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FORCED PASSPORTIZATION IN RUSSIA-OCCUPIED AREAS OF UKRAINE

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1. EXECUTIVE SUMMARY

1.a. Introduction

Russia has launched a systematic effort to force residents of occupied areas of Ukraine to accept Russian citizenship as part of its program of consolidating authority. Residents of Luhansk, Donetsk, Kherson and Zaporizhzhya oblasts are subjected to threats, intimidation, restrictions on humanitarian aid and basic necessities, and possible detention or deportation – all designed to force them to become Russian citizens. These efforts parallel the passportization campaign that Russia executed in Crimea and areas of Donetsk and Luhansk since 2014. Based on a comprehensive review of open source material, the Yale School of Public Health's Humanitarian Research Lab (Yale HRL) has identified the laws and tactics used to make it impossible for residents to survive in their homes unless they accept Russian citizenship. These laws and tactics violate international law, including the prohibition on discrimination against people living under occupation based on nationality, and forcing people to declare allegiance to an occupying power, both illegal under the Hague Convention and the Geneva Conventions.

Efforts to compel all residents of the occupied areas of Ukraine to accept Russian citizenship are twofold. First, Russia's federal government has enacted laws that *de jure* streamline applying for a Russian passport while simultaneously threatening those who refuse to apply with detention or deportation. Second, Russia's occupation officials have imposed *de facto* restrictions on those without Russian citizenship that make it impossible to live in Russia-occupied areas without accepting a passport. These include denial of medical services, social benefits, the ability to drive and to work, and overt threats of violence and intimidation.

These efforts create a series of ultimatums for residents of occupied areas of Ukraine who did not choose to move to Russia, but rather saw Russia impose its control on them. The incrementally added restrictions on residents without Russian citizenship make it increasingly difficult for them to meet basic needs for, among other things, shelter, food, employment, and medicine. Recent federal law introduced and signed by Russia's President Vladimir

Putin will also threaten the liberty of residents in areas occupied by Russia, who may be detained or deported if they do not acquire Russian citizenship. Local authorities in the so-called Donetsk People's Republic have begun planning the establishment of detention facilities for "foreign citizens" – all residents who remain in Russia-occupied areas after 1 July 2024 without obtaining a Russian passport.¹ Even for those who accept Russian citizenship, amendments to Russia's law on citizenship will leave these holders of "acquired citizenship" vulnerable to denaturalization at any time, effectively making them second class citizens.²

Both the *de jure* and *de facto* components of Russia's passportization program appear to constitute serious violations of international law. Under the regulations annexed to the Hague Convention of 1907, "It is forbidden to compel the inhabitants of occupied territory to swear allegiance to the hostile Power."³ Restrictions on the ability of non-Russian citizens living under occupation in Ukraine to access basic needs violate Russia's obligations under the Geneva Conventions, as do rules requiring public servants to accept Russian citizenship, effectively forcing them to swear allegiance to the occupying force. Customary international law also clearly forbids the forced or coerced imposition of citizenship.⁴

This report uses open source material to demonstrate the coercive elements of Russia's passportization campaign. The official decrees, laws, and pronouncements by figures in Russia's federal government and local occupation authorities publicly identify the steps they have taken to compel acceptance of citizenship. Some of the same actors openly describe the restrictions they have placed or will place on residents who do not accept Russian citizenship in their efforts to convince residents to apply.⁵ Yale HRL also examined allegations made by residents of abuse and threats they experienced in the context of passportization. All sources were evaluated for credibility, proximity to events, reliability, and observable biases. Research was conducted according to the Berkeley Protocol on Digital Open Source Investigations.

1.b. Key Findings

- Russia has promulgated a series of laws that first dramatically accelerates the application process for Russian citizenship, and then increasingly penalizes those who do not apply.
- Russia has banned residents who do not have citizenship from access to humanitarian aid, medical care, municipal services, and social services.
- Residents of occupied areas of Ukraine have been progressively barred from employment, utilities and even their property based on their nationality.
- Residents who do not accept Russian citizenship must register as foreign residents. Those failing to do are forcibly taken to a Ministry of Internal Affairs office to be fingerprinted and photographed.
- Residents of occupied areas who do not accept Russian citizenship by July 2024 can be detained and/or removed to other areas of Russia or places as yet unknown.
- Even those who accept Russian citizenship are kept in a probational state, vulnerable to denaturalization for offences such as “discrediting and spreading fake news about the army,” or using a Ukrainian passport after unilaterally renouncing it.
- Forcing people to swear allegiance to an occupying power—a required component of passportization—is a violation of the Hague Convention and the Geneva Conventions.
- Discriminating against people living under occupation on the basis of nationality also violates the Geneva Conventions.

1.c. Background

Passportization—the mass conferral of naturalization to people residing outside of Russia’s internationally recognized borders—has become an increasingly prevalent phenomenon in the occupied regions of Ukraine. According to Russia’s Prime Minister Mikhail Mishustin, almost 1.5 million individuals living in Donetsk, Luhansk, Zaporizhzhya, and Kherson oblasts had obtained a Russian passport as of 30 May 2023.⁶ This number has grown since then, with leaders of the so-called Luhansk People’s Republic (LPR) claiming that three quarters of residents of that oblast had received Russian citizenship.⁷ Russia’s Ministry of Internal Affairs’ Migration Department plans to “complete the process of issuing passports” by 1 September 2023.⁸

While Russia maintains that naturalization of Ukraine’s citizens in these areas is voluntary, recent laws promulgated by Russia’s government have created a legal basis for compelling individuals to apply for a

Russian passport. Furthermore, actions taken by Russia-appointed authorities have created an increasingly coercive environment for accepting Russian citizenship, making it impossible to survive without it. For those disinclined to change their nationality, these conditions may force them to choose between accepting Russian citizenship and accessing means of living, such as medical care, employment and even shelter. For others with the resources and ability to flee, it will mean choosing between accepting Russian citizenship and leaving their homes.

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1.C.I. HISTORY OF PASSPORTIZATION BY RUSSIA

Passportization has been a key element of Russia's strategy of expanding its extraterritorial influence in post-Soviet states. For example, before the 2008 Russo-Georgian war, Russia used a similar tactic to profound effect. Throughout the 1990s, many South Ossetians and Abkhazians refused to accept Georgian documents (and citizenship) and either relied on old Soviet documents or gained Russian citizenship under a special procedure for Soviet passport holders who did not receive citizenship of any post-Soviet state.⁹ By 2002, as the utility of Soviet-era documents waned and a new Russian law made it far easier for South Ossetians and Abkhazians to gain Russian citizenship, large numbers of them applied for Russian citizenship with active support from the government of Russia.¹⁰ Indeed, in an echo of current efforts to expedite the adoption of Russian passports in occupied areas of Ukraine, mobile teams of separatist activists were dispatched to collect application documents from residents at home, making the process far easier and adding an element of social pressure.¹¹ Today, a substantial number of individuals living in the two regions have acquired Russian passports. Many Abkhazians only have Abkhaz "passports" and no other national documentation. By 2003 as many as 80%-90% of residents of the two regions had acquired Russian citizenship.¹² Any Abkhazians or South Ossetians who did have Georgian citizenship automatically lost it when they gained citizenship of Russia.¹³

