



The Reckoning
Project

Propaganda, Impunity, Destruction,
and Nothing but Recurrence:
Russia's Violations of International Law in
Chechnya, Syria, and Ukraine

A Report by The Reckoning Project to the UN Special Rapporteur
on the Promotion of Truth, Justice, Reparation and Guarantees
of Non-Recurrence Regarding the Russian Federation

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I. INTRODUCTION

1. Over nearly three decades, Russia's wars have flouted international law across three conflicts. Despite its targeting of civilians and civilian objects in Chechnya, and its blanket bombing campaigns across Syria, it has managed to efficiently and effectively avoid, obfuscate, and deny its crimes, creating a situation of relative impunity. Emboldened by this lack of consequences, the Russian military has been able to perfect and continue its tactics, this time in Ukraine.
2. The UN's own evidence shows patterns in Russia's tactics across the conflicts. There are common strategies, tactics, and perpetrators. Brutal aerial bombardments are coupled with extensive human rights abuses by ground forces to sweep through affected territories, thereby not only scorching the earth of any deemed opposition, but also consolidating control over populations who become terrified to speak out. Propaganda and disinformation serve to further obfuscate any liability or responsibility both on the ground and in major multilateral fora, whilst sham electoral participation is used to further legitimise control over affected territories. So effective are Russian tactics that the same military personnel, including, for example, Aleksandr Dvornikov - 'the Butcher of Aleppo' - have continued their military careers from Chechnya, to Syria, to Ukraine; enforcing and replicating Russia's military strategies from one conflict to the next.¹
3. For each conflict, the UN has produced findings and reports. For Ukraine and Syria, the UN has created their own, distinct, accountability mechanisms, including Commissions of Inquiry. However, there are no UN reports which examine the violations of international law across the three conflicts, despite the existence of common perpetrators and evidence of almost exact repetitions of violations.
4. This lack of historically contextualised approaches to accountability reduces the ways and means of improving and strengthening truth, justice, reparation and guarantees of non-recurrence for both past and future violations: violations of international law in Ukraine cannot effectively be analysed and prevented without being informed by what happened in

¹ Human Rights Watch, 'Building a War-Crimes Case Against Vladimir Putin', 27 April 2022, available at: <https://www.hrw.org/news/2022/04/27/building-war-crimes-case-against-vladimir-putin> (last accessed on 17 August 2024).

Syria. Nor should violations in Syria be analysed without seeking truth and justice for military tactics and crimes in Chechnya.

5. To advocate for the adoption of this historically contextualized approach, The Reckoning Project (“TRP”) submits this report to the United Nations Special Rapporteur on the Promotion of Truth, Justice, Reparation and Guarantees of Non-Recurrence (“UN Special Rapporteur”). It does so in the context of the UN Special Rapporteur’s mandate to:
 - a. Contribute, upon request, to the provision of technical assistance or advisory services on the issues pertaining to the mandate;
 - b. Identify, exchange and promote good practices and lessons learned;
 - c. Identify potential additional elements with a view to recommend ways and means to improve and strengthen the promotion of truth, justice, reparation and guarantees of non-recurrence; and,
 - d. Raise awareness concerning the value of a systematic and coherent approach when dealing with gross violations of human rights and serious violations of international humanitarian law and make recommendations in this regard.²

6. By looking at three conflicts, including the second Chechen conflict between August 1999 to April 2009, the Syrian conflict from September 2015 onwards, and the Ukrainian conflict since 24 February 2022, TRP respectfully asks the UN Special Rapporteur, in the context of his mandate, to consider:
 - a. The lessons which can be learned from Russia’s actions in the conflicts and the response of the international community;
 - b. How these lessons can serve to improve the promotion of truth, justice, reparation and guarantees of non-recurrence in other contexts, including in the Ukrainian context specifically.

² UN OHCHR, ‘About the mandate - Special Rapporteur on truth, justice and reparation’, undated, available at: <https://www.ohchr.org/en/special-procedures/sr-truth-justice-reparation-and-non-recurrence/about-mandate> (last accessed on 17 August 2024).

7. The report begins by highlighting the similarities and patterns in Russian violations of international law across the three conflicts. It then examines why there was a lack of effective accountability for Russia's violations of international law in both Chechnya and Syria, why there were no effective guarantees of non-recurrence, and how this culture of impunity has precipitated future violations; this time, in Ukraine.

8. TRP relies on secondary sources of evidence in this report. TRP has collated publicly-available and independently-verified evidence from UN reports, documentation and statements, seminal legal cases and other key sources of verified evidence, including evidence gathered by highly respected non-governmental organisations, to support the assertions it has made.

ABOUT TRP

9. TRP is an organisation that brings together investigative journalists and legal professionals to maximise the impact of accountability, both in courts of law and public opinion. TRP works with national courts in Ukraine and various international pathways, directly and through civil society. TRP uses its experience as journalists through publishing long format essays, articles and films to challenge propaganda by keeping the narrative truthful and creating the necessary public interest for accountability. Since Russia's full-scale invasion of Ukraine, legally trained TRP researchers have documented more than 260 testimonies of different acts that could amount to war crimes and crimes against humanity from different regions of Ukraine. Prior to TRP, its founder and senior leadership have worked and covered different conflicts where Russia has been involved, including Syria and Chechnya. Our long-form articles and multimedia projects have been published in TIME Magazine, The Atlantic, Vanity Fair, Foreign Affairs, among others.

10. TRP focuses its documentation on witness testimonies taken in person through a strict methodology of preservation. TRP has been documenting cases since March 2022 and continues to do so. To date, TRP on the ground researchers have documented 266 testimonies documenting 161 incidents, from different regions of Ukraine including Kherson, Donetsk, Luhansk, Sumy, Zaporizhia, Kyiv, Chernihiv, Khakiv, Mykolaiv and Nizhyn Raion, including towns, cities, and villages in said regions.

BACKGROUND TO THE CONFLICTS UNDER CONSIDERATION

11. On 9 August 1999, President Vladimir Putin was appointed Acting Prime Minister of Russia. Just weeks later, Russia's second armed conflict in Chechnya began. Russia's military strategy in Chechnya began with a large-scale offensive by air force and artillery, reportedly killing thousands of civilians between December 1999 and February 2000 through an unrelenting and indiscriminate bombing campaign. In 2003, the United Nations allegedly labelled the capital of Chechnya, Grozny, as the most destroyed city on Earth.³ This aerial bombardment was followed by a brutal campaign against civilians by troops on the ground, more detail of which is provided below.⁴
12. In 2015, Russia intervened in the Syrian Civil War. It provided an immense amount of air force in support of President Assad's regime, repeating the aerial bombardment tactics it had deployed in Chechnya. In the 'Battle of Aleppo' in 2016, for example, Russia aided Syria's forces in a month-long, violent aerial bombing campaign to regain territory, killing civilians en masse.⁵ Russia repeated this strategy in Eastern Ghouta and Idlib too, where its air force bombed hospitals, markets, schools and residential buildings. As will be demonstrated later, the UN has found Russia to have committed extensive violations of international law in Syria.
13. The brutality and destruction of infrastructure crucial to civilian life in Syria resulted in a mass exodus of civilians, enabling Syrian ground troops to move in, and generating the world's largest refugee crisis. According to the UN, since 2011, more than 14 million Syrians have fled Syria, with more than 6.8 million Syrians internally displaced, 70 percent of the population in need of humanitarian assistance, and 90 percent of the population living below the poverty line.⁶

³ BBC News, 'Scars remain amid Chechen revival', 3 March 2007, available at: http://news.bbc.co.uk/1/hi/programmes/from_our_own_correspondent/6414603.stm (last accessed on 17 August 2024).

⁴ Human Rights Watch, 'Justice for Chechnya, The European Court of Human Rights Rules against Russia', July 2007, page 4. Available at: https://www.hrw.org/sites/default/files/related_material/justice_for_chechnya_2_0.pdf (last accessed on 17 August 2024).

⁵ Human Rights Watch, 'Russia/Syria: War Crimes in Month of Bombing Aleppo', 1 December 2016, available at: <https://www.hrw.org/news/2016/12/01/russia/syria-war-crimes-month-bombing-aleppo> (last accessed on 17 August 2024).

⁶ UNHCR, 'Syria Refugee Crisis Explained', 13 March 2023, available at: <https://www.unrefugees.org/news/syria-refugee-crisis-explained/> (last accessed on 17 August 2024).

