

діяльність, яка виступає вищим структурним елементом правової культури суспільства.

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**Holovko S.**, PhD, Associate Professor,  
National Aviation University, Kyiv, Ukraine

### **CRIMES AGAINST HUMANITY AND WAR CRIMES OF THE RUSSIAN FEDERATION IN UKRAINE**

A war crime is a violation of the laws and customs of war that leads to individual criminal liability for acts committed by combatants during a conflict. These acts include intentional acts such as the intentional killing of civilians or prisoners of war, torture, hostage taking, unjustified destruction of civilian property, deceitful falsehood, wartime sexual violence, looting, and any command directives approving mass killings, including genocide or ethnic cleansing. It also includes the refusal to provide housing upon surrender, the recruitment of children into the army, and the disregard of legal distinctions of proportionality and military need.

The Russian-Ukrainian war has opened a new page of human rights violations and war crimes. The war, which has lasted almost two years, has already left its mark on the history of humanity.

The rights of people in the Ukrainian territories occupied by Russia are constantly being violated. The world is constantly shaken by reports of the terrible consequences of their war crimes, evidence of which can be found in the de-occupied territories. For example, law enforcement officers discovered a torture chamber in a children's sanatorium in Bucha. In addition, international forensic experts established that the occupiers used small metal darts, which were used since the First World War to attack infantry. It was they who caused the death of dozens of civilians [1].

The next large-scale act of genocide was the war crimes committed by the occupiers in the Kharkiv region, which the world learned about in September 2022 after the de-occupation of these territories by Ukrainian troops. More than 18,000 criminal proceedings have been opened by investigators regarding war crimes committed by the Russian Federation on the territory of the Kharkiv region. More than 14,000 of them are due to the shelling of Kharkiv and the region. As noted in ISW: "The discovery of mass graves of civilians and torture chambers in the newly liberated Izyum confirm that the atrocities in Buch were not isolated war crimes, but a microcosm of Russian atrocities in Russian-occupied territories" [2].

Kherson, which was liberated by the Armed Forces of Ukraine on November 11, 2022, also suffered from the atrocities of the Russian occupiers. Russians illegally detained Ukrainians during the occupation of Kherson. People were brutally tortured and threatened with death. The international human rights organization Human Rights Watch established new facts of abuse of Russians in Kherson and its surroundings from March to November 2022. Experts interviewed 34 people, including victims and their relatives. People were tortured in the pre-trial detention center, the city administration building, the village school building and in the technical building of the airport.

The treatment of Ukrainian prisoners of war is another vivid example of Russian war crimes. Prisoners of war are combatants (participants in hostilities) who fell into the hands of the enemy during an armed conflict. Dealing with them is regulated by the III Geneva Convention, and Russia systematically violates its provisions.

Prisoners are kept in undesignated places, in inhumane conditions. Often without elementary sanitary conditions – as in Olenivka, where there was no functioning water supply system. They were not allowed to contact relatives and loved ones, they were not allowed to receive parcels, including humanitarian aid, they did not have access to medical care - and these are all requirements of the Geneva Convention. They were subjected to psychological and physical abuse, including horrific examples of genital cutting with a penknife and beheading.

Ukrainian soldiers were held there illegally, without minimal means of subsistence, they were not provided with any medical assistance. In addition, they were subjected to constant torture. In order to hide the traces of its crimes, in July 2022, Russia initiated a terrorist attack. Ukrainian prisoners died on July 29 from explosions in one of the barracks of the colony. Information about this was spread in the self-proclaimed "DPR" and in Russia, accusing the armed forces of shelling. They reported more than 50 dead and more than 100 wounded as a result of the HIMARS missile hitting the colony in Olenivka [3].

On February 28, 2022, the prosecutor of the International Criminal Court began an investigation into war crimes and crimes against humanity committed

by Russia. The prosecutor received appeals regarding the situation in Ukraine from 39 countries. The court is investigating these crimes between November 21, 2013 and today, committed by all parties on the territory of Ukraine. The leading investigative journalist of the Bellingcat publication Hristo Grozev also stated the inevitability of the international criminal court against the top military and political leadership of Russia.

Putin has already been recognized as a war criminal by the Polish Sejm [4], and the US Senate has passed a resolution demanding an investigation into his crimes.

As the international community grapples with the consequences of these egregious violations, the pursuit of justice is paramount. The prospect of trials of Russian war criminals, including senior political and military leaders, offers a glimmer of hope to those seeking redress for the countless lives lost and human rights abuses suffered during this devastating conflict. The resilience of the Ukrainian people in the face of such atrocities is a testament to their unwavering commitment to justice and human rights in their quest for a more just and equitable world.

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