When, in August 2008 Russia invaded Georgia, Russia's government described protecting those new Russian citizens as its primary justification. In a speech justifying his country's invasion of Georgia, Russia's then-president Dmitry Medvedev described the "duty to protect the lives and dignity of Russian citizens wherever they may be" as the reason for meting out "punishment" to Georgia.¹⁴ Similar tactics were used in Transnistria, the unrecognized breakaway region of Moldova, when Russia supported separatists there.¹⁵ In a 2009 report by the European Union-created Independent International Mission to the Conflict in Georgia, researchers concluded that "a 'passportisation' policy aiming at the conferral of nationality on the citizens of another state without sufficient factual links, especially if it is implemented

on a large scale, violates first the specific prohibition of extraterritorial collective naturalisation, and also several general principles of international law."¹⁶

Passportization has provided Russia with important leverage in past conflicts. First, it provides a convenient *casus belli* for future or ongoing conflicts. Russia has claimed that its actions are legal efforts to protect its citizens from harm. Second, the provision of citizenship to individuals in conflict regions of neighboring countries serves to prop up those economies and tie the financial wellbeing of recipients to Russia; with citizenship comes access to social support like pensions.¹⁷

1.C.II. HISTORY OF PASSPORTIZATION IN OCCUPIED AREAS OF UKRAINE

Russian citizenship was automatically granted to residents of Crimea beginning with Russia's illegal annexation of the peninsula in 2014.¹⁸ Within nine months of annexation, Russia issued more than 1.5 million passports to residents of Crimea (the permanent population of which was estimated at 2.28 million).¹⁹ Those without Russian passports in Crimea faced restrictions on employment, access to mortgages, school enrollment, and healthcare, according to the UN High Commissioner for Human Rights. Residents with government or municipal jobs were further required to renounce their Ukrainian citizenship in 2014 or lose their jobs.²⁰

Residents of the so-called Luhansk and Donetsk People's Republics have been encouraged to apply for Russian citizenship through a simplified and accelerated process since 2019, cutting the timeline down from an eight-year waiting period for naturalization to a mere three months.²¹ In 2021, Russia's Ministry of Internal Affairs reported that more than 527,000 individuals in these regions had obtained Russian citizenship.²² Until 9 June 2023 residents of the so-called Luhansk and Donetsk People's Republics had been required to travel to Russia to receive passports.²³

Russian citizenship has been available to residents of Kherson and Zaporizhzhya since Russia occupied parts

of those oblasts in February and March 2022, but the process was slow and oriented towards voluntary applications.²⁴ In October 2022, shortly after Russia's government illegally annexed four of Ukraine's oblasts, Russia's deputy Foreign Minister Yevgeny Ivanov announced that all residents of annexed territory "who went abroad" (here meaning areas outside of Russia or the occupied areas of Ukraine) would need to decide on accepting Russian citizenship within one month.²⁵ The process accelerated precipitously with the adoption of new laws and restrictions during the first half of 2023, described below.

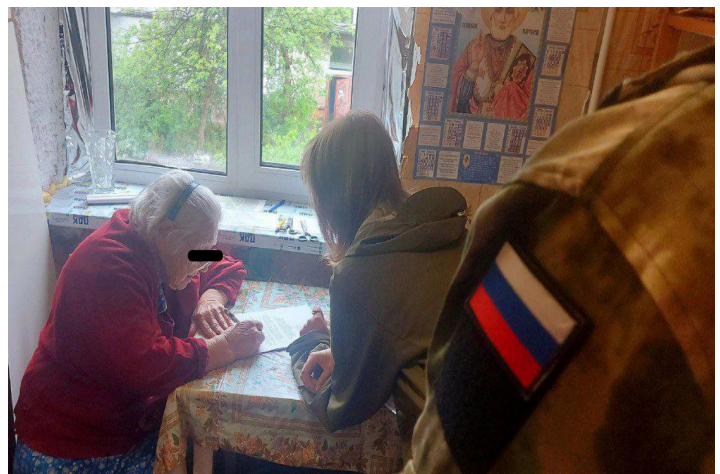
In March 2023, President Vladimir Putin called for local authorities to expedite passportization in recently annexed areas of Ukraine: "I understand that there are some difficulties here. I ask you to put things in order here and do it quickly. People want to be citizens of our country; they go to get passports. Firstly, everything takes a very long time - for months, and you must stand in queues for a lot of time. We need to take a responsible approach to solving these problems."²⁶ The Zaporizhzhya branch of Russia's Ministry of Internal Affairs posted a summary of these comments on its Telegram channel, and exactly one week later announced the creation of more mobile passporting teams and temporary passport offices.²⁷ Other senior federal officials—such as the Head of the Main Directorate for Migration of Russia's Ministry of Internal Affairs—have also encouraged and even visited passportization efforts.²⁸

In the months after President Putin's public appeal, authorities in Kherson and Zaporizhzhya oblasts continued to announce the establishment of new passport offices and the hiring of additional staff.²⁹ Occupation authorities have established temporary passport offices in occupied areas, allegedly to make them more accessible.³⁰ Some are located in small communities.³¹ There are at least 17 locations in Zaporizhzhya oblast where residents can apply for Russian passports.³² In Kherson, occupation authorities have announced the locations of 19 temporary and permanent offices, while in Luhansk there are allegedly 36.³³

1.C.III. MECHANICS OF PASSPORTIZATION

Under the simplified procedures for acquiring Russian citizenship, residents must present: an "identity document; a birth or marriage certificate (if available); a document confirming the change of identity data; 4 photos 3.5 x 4.5 on matte paper."³⁴ A process that took up to three months in June 2022 has been accelerated, sometimes lasting only a week and a half.³⁵ For people with "limited mobility" and those living in small communities not serviced by passport offices, mobile teams are dispatched to issue "ready-made" passports to applicants along with a copy of the Russian constitution.³⁶ Russia-appointed local village and neighborhood leaders assemble and help prepare documents for rural applicants or those who are disabled applicants and submit them to mobile passporting teams who later return to distribute passports and administer an oath of allegiance.³⁷ In other cases, buses are organized to take residents to passport and administration offices in other towns.³⁸ In the occupied areas of Donetsk and Luhansk, private transportation companies advertise trips to Russia's city of Rostov-on-Don for "Registration of the passport of the Russian Federation in one day" and access to a 10,000-ruble payment to refugees.³⁹

Occupation authorities post glowing updates on social media celebrating daily, weekly, or monthly milestones in the number of passports distributed.⁴⁰ For example, on 10 April 2023 the local branch of Russia's Ministry of Internal Affairs said that it had issued 80 passports and collected documents for another 30 in the town of



Russia's forces on a home visit in Severodonetsk, Luhansk oblast for the passportization of elderly and low-mobility residents (MIA LNR, 2023).⁵⁴

