

**Written Statement of Andriy Kostin – Prosecutor General of Ukraine
before the House Committee on Foreign Affairs on
“Exposing Putin’s Crimes: Evidence of Russian War Crimes and Other Atrocities in
Ukraine”**

April 19, 2023

Good morning Chairman McCaul, Ranking Member Meeks and the distinguished members of the Committee. Thank you very much for this opportunity to appear before you today and unmask war crimes and other atrocities that Russia is committing in Ukraine.

At the outset, I wish to convey my sincere gratefulness to the United States, its government and people for your unwavering and continuous support of Ukraine.

Sadly, the heinous facts described in the statements of the two survivors that we have just heard during the briefing are not anomaly or an exception from what is going on the battlefield. Rather such a behavior is a feature of Russian military and political doctrine and modus operandi of Russian armed forces and their proxies. The world has witnessed devastating effects of this policy not only in Ukraine but repeatably. As described by the Secretary of State Antony Blinken in his February 18, 2023, announcement, Russia has committed crimes against humanity in Ukraine; and *“[t]hese acts are not random or spontaneous; they are part of the Kremlin’s widespread and systematic attack against Ukraine’s civilian population”*.

From February 24, 2022, we have observed and documented brutal and deliberate attacks of Russia on residential areas, hospitals, schools, kindergartens and even theatres in different cities and towns of Ukraine. A tragedy and a crime of bombing of Mariupol Drama theatre, which resulted in close to 600 deaths of the most vulnerable civilian population trapped in Mariupol is a clear exemplification of the criminal strategy of warfare of Russia. Moreover, Russian forces regularly have been shelling evacuation routes and convoys marked as civilian, systematically practiced torture and rape and engaged in summary executions, after which mass graves are being discovered throughout the country. These actions have nothing to do with waging war under the rules of international humanitarian law. Their objective rather is to sow fear and terror.

As for today, we have registered close to 78 thousand cases of war crimes. Evidence of these crimes however is growing exponentially. This is particularly connected to the deoccupation of the parts of Ukraine. As an example, when the Ukrainian military liberated Kherson in November 2022, the same patten of barbaric crimes seen in Bucha and other cities in the Kyiv region, Sumy, Chernihiv and Iziium was also uncovered there.

To date, only in Kherson and its region, over 13 thousand criminal cases in relation to crimes committed by Russian forces have been launched. 908 civilians are registered dead.

Allow me to draw your attention to a few examples of atrocities uncovered in this beautiful part of Ukraine:

Torture chambers: We have discovered approximately 20 such locations and even more unlawful detention facilities. Over 1,000 torture chamber survivors submitted evidence. Survivors report that Russian forces subjected them to different forms of abuse, including beatings with sticks and rubber batons, use of electric shocks, waterboarding, stripping them

naked, threats of death or mutilation etc. Moreover, they were forced to shout pro-Russian slogans and listen to Russian anthem. While during night, they were hearing screams of others being beaten.

In course of investigation we have discovered evidence of financial records showing a direct linkage between the torture chambers and Russian security agencies. This is a clear sign that policy of torture is a part of criminal plan of Moscow to subjugate Ukrainians.

Another systemic and widespread crime we detected is enforced disappearance. There are over 600 individuals whose whereabouts are currently unknown.

This is also a pattern that is common to all territories that fell under Russian occupation. Public officials and politically active citizens who dissented from denouncing Ukrainian-ness disappeared or were executed. Occupant forces implemented a full-scale search for pro-Ukrainian or anti-Russia residents, journalists, Ukrainian patriots and targeted them.

In Kherson, like other cities and towns, sexual violence has also been used as a political and military tactic by Russian forces. This was done to humiliate and break resistance of civilian population. We have documented over 60 instances of rape.

I will bring 3 examples:

- We have an ongoing investigation into the fact of 4 months-long forced deprivation of liberty, continued rape and humiliation of a resident of Kherson region by a Russian servicemen, who entered into a house of a victim, stayed there for a prolonged time and together with rape, threatened the victim and her 9-year-old son with physical violence.

- We also are investigating cases of rape of minors. In one of the villages of the Kherson region, a soldier of proxy forces abducted a minor from the house, in the presence of mother and grandmother and raped the victim.

- We also have a pattern of rape and torture, as well as sexual harassment specifically against the family members of Ukrainian Armed Forces.

One of the most horrendous crimes Russia is committing is forced transfer. We see on daily basis that from the part of Kherson region, which is still under Russian occupation, occupation administration is carrying mass forced relocation of residents, including children to other temporarily occupied territories or to the Russian Federation. This is the continuation of the strategy of separating Ukrainians and especially children from their parents and families, with the objective of their quick assimilation into Russian society. Russia even simplified the process of granting citizenship to forcibly transferred children.

Russia shamelessly violates fundamental tenants of international law. It is committing core international crimes in Ukraine. Even though what I managed to discuss is just a tip of an iceberg, it, however is sufficient to demonstrate inherently criminal plan of the Russian leadership to spread fear and terror and eradicate resistance among Ukrainians, so Russia could remove Ukrainian identity. Moreover, crimes documented are systematic and widespread in nature. These are clear signs of a plan of persecution against Ukrainians as a national group, targeting Ukrainian identity and Ukrainian statehood. These are patterns particular to the crime of genocide.

Such evil cannot let be. It is our responsibility to do everything to uncover horrific crimes that Russia is committing in Ukraine. But exposure does not suffice. To ensure that this never happen again and to provide justice for victims, all those who orchestrated and enabled commission of core international crimes should be held accountable. Only with discovering and determining truth, bringing perpetrators to responsibility and providing adequate reparation to victims, we could say that justice has been done.

I understand that the U.S. Congress has considered further amendments to the penal code to include a new provision criminalizing crimes against humanity, which would prevent impunity for such crimes when perpetrators appear on U.S. soil. When the U.S. takes the lead on these issues, the world watches. And it emboldens our own efforts in obtaining international justice.

I am confident that Ukraine, hand in hand with the United States and other courtiers of the civilized world will achieve this.

Thank you! I stand ready to answer your questions.
