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# TWO YEARS AT GUNPOINT

Healthcare and Educational Institutions  
Russia Is at War With



2024

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Information partners:



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## ABBREVIATIONS

<b>WHO</b>	World Health Organization
<b>GC</b>	Geneva Convention
<b>Media</b>	mass media
<b>AF RF</b>	Armed Forces of the Russian Federation
<b>CCU</b>	Criminal Code of Ukraine
<b>IHL</b>	International Humanitarian Law
<b>ICC</b>	International Criminal Court
<b>ICRC</b>	International Committee of the Red Cross
<b>MOH</b>	Ministry of Health of Ukraine
<b>MES</b>	Ministry of Education and Science of Ukraine
<b>OPG</b>	Office of the Prosecutor General
<b>Protocol I</b>	Protocol Additional to the Geneva Conventions of August 12, 1949, relating to the Protection of Victims of International Armed Conflicts (Protocol I), 1977
<b>ICC RS</b>	Rome Statute of the International Criminal Court
<b>RF</b>	Russian Federation
<b>UHHRU</b>	Ukrainian Helsinki Human Rights Union



## INTRODUCTION

February 24, 2022 was the day of the full-scale invasion of the territory of Ukraine by the armed forces of the Russian Federation, which was accompanied by massive shelling and destruction of military and civilian infrastructure.

Right after the outbreak of hostilities, the Ukrainian Helsinki Human Rights Union in cooperation with its partner organizations within the global initiative «Tribunal for Putin» began monitoring and collecting information on crimes committed as a result of the Russian Federation's attack on peaceful settlements of Ukraine. Information is being collected with the aim of documenting war crimes and bringing to justice those responsible for committing them.

One of the focuses of the monitoring has been to document the destruction and damage to civil infrastructure such as educational institutions and healthcare facilities.

The importance of the research topic is determined by the fact that the ruining or complete destruction of educational institutions and healthcare facilities is very sensitive for the civilian population. After all, by destroying schools and hospitals, the Russian Federation deprives the population of access to educational and healthcare services. In addition, the actions of the Russian army traumatize and kill children, teachers, patients, doctors, as well as staff of these institutions who are doing their work or are in these institutions during the educational process or treatment.

Due to constant shelling of educational institutions, children are forced to switch to distance learning, are experiencing limitations in their interactions with friends and teachers, and cannot develop direct communication and socialization skills.

In turn, damage to healthcare facilities limits or makes it impossible for civilians to access medical services, which poses a direct threat to human life and health.

Already on February 25, 2022, on the second day of the Russian Federation's full-scale invasion of Ukraine, the world shuddered at the news of the Russian Armed Forces shelling a kindergarten in the town of Okhtyrka, Sumy Region. As a result of the shelling with Uragans, three people were killed at once, 17 children were wounded, and three more children were hospitalized in serious condition.<sup>1</sup> One child died in hospital from severe injuries<sup>2</sup>.

On the same day, an orphanage in Vorzel, Kyiv Region, came under fire<sup>3</sup>. Soon, on February 28, 2022, Russian shells hit Adonis private maternity hospital in the Kyiv Region, where at the time women and their newborns were staying<sup>4</sup>.

Attacks on educational institutions and healthcare facilities constitute a grave violation of international humanitarian law, in particular the Convention IV on the Laws and Customs of

<sup>1</sup> <https://www.unian.ua/war/obstrili-ditbudinku-u-vorzeli-ta-ditsadka-v-ohirci-ukrajina-yde-do-gaagi-novini-vtorgnennya-rosiji-v-ukrajinu-11718151.html>

<sup>2</sup> <https://interfax.com.ua/news/general/802149.html>

<sup>3</sup> <https://www.pravda.com.ua/news/2022/02/25/7325760/>

<sup>4</sup> <https://interfax.com.ua/news/general/804168.html>

War on Land and its Annex of October 18, 1907<sup>5</sup>, the Geneva Convention relative to the Protection of Civilian Persons in Time of War of 1949<sup>6</sup>, and the Protocol Additional to the Geneva Conventions of August 12, 1949 relating to the Protection of Victims of International Armed Conflicts (Protocol I) of 1977<sup>7</sup>, which specify that civilian infrastructure cannot be targeted.

Therefore, for the most complete documentation of all types of crimes committed by the Russian Federation on the territory of Ukraine, the UHHRU has engaged its LACs in 20 regions of Ukraine, which since February 24, 2022 have been collecting and summarizing information, in particular on destruction/damage to educational and healthcare institutions. As of March 24, 2024, the destruction of and damage to 1,748 educational institutions and 512 healthcare facilities have been documented.

