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Support for political negotiations to enforce exchange and release of prisoners of war

Report¹

Committee on Political Affairs and Democracy

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1. Reference to committee: Doc. 16021, Reference 4823 of 28 June 2024.



A. Draft resolution²

1. The illegal, unprovoked and unjustified full-scale war of aggression by the Russian Federation against Ukraine is still raging on, after more than three years. The Russian Federation is responsible for the severe violations of international law and international human rights and humanitarian law, including its obligations under the Geneva Conventions and their Additional Protocols. In this context, the situation of Ukrainian prisoners of war is particularly dramatic: they are subjected to summary executions, widespread and systematic torture, and ill-treatment, amounting to war crimes. This state of affairs calls for urgent intervention by the international community, first and foremost to secure the release of all prisoners of war. To this end, political negotiations are of paramount importance.
2. According to the Ukrainian authorities, thousands of Ukrainian servicepersons are currently in Russian captivity in over 180 detention facilities, both in the temporarily occupied territories of Ukraine and in the Russian Federation. As of 6 May 2025, 4 757 Ukrainians (both prisoners of war and civilians) have been released from Russian captivity since the start of the full-scale war, and 64 exchanges of prisoners of war have taken place.
3. The information received from those who have returned from captivity indicates that the Russian Federation is systematically violating the Third Geneva Convention relative to the Treatment of Prisoners of War with regard to the right to humane treatment (Article 13); the right to decent conditions of detention (Articles 22, 25, 29); the right to adequate food (Article 26); the right to an initial medical examination and to adequate medical attention (Articles 15, 20, 30, 31, 46); the right to have family members informed about the condition and capture of prisoners of war, as well as to receive information (Articles 48, 69, 70); the right to decent conditions during the evacuation and transfer (Articles 20 and 46 to 48); the prohibition of forcing a prisoner of war to serve in the armed forces of an enemy State (Article 130); and others.
4. The Russian Federation has also failed to fulfil its obligation to establish an official Information Bureau for prisoners of war who are in its power (Article 122 of the Third Geneva Convention), and to appoint a Mixed Medical Commission to examine sick and wounded prisoners of war (Article 112). In addition, the Russian Federation has so far rejected initiatives by other States to assume the role of Protecting Powers as provided for in the Geneva Conventions, and it is impeding the access to most of its detention facilities by the personnel of the International Committee of the Red Cross (ICRC) and other international monitoring mechanisms.
5. The Russian Federation's highest political and military leadership is aware of the vicious mistreatment of Ukrainian prisoners of war, including threats, verbal and physical abuse, sexual violence, torture and summary executions. As of February 2025, the United Nations Human Rights Monitoring Mission in Ukraine (HRMMU) had verified the execution of 71 Ukrainian prisoners of war and recorded the death of at least 21 prisoners of war in custody. While the real figures are currently unknown, they are certainly much higher. 95% of the released Ukrainian prisoners of war interviewed by the HRMMU provided accounts of torture or ill-treatment throughout all stages of captivity. In general, the evidence gathered by international mechanisms, independent media and civil society investigations suggests that the ill-treatment of Ukrainian prisoners of war is not confined to specific detention facilities, but is widespread and systematic. This indicates that not only are the Russian authorities failing to take any effective preventative measures, but that they are potentially mandating a policy of ill-treatment of prisoners of war.
6. Ukrainian prisoners of war are at risk of ill-treatment, torture and even execution from the moment they are captured on the battlefield, and subsequently during their transportation, transit and imprisonment in detention facilities, both in temporarily occupied territories of Ukraine and in the Russian Federation. They are also at risk of being convicted on trumped-up charges or simply for having taken part in hostilities.
7. In stark contrast, the situation of Russian prisoners of war is generally well-documented, as the ICRC and other international monitoring bodies have unfettered access to the facilities where they are held. Overall, Ukraine is complying with its obligations under international human rights and humanitarian law. Reports of summary executions, torture or ill-treatment of Russian prisoners of war must nevertheless be properly investigated, and the perpetrators must be held accountable.
8. In [Resolution 2562 \(2024\)](#), the Parliamentary Assembly stated the need to address urgently the issue of Ukrainian prisoners of war, and in [Resolution 2573 \(2024\)](#) it resolved to remain seized on this topic. The Assembly welcomes the exchanges of prisoners of war, which can be crucial in the context of a possible peace process. It also reaffirms the need for all possible future peace negotiations to address unconditionally the issue of the mutual release and repatriation of all prisoners of war, in accordance with the formula "all for

2. Draft resolution unanimously adopted by the committee on 26 May 2025.

all", as already expressed in its [Resolution 2598 \(2025\)](#). Nevertheless, the Assembly also considers that the situation of prisoners of war is of such urgency that it must be addressed immediately by all parties concerned, irrespective of developments related to ceasefire and peace negotiations.

9. The Assembly calls on European non-governmental organisations and civil society to raise awareness of the plight of Ukrainian prisoners of war, in order to increase political and diplomatic pressure on the Russian Federation.