14. On 24 February 2022, Russia repeated these tactics once again, this time with a full-scale invasion of Ukraine. Russia began by conducting a brutal air offensive, destroying as much infrastructure as was in sight, followed by a campaign against civilians by troops on the ground.⁷ Thousands of civilians have been killed in Ukraine and many Ukrainian cities have been reduced to rubble.⁸ According to the UN High Commissioner for Refugees, more than 50,000 people left Ukraine less than 48 hours after the invasion, in what has become the fastest-growing refugee crisis in Europe since the Second World War.⁹ The UN has found the Russian military to have committed war crimes and to have violated international humanitarian law and international human rights law.¹⁰ On 28 February 2022, the Prosecutor of the International Criminal Court (“ICC”) opened an investigation into allegations of war crimes, crimes against humanity and genocide.¹¹ On 17 March 2023, the ICC issued an arrest warrant for President Putin and Maria Lvova-Belova for the crime of forced deportation of children to Russia.¹²
15. Russian military tactics have thus become familiar. Where Chechnya witnessed the ruination of Grozny, Aleppo, Homs and Idlib in Syria met a similar fate. Now, Ukrainian cities including Mariupol, Kherson and Bakhmut are almost unrecognisable. The consistency of Russian attacks on civilians and civilian objects across the three conflicts suggests that they are not coincidental. Rather, they are an integral part of Russia’s war tactics.

⁷ UN OHCHR, ‘A/77/533: Independent International Commission of Inquiry on Ukraine - Note by the Secretary-General’, 18 October 2022, page 2. Available at: <https://www.ohchr.org/en/documents/reports/a77533-independent-international-commission-inquiry-ukraine-note-secretary> (last accessed on 17 August 2024).

⁸ UN News, ‘The UN and Ukraine: year-long war spreads global fallout’, 3 March 2023, available at: <https://news.un.org/en/story/2023/03/1134122> (last accessed on 17 August 2024).

⁹ *Ibid.*

¹⁰ UN OHCHR, ‘Report of the Independent International Commission of Inquiry on Ukraine at the fifty-second session of the Human Rights Council’, 15 March 2023. Available at: https://www.ohchr.org/sites/default/files/documents/hrbodies/hrcouncil/coiukraine/A_HRC_52_62_AUV_EN.pdf (last accessed on 17 August 2024).

¹¹ International Criminal Court, ‘Statement of ICC Prosecutor, Karim A.A. Khan QC, on the Situation in Ukraine: “I have decided to proceed with opening an investigation.”’ 28 February 2022, available at: <https://www.icc-cpi.int/news/statement-icc-prosecutor-karim-aa-khan-qc-situation-ukraine-i-have-decided-proceed-opening> (last accessed on 17 August 2024).

¹² International Criminal Court, ‘Situation in Ukraine: ICC judges issue arrest warrants against Vladimir Vladimirovich Putin and Maria Alekseyevna Lvova-Belova’, 17 March 2023, available at: <https://www.icc-cpi.int/news/situation-ukraine-icc-judges-issue-arrest-warrants-against-vladimir-vladimirovich-putin-and> (last accessed on 17 August 2024).

16. The UN itself has identified patterns in Russia's tactics in each of the three conflicts. This report goes further; linking patterns in Russian tactics, both military and political, between the three conflicts. It shows that Russia's violations of international law in Ukraine are part of wider strategies which have been tried and tested; first in Chechnya, then in Syria, now in Ukraine.

II. VIOLATIONS OF INTERNATIONAL LAW AND INTERNATIONAL LEGAL NORMS LINKED TO MILITARY TACTICS

A. Targeting of Objects Indispensable to Civilian Life

17. Russia has repeatedly targeted civilian infrastructure in all three conflicts, including hospitals and schools. In Chechnya, the UN documented Russian attacks on key civilian infrastructure which went far beyond legitimate military targets. In 2000, the UN Commission on Human Rights stated that it was “gravely concerned by the continued violence in the Republic of Chechnya of the Russian Federation, in particular reports indicating disproportionate and indiscriminate use of Russian military force.”¹³ The UN High Commissioner for Human Rights stated that “[t]he scale of the destruction in Grozny, even for those who have seen the television pictures, is shocking. In the central area it is difficult to find any building, large or small, which has not been destroyed or severely damaged. The sight of a city which was once famous in the Caucasus region reduced to rubble symbolises the devastating effect of the conflict.”¹⁴ This Russian tactic was also evident in the bombardment of the village of Katyr-Yurt in February 2000,¹⁵ for example, as well as in Novye Aldi¹⁶ and Komsomolskoye.¹⁷
18. By destroying civilian infrastructure on such a large scale, the Russian military left entire areas of Chechnya completely uninhabitable, resulting in long-term hardship for the civilian population. On 5 April 2000 the UN High Commissioner for Human Rights stated that “there is the question of the longer-term future of the people of Chechnya [...] even were the fighting to end soon, daunting challenges lie ahead in restoring normal economic and

¹³ UN Commission on Human Rights, Report on the 56th session, 20 March - 28 April 2000, available at: <https://www.refworld.org/legal/resolution/unchr/2000/en/13208> (last accessed on 17 August 2024).

¹⁴ UN OHCHR, ‘Statement by Mary Robinson, High Commissioner for Human Rights on the situation of human rights in Chechnya in the Russian Federation,’ 5 April 2000, available at: <https://reliefweb.int/report/russian-federation/statement-mary-robinson-high-commissioner-human-rights-situation-human> (last accessed on 17 August 2024).

¹⁵ *Isayeva v. Russia*, the ECtHR European Court of Human Rights, Application no. 57950/00, Judgement, Strasbourg, 24 February 2005.

¹⁶ Human Rights Watch, ‘Russia/Chechnya February 5: A Day of Slaughter in Novye Aldi’, 2 June 2000, available at: https://www.hrw.org/reports/2000/russia_chechnya3/chech-summary.htm (last accessed on 17 August 2024).

¹⁷ Human Rights Watch, ‘Thousands trapped by Russian forces in live-fire zone: Chechen civilians spent days under siege’, 24 March 2000, available at: <https://reliefweb.int/report/russian-federation/thousands-trapped-russian-forces-live-fire-zone-chechen-civilians-spent> (last accessed on 17 August 2024).

social life. This is the second violent conflict in Chechnya in 6 years. It has resulted in many thousands of deaths, injuries and displacement and massive damage to the infrastructure.”¹⁸

19. This pattern was equally as visible in the Syrian conflict, in which the UN has found reasonable grounds to believe that the Russian air force has violated international humanitarian law in Syria by attacking objects indispensable to the survival of the civilian population; in particular, water stations and poultry farms.¹⁹ The UN documented “a pattern of attacks, including with precision guided munitions, on food resources and equipment that people used to transport goods or harvest” in Syria.²⁰
20. The targeting of medical facilities, schools and other civilian areas by Syrian pro-government forces is also a regular occurrence in Syria. For example, the UN Commission of Inquiry on Syria has noted an “abhorrent, established pattern of pro-government forces targeting hospitals and clinics” in Syria, which “deprived countless civilians of access to health care and amounted to the war crimes of intentionally targeting protected objects and medical personnel and transport,” potentially amounting to the war crime of directing attacks against civilian objects.²¹ It has recently confirmed this as a “long-standing pattern of government forces targeting hospitals and clinics in opposition-held areas” in Syria.²² The UN also recorded air strikes on medical facilities shortly before and after Syrian pro-government forces had used chemical weapons in the same area, thereby preventing victims of chemical

¹⁸ UN OHCHR, ‘Statement by Mary Robinson, High Commissioner for Human Rights on the situation of human rights in Chechnya in the Russian Federation,’ 5 April 2000, available at: <https://reliefweb.int/report/russian-federation/statement-mary-robinson-high-commissioner-human-rights-situation-human> (last accessed on 17 August 2024).

¹⁹ UN General Assembly, ‘Report of the Independent International Commission of Inquiry on the Syrian Arab Republic’ at the Human Rights Council fifty-second session from 27 February - 31 March 2023, 7 February 2023, paras. 40, 44; Annex IV, paras. 8, 23. Available at: <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G23/010/21/PDF/G2301021.pdf?OpenElement> (last accessed on 17 August 2024).

²⁰ *Ibid*, at para. 27.

²¹ *Ibid*, at paras. 32, 33, 34, 44, 113, 122. See, for example, para. 44: ‘Concerning the attack on a poultry farm in Z’ayniyah, no clarification was provided by the Aerospace Defence Forces regarding a potential military target. They may therefore have violated international humanitarian law by attacking objects indispensable to the survival of the civilian population, in continuation of a pattern previously documented for pro-government forces, and may have committed the war crime of directing attacks against a civilian object.’ See also: UN General Assembly, ‘Report of the Independent International Commission of Inquiry on the Syrian Arab Republic to the 49th regular session of the Human Rights Council’, 21 January 2021, para. 56. Available at: <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G21/014/36/PDF/G2101436.pdf?OpenElement> (last accessed on 17 August 2024).