**The purpose** of this study is to: Cover the extent of destruction/damage of educational and healthcare infrastructure facilities in Ukraine due to the armed aggression of the Russian Federation; Analyze the state of affairs on documentation of the said cases; Determine the legal qualification under international and national legislation of the actions of the Russian Federation related to attacks on the said facilities so that the perpetrators are brought to justice.

<sup>5</sup> [https://zakon.rada.gov.ua/laws/show/995\\_222#Text](https://zakon.rada.gov.ua/laws/show/995_222#Text)

<sup>6</sup> [https://zakon.rada.gov.ua/laws/show/995\\_154](https://zakon.rada.gov.ua/laws/show/995_154)

<sup>7</sup> [https://zakon.rada.gov.ua/laws/show/995\\_199#Text](https://zakon.rada.gov.ua/laws/show/995_199#Text)

## Methodology

In order to collect information on the status of the scale of destruction/damage to educational and healthcare infrastructure facilities during the period under study, the authors of this study took the following measures:

- **Obtaining** official information from state authorities by sending requests for information in accordance with the procedure of Article 19 of the Law of Ukraine «On Access to Public Information». In particular, relevant requests were sent to the Office of the Prosecutor General, the Ministry of Education and Science of Ukraine, and the Ministry of Health;
- **Analyzing** media information, studies on certain topics, and other open sources;
- **Analyzing** the WHO Surveillance System for Attacks on Health Care;
- **Information** from the UHHRU database on documented episodes of destruction/damage to educational and healthcare institutions has been analyzed.

The study covers the monitoring of the attacks on educational and healthcare infrastructure from February 24, 2022 to December 31, 2023.



**SECTION I.**  
**ATTACKS ON EDUCATIONAL AND  
HEALTHCARE INFRASTRUCTURE: LEGAL  
QUALIFICATION UNDER INTERNATIONAL  
AND NATIONAL LEGISLATION**



## 1.1. International humanitarian law as a safeguard against attacks on educational institutions and healthcare facilities.

Healthcare and educational infrastructure facilities, as those aimed at meeting the basic needs of the civilian population, fall under the special protection of International Humanitarian Law.

First of all, we are talking about the **Geneva Convention relative to the Protection of Civilian Persons in Time of War of August 12, 1949** (hereinafter referred to as the GC)<sup>8</sup>.

According to Article 18 of the GC, civilian hospitals organized to give care to the wounded and sick, the infirm and maternity cases, *may in no circumstances be the object of attack*, but shall at all times be respected and protected by the Parties to the conflict.

Although the text of the Convention itself does not contain explicit norms reflecting the prohibition of attacks on educational institutions, the **Protocol Additional to the Geneva Conventions of August 12, 1949, relating to the Protection of Victims of International Armed Conflicts (Protocol I) of 1977** (hereinafter referred to as Protocol I)<sup>9</sup> bridges this gap.

First, Article 51 of Protocol I, governing the protection of civilians, *explicitly prohibits attacks of an indiscriminate nature*, which include, inter alia: attacks that employ methods or means of combat which cannot be directed at a specific military objective (paragraph 4 (b)); attacks that employ a method or means of combat the effects of which cannot be limited as required by this Protocol; and consequently, in each such case, are of a nature to strike military objectives and civilians or civilian objects without distinction (paragraph 4 (c)). Indiscriminate attacks include, inter alia, an attack by bombardment by any methods or means which treats as a single military objective a number of clearly separated and distinct military objectives located in a city, town, village or other area containing a similar concentration of civilians or civilian objects; an attack which may be expected to cause incidental loss of civilian life, injury to civilians, damage to civilian objects, or a combination thereof, which would be excessive in relation to the concrete and direct military advantage anticipated (paragraphs 5 (a, b)).

The concept of «civilian objects» under Article 52 of the GC includes all those objects that are not military.

Furthermore, if one speaks, for example, of a situation where a belligerent has doubts as to whether an object that is normally intended for civilian purposes, such as a place of worship, a residential building or other residential structures or a school, is not being used as an effective contribution to military action, *it is still presumed that such a facility is used for civilian purposes* (Article 52, paragraph 2, of Protocol I).

Article 12 of Protocol I provides that medical units shall be respected and protected at all times and shall not be the object of attack. The Parties to the conflict are invited to notify each other of the location of their fixed medical units. The absence of such notification shall not exempt any of the Parties from the obligation to refrain from attacking such facilities.