10. The Assembly calls on the international community to unequivocally contribute to and intensify the efforts aimed at achieving the mutual release and repatriation of all prisoners of war, so that the rights and dignity of all prisoners of war, their families and loved ones are fully respected and upheld, on the basis of the obligations arising from the Third Geneva Convention. The Assembly fully supports the activities of the ICRC in this sense.

11. The Assembly also welcomes and concurs with the recommendations already made by the Office of the United Nations High Commissioner for Human Rights (OHCHR) in various reports, and with the recommendations made by the Office for Democratic Institutions and Human Rights of the Organization for Security and Co-operation in Europe (OSCE/ODIHR) in its interim reports on reported violations of international humanitarian law and international human rights law in Ukraine.

12. Against this background, and building on the recommendations of the OHCHR and of the OSCE/ODIHR, the Assembly calls on the Russian Federation to:

12.1. respect and ensure full compliance with international human rights and humanitarian law, notably with regard to the treatment of prisoners of war;

12.2. immediately cease the summary execution, torture, ill-treatment, sexual violence and verbal and psychological abuse of prisoners of war;

12.3. cease the prosecution of captured Ukrainian servicepersons for the mere fact of having directly participated in hostilities;

12.4. conduct impartial and thorough investigations into all cases of death in custody, summary execution, torture, ill-treatment, sexual violence and verbal and psychological abuse of prisoners of war, and ensure that the perpetrators are held accountable;

12.5. ensure that the ICRC and other relevant international monitoring mechanisms have unimpeded access to all the places of detention where prisoners of war are being held, and are allowed confidential interviews with them;

12.6. ensure that all the conditions of detention relating to the prisoners of war as set out in the Third Geneva Convention are fully respected, by establishing dedicated internment camps for prisoners of war, providing adequate food, water, medical care, and legal assistance, and allowing prisoners of war to exercise their right to communicate with their families and loved ones;

12.7. establish a Mixed Medical Commission to examine wounded and sick prisoners of war and make decisions on their repatriation;

12.8. establish an official Information Bureau for prisoners of war who are in its power.

13. The Assembly also calls on Ukraine to ensure that it keeps acting in full compliance with the Geneva Conventions, and that any violations of international human rights and humanitarian law committed by its armed forces or civilian authorities are promptly and properly investigated.

14. The Assembly acknowledges the crucial role of those countries involved in facilitating the ongoing exchanges of prisoners of war between Ukraine and the Russian Federation, such as Türkiye and the United Arab Emirates, and expresses its deep gratitude to their governments for these efforts.

15. Based on the example of the countries involved in the exchange of prisoners of war between Ukraine and the Russian Federation, the Assembly calls on all States to:

15.1. support political negotiations to facilitate and encourage an acceleration of the exchange of prisoners of war;

15.2. provide additional resources to the Central Tracing Agency Bureau of the ICRC, to enhance its capacity in locating and verifying the status of missing Ukrainian prisoners of war;

15.3. improve information-sharing and co-ordination among relevant stakeholders, with a view to identifying mediating States that could assume the role of Protecting Power as per the Geneva Conventions and facilitate the establishment of channels for dialogue and political negotiation;

15.4. promote the establishment of a structured, permanent mechanism, negotiated and agreed upon by all interested parties, and possibly co-ordinated by the ICRC, to enable the prompt, secure and regular identification, tracing, release and exchange of all prisoners of war, with special attention to the seriously wounded and sick;

15.5. provide political, financial, material and technical support for the establishment of such mechanism;

15.6. consider the identification of a neutral country where prisoners of war could be safely and temporarily placed before their release.

16. The Assembly stands in solidarity with the families of the Ukrainian prisoners of war, which are enduring immense psychological suffering: in most cases they are not allowed to communicate with their loved ones, and they are often not even aware of their fate and whereabouts. The Assembly also recognises the need to provide medical, psychological and administrative assistance and vocational training to returned Ukrainian prisoners of war, to ensure their rehabilitation and full reintegration in the Ukrainian society. The Assembly therefore calls on all States to provide financial aid and technical expertise to the ongoing initiatives supporting the families of Ukrainian prisoners of war and the returned Ukrainian prisoners of war, including through the establishment of rehabilitation centres.

17. The Assembly underlines the importance of ensuring accountability for the achievement of a just and lasting peace for Ukraine. The Assembly therefore:

17.1. calls on all States that are Parties to the Statute of the International Criminal Court (ICC) to fully support the work of the ICC in bringing the perpetrators, military and political authorities of the Russian Federation to justice for war crimes and crimes against humanity, and urges all States that have not yet done so to ratify or accede to the Statute of the ICC without delay;

17.2. calls on all States whose legislation provides for universal jurisdiction to prosecute officials of the Russian Federation involved in war crimes and other crimes, and encourages those States that do not have this possibility, to introduce universal jurisdiction into their legislation.

18. The Assembly deeply regrets that a member State of the United Nations Security Council, which is also responsible for war crimes, retains its veto power, and reiterates its calls to reconsider the use and scope of the veto power by permanent members of the United Nations Security Council to avoid any abuse, as provided in its [Resolution 2581 \(2025\)](#).