²² UN General Assembly, ‘Report of the Independent International Commission of Inquiry on the Syrian Arab Republic to the 55th session of the Human Rights Council’, 9 February 2024, para. 29. Available at: https://www.ohchr.org/sites/default/files/documents/hrbodies/hrcouncil/sessions-regular/session55/A_HRC_55_64_EN.pdf (last accessed on 17 August 2024).

attacks from obtaining essential medical treatment.²³ The Commission has also documented a pattern of attacks on maternity and children’s hospitals.²⁴

21. The Russian military has deployed this aerial bombardment tactic into its next major conflict; Ukraine, where its air force has repeatedly attacked key civilian infrastructure, including destroying residential buildings, schools and hospitals.²⁵ As of June 2023, UN OHCHR had verified 1,036 attacks impacting educational and medical facilities and the UN World Health Organization (“WHO”) had confirmed more than 1,000 cases of attacks on healthcare during the conflict.²⁶ The UN Commission of Inquiry of Ukraine documented “intensive shelling and airstrikes” by Russian air forces, including on civilian buildings, noting that explosive weapons use during this period has been described as constant and “never-ending” by civilians.²⁷ In its latest update in March 2024, the Commission reiterated its concern at the continued use of explosive weapons in civilian areas.²⁸
22. In Bakhmut, for example, Ukrainian authorities reported that in March 2023, most schools, kindergartens, clinics, and hospitals in the city were either destroyed or damaged, along with nearly 80 percent of houses, that Bakhmut had no centralised water, gas, heating or electricity supplies, and that only four medical workers remained in the town.²⁹ Likewise, in Mariupol,

²³ UN General Assembly, ‘Report of the Independent International Commission of Inquiry on the Syrian Arab Republic’ at the Human Rights Council’s thirty-sixth session, 8 August 2017, para 63. Available at: <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G17/234/18/PDF/G1723418.pdf?OpenElement> (last accessed on 17 August 2024).

²⁴ *Ibid.* see, *inter alia*, paras. 18, 64, 65, 66.

²⁵ OHCHR, ‘UN Commission has found an array of war crimes, violations of human rights and international humanitarian law have been committed in Ukraine’, 18 October 2022, available at: <https://www.ohchr.org/en/press-releases/2022/10/un-commission-has-found-array-war-crimes-violations-human-rights-and> (last accessed on 17 August 2024).

²⁶ UN News, ‘Ukraine: War ‘weakening’ international security, political affairs chief warns’, 23 June 2023, available at: <https://news.un.org/en/story/2023/06/1138047> (last accessed on 17 August 2024).

²⁷ UN OHCHR, ‘Report of the Independent International Commission of Inquiry on Ukraine at the fifty-second session of the Human Rights Council’, 15 March 2023, para. 12. Available at: https://www.ohchr.org/sites/default/files/documents/hrbodies/hrcouncil/coiukraine/A_HRC_52_62_AUV_EN.pdf (last accessed on 17 August 2024).

²⁸ UN OHCHR, ‘Report of the Independent International Commission of Inquiry on Ukraine at the fifty-fifth session of the Human Rights Council’, 15 March 2024, page 1. Available at: <https://reliefweb.int/report/ukraine/report-independent-international-commission-inquiry-ukraine-ahrc5566-advance-unedited-version-enruuk> (last accessed on 17 August 2024).

²⁹ UN OCHA, ‘Ukraine: Deterioration of the humanitarian situation in Donetska oblast - Flash Update #1: Bakhmut’, 21 March 2023, available at: <https://reliefweb.int/report/ukraine/ukraine-deterioration-humanitarian-situation-donetska-oblast-flash-update-1-bakhmut-21-mar-2023-enruuk> (last accessed on 17 August 2024).

thousands of civilians are estimated to have been killed and large sectors of the city destroyed.³⁰

23. In June 2022, the UN reported that all hospitals able to receive injured civilians in Mariupol had been damaged or destroyed, and that by the end of March 2022, the damage and destruction coupled with the lack of electricity and medical supplies meant that hospitals had effectively ceased to function.³¹ The UN also stated that “[s]ince the escalation of the war in February 2022, the World Health Organization verified over 1,000 attacks on health care in Ukraine. This is more than 60 percent of all attacks against health care in the world. This has an immediate impact on people’s ability to access essential health services at a time when they need them most. In some parts of eastern and southern Ukraine, including Kherson, services have been decimated as not even half of hospitals or clinics remain functional.”³² On 15 August 2023, in response to the wave of attacks on cities in the West, Centre and North of Ukraine, it was stated that “Russia’s persistent attacks hitting essential infrastructure in populated areas cause immense human suffering. This brutal pattern of civilian harm must stop.”³³ This pattern of Russian attacks on healthcare facilities in Ukraine is chillingly similar to the targeting hospitals and clinics in Syria, which the UN had already found to amount to war crimes.
24. The UN has concluded that Russian armed forces’ attacks on energy facilities in Ukraine constitute the war crime of excessive incidental death, injury, or damage, and has indicated that their widespread and systematic nature may amount to a crime against humanity.³⁴ It

³⁰ UN General Assembly, ‘Report of the Independent International Commission of Inquiry on Ukraine’ at the fifty-second session of the Human Rights Council, 15 March 2023, para. 14. Available at: https://www.ohchr.org/sites/default/files/documents/hrbodies/hrcouncil/coiukraine/A_HRC_52_62_AUV_EN.pdf (last accessed on 17 August 2024).

³¹ UN OHCHR, ‘High Commissioner updates the Human Rights Council on Mariupol, Ukraine’, 16 June 2022, available at: <https://www.ohchr.org/en/statements/2022/06/high-commissioner-updates-human-rights-council-mariupol-ukraine> (last accessed on 17 August 2024).

³² UN OCHA, ‘Attacks on Health Care in Ukraine are a Grave Violation of International Humanitarian Law’, by UN OHCA Humanitarian Coordinator for Ukraine, Denise Brown, 1 August 2023, available at: <https://ukraine.un.org/en/240605-attacks-health-care-ukraine-are-grave-violation-international-humanitarian-law> (last accessed on 17 August 2024).

³³ UN OCHA, ‘This brutal pattern of civilian harm must stop’, Press statement on the wave of attacks hitting cities in the country’s West, Centre and North by UN OHCA Humanitarian Coordinator for Ukraine, Denise Brown, 15 August 2023, available at: <https://ukraine.un.org/en/241522-brutal-pattern-civilian-harm-must-stop> (last accessed on 17 August 2024).

³⁴ UN General Assembly, ‘Report of the Independent International Commission of Inquiry on Ukraine’ at the fifty-second session of the Human Rights Council, 15 March 2023, para. 43, available at:

noted that “[t]he disruption of electric substations, power plants, and other installations which produce the energy and the heating indispensable to the survival of the population, has inflicted significant harm to civilians. Entire regions and millions of people have for periods been left without electricity or heating, particularly during winter, and consequently, with an impaired access to, notably, water, sanitation, food, healthcare, and education. Despite public information about the civilian harm after the first few attacks, Russian armed forces continued to target energy infrastructure.”³⁵

25. Furthermore, in June 2023, Russia targeted the Kakhovka dam and reservoir, which played a crucial role in providing energy, drinking water, irrigation, and river transport to various regions, as well as supplying water for industries.³⁶ The UN estimated that up to one million people could lose access to drinking water and warned that the destruction of the dam will have “severe, long-term impacts on Ukraine’s environment, economy and society, including possible displacement and migration of population, and is likely to cast a dark shadow over the country for decades to come.”³⁷ As this report has shown above, this is not the first time Russia has targeted infrastructure providing essential services for the civilian population, including water and food supplies.

B. Targeting of Civilians

26. There is also a clear and consistent pattern of the Russian military targeting civilians across the three conflicts. This has resulted in mass-killings and injury to civilians, often the most vulnerable.

https://www.ohchr.org/sites/default/files/documents/hrbodies/hrcouncil/coiukraine/A_HRC_52_62_AUV_EN.pdf (last accessed on 17 August 2024).

³⁵ UN General Assembly, ‘Report of the Independent International Commission of Inquiry on Ukraine’ at the fifty-second session of the Human Rights Council, 15 March 2023, para. 42. Available at: https://www.ohchr.org/sites/default/files/documents/hrbodies/hrcouncil/coiukraine/A_HRC_52_62_AUV_EN.pdf (last accessed on 17 August 2024).

³⁶ United Nations in Ukraine, ‘Potential Long-Term Impact of the Destruction of the Kakhovka Dam’, 9 June 2023, available at: <https://ukraine.un.org/en/235545-potential-long-term-impact-destruction-kakhovka-dam> (last accessed on 17 August 2024).