<sup>8</sup> [https://zakon.rada.gov.ua/laws/show/995\\_154#Text](https://zakon.rada.gov.ua/laws/show/995_154#Text)

<sup>9</sup> [https://zakon.rada.gov.ua/laws/show/995\\_199#Text](https://zakon.rada.gov.ua/laws/show/995_199#Text)

It should be noted that Ukraine and Russia are parties to the GC<sup>10 11</sup> and have acceded to Protocol I<sup>12 13</sup>. However, in 2019, Russia withdrew the declaration that was made by the USSR upon ratification of Protocol I, namely to Article 90 concerning the recognition of the jurisdiction of the UN Special Commission to perform the role of a judicial body examining violations.<sup>14</sup> However, the specified circumstance does not relieve the Russian Federation of the obligation to comply with other provisions of the GC and Protocol I, since this country remains a party to the said international treaties.

There are also a number of other international legal acts, to which the Russian Federation and Ukraine are also parties, which contain norms establishing the protection and prohibition of attacking, destroying or damaging educational and healthcare facilities.

Thus, the **IV Convention on the Laws and Customs of War on Land and its Annex of October 18, 1907**<sup>15 16</sup>, in Article 56 of its Annex, establishes the *ban on any seizure, destruction or willful damage done to educational institutions*, historical monuments, works of art and science. The document emphasizes that such actions should be subject to prosecution.

If the educational institution is of great importance to cultural heritage, it falls under the additional protection of the **Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict (1954)**<sup>17 18</sup> (Articles 3, 8) and its **Second Protocol (1999)**<sup>19 20</sup>. This mainly applies to buildings of educational institutions that are of high cultural or spiritual value.

In turn, the **Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field**,<sup>21 22</sup> in Articles 19-23, provides for regulations on the protection of medical institutions. In particular: «Fixed establishments and mobile medical units of the Medical Service may in no circumstances be attacked, but shall at all times be respected and protected by the Parties to the conflict.»

Such protection is permanent and «shall not cease unless they are used to commit, outside their humanitarian function, acts harmful to the enemy. Protection may, however, cease only after a warning has been given setting, whenever appropriate, a reasonable time-limit, and after such warning has remained unheeded.» Such protection also extends to vehicles with wounded and sick persons or medical equipment (Articles 35-37 of the said Convention).

<sup>10</sup> <https://treaties.un.org/pages/showDetails.aspx?objid=0800000280158b1a>

<sup>11</sup> <https://ihl-databases.icrc.org/en/ihl-treaties/gciv-1949/state-parties?activeTab=1949GCs-APs-and-commentaries>

<sup>12</sup> <https://treaties.un.org/Pages/showDetails.aspx?objid=08000002800f3586>

<sup>13</sup> <https://ihl-databases.icrc.org/en/ihl-treaties/api-1977/state-parties?activeTab=1949GCs-APs-and-commentaries>

<sup>14</sup> <https://suspilne.media/1115-rf-vijsla-z-zenevskoi-konvencii-oon-ne-zmoze-suditi-ii-za-porusenna-prav-civilnih-pid-cas-vijni/>

<sup>15</sup> [https://zakon.rada.gov.ua/laws/show/995\\_222#Text](https://zakon.rada.gov.ua/laws/show/995_222#Text)

<sup>16</sup> <https://ihl-databases.icrc.org/en/ihl-treaties/hague-conv-iv-1907/state-parties?activeTab=undefined>

<sup>17</sup> <https://ips.ligazakon.net/document/MU54K01U>

<sup>18</sup> <https://ihl-databases.icrc.org/en/ihl-treaties/hague-conv-1954/state-parties?activeTab=undefined>

<sup>19</sup> [https://zakon.rada.gov.ua/laws/show/995\\_001-99#Text](https://zakon.rada.gov.ua/laws/show/995_001-99#Text)

<sup>20</sup> <https://ihl-databases.icrc.org/ru/ihl-treaties/hague-prot-1999/state-parties?activeTab=default>

<sup>21</sup> [https://zakon.rada.gov.ua/laws/show/995\\_151#Text](https://zakon.rada.gov.ua/laws/show/995_151#Text)

<sup>22</sup> <https://ihl-databases.icrc.org/en/ihl-treaties/gci-1949/state-parties?activeTab=1949GCs-APs-and-commentaries>

**The Protocol Additional to the Geneva Conventions of August 12, 1949 relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II) of June 8, 1977**<sup>23</sup>

<sup>24</sup>, also notes in Article 11 that medical units and transports shall be respected and protected at all times and shall not be the object of attack.

It should also be noted that the ICRC has outlined the prohibition of attacks on educational and medical facilities in the **Rules of Customary International Humanitarian Law**<sup>25</sup>. Rule 38 provides that special care must be taken in military operations to avoid damage to buildings dedicated to religion, art, science, education or charitable purposes and historic monuments unless they are military objectives. Rule 40 prohibits all seizure of or destruction or willful damage done to institutions dedicated to religion, charity, education, the arts and sciences, historic monuments and works of art and science. Medical personnel and institutions enjoy the protection of Rules 25-30.