Polohy.⁴¹ In February 2023, the local branch of Russia's Ministry of Internal Affairs posted a celebratory message about the 100,000th Zaporizhzhya resident presented with a passport.⁴² On 20 June 2023, the Main Directorate of Russia's Ministry of Internal Affairs for the Kherson region announced that police had distributed passports to 623 people with limited mobility since 1 June. The Directorate distributed what it terms "ready-made" passports at the residences of these individuals, meaning that final steps could be completed on site.⁴³ On 23 June Kirill Adzinov, the deputy head of the Main Directorate for Migration of Russia's Ministry of Internal Affairs announced that the so-called Luhansk People's Republic was on track to complete passportization by the end of August 2023.⁴⁴

1.C.IV. INTERNATIONAL LAW

The possession of a passport and naturalization are distinct legal acts; a passport does not convey citizenship or nationality, *per se*. Here, passportization refers to large-scale extraterritorial naturalization, especially when it is based on a real or perceived cultural, religious, linguistic, or historical affinity.⁴⁵

Russia's passportization campaign violates the rights of residents living under occupation in three ways. First, an occupying power is forbidden under the Fourth Geneva Conventions and the First Protocol Additional to the Geneva Conventions to engage in "adverse distinction in the application of international humanitarian law." This principle applies to all of the occupying powers' responsibilities to the population under its control, such as "the provision of clothing, bedding, means of shelter, other supplies essential to the survival of the civilian population of the occupied territory."⁴⁶ Second, an occupying power is forbidden under the Hague Convention of 1907 from compelling "the inhabitants of occupied territory to swear allegiance to the hostile Power," as the acquisition of citizenship requires.⁴⁷ Third, the Fourth Geneva Convention specifically forbids coercion or discrimination against public officials in occupied territories, including compelling them to swear allegiance to the occupying power.⁴⁸

Russia's campaign of passportization potentially also implicates elements of International Human Rights Law, especially the International Convention on Economic, Social and Cultural Rights (ICESCR).⁴⁹ The campaign implicates these rights through its assault on the right to a legal identity as described in the Universal Declaration of Human Rights (UDHR).⁵⁰ By denying residents the right to a legal, national identity, Russia also denies them the interdependent rights mandated by the ICESCR, including social services, free movement, education and work.

While states are afforded wide discretion under international law with regards to conferring nationality, customary international law clearly forbids the imposition of citizenship without consent or under duress.⁵¹ A 2017 report by the UN High Commissioner for Human Rights on passportization in Crimea found that imposing citizenship in occupied territories can be considered tantamount to forcing residents to swear allegiance to a state that they consider hostile, which is unlawful under the Fourth Geneva Convention.⁵² Though granting citizenship is a prerogative of states, mass naturalization schemes can interfere in the sovereignty of another state where they occur without the consent of the other implicated state or states. Because citizenship confers a set of variable rights and obligations between a state and an individual, passportization deeply impacts the state to which an individual was formerly a citizen; citizens required to pay taxes or enlist in the military of their new country may be unable to do the same for their old (especially when the two countries in question are at war). States have other rights and prerogatives that may be infringed on by the unilateral naturalization of a large number of their citizens.⁵³

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2. DE JURE PASSPORTIZATION

2.a. Simplification and Acceleration of the Naturalization Process

In May 2022, President Vladimir Putin signed a decree simplifying and accelerating the passport application procedure for residents of the occupied areas of Zaporizhzhya and Kherson oblasts. The decree mirrored 2019 rules that had previously expedited the process in the occupied areas of Donetsk and Luhansk.⁵⁵ Residents of Kherson and Zaporizhzhya could then also apply for citizenship without fulfilling normal requirements like five years of residence in Russia, proof of a source of livelihood and knowledge of the Russian language.⁵⁶ Consequently, the Zaporizhzhya branch of Russia's Ministry of Internal Affairs announced in December 2022 that all residents of Zaporizhzhya who left for Russia after the invasion "are recognized as citizens of the Russian Federation from the day of the region's incorporation into Russia, provided they take the Oath of Citizenship of the Russian Federation."⁵⁷ One man posted in a town Telegram group in Kherson Oblast that he had been automatically given Russian citizenship while abroad, a fact he learned only when he tried to return to his hometown.⁵⁸ His experience would suggest that the requirement to take an oath may be abridged in some cases.

2.b. Regulations on "Foreign Citizens" and "Stateless" Individuals

On 27 April 2023, President Putin signed a decree entitled "On the Features of the Legal Status of Certain Categories of Foreign Citizens and Stateless Persons in the Russian Federation" under which residents of Donetsk, Luhansk, Kherson, and Zaporizhzhya oblasts who do not accept Russian citizenship are to be considered "foreign citizens and stateless persons" from 30 September 2022.⁵⁹ Any residents who do not accept Russian citizenship thereafter are temporarily protected from deportation, but must "undergo fingerprint registration, photographing and registration at the place

of residence as foreign citizens" at the Ministry of Internal Affairs.⁶⁰ Residents have until 1 July 2024 to accept Russian citizenship or declare their unwillingness to do so.⁶¹ After this date, those who do not accept Russian citizenship will be considered foreigners or stateless and can be subject to detention or deportation.⁶² The law does not provide any information about where these residents will be "deported" to, whether elsewhere in Russia, unoccupied areas of Ukraine or elsewhere. Amendments made to Russia's law "On Martial Law" in May 2023 provide for residents of the occupied areas of any citizenship to be removed to areas not under martial law on minor pretexts.⁶³ Martial law was imposed on the occupied areas of Ukraine in October 2022.⁶⁴

Residents who arrived after the illegal annexation of these territories by Russia have only until 1 January 2024 to acquire citizenship, at which point they may be subject to detention or deportation. There do not appear to be many people who arrived after the illegal annexations, though some local occupation administrations—and even the federal Senator for occupied Kherson oblast—have erroneously claimed that all residents without Russian citizenship can be detained or deported on this date.⁶⁵ Some residents posting on social media appear to also believe that the 1 January date applies to all residents without Russian citizenship, adding to a sense of panic for some.⁶⁶

2.c. Renunciation of Ukrainian Citizenship and the Threat of Denaturalization

In March 2023 President Putin signed a law entitled, “On Peculiarities of the Legal Status of Russian Citizens with Ukrainian Citizenship,” which stipulates that Ukrainian nationals who have received a Russian passport can apply to Russia’s government to renounce their Ukrainian citizenship from 17 June 2023.⁶⁷ Under this law, new citizens of Russia “are considered not to have Ukrainian citizenship from the day they submit to the federal executive authority in the sphere of internal affairs or its territorial agency a statement of their unwillingness to hold Ukrainian citizenship.”⁶⁸ A 6 July 2023 decree also signed by President Putin threatens denaturalization to those who have unilaterally renounced their Ukrainian citizenship but continue to use it.⁶⁹ Individuals can be subject to inspection to ensure they do not engage in “exercise of the rights and performance of the obligations provided for citizens of Ukraine, including not to obtain or use a Ukrainian passport and other documents certifying Ukrainian citizenship or containing an indication of Ukrainian citizenship...,” exposing them to potentially constant surveillance. They also cannot reapply to renounce their Ukrainian citizenship for 10 years if found in violation.⁷⁰

