in implementing the educational standards of the aggressor State were not affected, since the teaching of school subjects, even where based on standards of the aggressor State, did not constitute a criminal offence under the law. However, teachers who had spread propaganda in support of the occupation of Ukrainian territory and education officials responsible for the decision to adopt the educational standards of the aggressor State could be guilty of a criminal offence.

39. Healthcare workers in temporarily occupied territories who performed only their professional duties could not be held criminally liable, no matter whom they were treating. Since February 2022, however, 22 doctors had received notifications of suspicion on the

grounds that they had performed non-medical duties relating to the occupation administrations in temporarily occupied territories.

40. The Security Service had carried out pretrial investigations in around 140 criminal proceedings against nearly 100 representatives of religious organizations, including some 20 priests of the Russian Orthodox Church, and had gathered evidence indicating that high-ranking Russian clerics had committed criminal offences against national security, including inciting religious hatred and spreading propaganda to justify armed aggression by Russia against Ukraine. Criminal liability was not incurred for the holding of religious events.

41. The Security Service had opened investigations in more than 100 criminal proceedings involving some 130 minors who had received notifications of suspicion, including 44 in the year to date, for offences such as high treason, sabotage, possession of explosives and damage to property. In most cases the minors had been acting on behalf of Russian intelligence or special services.

42. Pretrial investigations were under way, under article 438 of the Criminal Code, into offences against Ukrainian children, including forced transfer to temporarily occupied territories, deportation to Russia or Belarus, imposition of Russian citizenship, transfer to Russian families and adoption. Interviews with returned children had been carried out in properly equipped premises of the Ombudsperson, by specially trained investigators and with due regard for the best interests of the children. It was partly on the basis of those cases that the International Criminal Court had issued arrest warrants for the President of the Russian Federation and the Russian commissioner for children's rights.

43. **A representative of Ukraine** said that, in order to protect prisoners of war during transfer from the point of capture to the place where they were to be held, a joint order had been issued by the Ministry of Defence and the Ministry of Development of Communities and Territories, setting forth very clear procedures to be followed by military police escorts. In addition, military orders had been issued by the Chief of Defence to ensure that relevant international humanitarian law and human rights law were strictly followed. However, as international humanitarian law did not provide clear guidance on the capture of prisoners of war, the Ministry of Defence had developed and disseminated a standard operating procedure, based on experience from the current armed conflict, to help avoid human rights violations occurring in the heat of the moment when a prisoner was taken. Basic training for the armed forces and for the military police covered that procedure, as well as international humanitarian law, human rights law and the rights and proper treatment of prisoners of war.

44. Clear legislation had been adopted to safeguard human rights during the mobilization process. The competent authorities, such as the Ministry of Defence, had been designated in law; the procedure for conscription of citizens for military service during mobilization, including mechanisms for exemption and deferment, had been approved by the Cabinet of Ministers. Various administrative mechanisms had been put in place by the Ministry and the armed forces to enforce the relevant legislation, including a military order to ensure the protection of human rights during conscription and to investigate all violations and another setting forth clear guidelines and directives on actions on the ground during conscription.

45. **A representative of Ukraine** said that Ministry of Health Order No. 240 had been amended in 2021 to ensure that measures of physical restraint or solitary confinement of patients with psychiatric disorders were applied only to those who represented a danger to themselves or others. In addition, psychiatric facilities were required to monitor the quality of healthcare provided. In respect of alternatives to inpatient psychiatric care, in accordance with a recent Ministry of Health order, 126 mental health centres providing outpatient support had been established in hospitals in all regions of the country. In addition, under a decision adopted by the Cabinet of Ministers, all primary healthcare providers were required to take online courses in the early detection and referral of psychiatric disorders. Paramedics were also trained in the administration of first aid to patients with psychiatric disorders. Mental health had thus been integrated into the country's primary healthcare system and in such a way as to reduce the number of patients requiring institutionalization.

46. **A representative of Ukraine** said that, in 2024, the Government had established a programme of social reintegration services for discharged military personnel and their families. On a weekly basis, they were given access to the services of multidisciplinary teams,

including psychologists and social workers, at dedicated reintegration centres. In addition, in 2024, nearly 10,000 discharged members of the military and their families had benefited from the support provided by approximately 4,000 social reintegration specialists working in the community.