Thus, IHL clearly defines educational and medical institutions as civilian infrastructure that cannot be attacked under any circumstances.

However, within two years of the full-scale invasion of Ukraine, the Russian Federation has systematically seized, damaged and destroyed Ukrainian educational and medical institutions in flagrant violation of international humanitarian law.

These actions are subject to criminal liability under both national and international law.

<sup>23</sup> [https://zakon.rada.gov.ua/laws/show/995\\_200#Text](https://zakon.rada.gov.ua/laws/show/995_200#Text)

<sup>24</sup> <https://ihl-databases.icrc.org/en/ihl-treaties/apii-1977/state-parties?activeTab=1949GCs-APs-and-commentaries>

<sup>25</sup> [https://www.icrc.org/en/doc/assets/files/other/ukr-irrc\\_857\\_henckaerts.pdf](https://www.icrc.org/en/doc/assets/files/other/ukr-irrc_857_henckaerts.pdf)

## 1.2. Liability under national law.

At the request of the UHHRU, the Office of the Procurator General reported that based on the facts of damage to and destruction of medical and educational institutions, as of February 24, 2022, pre-trial investigations are under way in criminal proceedings on the grounds of an offense under Article 438 of the Criminal Code of Ukraine (hereinafter referred to as the CCU) (Annex 1).

Article 438 of the Criminal Code of Ukraine<sup>26</sup> provides for liability for violation of the laws and customs of war, which consist in:

- **Ill-treatment** of prisoners of war or the civilian population
- **Use of the civilian** population for forced labor
- **Looting** of national values in the occupied territory,
- **Use of means** of warfare prohibited by international law
- **Other breaches** of the laws and customs of war stipulated in international treaties ratified by the Verkhovna Rada of Ukraine, including the issuance of orders to carry out such acts.

These acts are punishable by imprisonment for a term of eight to twelve years or up to fifteen years, or life imprisonment in the case of a combination of the said act with premeditated murder.

As we can see, the main direct object of the crime is the rules of warfare established by the relevant international acts. Its additional mandatory object, depending on the form of the crime, is the life and health of a person, property, and human life may be an additional optional object<sup>27</sup>.

However, the OPG was informed that the reports prepared by the prosecutor's office do not include information on criminal offenses (2 proceedings) based on the facts of damage and destruction of medical facilities, educational institutions and persons killed or injured during the commission of these war crimes.

Instead, information was provided that from February 24, 2022 to December 31, 2023, the number of victims of criminal offenses under Article 438 of the Criminal Code of Ukraine for January-December 2022 is 50,913 (including women – 13,771, minors aged 14 to 18 y.o. – 3,394, minors below 14 years of age – 812) and for January-December 2023 it is 72,728 people (including women – 29,582, minors aged 14 to 18 y.o. – 2,043, minors below 14 years of age – 547). At the same time, during that period, criminal acts committed by the representatives of the Russian Federation resulted in the death of 11,673 civilians (including 514 children) and the injury of 18,184 children (including 1,172 children).

According to the OPG, it is not possible to determine how many of these civilians were killed or injured as a result of attacks by the AF RF on educational or medical infrastructure.

<sup>26</sup> [https://zakon.rada.gov.ua/laws/show/2341-14?find=1&text=438#w1\\_1](https://zakon.rada.gov.ua/laws/show/2341-14?find=1&text=438#w1_1)

<sup>27</sup> <https://ips.ligazakon.net/document/KK004961>



According to the OPG, as a result of pre-trial investigations in criminal proceedings under Article 438 of the CCU, investigators and prosecutors have reported 473 persons suspected of committing war crimes, indictments have been filed against 318 persons, and 73 persons have been convicted.

The above statistics also do not include the identification of suspects or perpetrators of crimes related to attacks on educational or medical institutions and the deaths of civilians in them.

Thus, despite the fact that IHL has clear norms that protect educational and medical institutions from attack and sometimes impose an explicit ban on such attacks, the national criminal legislation (Article 438 of the Criminal Code of Ukraine) does not single them out as a separate category, such as looting of national values in the occupied territory.

The overly broad wording «*other breaches of the laws and customs of war stipulated in international treaties...*» requires auxiliary means of interpretation.

The list of international treaties ratified by the Verkhovna Rada of Ukraine and which contain provisions on the protection of educational and medical institutions from attack is long (see paragraph 1.1 of this Section), and the norms they contain are quite different in wording.

The possibility of applying the legal qualification and sanction under Part 2 of Article 438 of the Criminal Code of Ukraine is vague with regard to the combination of violation of the laws and customs of war with premeditated murder, when, for example, it is an indiscriminate attack on a school or hospital where children, teachers, doctors, other civilians, etc., were injured.