Finally, an amendment to the Russian law “On Citizenship” introduced by President Vladimir Putin and signed by him on 28 April 2023 puts recent recipients of Russian citizenship in permanent jeopardy of losing their Russian citizenship. The amendment stipulates a list of “crimes, the commission of which entails the termination of acquired citizenship...” That list now includes:

“... desertion, discrediting and spreading fake news about the army and volunteers, riots, repeated violations of the law on rallies, evasion of military service, desertion, and failure to comply with the law on foreign agents. In addition, acquired Russian citizenship may be terminated in connection with the commission of actions that pose a threat to national security.”⁷¹

Given the subjective nature of these acts, the amendment leaves all recipients of Russian citizenship in a permanent state of probation, in which anyone considered insufficiently enthusiastic for the war can have their citizenship revoked. In combination with existing laws and requirements for renouncing Ukrainian citizenship, this last amendment puts individuals at constant risk for statelessness. The large number of residents of Ukraine who lacked citizenship of any country even before Russia’s full-scale invasion (many of whom belong to minority groups) are also vulnerable to statelessness.⁷²

Given the subjective nature of these acts, the amendment leaves all recipients of Russian citizenship in a permanent state of probation, in which anyone considered insufficiently enthusiastic for the war can have their citizenship revoked.

Ukraine’s government has said that unilateral renunciations of citizenship that do not follow Ukraine’s procedures will not be considered valid, meaning many who lose Russian citizenship may still be citizens of Ukraine.⁷³ (See *additional information on Ukraine’s response in the next section.*) Despite this, Russia appears to consider those people who have unilaterally renounced Ukrainian citizenship and lost Russian citizenship to be stateless and will consider them as such. Within Russia, they are unlikely to be able to avail themselves of the protections and rights associated with their Ukrainian citizenship (which Russia considers them to have renounced). Lacking passports for either country, they may be unable to leave Russia and will be effectively stateless.⁷⁴

3. DE FACTO PASSPORTIZATION

3.a. Denial of Basic Needs

In addition to the laws imposed by Russia on the areas of Ukraine under its control, the federal government of Russia and occupation authorities have introduced official restrictions as well as unofficial methods of compulsion to force residents to accept Russian citizenship. Officially, they have adopted policies that deny rights and penalize those without Russian citizenship. Unofficially, they have used intimidation, theft, threats, and violence to compel residents to change citizenship. A man from Kherson oblast told a German newspaper that “[his] friend was beaten very badly by the Russian occupiers because he said that he did not know where and why to get that passport.”⁷⁵

In many cases Russia’s occupation forces explicitly describe the discrimination they exercise or plan to exercise against people without Russian citizenship. On 2 June 2023 the Russia-appointed head of the Kherson town of Lazurnoye told residents:

“The absence of a passport of a citizen of Russia means that in 2-3 weeks people will not be able to receive humanitarian aid, will not be able to get a job, will not be able to get pensions, and a number of those benefits that the Russian Federation has provided them will be missing!”⁷⁶

Authorities also construe the loss of rights and services to those without Russian citizenship as constituting benefits to those who obtain citizenship. For example, the Main Directorate of Russia’s Ministry of Internal Affairs for Zaporizhzhya listed some of the “benefits” of attaining a Russian passport on 9 June 2023:

“Obtaining maternity capital and all benefits, the right to hold any position in government bodies, acquiring land and doing business without any restrictions, the opportunity to receive free education - this is an incomplete list of what a holder of a passport of the Russian Federation can get.”⁷⁷

However, because Russia is an occupying power responsible for the welfare without adverse distinction of residents in these areas, most of these changes represent a loss of rights and a denial of needed support. For those who refuse Russian citizenship and are cut off from Ukraine’s services they had previously enjoyed because of Russia’s invasion, these rules represent penalties in important activities like doing business, buying land, receiving education, giving birth, and working as a sole proprietor or public employee.

The weight of these restrictions and actions is felt by those disinclined to accept Russian citizenship. Some have argued on social media that accepting a passport is a means of survival. They publicly ask that distinction be made between those who “waited in queues” to get a passport and those who accepted one to “stay alive.”⁷⁸ Correspondingly, Ukraine’s Minister of Temporarily Occupied Territories Iryna Vereshchuk said that Ukrainian citizens who have had their Ukrainian passport taken away or destroyed by Russia’s forces would in future be allowed to enter Ukraine without a passport.⁷⁹ Ukrainian officials have also advised people living under occupation to accept Russian passports “to survive,” and that they would be able to renounce their Russian passport once Ukraine recaptures the areas occupied by Russia.⁸⁰

3.b. Denial of Medical Services

Russia’s occupation forces in Ukraine have made access to certain medicine and medical care conditional on accepting Russian citizenship. These restrictions force vulnerable persons (including residents who are elderly, have chronic medical problems, have disabilities, or have low income) to decide between accepting Russian citizenship and forgoing medical care, especially when they are unable to leave the occupied areas. For critically ill or injured residents, denial of medical care could cause death; before Russia’s full-scale invasion the United Nations Office of the High Commissioner for Refugees (OHCHR) documented a case in Crimea in which a

woman who did not have Russian citizenship (and therefore could not access health insurance) was denied treatment by a public hospital for lack of insurance and died in 2015.⁸¹

In May 2023 Russian Deputy Prime Minister Tatyana Golikova announced that all residents of the illegally annexed areas of Ukraine must obtain compulsory health care policies by the end of 2023.⁸² The published rules for attaining a Compulsory Health Insurance policy require applicants to provide a Russian passport to qualify. This regulation even applies to children—those under 14 can attain a policy only if their parents present a Russian passport, while children between 14 and 18 must have their own policy and passport.⁸³ As of 3 June 2023, occupation authorities reported that 34,000 people had registered for health insurance policies in Zaporizhzhya.⁸⁴ In Melitopol, there have been reports of long queues for signing up, allegedly due to fears—especially among pensioners and persons with disabilities—of losing access to medical care.⁸⁵ Passportization campaigns in Zaporizhzhya and Kherson oblasts have put particular emphasis on getting Russian citizenship to residents with disabilities.⁸⁶

General Comment 14 of the United Nations Committee on Economic Social and Cultural Rights reminds state parties to the United Nations Committee on Economic Social and Cultural Rights (of which Russia is one) that “health facilities, goods and services must be accessible to all, especially the most vulnerable or marginalized sections of the population, in law and in fact, without discrimination on any of the prohibited grounds.”¹¹⁹

Under Article 55 of the Fourth Geneva Convention, “To the fullest extent of the means available to it, the Occupying Power has the duty of ensuring the food and medical supplies of the population; it should, in particular, bring in the necessary foodstuffs, medical stores and other articles if the resources of the occupied territory are inadequate.”⁸⁷ Common Article 3 of the Geneva Convention as well as Article 13 of the Fourth

Geneva Convention and Article 69 of Additional Protocol I all forbid discrimination in required humane treatment—including medical care—“without any adverse distinction” based on nationality.⁸⁸