47. As at the start of 2025, approximately 34,000 older persons and persons with disabilities had been living in State social care institutions. In December 2024, the Government had adopted a strategy to improve conditions at those institutions and develop more community-based services. Currently, almost 325,000 older persons and persons with disabilities received home care, approximately 7,000 received day care and over 1,500 resided in supported living facilities. The Ministry of Social Policy had made it a priority to reduce the institutionalization of children, and the Government had adopted a strategy aimed at upholding the right of every child to grow up in a family environment by 2028. The Ministry was also in the process of developing a strengthened procedure for responding to cases of violence and cruelty against children, in accordance with new legislation adopted in 2024.

48. The annual number of reported cases of domestic violence had fallen between 2023 and 2024 to approximately 182,000. Nearly 80 per cent of those cases had been reported by women. The Government was developing a support programme for persons who displayed aggressive behaviour caused by traumatic experiences related to the full-scale invasion by the Russian Federation. Meanwhile, progress had been made under the State programme to Prevent and Combat Domestic and Gender-based Violence for the period up to 2025, including the adoption of measures to coordinate policies, prevent and respond to cases of domestic and gender-based violence, protect victims, bring offenders to justice, strengthen the training of specialists and raise public awareness of the issue.

49. **A representative of Ukraine** said that the amendments made to the Criminal Code in 2022 to bring its provisions on torture into line with the Convention had been drafted by the Ministry of Justice taking into account recommendations of the Committee and the Subcommittee on Prevention of Torture. Under article 127 of the amended Criminal Code, torture was defined as any intentional act aimed at causing a person severe physical pain or moral suffering with the aim of forcing that person or others to commit actions contrary to their will, including for the purpose of intimidation, punishment or obtaining information or a confession. The offence was punishable by a prison term of between 3 and 6 years. As recommended by the Committee, the article listed as an aggravating factor the commission of an offence of torture on grounds of national, racial or religious hatred. It provided for more severe penalties for offending State representatives, who were defined as officials, persons who acted as officials or persons who acted under officials' orders, with their knowledge or with their acquiescence. The amendments had also made torture an imprescriptible offence and had established that persons guilty of torture could not be granted amnesty.

50. In practice, her country had not taken any measures that would amount to derogations from its obligations under the Convention or the International Covenant on Civil and Political Rights since 2014. In that regard, it should be noted that the issuing of notifications of derogation did not mean that such measures were automatically or necessarily applied. Those notifications simply referred to the State's right to apply certain restrictions that were permitted under the relevant international treaties in specific circumstances, including during wartime.

51. The bills on the compensation of victims of violent criminal offences were currently undergoing final revisions on the basis of recommendations made by the Government. The aim of the new legislation was to strengthen the rights of victims of violent criminal offences and their families, including through the provision of State social support as a form of compensation for harm suffered. The bills provided that victims were entitled to compensation even if the perpetrator of the violent act had not been identified or had been declared exempt from criminal liability on medical grounds and that the amount of compensation should be at least equal to 40 per cent of the annual subsistence minimum for able-bodied persons.

52. On 17 April 2025, a special draft law to strengthen the legal framework governing the activities of the Ombudsperson had been submitted to the parliament. The bill covered almost



all the issues concerning the Ombudsperson that the Committee had raised at the previous meeting with the delegation. It was proposed to reduce the minimum age of the incumbent from 40 to 35 years, to introduce a new appointment procedure, to authorize the use of international funding to finance the Ombudsperson's activities and to impose restrictions on future cuts to its budget.

53. **A representative of Ukraine** said that the Committee of Ministers of the Council of Europe had closed 75 cases against her country in 2023. In each case, the Committee of Ministers had decided that the judgments handed down by the European Court of Human Rights had been fully implemented through the adoption of both individual measures to restore the rights of the victim and general measures designed to prevent the recurrence of similar human rights violations.

54. Over the previous two years, the Committee of Ministers had closed 11 cases contained within a group of judgments related to physical and psychological torture or ill-treatment by law enforcement authorities and lack of effective investigation into such complaints, namely, *Kaverzin group v. Ukraine*, *Afanasyev group v. Ukraine* and *Belousov v. Ukraine*. The Committee of Ministers had noted a number of positive developments in relation to those cases, including the updates to the strategy to counter torture in the criminal justice system and the action plan for the strategy's implementation, the impact of measures taken to prevent ill-treatment in police custody, the improvement and expansion of the custody records system and the implementation of institutional and capacity-building measures to prevent and eradicate torture.