*In view of this, Article 438 of the Criminal Code of Ukraine needs to be revised in order to strengthen legal certainty, specify the charges in each specific case and bring to justice all war criminals involved in attacks on Ukrainian schools and hospitals.*

### 1.3. The possibility of prosecution under international law.

The document in the field of international law that allows for accountability for actions related to attacks on educational and medical infrastructure is the **Rome Statute of the International Criminal Court**<sup>28</sup> (hereinafter referred to as the ICC RS).

Ukraine signed the ICC RS on January 20, 2000, but did not ratify it. The impediment arose from the Constitutional Court of Ukraine's 2001 ruling, which deemed certain provisions of the Ukrainian Constitution document inconsistent<sup>29</sup>.

The International Criminal Court (hereinafter referred to as the ICC) was founded on the basis of the Rome Statute. The ratification of the Rome Statute means the extension of the jurisdiction of the ICC to the states that have ratified it. As of today, 124 countries are States Parties to the Rome Statute<sup>30 31</sup>.

However, in accordance with Part 2 of Article 4 of the ICC RS, the Court may exercise its functions and powers on the territory of any State Party and, *by special agreement, on the territory of any other state*.

Thus, although Ukraine is not a State Party to the RS, this does not deprive it of the right to appeal to the ICC, because the Rome Statute provides for such a possibility (Part 3 of Article 12 of the RS ICC).

At the same time, Russia withdrew its signature from the Rome Statute in 2016<sup>32</sup>. However, this does not prevent the prosecution of Russian citizens for crimes committed on the territory of Ukraine. After all, the ICC has territorial jurisdiction, that is, it investigates the facts of crimes that took place on a certain territory and for this court it does not matter which country the war criminal is a citizen of.

According to the RS ICC, its jurisdiction is limited to the most serious crimes of concern to the international community as a whole, namely the crime of genocide; crimes against humanity; war crimes and the crime of aggression (Article 5 of the RS ICC).

According to Article 7 of the RS ICC, **extermination** is a crime against humanity that means acts committed as part of a widespread or systematic attack directed against any civilian population, with knowledge of the attack (Article 7(1)(b)).

According to Part 2 of the same Article 7 of the RS ICC, «extermination» includes the intentional infliction of conditions of life, inter alia the deprivation of access to food and **medicines**.

<sup>28</sup> [https://zakon.rada.gov.ua/laws/show/995\\_588#Text](https://zakon.rada.gov.ua/laws/show/995_588#Text)

<sup>29</sup> <https://zakon.rada.gov.ua/laws/show/v003v710-01#Text>

<sup>30</sup> [United Nations Treaty Database entry regarding the Rome Statute of the International Criminal Court. United Nations Treaty Collection](https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg_no=XVIII-10&chapter=18&clang=_en)

<sup>31</sup> [https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg\\_no=XVIII-10&chapter=18&clang=\\_en](https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg_no=XVIII-10&chapter=18&clang=_en)

<sup>32</sup> <https://www.radiosvoboda.org/a/news/28121500.html>

Thus, attacks on hospitals where people receive healthcare, in particular through medical treatment, may result in the destruction of medicines that are kept in healthcare facilities to provide care to the population.

Also, the analysis of the norms of Article 8 of the RS ICC gives grounds to believe that attacks on educational and medical infrastructure fall under the elements of war crimes.

According to subparagraphs of Part 2 of the said Article of the RS ICC, war crimes, in particular, mean:

- Grave breaches of the Geneva Conventions of 12 August 1949, namely any of such acts against persons or property protected in accordance with the provisions of the relevant Geneva Convention (clause a) Part 2 of Article 8 of the RS ICC);
- Intentionally directing attacks against **civilian objects, that is, objects which are not military objectives** (subparagraph ii) of paragraph b) Part 2 of Article 8 of the RS ICC);
- Intentionally directing attacks against buildings dedicated to religion, **education**, art, science or charitable purposes, historic monuments, **hospitals and places where the sick and wounded are collected, provided they are not military objectives** (subparagraph ix) of paragraph b) Part 2 Art. 8 of the RS ICC).

Crimes falling under the RS ICC are criminalized both for the military personnel who committed them and for the commanders who gave the order.

The ICC addresses the individual responsibility of a specific person (Article 25 of the RS ICC), e.g. top military or political leadership, perpetrators of mid-level crimes, etc. (Articles 27, 28 of the RS ICC). That is, the ICC prosecutor in certain episodes may focus on those who gave orders or were responsible for organizing the commission of the crime.