3.c. Denial of Social Benefits

Russia’s forces have announced limitations on access to social services for residents of occupied areas if they do not accept Russian citizenship. While no state is required to provide social benefits to non-citizens, Russia’s actions appear pernicious, as residents of occupied areas did not move to Russia; rather, Russia moved the border over them, cutting them off from the social benefits of their government. Russia’s forces began cutting off non-citizens from receiving social benefits in some areas in early 2023, around the time passportization sped up.⁸⁹

Parents and guardians of children who do not accept Russian citizenship are particularly impacted by restrictions on access to social benefits; they are ineligible for benefits to support their children, while parents who accept Russian citizenship can receive at least 8,591 rubles per month for 18 months.⁹⁰ New mothers who do not accept Russian citizenship are likewise ineligible for benefits of 589,500 rubles for their first child and 779,000 rubles for their second.⁹¹

The same extends to various other benefits, affecting individuals with disabilities, workers, the poor and the elderly. Only low-income families with Russian passports are eligible for monthly “state support” payments.⁹² Monthly disability payments for adults and children are both contingent on Russian citizenship.⁹³ Workplace injury payments are available only to those with passports.⁹⁴ Residents of Zaporizhzhya who have accepted Russian citizenship can apply for a Russian pension, for which they must present a Russian passport.⁹⁵

3.d. Denial of Municipal Services

Russia’s occupation administrations have also made access to a variety of critical municipal services impossible without Russian citizenship. In Kherson Oblast, a Russian passport is required to register a vehicle

and attain or replace a driver's license.⁹⁶ In Zaporizhzhya oblast, drivers' licenses and vehicle registrations must be replaced by 1 January 2026 according to the occupation Traffic Inspectorate, meaning that anyone who continues to refuse a Russian passport will be unable to drive or own a vehicle after that date.⁹⁷ In the Kherson district of Kakhovka, the Russia-appointed municipal administration requires submission of a passport copy, the individual social security insurance account number (SNILS) and the tax identification number (TIN) of the head of household (issued when residents apply for a Russian passport) to avoid disconnection from the electric grid.⁹⁸ In addition, on 7 July 2023 residents of Kherson oblast without Russian citizenship were made ineligible for a federal housing program that provides vouchers for housing and a lump sum payment of 100,000 rubles.⁹⁹

3.e. Restrictions on Employment

Increasingly, individuals without Russian citizenship are barred from employment, especially in municipal jobs. Job openings posted by the official Signal channel of the Russia-appointed Kakhovka Military-Civilian Administration throughout June 2023 described possession of a Russian passport as a requirement for municipal employment.¹⁰⁰ Other job listings for the local power grid have likewise included possession of a Russian passport as a necessary condition.¹⁰¹ Teachers in the Mariupol district of Donetsk are allegedly threatened with losing their jobs if they refuse to obtain Russian citizenship.¹⁰² Article 54 of the Fourth Geneva Convention forbids coercion or discrimination against public officials in occupied territories and, as the 1958 commentary makes clear, "The occupation authorities may not, therefore, compel judges or public officials to swear allegiance to them."¹⁰³

In Kherson and Zaporizhzhya oblasts, business owners and sole proprietors had only until 1 July 2023 to re-register their business under a Russian passport, after which any without Russian passports and registrations have been barred from doing business on pain of "administrative, tax and criminal liability."¹⁰⁴ In Melitopol, one resident claimed that he was not planning to get a passport until companies started threatening to dismiss

workers without Russian passports by 1 July.¹⁰⁵ A small business owner in Zaporizhzhya oblast wrote on an advice board that he felt compelled to accept a passport by Russia's forces who ask shop keepers and stall owners for their papers, "I don't want to be a traitor, but how to get out of the situation and what do you suggest to these damned people?"¹⁰⁶

In occupied areas of Zaporizhzhya oblast, farmers need to re-register their agricultural enterprises using a Russian passport. Those who do not have Russian citizenship and cannot register will not receive "passes for transportation of agricultural products," potentially destroying their ability to sell produce and earn a living.¹⁰⁷

3.f. Seizure of Property

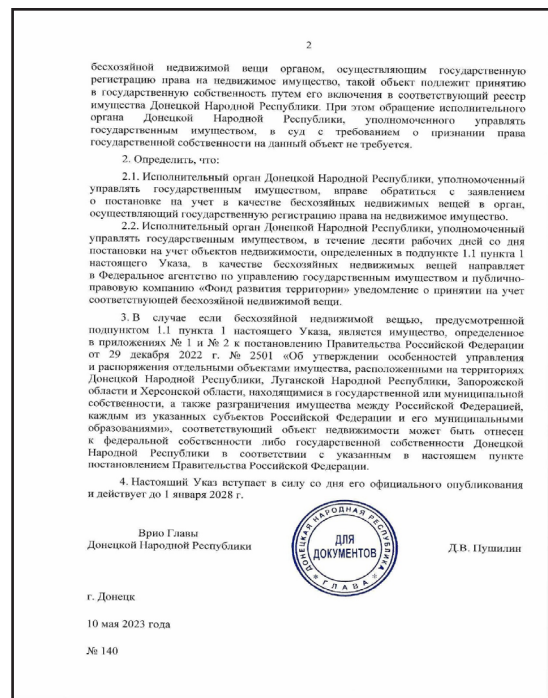
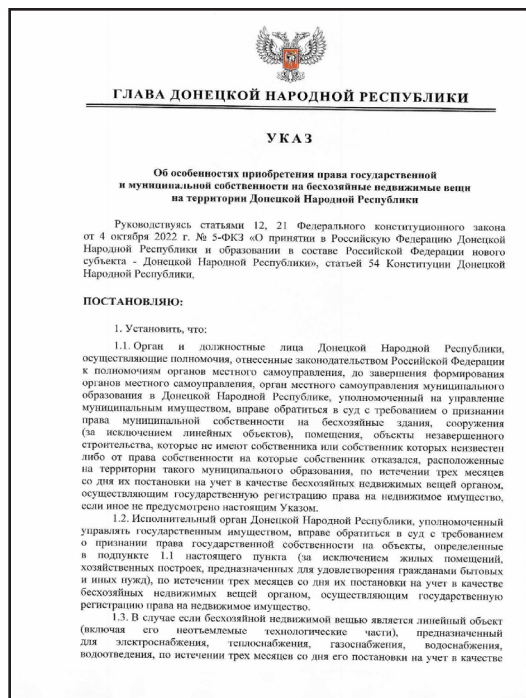
Residents of the occupied areas of Ukraine have been threatened with confiscation of their land if they do not accept Russian citizenship. One farmer from Melitopol told CNN in June 2023 that her family's land was being confiscated because of their refusal to accept Russian citizenship.¹⁰⁸ Another resident of Melitopol told Human Rights Watch (HRW) that her family had been threatened with confiscation of their land if they continued to refuse Russian citizenship.¹⁰⁹



*Decree of the State Defense Committee of the so-called Donetsk People's Republic "No. 300 of 29.09.2022 on the order on the use of residential premises with signs of ownerlessness in the city of Mariupol."*¹²⁰ (D.V. Pushilin, 2022)