B. Explanatory memorandum by Ms Yelyzaveta Yasko, rapporteur

1. Introduction

1. After more than 3 years, the illegal, unprovoked and unjustified full-scale war of aggression waged by the Russian Federation against Ukraine continues to have a deep and grave impact on the lives of the Ukrainian people, caused by the Russian Federation's serious violations of international law, including international humanitarian law and human rights law.
2. This is particularly evident for the situation of Ukrainian prisoners of war (PoWs), which requires urgent international intervention.
3. Ukrainian PoWs are being victims of summary executions, widespread and systematic torture, and ill-treatment, amounting to war crimes. This state of affairs calls for urgent intervention by the international community, first and foremost to secure the release of all PoWs. To this end, political negotiations are of paramount importance.
4. According to the Ukrainian authorities, thousands of Ukrainian servicepersons are currently in Russian captivity in 186 detention facilities, both in the temporarily occupied territories of Ukraine and in the Russian Federation. As of 6 May 2025, 4 757 Ukrainians (both PoWs and civilians) have been released from Russian captivity since the start of the full-scale war, and 64 exchanges of PoWs have taken place.
5. The information received from those who have returned from captivity indicates that the Russian Federation is systematically violating numerous obligations under the Third Geneva Convention relative to the Treatment of Prisoners of War.
6. All parties involved should engage in political negotiations that prioritise the exchange and release of PoWs, as was already emphasised by Ukraine's President Zelenskyy in his 10-point Peace Formula: in particular, point 4 calls for the release of all prisoners and deportees, on an "all for all" basis. In the meantime, diplomatic efforts should also be intensified to ensure that all detainees are treated in accordance with international humanitarian law and released without delay.
7. The Parliamentary Assembly can play a role in exerting political pressure to ensure compliance with international agreements and to hold accountable those who violate international law.

2. Previous work of the Parliamentary Assembly

8. The Assembly has already expressed its concern about the situation of Ukrainian PoWs. This report will build on this previous work, namely:
 - [Resolution 2448 \(2022\)](#) "Humanitarian consequences and internal and external displacement in connection with the aggression of the Russian Federation against Ukraine";
 - [Resolution 2463 \(2022\)](#) "Further escalation in the Russian Federation's aggression against Ukraine";
 - [Resolution 2482 \(2023\)](#) "Legal and human rights aspects of the Russian Federation's aggression against Ukraine";
 - [Resolution 2556 \(2024\)](#) "Legal and human rights aspects of the Russian Federation's aggression against Ukraine".
9. Through [Resolution 2562 \(2024\)](#) "An urgent call to Europe and its partners: envisioning immediate and long-term policy solutions in support of the displaced people of Ukraine", the Assembly declared that it should urgently address the issue of Ukrainian PoWs and efforts to negotiate their release, with particular reference to the need to halt the bogus trials opened by the occupying forces of the Russian Federation against Ukrainian PoWs. The Assembly also expressed its support for the measures taken to facilitate the exchange of PoWs in order to prevent further violence.
10. In addition, the Assembly, through [Resolution 2573 \(2024\)](#) and [Recommendation 2285 \(2024\)](#) "Missing persons, prisoners of war and civilians in captivity as a result of the war of aggression of the Russian Federation against Ukraine", adopted under urgent procedure, made a number of recommendations and declared that it "will remain seized of the topic of Ukrainian prisoners of war and civilians held in captivity by the Russian Federation until the last person is released".

11. It should also be noted that members of the Assembly issued two written declarations on the matter namely declarations [No. 751 \(Doc. 15598\)](#) “Status of prisoners of war under international humanitarian law must be respected” (30 August 2022), and [No. 778 \(Doc. 15790\)](#) “Call on the International Committee of the Red Cross and the international community to demand that the Russian Federation fully complies with the international humanitarian law concerning the Ukrainian prisoners of war” (27 June 2023).

12. More recently, in [Resolution 2588 \(2025\)](#) “European commitment to a just and lasting peace in Ukraine”, the Assembly called for the imposition of targeted sanctions on those “involved in the deportation, forcible transfer and unjustifiable delay in the repatriation of Ukrainian children, civilians and prisoners of war”. In [Resolution 2598 \(2025\)](#) “Russian war of aggression against Ukraine: the need to ensure accountability and avoid impunity”, the Assembly considered that “any peace negotiations must unconditionally address the human dimension of the war, including the [...] mutual release and repatriation of all prisoners of war, according to the formula ‘all for all’”.

3. The Third Geneva Convention relative to the Treatment of Prisoners of War

13. The Geneva Conventions and their Additional Protocols were adopted in order to regulate the conduct of armed conflicts. Article 4 of the Third Geneva Convention relative to the Treatment of Prisoners of War of 12 August 1949³ defines PoWs as members of the armed forces, militias or volunteer corps forming part of such armed forces, who have fallen into the power of the enemy.⁴ The provisions of the Third Geneva Convention ensure the humane treatment of PoWs and their protection under international humanitarian law.

14. The responsibility for the treatment of PoWs lies with the Detaining Powers. PoWs must be treated humanely at all times and without exception. The Third Geneva Convention protects them from all acts of violence, torture and ill-treatment, whether physical or psychological, including acts of intimidation, insults and exposure to public curiosity. Furthermore, it also provides indications regarding the minimum acceptable conditions of detention that the Detaining Power must ensure for them, in terms of accommodation, food, clothing, hygiene and medical care.