55. The strategy to counter torture in the criminal justice system and the action plan for its implementation had been adopted in 2021 and updated in August 2024. As a result of the strategy's implementation, specific units dedicated to dealing with complaints of torture and ill-treatment had been created within the Office of the Prosecutor General and regional prosecutors' offices, as well as in the State Investigation Bureau. A new procedure for informing the Bureau about incidents of ill-treatment by law enforcement officers had been put in place in 2023. The strategy also provided for the development of road maps on the adoption of uniform standards for detaining persons and on the establishment of a whistle-blower mechanism for torture and ill-treatment by law enforcement authorities and in prisons. Law enforcement officers were now obliged to comply with the Principles on Effective Interviewing for Investigations and Information-Gathering (Méndez Principles).

56. **The Chair** (Country Rapporteur) said that it would be interesting to know how many of the criminal cases registered since the invasion of Ukraine in 2022 had concerned allegations of torture or ill-treatment related to the armed conflict and how many court rulings had been handed down in relation to such cases. He would welcome the delegation's comments on suggestions that the Criminal Code should be amended to explicitly classify torture and ill-treatment in time of war as among the most serious international crimes and to protect victims and witnesses of such crimes. According to reports, the authorities faced practical challenges in investigating those crimes, including restricted access to occupied territories, the difficulty of verifying evidence and problems locating perpetrators who had left the country or been internally displaced.

57. He would welcome updated information on the human rights situation in the Autonomous Republic of Crimea and the city of Sevastopol, Ukraine, temporarily occupied by the Russian Federation, where the rights to freedom of expression and peaceful assembly and association had been suppressed and where lawyers, journalists, human rights defenders and members of the Tatar community and other minority religious groups had been subjected to persecution at the hands of the occupying authorities of the Russian Federation. The Committee would be particularly interested to know whether any cases of torture had been registered in Crimea.

58. **Mr. Kessing** (Country Rapporteur) said that he would welcome further information on the mechanism that had been put in place to allow prisoners to submit complaints to the online. He wished to know, for example, what measures had been taken to give inmates access to the Internet. It would also be useful to know how many of the complaints received so far had concerned torture or ill-treatment and what action had been taken to respond to

them. More generally, he would like to know whether any measures had been taken to protect prisoners who submitted complaints from reprisals.

59. It had been encouraging to hear that on-site human rights inspectors were appointed in prisons to monitor the treatment of inmates. However, he wondered whether the delegation shared his concern that inspectors might be reluctant to report violations involving members of prison staff with whom they worked on a daily basis. It would also be helpful to receive further information concerning the possible violations that had been observed by the human rights inspectors. How many incidents had they reported. Had any of them concerned torture or ill-treatment? What action had been taken to address those cases?

60. He would be interested to know whether any monitoring was conducted to ensure that captured Russian soldiers were treated in accordance with international human rights and humanitarian law while being transferred from the battlefield to prisoner of war camps. He also wished to know whether medical screenings were carried out as soon as they arrived at the camps and whether the Ukrainian authorities kept video or audio recordings of their interrogations. Lastly, it would be useful to know whether any steps had been taken to ensure that prisoners of war who were physically or mentally unfit to take part in hostilities were released.

61. **Ms. Racu** said that she would welcome information on the situation of prisoners and prison conditions in Crimea. She wondered in particular whether prisoners in Crimea were transferred to prisons in the Russian Federation, whether there had been any documented cases of torture or ill-treatment in Crimean prisons since the annexation of the Peninsula in 2014 and whether the State Party was cooperating with international or regional organizations with a view to addressing the situation.

62. She wished to know what steps were being taken to protect the vulnerable persons, such as children and persons with psychosocial or intellectual disabilities, who were in institutional care, improve the care provided in residential institutions and ensure that those institutions were properly supervised. She wished to know, too, whether there had been any specific challenges in that regard – displacement, for example, or material damage – as a result of the war. It would be helpful, in addition, to learn what measures the Government was taking to ensure that the persons responsible for the forcible transfer of children from the temporarily occupied territories of the State Party to the Russian Federation were held to account.

*The meeting was suspended at 5.05 p.m. and resumed at 5.10 p.m.*

63. **A representative of Ukraine** said that only around 1,400 of the nearly 7,000 complaints submitted by prisoners to the department responsible for sentence enforcement had been submitted electronically. The function allowing for the submission of anonymous complaints would become operational in the coming months. Prisoners could, however, use the modified tablets to which they had access to submit anonymous complaints to the Ombudsperson.

64. The creation of posts for prison human rights inspectors was a new initiative and, as a result, statistical information on the inspectors' activities was not yet available. In fact, the inspectors were still being hired. Their reporting of the rights violations they observed and documented would set in motion a procedure that might involve the police or the State Investigation Bureau. The work of the inspectors would be complemented by that of the newly created internal security unit.