*Thus, in Part two of Article 8 (subparagraphs «ii», «ix» of paragraphs «a» and «b»), the RS ICC recognizes as war crimes the below: «intentionally directing attacks against buildings dedicated to religion, education, art, science or charitable purposes, historic monuments, **hospitals and places where the sick and wounded are collected, provided they are not military objectives**» and for which, accordingly, responsibility should be arise.*

After all, according to Article 29 of the RS ICC, *no statute of limitations applies to crimes under the jurisdiction of the Court.*



SECTION II.  
**EDUCATIONAL INSTITUTIONS AND  
ESTABLISHMENTS AS TARGETS OF  
ATTACK BY THE RUSSIAN FEDERATION**



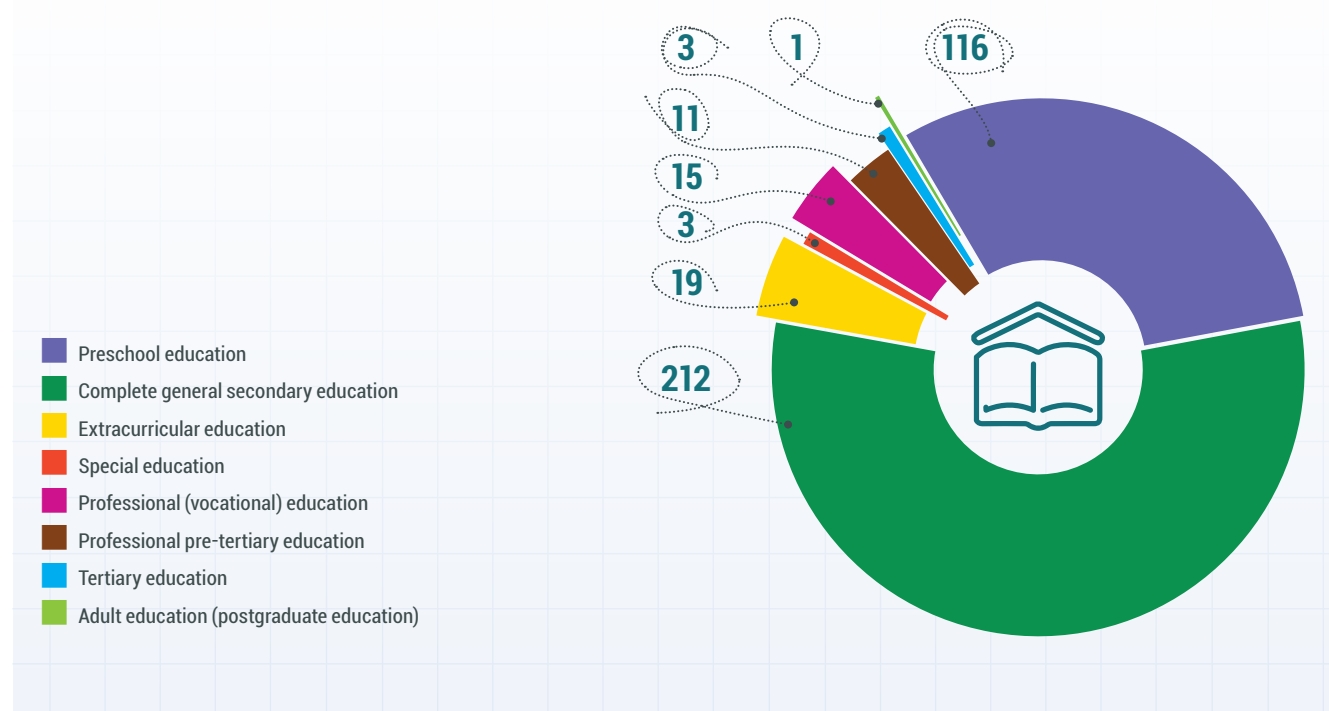
## 2.1. State of affairs according to the data of the Ministry of Education and Science.

In 2019, Ukraine became the 100th country to join the **Safe Schools Declaration**<sup>33 34</sup>. With this decision, the Government committed to protect education: Make every effort at a national level to collect reliable relevant data on attacks on educational facilities, on the victims of attacks, and on military use of schools and universities during armed conflict, including through existing monitoring and reporting mechanisms; Investigate allegations of violations of applicable national and international law and, where appropriate, duly prosecute perpetrators; Seek to ensure the continuation of education during armed conflict, support the reestablishment of educational facilities and, where in a position to do so, provide and facilitate international cooperation and assistance to programs working to prevent or respond to attacks on education, etc<sup>35</sup>.

**According to the Ministry of Education and Science of Ukraine (hereinafter referred to as MES)**, since the beginning of the full-scale invasion of Ukraine by the Russian Federation and as of December 28, 2023, the number of destroyed and damaged educational institutions is **380** and **3,417**, respectively, **which is a total of 3,797 facilities** that were attacked.

Data on the number and types of destroyed/damaged educational institutions by region are shown in *Annex 2*.