In the occupied territories, local administrations have created lists of “ownerless property” to be nationalized and, later, auctioned off.¹¹⁰ Property can be deemed “ownerless” due to the alleged absence of the owner, alleged mismanagement of the property or failure to pay for upkeep or fees.¹¹¹ In Zaporizhzhya, individuals who wish to contest this designation must bring a copy of their passport, the “technical passport of real estate,” and the title documents of the property to the registration office.¹¹² However, according to Ukrainian media, this leaves those who are currently absent from the area unable to claim their property.¹¹³ In the Berdiansk district village of Koza, all 15 local households that used to be home to the village’s population of 45 until February 22, 2022, were declared ownerless and nationalized.¹¹⁴ According to Ukraine’s Center for National Resistance, the threat of private property being classified as “ownerless” has been used as a means of persuading owners to apply for a Russian passport. Individuals are allegedly told that their property will be exempted from these lists or that they can get their

property back on the condition of obtaining a Russian passport.¹¹⁵ In addition, there are reports that property and business owners in Melitopol must re-register their property and, if no owners appear, the property becomes eligible to nationalize.¹¹⁶ During this process, owners are pressured to accept Russian citizenship to avoid threats of eviction, deportation, and expropriation.¹¹⁷ Yale HRL has not independently verified the claims made by the Ukrainian Center for National Resistance. According to the head of Russia’s Ministry of Industry and Trade Denis Manturov, “ownerless” property is now used to attract investors to occupied areas of Ukraine. There are allegedly 250 “ownerless” industrial properties in the four annexed oblasts.¹¹⁸



“Decree of the Acting Head of the DPR No. 140 dated 10 May, 2023 establishes the specifics of acquiring the right of state and municipal ownership of ownerless immovables on the territory of the Donetsk People’s Republic.” (D.V. Pushilin, 2023)¹²¹

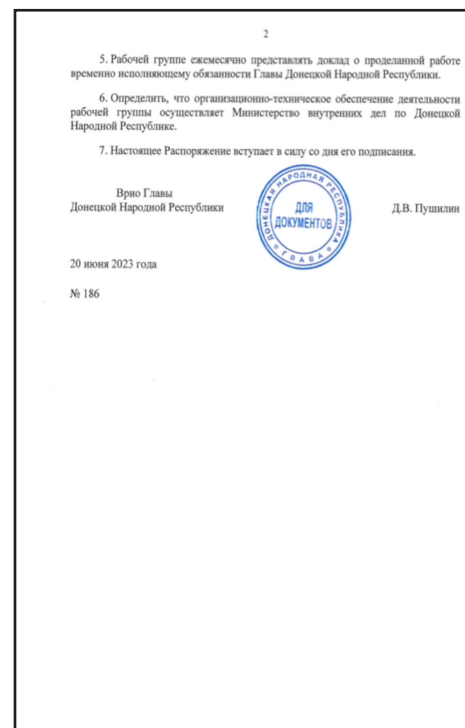
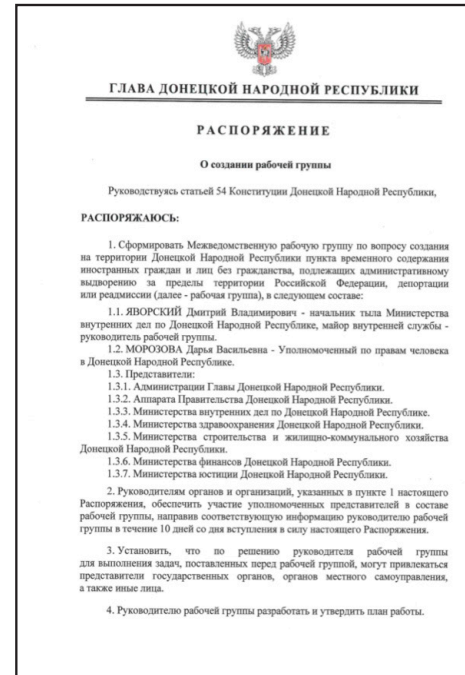
3.g. Removal

In occupied regions of Ukraine, the threat of deportation has been used by Russia's forces to compel individuals to obtain a Russian passport. In many cases it is unclear where residents are threatened with removal to—at times residents are threatened with removal to remote areas of Russia not currently under Martial law.¹²² In other cases no further information about where residents will be removed to is provided. Residents of the occupied left-bank of the Dnipro River in Kherson told Detector Media that Russia's forces told residents with Ukrainian passports that they could face deportation and property seizure if they do not accept a Russian passport.¹²³ With the April 2023 decree “On the features of the legal status of certain categories of foreign citizens and stateless persons in the Russian Federation”, the possibility of deportation has become more tangible. A resident of Tokmak told Ukrainian media that those who cannot leave the area are rushing to submit documents out of fear that they may be deported.¹²⁴ A resident of Melitopol told Human Rights Watch (HRW) that her family—including young children—were told they would be deported if they refused to accept Russian citizenship.¹²⁵ A man from Kherson told a German newspaper that, “The Russian military searched us, when I showed my Ukrainian passport, they started shouting very loudly that I should change it to a Russian one, because they will take my car and deport me.”¹²⁶

The actions of municipal and regional occupation forces only add to the fear that citizens must apply for Russian citizenship or face deportation. Concerningly, on 20 June 2023 the Acting Head of Donetsk announced the establishment of an intergovernmental working group to study the creation of a “temporary detention center for foreign citizens and stateless persons, subject to administrative expulsion outside the territory of the Russian Federation, deportation or readmission.”¹²⁷

Principle 5 of the non-binding 1998 Guiding Principles on Internal Displacement state that parties to a conflict have a duty to desist from prohibited actions which cause displacement: “All authorities and international actors shall respect and ensure respect for their obligations under international law, including human rights and

humanitarian law, in all circumstances, so as to prevent and avoid conditions that might lead to displacement of persons.”¹²⁸

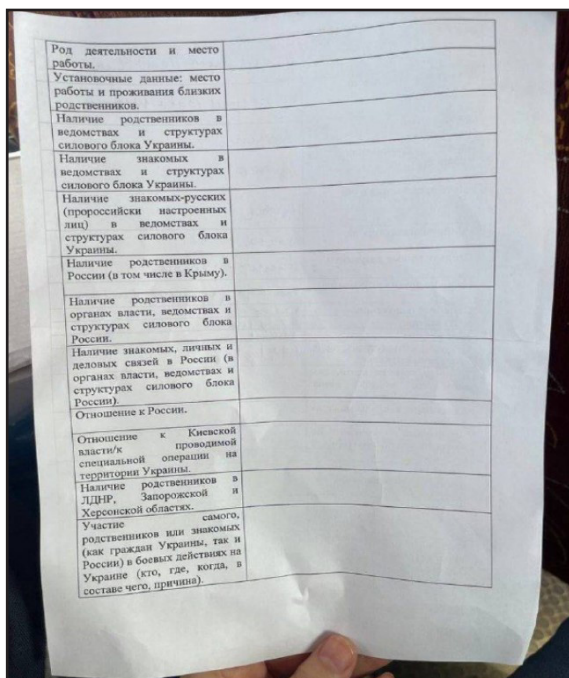


“Decree of the Acting Head of the DPR No. 140 dated 10 May, 2023 establishes the specifics of acquiring the right of state and municipal ownership of ownerless immovables on the territory of the Donetsk People’s Republic.” (D.V. Pushilin, 2023)¹²⁹