³⁷ *Ibid.*

Targeting of Civilians by Air Forces

27. On 16 February 2000, the United Nations High Commissioner for Human Rights expressed grave concern over the “catastrophic situation” faced by civilians in Chechnya, in particular their exposure to disproportionate use of force by the Russian military, including heavy bombardment and attacks with especially devastating munitions. She deplored the suffering caused by indiscriminate bombing and the Russian military’s “seeming disregard for civilians” in Chechnya.³⁸
28. On 5 April 2000, she stated that “the scale of military force used, and the heavy weaponry brought to bear in Chechnya, have caused widespread loss of civilian life and material destruction. It has been repeatedly alleged that due regard has not been taken of the safety of the civilian population. [...] I did not hesitate to raise the issue of proportionality before last year’s meeting of the Commission in regard to NATO’s bombing of the Former Yugoslavia; neither do I hesitate now to call on the Russian government to refrain from using heavy weaponry in populated areas which places civilian lives at risk.”³⁹
29. Calls by the UN for Russia to cease its targeting of civilians in Chechnya were ineffective. In a series of judgements, the European Court of Human Rights (“ECtHR”) found Russia responsible for a huge number of attacks on civilians. For example, in *Estamirov and Others v Russia*, the ECtHR held the Russian authorities responsible for the murders of five members of the Estamirov family, including a one-year-old child and a woman in her ninth month of pregnancy, who was found to have been unlawfully killed by Russian forces by indiscriminate bombing in Grozny in 2000.⁴⁰ Likewise, on 14 December 2008 in *Umayeva v. Russia* (1200/03), the ECtHR held Russia responsible for the indiscriminate shelling of civilians fleeing from Grozny, including Lipatu Umayeva and her family who were among a group of around a hundred people wearing white armbands to identify themselves as civilians.⁴¹

³⁸ UN OHCHR, ‘Statement of the United Nations High Commissioner for Human Rights Mary Robinson’, HR/00/13, 16 February 2000, available at: <https://www.ohchr.org/en/press-releases/2009/10/default-title-1456> (last accessed on 17 August 2024).

³⁹ UN OHCHR, ‘Statement by Mary Robinson, High Commissioner for Human Rights on the situation of human rights in Chechnya in the Russian Federation’, 56th Session, Geneva, 5 April 2000, available at: <https://reliefweb.int/report/russian-federation/statement-mary-robinson-high-commissioner-human-rights-situation-human> (last accessed on 17 August 2024).

⁴⁰ *Estamirov and Others v Russia*, application no. 60272/00 (ECtHR, 2006).

⁴¹ *Umayeva v. Russia*, application no. 1200/03 (ECtHR, 2008).

These are just two examples of many ECtHR cases confirming Russian forces' unlawful killing of civilians in Chechnya.⁴²

30. Russian forces also committed flagrant violations of international law in Chechnya by attacking civilians fleeing the conflict in humanitarian operations. For example, in the case of *Isayeva, Yusupova and Basayeva v Russia* (2005), the ECtHR found that Russia had violated Article 2 of the European Convention on Human Rights (right to life) by attacking a convoy of civilians fleeing Grozny. In his evidence, the Chairman of the Chechen Committee of the Red Cross confirmed that the Red Cross had conducted evacuations of civilians through what was meant to be a 'humanitarian corridor' on 29 October 1999, with a permit to travel from the authorities, in vehicles clearly labelled with flags with red crosses on the roofs. He provided the following, harrowing, testimony to the ECtHR regarding the Russian forces' attacks on the convoy:

“About two kilometres before Shaami-Yurt I saw two military planes launching rockets. As cars were also approaching from opposite direction, I thought that they had been shooting at something by the side of the road. In order to verify, I accelerated and went ahead of the convoy. When I reached the bridge, I saw the road turning to the left and the planes bombing the road. When I reached the spot, two trucks were lying on the left side of the road, both on their sides, on the right side a Zhiguli car was burning after a direct hit and nearby a woman covered in blood was trying to take out of the car a man's beheaded body. I stopped to help, but at that moment passengers in my car whom I had picked up on the road to Grozny started to scream and pointed to the skies. I saw two military planes coming towards us. I got back into the car and drove forward. After about 100 metres the car jolted and the back windscreen was broken. The car slowed down because one of the back wheels had been punctured. After 600 metres I reached Shaami-Yurt, where I let the passengers out, changed the tyre and returned to the convoy. When I approached the bridge I saw a horrible site. In front, on the bridge, was our Mercedes truck. Its cabin was almost entirely gone. Other cars were behind it. I ran to the truck and saw that the bodies of two drivers, Aslanbek Barzayev and Ruslan Betelgeriyev, were torn

⁴² Human Rights Watch, 'Update on European Court of Human Rights Judgments against Russia regarding Cases from Chechnya', 20 March 2009, available at: <https://www.hrw.org/news/2009/03/20/update-european-court-human-rights-judgments-against-russia-regarding-cases-chechnya> (last accessed on 17 August 2024).

apart. Then I started to look for the others. To the right under the road I found Ramzan Musliyev, who was wounded in the back. Then I found other colleagues who were assisting the wounded from a PAZ bus, which had taken a direct hit by a rocket; 12 people had been killed on the spot. We took the wounded and two cars with broken windows which could drive and went to the village of Khambirzi. I told the staff to unload the trucks and take away the dead after things had calmed down. In the meantime I drove the wounded to the village of Alkhan-Yurt. At 4 p.m. I returned to my colleagues in Khambirzi. They told me that the planes had returned and attacked the convoy twice more, and that they had descended to a very low height and shot at the cars with machine-guns.’⁴³

31. The evidence from Chechnya shows a clear pattern of Russian forces targeting civilians, often those who were fleeing to safety, in grave violation of international humanitarian law.
32. Likewise, in Syria, the Commission of Inquiry on the Syrian Arab Republic has documented a pattern of direct attacks on civilians by the Russian military, including with precision guided munitions. It has confirmed several occasions where the Russian air force failed to direct attacks at a specific military objective, amounting to the war crime of launching indiscriminate attacks in civilian areas.⁴⁴ This includes attacking civilian neighbourhoods in Syria, including crowded markets during the day, with explosive bombs with wide-area effects, killing and injuring civilians.⁴⁵ Attacks on civilians have been carried out during the day, while families, including children as young as five years old, collected olives in open fields, rendering them clearly identifiable as civilians from government positions across the front line.⁴⁶

⁴³ Cases of *Isayeva, Yusupova and Bazayeva v. Russia*, application nos. [57947/00](#), [57948/00](#) and [57949/00](#) (ECtHR 24 February 2005), available at: <https://hudoc.echr.coe.int/fre#%7B%22itemid%22:%5B%22001-68379%22%7D> (last accessed on 17 August 2024).

⁴⁴ UN General Assembly, ‘Report of the Independent International Commission of Inquiry on the Syrian Arab Republic’ at the 43rd session of the Human Rights Council, 28 January 2020, para. 25. Available at: <https://www.ohchr.org/en/press-releases/2020/03/un-commission-inquiry-syria-unprecedented-levels-displacement-and-dir?LangID=E&NewsID=25638> (last accessed on 17 August 2024).

⁴⁵ UN General Assembly, ‘Report of the Independent International Commission of Inquiry on the Syrian Arab Republic to the 49th regular session of the Human Rights Council’, 21 January 2021, para. 27, available at: <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G21/014/36/PDF/G2101436.pdf?OpenElement> (last accessed on 17 August 2024).

⁴⁶ UN General Assembly, ‘Report of the Independent International Commission of Inquiry on the Syrian Arab Republic to the UN General Assembly’, 7 February 2023, available at: <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G23/010/21/PDF/G2301021.pdf?OpenElement> (last accessed on 17 August 2024).

33. In Ukraine, the UN has found Russia to have committed war crimes in Ukraine by indiscriminately targeting civilians.⁴⁷ It has raised serious concerns about Russia's compliance with international humanitarian law, particularly the prohibition of indiscriminate attacks and the requirements of proportionality.⁴⁸ For example, on 28 June 2023, the Humanitarian Coordinator for the UN Office for the Coordination of Humanitarian Affairs ("OCHA") stated that "[y]esterday's attack hit the centre of Kramatorsk, a civilian area, densely populated, where people were trying to go on with their lives despite all the horrors caused by this war. This is another example of inexcusable level of suffering Russia's invasion is inflicting on the people of Ukraine."⁴⁹
34. The UN has said that its "gravest concern" in Ukraine is the impact of Russia's violence on civilians.⁵⁰ It estimates that 90.3 percent of civilian casualties in Ukraine have been caused by explosive weapons with "wide area effects," including artillery shells, cruise and ballistic missiles, and air strikes, and that most occurred in populated areas.⁵¹ Russian missile barrages and drone attacks across Ukraine nearly tripled in May 2023.⁵² As of June 2023, UN OHCHR had recorded 24,862 civilian casualties to date in Ukraine, although the actual figures are likely to be considerably higher.⁵³ As recently as July 2024, the UN Commission of Inquiry on Ukraine documented that the "civilian suffering from the hardships of the armed conflict continues to mount, notably resulting from the disregard for basic principles

⁴⁷ UN OHCHR, 'UN Commission concludes that war crimes have been committed in Ukraine, expresses concern about suffering of civilians', 23 September 2022, available at: <https://www.ohchr.org/en/press-releases/2022/10/un-commission-concludes-war-crimes-have-been-committed-ukraine-expresses> (last accessed on 17 August 2024).

⁴⁸ UN OHCHR, 'High Commissioner updates the Human Rights Council on Mariupol, Ukraine', 16 June 2022, available at: <https://www.ohchr.org/en/statements/2022/06/high-commissioner-updates-human-rights-council-mariupol-ukraine> (last accessed on 17 August 2024).