### Number of destroyed educational institutions according to MES data



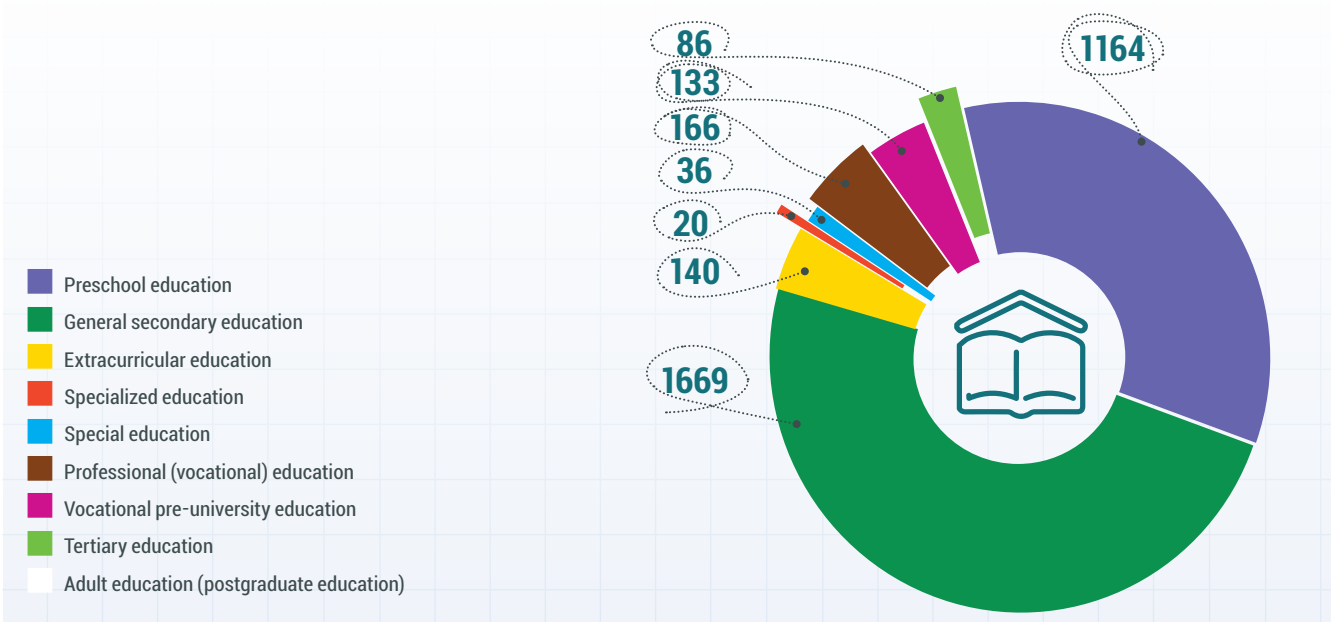
<sup>33</sup> <https://vseosvita.ua/news/prezydent-zoboviazav-ochilnytsiu-mon-pidpysaty-deklaratsiiu-pro-bezpeku-shkil-tekst-deklaratsii-5219.html>

<sup>34</sup> <https://op.ua/news/osvita-v-ukraini/pidpisana-deklaraciya-pro-bezpeku-shkil>

<sup>35</sup> <https://www.kmu.gov.ua/npas/pro-zatverdzhennya-planu-zahodiv-shchodo-realizaciyi-deklaraciyi-pro-bezpeku-s408211>

Of all the educational institutions that have been destroyed, the majority belong to the category of full general secondary education (212), while the least affected are institutions dedicated to adult education, including postgraduate education (1). According to the data of the MES, there are still no destroyed institutions of specialized education.

**Number of damaged educational institutions according to MES data**



The largest part of all damaged educational institutions consists of those dedicated to full general secondary education (1,669), with the smallest being postgraduate education institutions (3).



*Our school sustained shelling four times..”*

UHHRU data

**BILOPILLIA SCHOOL NO. 5 IN SUMY REGION BECAME THE OBJECT OF REPEATED ATTACKS BY THE RUSSIAN ARMY**

*For the first time, the school building was shelled with missile weapons on 05/23/2022.*

Educators describe that day as follows: «Windows and glass were shattered.... It was at night. 52 windows in four buildings (dormitory, workshop, elementary school building and garage). That’s when we were hit for the first time.»

“The next attacks took place on October 10, November 30, 2022 and March 27, 2023. Russia has been using indiscriminate types of shelling since the educational institution was one of the affected facilities in the city. During one of the shelling on November 30, 2022, a school student was killed: «He died near his home. It was Bohdan, a 9th grade student of our school. He was running away from the bullets on a bicycle during the shelling and was killed a few meters away from home.”