15. The Third Geneva Convention states that the Convention shall be applied with the co-operation and under the scrutiny of Protecting Powers, whose duty it is to safeguard the interests of the Parties to the conflict. Article 5 of Protocol Additional I of 1977 to the Geneva Conventions further indicates that the Parties should designate a Protecting Power without delay from the beginning of the conflict, and “shall, likewise without delay and for the same purpose, permit the activities of a Protecting Power which has been accepted by it as such after designation by the adverse Party”. If a Protecting Power is not designated or accepted, the International Committee of the Red Cross (ICRC) may offer its good offices to designate a Protecting Power to which the Parties may agree; if this is also not possible, the ICRC may act as a substitute.

16. No Protecting Powers have yet been designated in the context of the full-scale war of aggression by the Russian Federation against Ukraine: Switzerland has offered its good offices to both parties as a Protecting Power, and has negotiated an agreement with Ukraine to represent Ukrainian interests in the Russian Federation, but this mandate was rejected by Russia in August 2022.⁵ Subsequently, Russia also rejected other States’ initiatives to undertake the role of Protecting Power.

17. Article 126 of the Third Geneva Convention states that the delegates of the Protecting Powers or of the ICRC “shall have permission to go to all places where prisoners of war may be, particularly to places of internment, imprisonment and labour, and shall have access to all premises occupied by prisoners of war; they shall also be allowed to go to the places of departure, passage and arrival of prisoners who are being transferred. They shall be able to interview the prisoners, and in particular the prisoners’ representatives, without witnesses, either personally or through an interpreter”. Article 126 also indicates that they “shall have full liberty to select the places they wish to visit. The duration and frequency of these visits shall not be restricted. Visits may not be prohibited except for reasons of imperative military necessity, and then only as an exceptional and temporary measure.”

18. Both Ukraine and the Russian Federation are parties to the Geneva Conventions. Nevertheless, numerous reports continue to indicate systematic violations of these Conventions by the Russian Federation, including denial of access to PoWs by the ICRC and other monitoring mechanisms, and inhumane treatment

3. <https://ihl-databases.icrc.org/ihl/full/GCIII-commentary>.

4. Article 4 also describes the other categories included in the definition of prisoners of war.

5. www.swissinfo.ch/eng/politics/switzerland-and-ukraine-agree-draft-protecting-power-mandate/47817660.

of detainees. Many Ukrainian soldiers are currently being held by the Russian Federation in conditions that violate international standards. Their whereabouts and treatment remain largely unknown, raising serious concerns for their well-being and rights.

19. The Geneva Conventions have been universally ratified and accepted, and are therefore an extremely and uniquely powerful tool. International humanitarian law however only works when it is fully respected. On the other hand, it would be very complicated, given the current international political environment, for a new tool to be established with this same universal recognition.

4. The situation of Ukrainian prisoners of war

20. The exact number of Ukrainian PoWs and civilians held by the Russian Federation is currently unknown. According to data provided by the Ukrainian authorities, over 70 000 people, including both civilians and military personnel, are included in the Register of Persons Missing under Special Circumstances.⁶ As indicated above, thousands of Ukrainian servicepersons are currently in Russian captivity in 186 detention facilities, both in the temporarily occupied territories of Ukraine and in the Russian Federation. As of 6 May 2025, 4 757 Ukrainians (both PoWs and civilians) have been released from Russian captivity since the start of the full-scale war, and 64 exchanges of PoWs have taken place. It is worth noting that 1 358 Ukrainians were returned from Russian captivity in 2024, and that as of May 2025, Russia was still holding over 16 000 Ukrainian civilians in detention.

21. The ICRC, on the other hand, claimed in February 2025 to have registered 50 000 missing people in the war, indicating that 90% of them were servicepersons, without however providing a breakdown of their nationalities.⁷

4.1. The Russian violations of international humanitarian law

22. The Committee on Political Affairs and Democracy held an online hearing on 1 October 2024 with the participation of Mr Dmytro Lubinets, Ombudsman of Ukraine, who provided an update on the current situation of Ukrainian PoWs, also describing the work of his Office to ensure their release and return to their families. The Ombudsman of Ukraine is responsible for the implementation of Point 4 of Ukraine's Peace Formula – the release of all prisoners and deportees. In particular, his office conducts regular meetings of the relevant Working Group, with the active participation of Norway, Canada and other international partners.

23. The situation described by Mr Lubinets is grim. Quoting the Head of the UN Human Rights Monitoring Mission in Ukraine, he said that 95% of Ukrainian PoWs returned from captivity had testified that they had been victims of torture and ill-treatment.⁸

24. The Russian authorities impose appalling conditions of detention on PoWs, systematically resorting to psychological and physical torture, which in several cases has led to long-term health consequences, extreme weight loss (one Ukrainian soldier was recorded as having lost 77 kilos in just five months), and death. PoWs are kept in unhygienic conditions, in overcrowded cells, deprived of sleep, isolated in the dark, forced to stand for long periods of time in the cold and in their underwear, or physically exerted.