⁴⁹ UN OHCA Humanitarian Coordinator for Ukraine, 'Statement by the Humanitarian Coordinator for Ukraine, Denise Brown, on the attack on Kramatorsk', 28 June 2023, available at: <https://ukraine.un.org/en/238576-statement-humanitarian-coordinator-ukraine-denise-brown-attack-kramatorsk> (last accessed on 17 August 2024).

⁵⁰ UN Political and Peacebuilding Affairs, 'Russia-Ukraine war has weakened international security, USG DiCarlo warns', 23 June 2023, available at: <https://dppa.un.org/en/msg-usg-dicarlo-sc-9357-ukraine-23-jun-23> (last accessed on 17 August 2024).

⁵¹ *Ibid.*

⁵² *Ibid.*

⁵³ UN News, 'Ukraine: War 'weakening' international security, political affairs chief warns', 23 June 2023, available at: <https://news.un.org/en/story/2023/06/1138047> (last accessed on 17 August 2024).

of humanitarian laws and of human rights obligations.” It notes “the continued use of explosive weapons in civilian areas” in Ukraine.⁵⁴

35. Russia’s indiscriminate aerial bombardment has had a horrifying impact on children in Ukraine. On 12 May 2022, the Deputy Executive Director of the United Nations International Children’s Emergency Fund said that in the preceding month alone, the UN had verified that nearly 100 children were killed in the conflict, although they too believed the actual figures to be considerably higher.⁵⁵ He reported on the horrors of life for children in Mariupol and other frontline areas under Russian aerial bombardment: “children and parents tell us of their ‘living hell’ where they were forced to go hungry, drink from muddy puddles, and shelter from constant shelling and bombardments, dodging bombs, bullets, and landmines as they fled.”⁵⁶ The UN has labelled the Russian air attack on the Mariupol drama theatre among the very deadliest and most emblematic examples of the harm caused to civilians.⁵⁷ The theatre had hundreds of civilians hiding inside with signs clearly marked “children”, visible from the sky.
36. The UN Commission of Inquiry has confirmed that Russian armed forces’ attacks with explosive weapons in populated areas of Ukraine are a “pattern of disregard on the part of Russian armed forces’ for the requirement to minimise civilian harm.”⁵⁸ The Commission also found “a pattern of attacks against civilians on the move” in three regions under Russian armed forces’ control. It stated that “attacks occurred when civilians were trying to evacuate or while carrying out routine activities. In all the cases, the victims were wearing civilian clothes, were not armed, and were driving civilian cars, some with signs ‘children’

⁵⁴ UN General Assembly, ‘Report of the Independent International Commission of Inquiry on Ukraine’ at the fifty-fifth session of the Human Rights Council, 5 March 2024, page 1. Available at: <https://reliefweb.int/report/ukraine/report-independent-international-commission-inquiry-ukraine-ahrc5566-advance-unedited-version-enruuk> (last accessed on 17 August 2024).

⁵⁵ UN News, ‘Mariupol evacuations ‘a glimmer of hope’ in Ukraine war’, 12 May 2022, available at: <https://news.un.org/en/story/2022/05/1118062> (last accessed on 17 August 2024).

⁵⁶ *Ibid.*

⁵⁷ Statement of Michelle Bachelet, UN High Commissioner for Human Rights at the 50th Session of the Human Rights Council, ‘High Commissioner updates the Human Rights Council on Mariupol, Ukraine, 16 June 2022, available at: <https://www.ohchr.org/en/statements/2022/06/high-commissioner-updates-human-rights-council-mariupol-ukraine> (last accessed on 17 August 2024).

⁵⁸ UN OHCHR, ‘Report of the Independent International Commission of Inquiry on Ukraine at the fifty-second session of the Human Rights Council’, 15 March 2023, available at: https://www.ohchr.org/sites/default/files/documents/hrbodies/hrcouncil/coiukraine/A_HRC_52_62_AUV_EN.pdf (last accessed on 17 August 2024).

on the windows. [...] The attacks were thus not isolated, suggesting that some military units were responsible for multiple incidents. Some of them seemed deliberate, for example when soldiers opened fire on civilian cars that posed no risk because they had stopped or were driving away from them. In other cases, there were no indications that the attackers took steps to verify that the target was a military objective.”⁵⁹

37. OCHA has recorded extensive attacks by the Russian air force on civilians who were receiving humanitarian aid,⁶⁰ as well as direct attacks on humanitarian workers. On 8 August 2023, the Humanitarian Coordinator for OCHA stated that “[i]t is absolutely ruthless to hit the same location twice in the space of minutes, causing the death and injury of people who had quickly come to help the survivors – including rescue workers from the State of Emergency Service of Ukraine. They are front-line responders, helping people in their most difficult times and must be respected. This horrifying attack is certainly a serious breach of international humanitarian law and violates any principle of humanity.”⁶¹

Targeting of Civilians by Ground Troops

38. Throughout the three conflicts, Russia has committed acts of brutality against civilians, reducing their ability to survive their daily lives. In Syria, Russian forces’ involvement was limited to aerial warfare. Conversely, in Chechnya and Ukraine, Russia’s aerial bombardment was followed by a campaign of brutality against civilians by forces on the ground.
39. In Chechnya, the UN documented reports of harrowing abuses against civilians by Russian troops on the ground. On 5 April 2000, the UN High Commissioner for Human Rights stated “[d]uring my visit to the region I heard allegations of mass killings, summary executions, rape, torture and pillage. [...] I heard detailed firsthand testimony from

⁵⁹ *Ibid.*

⁶⁰ UN OHCA Humanitarian Coordinator for Ukraine, ‘Statement by the Humanitarian Coordinator for Ukraine, Denise Brown, on the Attack at an Aid Distribution Point in Orkhiv’, 10 July 2023, available at: <https://ukraine.un.org/en/239198-statement-humanitarian-coordinator-ukraine-denise-brown-attack-aid-distribution-point> (last accessed on 17 August 2024).

⁶¹ UN OHCA Humanitarian Coordinator for Ukraine, ‘Humanitarian Coordinator for Ukraine, Denise Brown, condemns attacks that killed and Injured Scores of Civilians in the Donetsk Region’, 5 August 2023, available at: <https://ukraine.un.org/en/241094-humanitarian-coordinator-ukraine-denise-brown-condemns-attacks-killed-and-injured-scores> (last accessed on 17 August 2024).

witnesses of alleged gross violations of human rights abuses in Chechnya.”⁶² In a statement to the UN, she gave examples of testimonies she had gathered whilst in Chechnya:

“I will describe three of these personal accounts, all of which shocked me by what they implied of how the military campaign is being conducted. [...] I listened to the account of a woman who, with two other women went back to the Staropromoslovsky district of Grozny on 21st January to check on their houses. She described abuse at checkpoints, insults, ransom extorted, and finally that the three women were blindfolded by troops whom she described as being from the regular army. They were taken to a destroyed house and the blindfolds removed. They pleaded desperately but the witness described how they shot the first woman and part of her head came off, how they then shot the second in the head, and how they shot her, but the bullet went through her shoulder and she collapsed. While semi-conscious she remembers having her earrings and ring pulled off and her clothes searched for money. The next sensation was of burning on her leg when mattresses had been placed over the three bodies and set alight. She managed to crawl away and was brought to a cellar where other people were hiding. Eventually she was able to be reunited with her family. Her injuries are serious and require urgent attention.

The second testimony I will mention is that of a woman and a man who said that they were present in Novi Aldi when mass killings were carried out by militia or OMON special forces. The woman testified that the forces killed many people, including children and old people. She directly witnessed the shooting dead of one man to whom she sought to give assistance. She helped with the burial of bodies and showed me photographs of the burials that had been taken by a friend. The man said that there were so many bodies after the killings in Novi Aldi that they could not bury them all as quickly as they should [...]