3.h. Identification, Surveillance, and Filtration

Those without Russian passports are subjected to targeted identification, surveillance, and, especially when moving, filtration. In Kherson oblast, residents who have not accepted Russian citizenship were told on 12 July 2023 that they needed to “undergo fingerprint registration, photographing and registration at the place of residence as foreign citizens.” Any residents who do not “are subject to being taken to the internal affairs authorities for the above [registration, photographing, and fingerprinting] procedures.”¹³⁰

Residents without Russian citizenship have also reported increased scrutiny at checkpoints and on the border between occupied Kherson and Crimea. While some with Russian passports are still subject to interviews or inspections at checkpoints, it appears far less common than for those without Russian passports.¹³¹ Some reported being interrogated by FSB agents because they traveled with a Ukrainian passport after receiving a Russian one.¹³² People leaving occupied areas of Ukraine for Russia may use a Ukrainian passport but must fill out a multi-page questionnaire covering their citizenship, places of origin and destination, and other travel plans.



A page of the questionnaire given to some people crossing into Russia including questions of attitude towards Russia and military affiliation of relatives.¹⁴⁷

The questionnaire also asks for all social media accounts, their IMEI number (International Mobile Equipment Identity, a unique identifier for mobile phones) and messenger numbers.¹³³ A full page of the questionnaire covers relatives and contacts in Ukraine’s government and military, participation in “hostilities” and “attitudes towards Russia.” These forms are not required of individuals with Russian passports.¹³⁴ Ukrainian internal passports can only be used to leave once through Russia and not to return, according to the Telegram channel of a company that facilitates cross-border movements.¹³⁵ The Ukrainian Berdiansk City Military Administration reported on their Telegram two incidents in which Russia’s military forces stopped residents to check documents and tore up their Ukrainian passports.¹³⁶ At the Chonhar checkpoint into Crimea, it has been allegedly increasingly harder to pass through for people with Ukrainian passports and men of military age.¹³⁷

Outside of these checkpoints, residents of occupied areas of Ukraine allegedly face questioning and identification based on nationality. According to an interview given to Euractiv, a European news site, residents of occupied areas of Ukraine have reported that occupation forces have been going door-to-door, asking residents for documentation and their reasoning for not obtaining a Russian passport.¹³⁸ In other cases, residents observed officials or volunteers making a circuit of their village in what those residents suppose is either a census-like effort to identify unoccupied houses or to identify people who have not yet accepted Russian citizenship.¹³⁹ One resident of Tokmak in Zaporizhzhya Oblast alleged that Russia’s forces came to her house six times demanding to know why she and her family had not accepted Russian citizenship. The soldiers confiscated her family’s phones and searched their property.¹⁴⁰ Occupation officials have described these efforts as “passport regime checks... carried out by the authorities on an ongoing basis.”¹⁴¹

As with the so-called referenda held in the occupied areas of Ukraine in September 2022, this moving of official activity from offices to homes carries with it the heightened potential for coercion.¹⁴² Accepting a Russian passport becomes a matter of opting out, rather than

opting in, exposing those who refuse to possible social and official censure. Yale HRL previously documented alleged arrests of Kherson residents who refused to vote when visited by officials, a precedent likely known to those pressed to accept a passport.¹⁴³

Locals have also alleged that occupation forces conduct checks on drivers, and that those without Russian passports are questioned and their fingerprints are taken.¹⁴⁴ The man quoted above who told Deutsche Welle that he was stopped and threatened because he did not have a Russian passport added that: “They said that their procedure is simplified - I just need to write an application and they will come back in a week to check if I have already received their passport.”¹⁴⁵ According to HRW, occupation authorities have created lists of “unreliable” residents who are subject to additional surveillance and pressure. One criterion for being placed on this list is refusal to accept Russian citizenship.¹⁴⁶

4. PARTICULARLY VULNERABLE CIVILIANS

4.a. Children

Children are particularly affected by passportization measures. All children born after a certain date in Donetsk, Luhansk, Kherson, and Zaporizhzhya automatically receive Russian citizenship under the terms of “accession” that illegally annexed them into Russia (In Kherson and Zaporizhzhya, the date is 24 February 2022).¹⁴⁸ This is the case even if neither of the parents is currently a Russian citizen, a special exemption not available to any other children born on Russian Federation soil to two non-Russian-citizen parents. Orphans identified in occupied areas are also automatically given citizenship.¹⁴⁹ While it may be possible for some parents living in Russia-occupied areas to register their newborns as Ukrainian citizens, there are numerous obstacles to this process.¹⁵⁰ Ukrainian state civil registration offices are either closed or hard to reach due to hostilities.¹⁵¹ According to the UN High Commissioner for Refugees, 57 percent of children born in the occupied areas of Donetsk and Luhansk did not obtain Ukrainian birth certificates, with more than 40,000 children facing problems with proper documentation in 2019.¹⁵²

Parents and healthcare providers in occupied territories are pressured—either explicitly or through restrictions on access to social benefits—to register newborns as Russian citizens.¹⁵³ According to a Reuters report, parents of newborns and infants claimed that they were denied free diapers and baby food because they had not accepted Russian citizenship.¹⁵⁴ In the same article, a doctor in Kherson reported being fired from his employment because he applied Ukrainian law when registering newborns.¹⁵⁵ This pressure extends not just to infants but also to older children; some parents are threatened with losing parental rights if they do not accept a Russian passport. In Zaporizhzhya, one mother was told that her children would be taken away from her if she refused to apply for a Russian passport. She was told that her children would be deported to Russia.¹⁵⁶

Access to education is restricted for parents and children without Russian citizenship. In Berdiansk, a



Children and parents attend a passporting ceremony at the Artek camp in Crimea on Russia Day, 12 June 2023.¹⁶⁸ (Artek, 2023)

Telegram post shows a screenshot of teachers sending local parents an announcement that it is necessary to send a copy of at least one parent’s Russian documents (passport, TIN, SNILS) and the child’s SNILS and translated birth certificate before the start of the school year.¹⁵⁷ The messages also say that children must acquire Russian compulsory health insurance, which, as described above, requires citizenship of the child or parent.¹⁵⁸ Yale HRL has not confirmed the authenticity of these messages. The Ukrainian Center for National Opposition has made similar claims.¹⁵⁹

4.b. Victims of the Nova Kakhovka Dam Destruction

Russia’s forces have allegedly used the chaos and depredation resulting from the destruction of the Nova Kakhovka dam on 6 June 2023 to increase pressure on affected residents to accept Russian citizenship. Immediately after the dam’s destruction, Russia’s forces may have discriminated against those without Russian citizenship in evacuations and the immediate distribution of aid.¹⁶⁰ In the longer term, Russia has restricted recovery efforts to only those residents with Russian citizenship.