25. In many cases, they are subjected to beatings and sexual violence, administered electric shocks, and denied medical care. Denial of medical assistance to those in need is a recurring issue in the testimonies of former PoWs. The United Nations Independent International Commission of Inquiry on Ukraine reported a general absence or denial of medical care by Russian authorities to detainees who were injured, ill, or had suffered trauma after torture. This neglect often resulted in the deaths of detainees.

26. Mr Lubinets said that the information received from those released from captivity indicates that the Russian Federation is systematically violating the Third Geneva Convention relative to the Treatment of Prisoners of War with regard to the right to humane treatment (Article 13); the right to decent conditions of detention (Articles 22, 25, 29); the right to adequate food (Article 26); the right to an initial medical examination and adequate medical attention (Articles 15, 20, 30, 31, 46); the right to have family members informed about the condition and capture of prisoners of war, as well as to receive information (Articles 48, 69, 70); the right to decent conditions during the evacuation and transfer (Articles 20, 46 to 48); the prohibition of forcing a prisoner of war to serve in the armed forces of an enemy State (Article 130), and others.

6. *Ukrainska Pravda*, "Over 70,000 people listed as missing in Ukraine due to war", 1 May 2025.

7. *Reuters*, "Red Cross says missing people in Ukraine and Russia war doubles to 50,000 over past year", 13 February 2025.

8. Ombudsman of Ukraine, "Courage has two colours", No. 7 2024.

27. In addition, the Russian Federation does not allow representatives of international organisations such as the ICRC or the United Nations to visit PoWs regularly. This is a flagrant violation of the Third Geneva Convention. Independent investigations⁹ have identified at least 29 clandestine detention facilities across Russia and temporarily occupied territories of Ukraine – none of which are accessible to the ICRC – where torture, electrocution, starvation, and mock executions occur routinely.

28. Russia is holding Ukrainian PoWs in temporarily occupied territories of Ukraine, both in mainland areas as well as in Crimea: this is complicating the relevant ICRC activities, and makes it impossible for the UN and Organization for Security and Cooperation in Europe (OSCE) monitoring mechanisms to operate. Such placement is also often in violation of the Third Geneva Convention, which prohibits detaining PoWs near the frontline or other dangerous zones. Satellite images and witness testimonies confirm that Ukrainian PoWs are routed through Crimea by the Russian Federal Security Service (FSB) before being taken to the Russian Federation, also in violation of the Third Geneva Convention's ban on transferring PoWs without ICRC oversight.

29. Russia did not abide by the requirements of the Third Geneva Convention expressed in Article 122, which foresees that "each of the Parties to the conflict shall institute an official Information Bureau for prisoners of war who are in its power". Ukraine, on the other hand, established a National Information Bureau on 17 March 2022.¹⁰ Russia has also failed to establish a Mixed Medical Commission to examine wounded and sick PoWs and make decisions on their repatriation (Article 112), whereas Ukraine established it in August 2023.

30. Ukrainian PoWs are also subjected to arbitrary executions. On 29 July 2022, a blast occurred in the penal colony No. 120 near Olenivka, in the Donetsk region of Ukraine, killing at least 50 Ukrainian PoWs and injuring 151 others. To date, there has been no proper investigation into the tragedy, as the Russian Federation has not allowed access to the UN or other independent bodies. The Office of the United Nations High Commissioner for Human Rights (OHCHR), however, concluded that the explosion was not caused by rockets fired by Ukraine (as claimed by the Russian Federation), and that "the pattern of structural damage appeared consistent with a projected ordnance having travelled on an east-to-west trajectory".¹¹

31. The testimonies of former POW who were present at Olenivka also report that no immediate medical attention was provided to the injured, and that several of them died in front of the penal colony's leadership, which did nothing to prevent this.¹² To date, the perpetrators of the Olenivka massacre have not been punished.

32. Every month, Ukrainian POW are victims of summary executions by Russian forces on the battlefield, after being captured and once they are *hors de combat*, and videos of these horrific crimes are posted on social media. The Ombudsman of Ukraine informed Amnesty International that the Prosecutor General's Office had documented 177 summary executions, of which 109 occurred in 2024.¹³ As an example, in October 2024, drone footage allegedly showed the execution of 16 Ukrainian POW.¹⁴ The Office of the Ombudsman of Ukraine is also aware of numerous cases of deaths of POW held in captivity, as a result of torture, disease and lack of medical attention.

33. The summary executions of Ukrainian POW by Russian forces on the battlefield are motivated by Russian propaganda, including anti-Ukrainian hate speech and genocidal calls, especially for what concerns POW captured during military activities in the Kursk region of the Russian Federation. Russia declared the military activities in the Kursk region as so-called "counterterrorist operations", and *de facto* denies the status of POW to the Ukrainian servicepersons captured there, which is contrary to the Third Geneva Convention.¹⁵

9. Such as the "Viktoriia" project, launched after the death, in October 2024, of Viktoriia Roshchyna, a Ukrainian journalist who was investigating Russian places of detention. She was secretly arrested in August 2023, proclaimed dead in October 2024, and her body was returned only in February 2025, without some organs and carrying marks of torture: <https://forbiddenstories.org/russia-detainees-investigation-viktoriia-roshchyna/>.