The third testimony I will mention is that of a woman who had been a professor of linguistics at the State University in Chechnya and lived in Katyr-Yama in Grozny. She

⁶² UN OHCHR, ‘Statement by Mary Robinson, High Commissioner for Human Rights on the situation of human rights in Chechnya in the Russian Federation’, 56th Session, Geneva, 5 April 2000, available at: <https://reliefweb.int/report/russian-federation/statement-mary-robinson-high-commissioner-human-rights-situation-human> (last accessed on 17 August 2024).

and her family tried to stay, hoping the violence would stop, but on 25th October they could not stand it any more and decided they had to leave. They had been waiting for a promised humanitarian corridor and found themselves in a queue of several hundred cars at a checkpoint. A colonel came and said there was no humanitarian corridor and they should go back. They turned slowly because of the number of cars and began to return. She felt a sudden blow and the windows of the car shattered. Although wounded in the head, she and her family members got out and hid in a ditch. Wave after wave of aircraft came, flying very low, and bombed the convoy of cars. She knew her eldest son was in a car further back and ran to find him. On the way she saw many dead and dismembered bodies. Later that day, planes attacked again and there were more casualties.”⁶³

40. In the case of *Estamirov and Others v Russia* in 2006, the ECtHR heard the following testimony from Sovdat Dakayeva, an applicant in the case:

“Some of my relatives and I had left Grozny because of the bombing. We fled to Ingushetia. Our aunt came to visit us and told us that our family home in Grozny had been destroyed. ‘The Russians did it’, she said. ... I knew something else was wrong, but she didn’t want to tell us. Finally she couldn’t bear it any longer. She told us that [our relatives in Grozny] had been killed. ... They had been shot by Russians. All of them. My elderly father, my brother, my brother’s wife, who was nine months pregnant, and even their son, little Khasan, who was only a year old. They had stayed in Grozny to protect our house. ... The [Russian] soldiers also killed our uncle, who was at our house that day. The Russians shot them all, right in the courtyard of our home. They just came in and killed them for no reason, for nothing.”⁶⁴

41. The ECtHR determined that Russian forces had unlawfully executed five members of the Estamirov family during a sweep operation in Grozny in February 2000.
42. According to Human Rights Watch: “Russian forces in Chechnya have committed extrajudicial executions, forced disappearances, arbitrary detention, torture, rape, and looting”

⁶³ *Ibid.*

⁶⁴ Testimony of Sovdat Dakayeva, applicant in case of *Estamirov and Others v Russia* , Application no. [60272/00](#) (ECtHR, 12 October 2006).

and that such abuses became a ‘familiar, ugly part of daily life for people in Chechnya.’ It continued: “[s]imply being a male of fighting age appears sufficient for grounds for detention, and those detained are invariably beaten and abused. Often they ‘disappear’ or are later found executed. The November killing of Malika Umazheva, a former civil servant who spoke out fiercely against abuse, marked the clearest case to date in which Russian forces committed an extrajudicial execution for retribution.”⁶⁵

43. Likewise, in Ukraine, the UN has documented “patterns of summary executions, unlawful confinement, torture, ill-treatment, and rape and other sexual violence committed in areas occupied by Russian armed forces.” It confirmed that people have been detained, some have been unlawfully deported to the Russian Federation, and many are still reported missing. It also confirmed that children have been victims of the full spectrum of violations investigated by the Commission, including indiscriminate attacks, torture and rape.⁶⁶
44. The UN has found a “widespread pattern of torture and inhuman treatment” committed by Russian authorities against people they detained in Ukraine, including by using electric shocks, rape, and prolonged exposure to cold, and that in some cases, torture was followed by executions.⁶⁷ It has documented Russian forces’ use of torture methods to “extract confessions, force victims to cooperate, or inflict punishments,” stating: “[t]orture usually was combined with long interrogation sessions. Victims often had their hands tied or handcuffed, legs tied, eyes blindfolded with hoodie or tape, or with clothes or bags placed on their heads. According to some former detainees, Russian authorities referred to them as ‘nazis’, ‘fascists’, and ‘terrorists’, and forced them to undergo ‘denazification sessions’

⁶⁵ Human Rights Watch, ‘Into Harm’s Way, Forced Return of Displaced People to Chechnya’, Vol. 15, No. 1 (D), January 2003, page 4. Available at: <https://www.hrw.org/reports/2003/russia0103/russia0103.pdf> (last accessed on 17 August 2024).

⁶⁶ UN OHCHR, Independent International Commission of Inquiry on Ukraine, ‘Note by the Secretary-General, at the seventy-seventh session of the General Assembly on 18 October 2022’, 18 October 2022, page 2. Available at: <https://www.ohchr.org/en/documents/reports/a77533-independent-international-commission-inquiry-ukraine-note-secretary> (last accessed on 17 August 2024).

⁶⁷ UN OHCHR, Report of the Independent International Commission of Inquiry on Ukraine at the fifty-second session of the Human Rights Council, 15 March 2023, para. 74, available at: https://www.ohchr.org/sites/default/files/documents/hrbodies/hrcouncil/coiukraine/A_HRC_52_62_AUV_EN.pdf (last accessed on 17 August 2024).

consisting of severe beatings.”⁶⁸ The horror Russia is inflicting on Ukrainian civilians now echoes many of the horrors experienced by civilians in Chechnya and Syria.

45. In addition, Russia’s strategies have subjected civilians in each conflict to appalling humanitarian crises. For example:
- a. In Chechnya, refugees were forced to endure freezing conditions in IDP camps in Ingushetia, often feeling forced to return to the active war zone in Chechnya because the conditions provided were so dire.⁶⁹
 - b. In Syria, Russia has attacked civilians by blocking humanitarian corridors and blocking access to humanitarian aid. On several occasions, the UN requested all parties to the conflict allow delivery of humanitarian assistance, whilst civilians were being cruelly deprived of food and medicine indispensable to their survival, and for all parties to the conflict to enable the rapid, safe and unhindered evacuation of all civilians who wished to leave Syria.⁷⁰ Despite this, Russia voted the delivery of cross-border aid to civilians in Syria at the UN Security Council.⁷¹
 - c. More recently, the UN has criticised Russia for blocking civilians’ access to humanitarian aid in Ukraine.⁷²
46. There is also evidence that Russia used scorched earth tactics, ethnic cleansing and ‘mop-up’ operations against civilians when retreating:

⁶⁸ *Ibid.*, para.73.

⁶⁹ UN OHCHR, ‘United Nations Secretary-General’s Representative on Internally Displaced Persons Ends Visits to Russian Federation’, 15 September 2003, available at: <https://www.ohchr.org/en/press-releases/2009/10/united-nations-secretary-generals-representative-internally-displaced> (last accessed on 17 August 2024).

⁷⁰ See, for example, UN Security Council Resolution 2139 (2014), 22 February 2014, available at: https://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s_res_2139.pdf (last accessed on 17 August 2024).

⁷¹ See UN OHCHA, ‘Report of the Independent International Commission of Inquiry on the Syrian Arab Republic at the 43rd session of the Human Rights Council, 28 January 2020; UN Commission of Inquiry on Syria: Unprecedented levels of displacement and dire conditions for civilians in the Syrian Arab Republic’, 2 March 2020, available at: <https://www.ohchr.org/en/press-releases/2020/03/un-commission-inquiry-syria-unprecedented-levels-displacement-and-dire?LangID=E&NewsID=25638> (last accessed on 17 August 2024).

⁷² UN News, ‘Russia declines UN request for aid access to areas flooded by Ukraine dam breach’, 18 June 2023, available at: <https://news.un.org/en/story/2023/06/1137832> (last accessed on 17 August 2024).

- a. In Chechnya: In *Musayev and Others v. Russia*, the ECtHR held Russia responsible for the death of the applicants' relatives during a large-scale "mop-up" operation in the suburbs of Grozny, in which at least 50 civilians were killed and houses were torched.⁷³ Further rulings by the ECtHR involving these tactics were *Estamirov and Others v. Russia* (60272/00)⁷⁴ and *Khashiyev and Akayeva v Russia* (2005),⁷⁵ where the ECtHR held the Russian government responsible for their deaths of one applicant's sister and nephew, whose bodies were mutilated, and another applicant's brother who was found with numerous stab and gunshot wounds following a Russian "mop-up" operation in the Staropromyslovsky district of Grozny in January 2000.
- b. Likewise, when Russia was forced to retreat from areas of Ukraine, it did so with similar brutality. For example, during Russian forces' retreat from the Kyiv region, the UN recorded that 'a local journalist from Bucha was detained by Russian armed forces on 6 March and found with signs of violent death in a street after the Government of Ukraine regained control over the town. A 20-year-old man was found dead in a field near Zdvyzhivka, Kyiv region, with gunshot wounds in his back.'⁷⁶

⁷³ *Musayev and Others v. Russia*, application nos. 57941/00, 58699/00 and 60403/00 (ECtHR, 26 July 2007).

⁷⁴ *Estamirov and Others v Russia*, Application no. [60272/00](#) (ECtHR, 12 October 2006).

⁷⁵ *Khashiyev and Akayeva v Russia*, application nos. 57942/00 and 57945/00 (ECtHR, 24 February 2005).

⁷⁶ OHCHR, 'Situation of Human Rights in Ukraine in the Context of the Armed Attack by the Russian Federation, 24 February - 15 May 2022', 29 June 2022, para. 89. Available at: <https://www.ohchr.org/sites/default/files/documents/countries/ua/2022-06-29/2022-06-UkraineArmedAttack-EN.pdf> (last accessed on 17 August 2024).

