

# Discrimination against convicted and imprisoned citizens of Ukraine by the Russian Federation



Regional Center for Human Rights

**TRANSITION**  
Transition Promotion Program

In February 2014, the Russian Federation occupied the Crimean peninsula and proceeded to extend its legislation to its territory and implement policies aimed at forcibly changing the demographic composition of its population

A component of this policy is the transfer of Ukrainian citizens outside the peninsula to «serve their sentences» of deprivation or restriction of freedom. As of 2022, Russia has transferred more than 12,500 convicts from the occupied Crimean peninsula to its territory to at least 102 correctional institutions in 42 regions of the Russian Federation

The full text of the analytical report



## The elements of the policy of transfer of imprisoned Ukrainian citizens are the following:



Harmonization of Ukrainian court decisions «with Russian legislation» for the purpose of their further execution with no consent on the part of Ukraine



Discriminatory treatment of convicted and imprisoned Ukrainian citizens in correctional facilities on the territory of the Russian Federation



Discriminatory law enforcement practice of the occupation courts and administrations



Failure to implement the provisions of the Convention on the Transfer of Sentenced Persons of 1983



Imposition of Russian citizenship on convicted Ukrainian citizens in Crimea



Refusal to treat prisoners in accordance with international humanitarian law

**The transfer of prisoners and the establishment of discriminatory conditions in detention by the Russian Federation violate international law, in particular, the provisions of the Geneva Convention (IV) relative to the Protection of Civilian Persons in Time of War. Such actions may constitute:**



a war crime under Article 8(2)(b)(viii) of the Rome Statute of the International Criminal Court



a crime against humanity under Article 7(1)(d) of the Rome Statute of the International Criminal Court



indirect discrimination under Article 26 of the International Covenant on Civil and Political Rights and Article 14 of the European Convention on Human Rights in conjunction with Article 3 of Protocol No. 4 to the European Convention on Human Rights

## Those responsible for discriminatory treatment of the said category of citizens are:

### at the federal level

– persons who directly make decisions on the formulation of this discriminatory policy (President of the Russian Federation Vladimir Putin; Prime Ministers Dmitry Medvedev (2012-2020) and Mikhail Mishustin (since 2020); heads of Government of the Russian Federation and others)

### at the level of the occupation authorities of the 'Republic of Crimea'

– persons who contributed to the implementation of federal policy in Crimea, as well as made decisions that affected the exercise and protection of fundamental human rights and freedoms (Sergey Aksyonov, the Head of the 'Republic of Crimea', and Vladimir Konstantinov, the Chairman of the State Council of the 'Republic of Crimea')

### at the local level

– persons who executed the sentences of the occupation courts and were involved in the process of transferring prisoners from the occupied territory (the Head of the Federal Penitentiary Service for the 'Republic of Crimea' Vadim Bulgakov and the Head of the 'Penitentiary Service of Russia for the Republic of Crimea and Sevastopol' Ivan Kuz)