10. <https://unity.gov.ua/en/information/national-information-bureau/>.

11. UN Ukraine, "Olenivka: Two years since the deadly strike that killed dozens of Ukrainian POWs, a continued call for accountability", 25 July 2024.

12. UN Independent International Commission of Inquiry on Ukraine, Report – A/79/549, 25 October 2024.

13. Amnesty International, "A Deafening Silence – Ukrainians held incommunicado, forcibly disappeared and tortured in Russian captivity", March 2025.

14. Reuters, Ukraine investigating alleged shooting of 16 POWs by Russia, 1 October 2024.

15. www.bbc.com/news/live/c51ypekv9xwt?post=asset%3A54aacdc9-f9ed-44eb-813c-8c1a365609b9#post.

34. Similarly, Russia also denies the status of PoWs to approximately 50 Ukrainian citizens detained for their alleged participation in the “Crimean Tatar Battalion”, which was, *de facto* and *de jure*, a “public formation for the protection of public order and the State border” (“Asker”), as an auxiliary structure of the Kherson border detachment.

35. At least two high-profile Russian political figures publicly called for the execution of Ukrainian PoWs. In July 2024, former President and Deputy Chair of the Security Council Dmitri Medvedev called for “total executions” on his Telegram channel. In October 2024, the Head of the Chechen Republic, Ramzan Kadyrov, publicly stated that he had issued an order not to take Ukrainian soldiers alive.¹⁶ Although he later claimed to have revoked this order, in December 2024 he threatened to use Ukrainian PoWs as human shields against Ukrainian drones.¹⁷

36. Ukrainian POW are being racially discriminated against by Russian forces: while in detention, they are strongly punished for using the Ukrainian language, they are indoctrinated to believe that they are “Russians”, and they are often forced to issue statements that are subsequently submitted to public curiosity for propaganda purposes, in violation of the Third Geneva Convention. Furthermore, multiple former POW have testified to the use of sexual violence and forced nudity as a means of “breaking” their identities, in breach of Articles 13 and 17 of the Third Geneva Convention prohibiting outrages upon personal dignity.

37. The Russian Federation also convicts and imprisons Ukrainian POW on trumped-up charges. The Russian authorities are organising so-called “trials” of Ukrainian POW: in total, the Investigative Committee of the Russian Federation has initiated more than 4 000 criminal cases against almost 900 Ukrainians. In this regard, the OSCE Office for Democratic Institutions and Human Rights (OSCE/ODIHR) called on the Russian Federation authorities to immediately cease the prosecution of captured combatants for the mere fact of having directly participated in hostilities.¹⁸

38. Contrary to the provisions of the Geneva Conventions, the Russian Federation has not established special internment camps for the detention of Ukrainian POW, who are mainly kept in the Russian Federation’s penitentiary institutions. 186 places of detention of Ukrainian POW and 29 places where military and civilian prisoners are tortured and ill-treated have been identified. Furthermore, the Russian Federation is keeping the vast majority of Ukrainian POW in incommunicado detention, often for years at a time: this amounts to inhuman treatment, and it is in violation of the Third Geneva Convention.¹⁹

39. During a joint hearing organised on 30 January 2025 by the Committee on Political Affairs and Democracy, the Committee on Legal Affairs and Human Rights, the Committee on Migration, Refugees and Displaced Persons and the Committee on Culture, Science, Education and Media, members of the Assembly had the opportunity to hear from Mr Yulian Pylypei, a Ukrainian marine and Mariupol defender, who had been held for 2.5 years in Russian captivity. He described inhumane conditions of detention in the several places he had been kept imprisoned by Russia, including extremely overcrowded cells, lack of hygiene items, spoiled food, and recurring beatings, which led to the amputation of his leg, without proper tools nor painkillers.

4.2. Accountability for Russian crimes against Ukrainian prisoners of war

40. The information provided by the Ombudsman of Ukraine during the hearing is consistent with various reports issued by the OSCE/ODIHR, the OHCHR, and the UN Independent International Commission of Inquiry on Ukraine. The OHCHR, in particular, has stated that it is not aware of any “prosecutions or convictions against alleged perpetrators of torture or ill-treatment involving Ukrainian POW by the Russian Federation”, highlighting the complete lack of accountability for those responsible for these crimes, again in violation of international humanitarian law.²⁰

41. Overall, the UN Independent International Commission of Inquiry on Ukraine indicated in its report distributed on 25 October 2024 that “Russian authorities have committed torture in all provinces of Ukraine where areas have come under Russian control and in the detention facilities investigated in the Russian Federation. This confirms that torture has been widespread. Additional common patterns in the way in which torture has been committed have shown that it was systematic. These patterns concern the categories of

16. Amnesty International, *ibidem*.

17. *Ukrainska Pravda*, “Chechen leader threatens to use Ukrainian POWs as human shields against drones”, 4 December 2024.

18. OSCE/ODIHR “Fifth Interim Report on reported violations of international humanitarian law and international human rights law in Ukraine”, 22 July 2024.