III. OVERARCHING MILITARY STRATEGY

47. Each section above began by presenting evidence from Chechnya and Syria. It did so to show that the Russian military had tried and tested its military tactics before deploying them in its full-scale invasion of Ukraine. In fact, TRP submits that the impunity Russia has enjoyed for its violations of international law in Chechnya and Syria has paved the way for its violations in Ukraine. Russia has evaded accountability for decades. By consequence, the international community has failed to deter Russia from carrying-out further violations. The evidence suggests that impunity enables repetition.
48. So far, this report has set out the essential elements of Russia’s war strategy; brutal aerial bombardment coupled with extensive human rights abuses by ground forces. Now, it turns to analyse the patterns in Russia’s policy tactics throughout the conflicts linked to truth and impunity.
49. Russia deploys political and legal tactics to consolidate control over populations and territories and to evade accountability for its abuses of international law. The first of these tactics is instilling a climate of fear and terror amongst the civilian population. In Chechnya, the Council of Europe’s Committee for the Prevention of Torture’s delegation found a “palpable climate of fear” in Chechnya, stating; “many people who had been ill-treated and others who knew about such offences were reluctant to file complaints to the authorities. There was the fear of reprisals at local level and a general sentiment that, in any event, justice would not be done.”⁷⁷
50. According to Human Rights Watch (“HRW”), “[o]ften Russian forces commit abuses during *zachistki*, or sweep operations, which involve the closing-off of streets or even entire villages for house-to-house searches. Increasingly, Russian forces also appear to be carrying out more targeted night operations, in which masked troops raid particular homes, execute targeted individuals, or take them away, never to be seen again.”⁷⁸

⁷⁷ On 10 July 2001, the European Committee for the Prevention of Torture (CPT) issued a public statement concerning the Chechen Republic, see: Council of Europe, ‘Public statement concerning the Chechen Republic of the Russian Federation’, 10 July 2001, available at: <https://rm.coe.int/1680697a50> (last accessed on 17 August 2024).

⁷⁸ HRW report, ‘Into Harm’s Way, Forced Return of Displaced People to Chechnya’, January 2003, available at: <https://www.hrw.org/reports/2003/russia0103/russia0103.pdf> (last accessed on 17 August 2024).

51. The second identifiable tactic is Russian government propaganda; including disinformation campaigns and denial of violations of international law. In all three conflicts, Russia has sought to justify its actions as a fight against terrorism. In Chechnya, Russia sought to justify its actions as a counter-terrorism operation aimed at fighting terrorist groups.⁷⁹ Likewise, in Syria, Russia framed its military intervention in the Syrian Civil War as a fight against terrorism; supporting the Syrian regime against the threat of Islamic radicalism. In Ukraine, Russia has disseminated a similar narrative: that the Russians are fighting Nazis. Putin has claimed that Ukrainians and Russians are one people, and that any Ukrainian who resists this notion is labelled an enemy and a Nazi collaborator.⁸⁰ Although in each conflict, legitimate terrorist threats may well have existed, in each conflict Russia's actions have gone far beyond a legitimate defence of terrorism.
52. Russia has also presented distorted narratives of events. For example, in Syria, the Syrian regime and Russia used deceit and disinformation to deflect attention from war crimes which had been committed.⁸¹ On 8 August 2017, the Commission of Inquiry on the Syrian Arab Republic confirmed that “there are reasonable grounds to conclude that the Syrian air force used chemical weapons in Al-Latamneh on 30 March.” However, Russian and Syrian officials denied that Syrian forces had used chemical weapons, claiming instead that air strikes conducted by Syrian forces at 11.30 a.m. that day had struck a terrorist chemical weapons depot.⁸² Subsequently, during an interview on 13 April, President Bashar al-Assad denied that the Syrian army had used sarin gas, and said that the allegations were fabricated, noting, “the West, mainly the United States, is hand-in-glove with the terrorists. They fabricated the whole story in order to have a pretext for the attack.”⁸³

⁷⁹ Council of Europe Committee on Legal Affairs and Human Rights, ‘The conflict in Chechnya’ Doc. 8631, 25 January 2000, available at: <https://assembly.coe.int/nw/xml/XRef/X2H-Xref-ViewHTML.asp?FileID=8857&lang=EN> (last accessed on 17 August 2024).

⁸⁰ Russian Government Website, ‘Article by Vladimir Putin “On the Historical Unity of Russians and Ukrainians”’, 12 July 2021, available at: <http://www.en.kremlin.ru/events/president/news/66181> (last accessed on 17 August 2024).

⁸¹ UK Government, Statement by Fergus Eckersley, UK Political Coordinator at the UN, at the UN Security Council briefing on chemical weapons in Syria, ‘Syria and Russia have long used disinformation to deflect attention from appalling war crimes committed by the Assad regime’, 25 October 2022, available at: <https://www.gov.uk/government/speeches/syria-and-russia-have-long-used-disinformation-to-deflect-attention-from-appalling-war-crimes-committed-by-the-assad-regime> (last accessed on 17 August 2024).

⁸² Report of the Independent International Commission of Inquiry on the Syrian Arab Republic at the Human Rights Council’s thirty-sixth session, 8 August 2017, para. 72. Available at: <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G17/234/18/PDF/G1723418.pdf?OpenElement> (last accessed on 17 August 2024).

⁸³ CNN, ‘Assad claims Syria chemical attack was ‘fabrication’, in face of evidence’, 13 April 2017, available at: <https://edition.cnn.com/2017/04/13/middleeast/syria-bashar-assad-interview/index.html> (last accessed on 17 August 2024).

53. Likewise, in Mariupol, Russian authorities attempted to attribute a Russian air strike on a theatre to a Ukrainian military unit with roots in a far-right militia.⁸⁴ They also claimed that the killing of hundreds of Ukrainian civilians in Bucha had been fabricated by Ukrainians.⁸⁵
54. There is also a clear pattern of Russia creating a visage of political legitimacy to consolidate power. In Chechnya, Russia formed an alliance with Akhmad Kadyrov, and in 2007 the ‘United Russia’ party allegedly won over 99 per cent of votes in the election.⁸⁶ When President Akhman Kadyrov was assassinated in 2007, President Putin nominated his son, Ramzan Kadyrov, for the Chechen presidency in spring 2007. Ramzan Kadyrov has ruled since and is fiercely loyal to President Putin.⁸⁷
55. In Ukraine, Russia held referendums to consolidate power, providing a guise of legitimacy to its actions. In September 2022, Russian authorities in the occupied areas of Donetsk, Kherson, Luhansk, and Zaporizhzhia regions held ‘referendums’ on their incorporation into the Russian Federation. On 30 September 2022, President Putin and the de facto authorities of the four regions signed ‘treaties’ regarding their ‘accession’ to the Russian Federation. The UN General Assembly found the attempted annexation illegal and called for its immediate reversal.⁸⁸ On 8 September 2023, the UN condemned ‘the Russian Federation’s latest illegal attempts to organize new so-called electoral processes in the occupied areas of Ukraine’, which ‘further undermine the prospects for peace.’⁸⁹

⁸⁴ Reuters, ‘Russia accuses Ukraine of trying to frame it over Mariupol theatre attack’, 17 March 2022, available at: <https://www.reuters.com/article/ukraine-crisis-mariupol-theatre-russia-idINL2N2VK0SL> (last accessed on 17 August 2024).

⁸⁵ Human Rights Watch, ‘Ukraine: Russian Forces’ Trail of Death in Bucha’, 21 April 2022, available at: <https://www.hrw.org/news/2022/04/21/ukraine-russian-forces-trail-death-bucha> (last accessed on 17 August 2024).

⁸⁶ Council of Europe, Report of the Committee on Legal Affairs and Human Rights Rapporteur, ‘The human rights situation in the Chechen Republic’, 20 September 2004, available at: <https://assembly.coe.int/nw/xml/XRef/X2H-Xref-ViewHTML.asp?FileID=10644&lang=EN> (last accessed on 17 August 2024).

⁸⁷ BBC News, ‘Chechnya profile’, 28 August 2023, available at: <https://www.bbc.co.uk/news/world-europe-18188085> (last accessed on 17 August 2024).

⁸⁸ Report of the Independent International Commission of Inquiry on Ukraine at the fifty-second session of the Human Rights Council, 15 March 2023, para. 16, available at: https://www.ohchr.org/sites/default/files/documents/hrbodies/hrcouncil/coiukraine/A_HRC_52_62_AUV_EN.pdf (last accessed on 17 August 2024).

⁸⁹ United Nations Security Council, ‘So-Called Elections in Occupied Areas of Ukraine ‘Have No Legal Grounds’, Undermine Peace Prospects, United Nations Official Tells Security Council,’ 8 September 2023, available at: <https://press.un.org/en/2023/sc15405.doc.htm> (last accessed on 17 August 2024).