65. A commission was looking into allegations that prisoners had been transferred out of one correctional facility in retaliation for having submitted complaints. The authorities intended to draw on the commission's findings in their efforts to ensure that prisoners who submitted complaints were protected from reprisals.

66. **A representative of Ukraine** said that, when the full-scale invasion had begun, a decision had been made to classify crimes against humanity committed against the backdrop of the invasion as war crimes within the meaning of article 438 of the Criminal Code. When requested to do so, the authorities transferred evidence of crimes against humanity to the International Criminal Court, with which his country had had a legal framework for cooperation even before it had ratified the Rome Statute of the International Criminal Court.

Although it was not currently the best time to amend the Criminal Code or the Code of Criminal Procedure, steps had been taken earlier in the year to begin classifying relevant instances of criminal conduct as crimes against humanity, and a number of working groups had been set up to ensure that the Rome Statute was implemented as well as possible.

67. He did not have the most recent figures to hand, but in 2024 there had been 1,355 cases involving torture of Ukrainians in detention in Russia. Some of the victims had been civilians, whereas others had been prisoners of war. More than 200 illegal places of detention had been identified. While thousands of victims of torture, including both civilians and prisoners of war, had been interviewed, there were a number of technical obstacles to joining separate cases. Collecting evidence in occupied territory was, of course, another obstacle to the prosecution of the alleged perpetrators. In any event, the Office of the Prosecutor General was always willing to take statements from returning prisoners of war. Civilians, on the other hand, were often more difficult to reach as the laws of armed conflict made no provision for exchanges of civilian prisoners and not all such prisoners – who were likely to have endured worse, and in greater numbers, than what captive service members had endured – returned to Ukraine upon release or were ready to share their stories.

68. **A representative of Ukraine** said that the transfer of prisoners from Crimea to the Russian Federation had been one of the issues that had been raised in the inter-State application concerning Crimea that her Government had submitted to the European Court of Human Rights. To substantiate their arguments, the Ukrainian authorities, with whom their counterparts in the Russian Federation had refused to cooperate, had had to rely on figures from NGOs such as the Ukrainian Helsinki Human Rights Union, which had claimed that at least 4,700 prisoners had been transferred from Crimea to the Russian Federation. More information on those transfers, which had also been discussed in reports produced by the Office of the United Nations High Commissioner for Human Rights, could be found in paragraph 1292 of the judgment of the Court in the case of *Ukraine v. Russia (re Crimea)*. The Russian Federation had failed to provide any information on what it had done to comply with the terms of the judgment.

69. **A representative of Ukraine** said that a number of measures had been taken to address the deportation or forcible displacement of Ukrainian children. The Government had, for example, adopted a protocol for the identification, return, support and reintegration of children deported or forcibly displaced as a result of armed aggression by Russia. It had also adopted a protocol for the maintenance of and access to a register of information on such children, the accuracy of which would be verified by a newly established inter-agency commission. The Ministry of Justice was responsible for administering the register, which would include information from a variety of sources, and organizing the work of the commission, which was expected to play a large role in efforts to bring Ukrainian children home.

70. **A representative of Ukraine**, thanking the United Nations bodies and special procedure mandate holders for keeping Russia and the war crimes and acts of torture its forces were committing on the international agenda, said that, although reliable information on the temporarily occupied territories was inaccessible, thousands of her country's people had been officially recognized as victims of torture. Virtually everyone who returned from captivity in Russia had been subjected to one form of violence or another. The crimes of torture and enforced disappearance to which Ukrainian civilians and prisoners of war were subjected were, as the Independent International Commission of inquiry on Ukraine had noted, systematic, widespread and committed in implementation of a policy coordinated by the Government of Russia.

71. The international community should continue demanding that Russia should immediately stop subjecting Ukrainian civilians and prisoners of war to torture and ill-treatment. The Russian Federation, for its part, should accede to the Optional Protocol to the Convention against Torture and thus allow visits to places of detention. Joint efforts would make it possible to hold the Russian Federation to account and restore the rights of victims and survivors.

72. **The Chair**, noting that much had changed in the State Party since its previous appearance before the Committee nearly 11 years earlier, thanked the members of the delegation for their participation in the constructive dialogue. Their readiness to participate in the dialogue in person was particularly welcome in view of the State Party's priorities – namely, defending its political independence and territorial integrity and the well-being of its people.

*The meeting rose at 5.40 p.m.*