19. Amnesty International, *ibidem*.

20. OHCHR, “Treatment of prisoners of war and update on the human rights situation in Ukraine”, 1 October 2024.

persons targeted, the commonality of methods employed, the aim for which torture has been used, and the transposition of violent practices common in Russian Federation detention facilities to similar facilities in areas under Russian control in Ukraine”.

42. The International Commission of Inquiry therefore concluded that “Russian authorities have acted pursuant to a policy encouraging torture against civilians and prisoners of war and have thereby committed torture as a crime against humanity”.²¹

43. Several issues related to the recovery of damages for released and exchanged Ukrainian POW are still not solved. The Register of Damage Caused by the Aggression of the Russian Federation against Ukraine, established under the auspices of the Council of Europe, includes a number of categories of claims eligible for recording, which cover violations also relevant for Ukrainian PoWs. These include serious personal injury, sexual violence, torture or inhuman or degrading treatment or punishment, deprivation of liberty, and forced labour or service. These categories are directly applicable to PoWs, including from the point of view of addressing injuries such as psychological harm that is specifically included in the scope of multiple categories. Enforced disappearance is encompassed in the category for missing close family members. All these categories are currently open for submission of claims. In addition, the Register has published guidance material, including answers to the most frequently asked questions with respect to these categories and the Register’s process in general. At the same time, further detailed guidelines may be helpful to assist PoWs in the submission of claims to the Register and receiving other required support.²² In addition, dedicated funding or procedural support for PoWs’ claims should be envisioned, as many returned PoWs do not have legal assistance to file their cases.

44. As the Russian Federation was excluded from Council of Europe in March 2022, it ceased to be Party to the European Convention on Human Rights (ETS No. 5) on 16 September 2022. The international proceedings on violations of human rights of Ukrainian PoWs committed after that date have become an extremely complicated challenge: relevant individual petitions and applications regarding violations may now only be addressed at the international level through various UN treaty bodies and monitoring mechanisms. Consequently, families have reported waiting more than 18 months for a single communication from the UN, severely undermining timely redress.

45. The investigation of crimes against Ukrainian PoWs by Ukrainian courts is complicated by the high overload of Ukrainian legal enforcement units, as well as by the lack of access to perpetrators, witnesses and places of the incidents.

46. Investigations in other Council of Europe member States exercising universal jurisdiction are not frequent, as former Ukrainian PoWs generally do not reside in these States, which limits opportunities for gathering testimonies and evidence.

47. The International Criminal Court has not provided information about cases related to PoWs in the framework of its investigations on Russian crimes committed in Ukraine.

5. The situation of Russian prisoners of war

48. The situation of Russian PoWs can be documented through the direct reports of international bodies, such as the OSCE/ODIHR and the UN, as the Ukrainian authorities allow access to the detention centres to assess the conditions of detention and treatment of prisoners, and to conduct interviews with them. In addition, Russian PoWs are allowed to communicate with their relatives, and have access to medical care.

49. These reports show that Russian PoWs are generally treated humanely and in accordance with the Third Geneva Convention. Ukrainian authorities and armed forces need to ensure that they keep acting in full compliance with the Geneva Conventions, and that any violations of international human rights and humanitarian law are promptly and properly investigated.

50. The main legal challenges for Ukrainian authorities relate to Russian PoWs originating from the temporarily occupied territories of Ukraine, who were either conscripted and mobilised illegally by occupational forces, or else voluntarily joined the Russian troops. For example, in April 2025, “at least 116 servicemen from occupied Crimea, most likely Ukrainian citizens, have been confirmed as captured”²³ as Russian PoWs.

21. UN Independent International Commission of Inquiry on Ukraine, *ibidem*.

22. Register of Damage for Ukraine: <https://www.rd4u.coe.int/en/submit-a-claim>.

23. Mission of the President of Ukraine in the Autonomous Republic of Crimea, “Update on the Situation in the Temporarily Occupied Territory of the Autonomous Republic of Crimea and the City of Sevastopol as of April 21, 2025”.

6. Current international efforts

51. The release of PoWs and their exchange between parties to an armed conflict may be considered as measures to de-escalate tensions. International organisations, designated Protecting Powers and other countries can play an important role in mediating the negotiations between the parties involved. The ICRC, in particular, has a specific mandate in this regard, as set out in the Third Geneva Convention, especially when no Protecting Powers are designated.

52. According to the Ukrainian Ombudsman, however, the ICRC has so far been unable to ensure compliance with the rules of international humanitarian law with regard to PoWs. The responsibility lies with the Russian authorities, who largely impede access to the facilities where Ukrainian PoWs are held. The vast majority of Ukrainian PoWs who have been released and returned to Ukraine have declared that they were never visited by ICRC staff or other international monitoring bodies.²⁴

53. The Assembly, in its [Resolution 2573 \(2024\)](#) “Missing persons, prisoners of war and civilians in captivity as a result of the war of aggression of the Russian Federation against Ukraine”, has already called on the Russian Federation to fully respect the right of access of the ICRC to all places of detention, and has called on the international community to support and encourage the fulfilment of this mandate.