According to Ukrainian Deputy Minister of Defense Anna Malar, occupation forces fined impacted civilians for their evacuation if they could not present a Russian

passport. Residents were also allegedly questioned about their citizenship during searches.¹⁶¹ At checkpoints on roads leading away from the affected areas, identification documents were verified and Ukrainian passports, birth certificates, and documentation allegedly confiscated or destroyed.¹⁶² Yale HRL has not independently verified these claims. Russia's policy of preventing independent international aid organizations from reaching victims of the flood made those victims particularly vulnerable to any restrictions imposed by Russia.¹⁶³ Residents were also required to present a passport or other identification to receive humanitarian food aid, exposing those without Russian citizenship to further pressure to accept it.¹⁶⁴ In Berdyansk, residents seeking food aid are also required to provide documents proving their eligibility for the "benefit."¹⁶⁵

Russia's forces have made no secret of the fact that they prevent residents who do not have Russian citizenship from accessing recovery resources in the areas that Russia has occupied. On 8 June, the official channel of the Russia-appointed governor of Kherson oblast announced that Russian passport holders would be eligible for compensation for damage to property sustained as a result of the destruction of the Kakhovka dam. Ukrainian passport holders are not eligible for these payments (though the announcement suggests they may be eligible for a much smaller flat payment).¹⁶⁶ Given the devastating impact of damage on civilians, flood relief assistance can be a powerfully persuasive tool to compel residents to apply for Russian citizenship.

Occupation officials have also launched passportization campaigns specifically targeting evacuees from the flooded areas. In a video posted by the occupation administration of Kherson's Telegram channel on 28 June, people allegedly residing in temporary accommodation centers were completing the process of attaining Russian citizenship. The poster alleges that 419 evacuees in the area had already received passports, with another 759 in the application stage.¹⁶⁷

5. CONCLUSION

Russia's passportization campaign represents the culmination of one stage of its program of establishing authority over occupied areas of Ukraine, and the beginning of another. Just as it did in filtering the entire population of Russia-controlled Donetsk Oblast and targeting perceived opponents for detention and disappearance in Kherson, Russia is now definitively sorting the population of the occupied areas. All those who refuse to bend to extraordinary and illegal pressures to make them accept Russian citizenship may be detained or deported in 2024, once and for all removing non-compliant individuals from the local populations. Russia will then be able to keep or sell off the property of those without citizenship to investors or more pliant residents. Any who are not deported will likely be reduced to penury by Russia's policy of cutting them off from humanitarian aid and forbidding them employment, transportation, and property. This will likely leave them even more vulnerable to criminalization and exploitation, particularly children and women.

By providing residents of the four illegally annexed oblasts with conditional citizenship, Russia will have deep and indefinite control over them, with any perceived opposition possibly leading to their denaturalization.

the long term, Russia's passportization effort is likely to make residents of the annexed oblasts even more dependent on their relationship to the Russian state, forcing them to accept Russia's rule, however exploitative. By providing residents of the four illegally annexed oblasts with conditional citizenship, Russia will have deep and indefinite control over them, with any perceived opposition possibly leading to their denaturalization. The subjective nature of the "crimes" that may justify denaturalization will severely constrain residents' freedom of expression and any opposition they may now or eventually harbor. Passportization will also give residents access to Russian social services, which will likely represent a key source of income in an isolated and war-torn region. As in the other contexts where Russia has employed a policy of passportization, the widespread naturalization of residents of occupied areas of Ukraine is likely to make the war all the more intractable, as naturalization can be used to avoid returning captured areas to Ukraine and justify future interventions. Finally, under Russia's mostly *jus sanguinis* (citizenship acquired based on parents' citizenship) system, the current passportization of the population of Eastern Ukraine could exacerbate tensions for generations to come.

APPENDIX I. INVESTIGATIVE METHODOLOGY

The investigative methodology for this report relies on extensive open source research, with support from very high resolution (VHR) satellite imagery analysis. The methodology consists of the aggregation and verification of multiple sources of data to understand the system of passportization across occupied areas of Ukraine. Verification of all claims made in this report was conducted according to protocols developed by Amnesty International and the Berkeley Protocol on Digital Open Source Investigations.

Once a phenomenon was identified, additional information was sought to confirm or further elucidate it. Information about both official and unofficial measures taken to compel adoption of Russian citizenship was collected from social media posts (especially Telegram, VK, Facebook, Twitter and Instagram), Russian and Ukrainian media, the reports of human rights organizations and official communications of governments. All available information related to each phenomenon—denial of aid, work restrictions, etc.—was collected and analyzed. Where any information was contradictory, further investigations were made to clarify. Particular scrutiny was given to non-informational government communications, such as allegations about denial of medical care made by Ukraine’s armed forces or claims about the exclusively voluntary nature of passportization made by Russia’s. In any case where these claims could not be further corroborated by independent sources, they were excluded or described as unverified. In no case was the absence of information related to a phenomenon taken to indicate that the phenomenon did not occur.

For all sources, the identity of the poster or publisher was checked to identify and understand biases. Verification by large, independent organizations with strong reputations for careful work and ground access, such as the New York Times and Human Rights Watch, provided additional corroborating information. Primary sources were also checked for expertise, clear proximity to events, political, economic, or other ulterior motivations, and reputation for posting authenticated content. The

presence of multiple types of sources attesting to the same fact or image lent credibility to assertions they made.

Recent laws adopted by Russia’s federal government were accessed where published by the State Duma and translated for analysis. Any claims related to the content of those laws made by other sources were confirmed against the original text of the law. The State Duma website also provided key information about the involvement of Russia’s president and other figures in introducing and approving new laws.

Likewise, decrees and orders issued by the so-called Donetsk and Luhansk People’s Republics were also found at the source of original publication and translated for analysis. Any claims related to the content of those decrees or orders made by other sources were confirmed against the original text of the decree or order.

Very High-Resolution (VHR) satellite imagery was analyzed, particularly at locations for which there were claims with relevant components potentially visible in satellite imagery, such as queues of people waiting for passports or mobile passporting teams. Given the nature of the subject in question, most activity occurred indoors and was not visible.

LIMITATIONS

The open source methodology used in this report has the distinct advantage of collecting data not initially composed or disseminated for researchers, prosecutors, or other critical observers. The officials describing the process for applying for citizenship and the penalties for not doing so write their posts to inform and coerce residents, rather than interviewers. The officials advertising their involvement in Telegram posts do so to advance their careers or celebrate their achievements, yet implicated themselves nonetheless. This methodology does, however, pose some limitations. Yale HRL does not conduct interviews with witnesses or victims; only the specific information available in the open source is collected.

Similarly, limited access to locations under occupation by Russia and Russia-aligned forces means that specific information about conditions and activities on some topics may be limited. Russia's forces post information about the process for applying for citizenship, but rarely post information about threatening residents to do so. Many who have experienced abuses or intimidation in the context of passportization may be unable or unwilling to share that information for fear of retaliation. Those living under Russia's occupation are limited in the criticisms or allegations of mistreatment they may feel safe asserting publicly. Other information is inaccessible because it has been removed from social media sites. Given the public nature of these data, certain socially sensitive subjects are likely to be routinely underreported, resulting in a reporting bias. This is particularly true of sexual and gender-based violence (SGBV), which victims may not report due to shame or fear of social censor.

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168. Source FP008 has been withheld due to protection concerns.