56. Russia has also taken long-term legal and policy measures regarding Ukrainian children transferred to the Russian Federation, including the granting of Russian citizenship and the placement of children in foster families. This appears to create a framework in which some of the children may permanently remain in the Russian Federation, away from their families. In May 2022, President Putin signed a decree facilitating applications for Russian citizenship for some categories of children.⁹⁰ This substitution of nationality indicates a form of ‘Russification’ and an erasure of Ukrainian children’s Ukrainian identity.
57. In addition to its disinformation on the ground, Russia has attempted to block accountability efforts in each conflict. On 16 February 2000, the UN called on the Russian Government to allow human rights monitoring of the situation in Chechnya and to act on “mounting evidence of serious human rights violations.” It said that the failure of the Russian authorities to respond, “leads to heightened concern that allegations of human rights violations may be well-founded” and noted “overly restrictive accreditation requirements for journalists, limiting independent coverage of the conflict.”⁹¹ On 5 April 2000, the High Commissioner said that “the most pressing and immediate issue” was “the adequacy and credibility of the response by the Russian authorities to the scale of allegations of gross human rights violations”, which was almost non-existent.⁹²
58. Russia has also attempted to justify its conduct in international forums. The Russian and Syrian regimes have endorsed each other’s actions in the UN and the Organisation for the Prohibition of Chemical Weapons.⁹³
59. Russia has also publicly denied crimes in Ukraine and made attempts to manipulate the narrative of events at the international level. For example, on 2 March 2022 in response to a

⁹⁰ Report of the Independent International Commission of Inquiry on Ukraine at the fifty-second session of the Human Rights Council, 15 March 2023, para. 96, available at: https://www.ohchr.org/sites/default/files/documents/hrbodies/hrcouncil/coiukraine/A_HRC_52_62_AUV_EN.pdf (last accessed on 17 August 2024).

⁹¹ UN OHCHR, ‘Statement of the United Nations High Commissioner for Human Rights Mary Robinson’, HR/00/13, 16 February 2000, available at: <https://www.ohchr.org/en/press-releases/2009/10/default-title-1456> (last accessed on 17 August 2024).

⁹² UN OHCHR, ‘Statement by Mary Robinson, High Commissioner for Human Rights on the situation of human rights in Chechnya in the Russian Federation’, 56th Session, Geneva, 5 April 2000, available at: <https://reliefweb.int/report/russian-federation/statement-mary-robinson-high-commissioner-human-rights-situation-human> (last accessed on 17 August 2024).

⁹³ U.S. Embassy & Consulates in Italy, ‘Putin’s poisons: 2017 attack in Syria’, 4 April 2022, available at: <https://it.usembassy.gov/putins-poisons-2017-attack-in-syria/> (last accessed on 17 August 2024).

General Assembly Resolution demanding the Russian Federation to immediately end its illegal use of force in Ukraine and withdraw all troops, Russia said doing so “could embolden Kiev radicals and nationalists to continue to determine the policy of their country at any price.” It said that nationalist battalions were planning provocations with the participation of civilians that would then accuse Russia of having carried them out. Affirming that the Russian Federation will not conduct strikes against civilian facilities or civilians, he asked the international community to not believe “the large number of fakes spread around the Internet.”⁹⁴

60. Russia has also used its power of veto in the UN Security Council to prevent the International Criminal Court from accepting a referral for crimes committed in Syria.⁹⁵ It has vetoed 17 Security Council resolutions on Syria since 2011 to shield the Assad regime from accountability.⁹⁶ The UN Secretary-General has reiterated that “there can be no impunity if we want to secure a path to sustainable peace” in Syria.⁹⁷ He stated that Syrians “have been victims of violations of international humanitarian and human rights law on a massive and systematic scale. These crimes have killed hundreds of thousands, displaced half the population, and left deep scars, visible and invisible.”
61. The UN Commission of Inquiry on Ukraine confirmed that attempts to establish meaningful communication with authorities of the Russian Federation had been unsuccessful, preventing the international community from monitoring and reporting on potential violations of international law and isolating communities in need from outside assistance.⁹⁸

⁹⁴ UN Press ‘General Assembly Overwhelmingly Adopts Resolution Demanding Russian Federation Immediately End Illegal Use of Force in Ukraine, Withdraw All Troops’, 2 March 2022, available at: <https://press.un.org/en/2022/ga12407.doc.htm> (last accessed on 17 August 2024).

⁹⁵ UN Meetings Coverage, ‘Referral of Syria to International Criminal Court Fails as Negative Votes Prevent Security Council from Adopting Draft Resolution’, 22 May 2014, available at: <https://press.un.org/en/2014/sc11407.doc.htm> (last accessed on 17 August 2024).

⁹⁶ United States Mission to the United Nations, ‘Remarks at a UN General Assembly Meeting Following Russia’s Veto of a UN Security Council Resolution on the Syria Cross-Border Humanitarian Mechanism’, 21 July 2022, available at: <https://usun.usmission.gov/remarks-at-a-un-general-assembly-meeting-following-russias-veto-of-a-un-security-council-resolution-on-the-syria-cross-border-humanitarian-mechanism/> (last accessed on 17 August 2024).

⁹⁷ UN Secretary-General, ‘Secretary-General’s statement on Syria’, 10 March 2023, available at: <https://www.un.org/sg/en/content/sg/statement/2023-03-10/secretary-generals-statement-syria%C2%A0> (last accessed on 17 August 2024).

⁹⁸ UN OHCHR, ‘Update by the Chair of the Independent International Commission of Inquiry on Ukraine, at the 51st session of the Human Rights Council’, 23 September 2022, available at: <https://www.ohchr.org/en/statements/2022/09/update-chair-independent-international-commission-inquiry-ukraine-51st-session> (last accessed on 17 August 2024).

62. The Commission of Inquiry for Ukraine has recommended that all violations and crimes be investigated and those responsible be held accountable, either at the national or international level. It has called for a comprehensive approach to accountability that includes both criminal responsibility and the victims' right to truth, reparation, and non-repetition.⁹⁹ Ukrainian victims have highlighted to the Commission the importance of identifying those responsible and bringing them to account, including family members who have lost loved ones.¹⁰⁰ A stepfather whose son was killed in Bucha told the Commission: "I used to want to find those who were responsible and kill them, but now I want the guilty to be put on trial and I want the truth to come out."¹⁰¹
63. The UN High Commissioner for Human Rights has reiterated that "efforts to establish accountability and justice for violations of international law must intensify and deepen. It is equally vital that victims are able to access reparations and the practical assistance they desperately need, without first having to wait for the outcomes of formal legal proceedings."¹⁰²

⁹⁹ UN OHCHR, 'Report of the Independent International Commission of Inquiry on Ukraine at the fifty-second session of the Human Rights Council', 15 March 2023, page 1, available at: https://www.ohchr.org/sites/default/files/documents/hrbodies/hrcouncil/coiukraine/A_HRC_52_62_AUV_EN.pdf (last accessed on 17 August 2024).

¹⁰⁰ UN OHCHR, 'Report of the Independent International Commission of Inquiry on Ukraine at the fifty-second session of the Human Rights Council', 15 March 2023, para. 111, available at: https://www.ohchr.org/sites/default/files/documents/hrbodies/hrcouncil/coiukraine/A_HRC_52_62_AUV_EN.pdf (last accessed on 17 August 2024).

¹⁰¹ UN General Assembly, 'Report of the Independent International Commission of Inquiry on Ukraine to the General Assembly at the Seventy-seventh session', 18 October 2022, para. 111, available at: <https://reliefweb.int/report/ukraine/report-independent-international-commission-inquiry-ukraine-a77533advance-unedited-version-enruuk> (last accessed on 17 August 2024).

¹⁰² UN OHCHR, Press Statement of UN High Commissioner for Human Rights, Volker Türk, 'Türk deplores human cost of Russia's war against Ukraine as verified civilian casualties for last year pass 21,000', 21 February 2023, available at: <https://www.ohchr.org/en/press-releases/2023/02/turk-deplores-human-cost-russias-war-against-ukraine-verified-civilian> (last accessed on 17 August 2024).

IV. CONCLUSION AND CALL UPON THE UN SPECIAL RAPPORTEUR

64. There must be effective deterrents for violations of international law. TRP believes that analysing the patterns of violations of international law across these conflicts, especially when there are common perpetrators deploying common tactics, will help accountability efforts.
65. In TRP's submission, the international community must analyse where the shortfalls have been - how, and why, perpetrators have evaded accountability. Unless it does so, the international community will not improve and strengthen the search for truth, justice, reparation and guarantees of non-recurrence for the violations.
66. Against this background, TRP respectfully requests the UN Special Rapporteur as to the Special Rapporteur's views on the following, either as part of a specific report or part of one of his general reports where the issues in this report are engaged, or through oral statements:
- a. Whether he agrees that Russia's actions appear to be part of a wider pattern, and that Russia's violations of international law in Ukraine are preceded by similar violations in Chechnya and Syria.
 - b. Whether he agrees that, where accountability for Russia's violations of international law in Chechnya and Syria have largely failed, Russia has been provided with a ripe environment to perpetrate further, similar violations of international law in Ukraine.
67. In line with the exercise of his mandate, TRP respectfully invites the UN Special Rapporteur to comment on the following issues, in part or in whole, through written and/or oral statements:
- a. In light of the findings of this report, the lessons which can be learned from Russia's actions in the conflicts and the response of the international community;
 - b. How the UN Special Rapporteur believes that these lessons can serve to improve the promotion of truth, justice, reparation and guarantees of non-recurrence in other contexts, including in the Ukrainian context specifically.
68. Lastly, TRP respectfully request that the UN Special Rapporteur dedicate one of his thematic reports on the issues set out in this report.

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