54. The ICRC’s work is based on neutrality, which is not a moral position but rather an operational necessity, and on confidential dialogue. This allows it to build relationships with all the parties involved, to find solutions, and, ultimately, to work safely in the field, without compromising its objective of providing humanitarian aid. For these reasons, it rarely makes one-sided condemnations or public denunciations.²⁵ [Resolution 2573 \(2024\)](#) also calls on the ICRC to consider making an exception to its confidentiality approach (if this does not go against the interests of currently detained POW), in order to provide information on the issues it is facing in gaining full access to Ukrainian POW.

55. At the end of the Ministerial Conference on the Human Dimension of Ukraine’s 10-Point Peace Formula, co-hosted by Canada, Ukraine and Norway in Montreal on 30-31 October 2024, representatives of more than 70 countries and international organisations adopted a joint communiqué, highlighting the role of international and non-governmental organisations with neutral, impartial and independent mandates as effective intermediaries, as well as the valuable role of States engaged in diplomacy and providing assistance and support services.

56. The joint communiqué also includes the Montreal Pledge, in which the participants commit themselves to advocating for the enforcement of the Geneva Conventions, to continuing to raise international awareness, and to supporting ongoing efforts to identify mediating States trusted by the parties to negotiate for the safe return of POW.²⁶

57. On 11 December 2024, the Committee on Political Affairs and Democracy held a hearing with different representatives, including from the UN Human Rights Monitoring Mission in Ukraine. The members of the committee and the invited guests discussed about the importance of the obligation to protect while pursuing release and repatriation operations.

58. Since the beginning of the full-scale war of aggression against Ukraine, the UN Human Rights Monitoring Mission in Ukraine has conducted interviews with hundreds of Ukrainian POW and civilian detainees, seeing clear patterns of violations of international humanitarian law and human rights law. Torture is widespread and systematic. In the Russian Federation’s detention facilities, conditions are consistently dire, dreadful, and inhumane. Deaths in custody are regularly documented. Families often do not receive notifications on the fate and whereabouts of individuals and regular communication is denied.

59. Since the beginning of the Russian Federation’s war of aggression, other countries have contributed to various exchanges of POW between Ukraine and the Russian Federation. As of 6 May 2025, 64 POW exchanges have taken place, some of them under the auspices of other countries, such as Türkiye²⁷ or the United Arab Emirates.²⁸

24. *The Kyiv Independent*, “Most Ukrainian POWs haven’t seen Red Cross while in Russian captivity, Ombudsman says”, 21 July 2024.

25. ICRC, “Russia-Ukraine international armed conflict: Your questions answered about the ICRC’s work”, 26 June 2024.

26. Joint Communiqué on the Human Dimension, 31 October 2024.

27. *RBC-Ukraine*, “Türkiye’s role in returning of Ukrainian prisoners of war – Ambassador’s insights”, 16 September 2024.

28. *Reuters*, “Russia and Ukraine exchange 205 prisoners of war each”, 6 May 2025.

60. [Resolution 2573 \(2024\)](#) also refers to these interventions and welcomes these exchanges, while at the same time it encourages “the establishment of a more permanent mechanism for the exchange or the release” of PoWs, with the active involvement of the ICRC, and supporting the idea of an “all for all” exchange, a comprehensive swap in which both parties exchange all captured individuals – as a means of building up mutual confidence in this matter.

61. The ICRC could support the political negotiations in several other ways: as a neutral intermediary; by collecting and transmitting information about PoWs, an activity already ongoing since March 2022 through its Central Tracing Agency Bureau for the international armed conflict between the Russian Federation and Ukraine;²⁹ by supporting the establishment of Mixed Medical Commissions (Ukraine established its own in August 2023, but its composition has not been endorsed by the Russian Federation); and by supporting the identification of a Protecting Power: several attempts have been made by Ukraine in this sense, but so far in vain, due to the refusal of the Russian Federation.

62. A co-ordinated push for the exchange of PoWs could lead to arrangements for their accommodation in neutral countries. While there is not much previous experience of a mechanism of other States hosting PoWs, the ICRC could provide its legal and protection expertise, to build, together with the concerned parties, such mechanism.

7. Conclusions

63. This report is intended to raise international awareness of the situation of Ukrainian PoWs held by the Russian Federation and to encourage active action to ensure their decent treatment and respect for their rights.

64. The Assembly should stand in solidarity with all PoWs, their families and loved ones, and call upon the international community to work to ensure that their rights and dignity are fully respected and upheld.

65. The role of international humanitarian and monitoring bodies, such as the ICRC, the OHCHR and the OSCE/ODIHR has to be acknowledged, and their activities must be supported. ICRC, in particular, should be granted access to all facilities where PoWs are detained, and should be allowed to hold confidential interviews with them.

66. The international community needs to increase political and diplomatic pressure on the Russian Federation, so that it fully complies with the Third Geneva Convention and engages in good faith in the release and exchange of all Ukrainian PoWs.

67. Furthermore, political negotiations should be supported among the concerned parties, in order to facilitate such exchanges and possibly establish a structured and permanent mechanism, allowing for the regular release and exchange of all PoWs, with special attention to the seriously wounded and sick.

29. www.icrc.org/en/document/central-tracing-agency-missing-persons-ukraine.