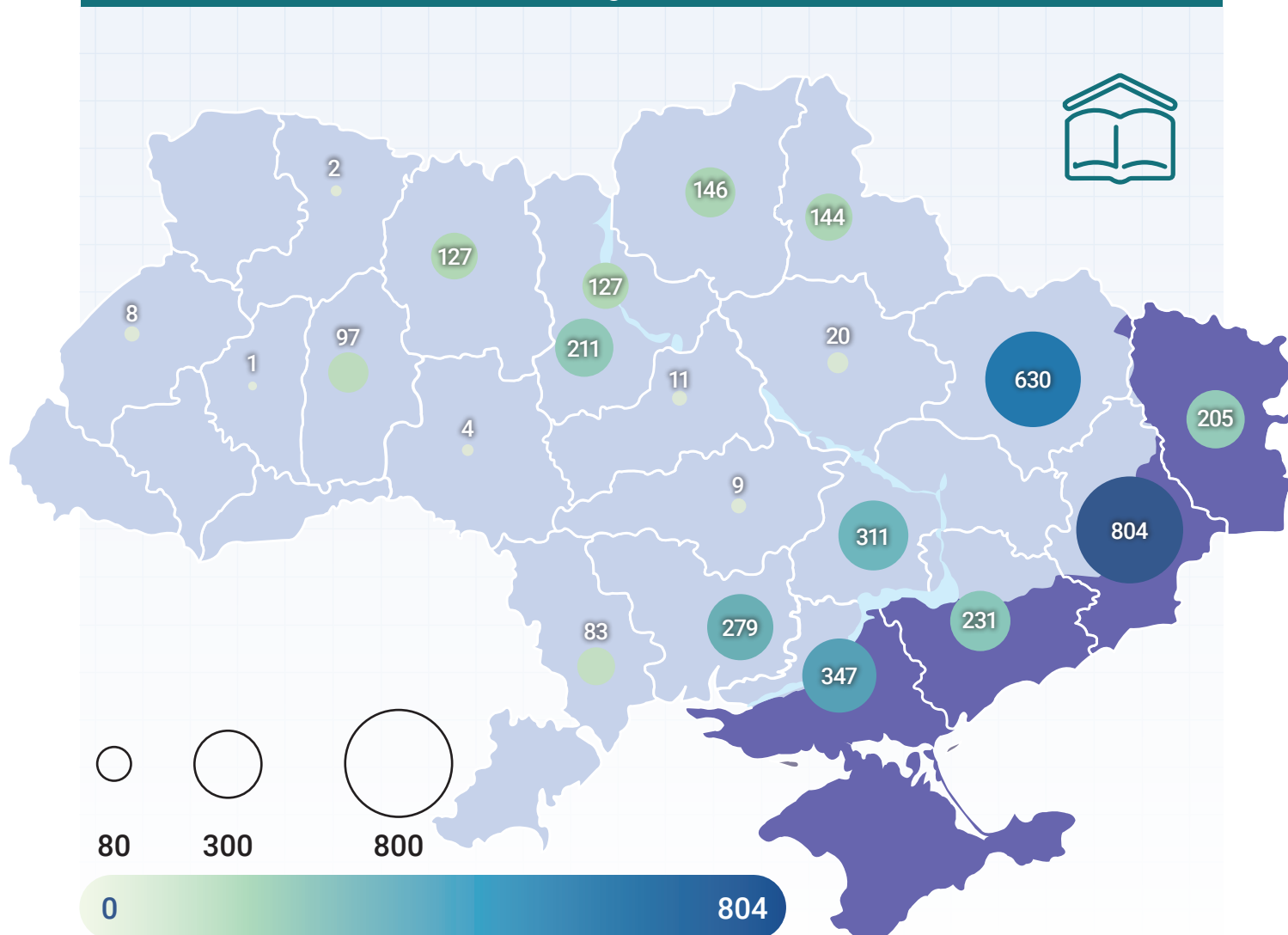
The intensity of destruction of Ukraine's educational infrastructure is higher in those regions that are/were mainly located near the line of active hostilities. However, the use of various types of missiles and UAVs by the enemy causes damage even in remote regions.

Thus, according to the information of the Ministry of Education and Science, the regions whose educational infrastructure suffered the most destruction and damage are Donetsk (173 destroyed, 631 damaged), Kharkiv (51 destroyed, 579 damaged), Kherson (51 destroyed, 296 damaged), Dnipropetrovsk (10 destroyed, 301 damaged) and Mykolaiv (33 destroyed, 246 damaged) Regions.

Regions where no destruction and damage to educational institutions was recorded: Volyn, Zakarpattia, Ivano-Frankivsk and Chernivtsi Regions. These regions can be considered the safest in terms of the low number of destruction of educational institutions.

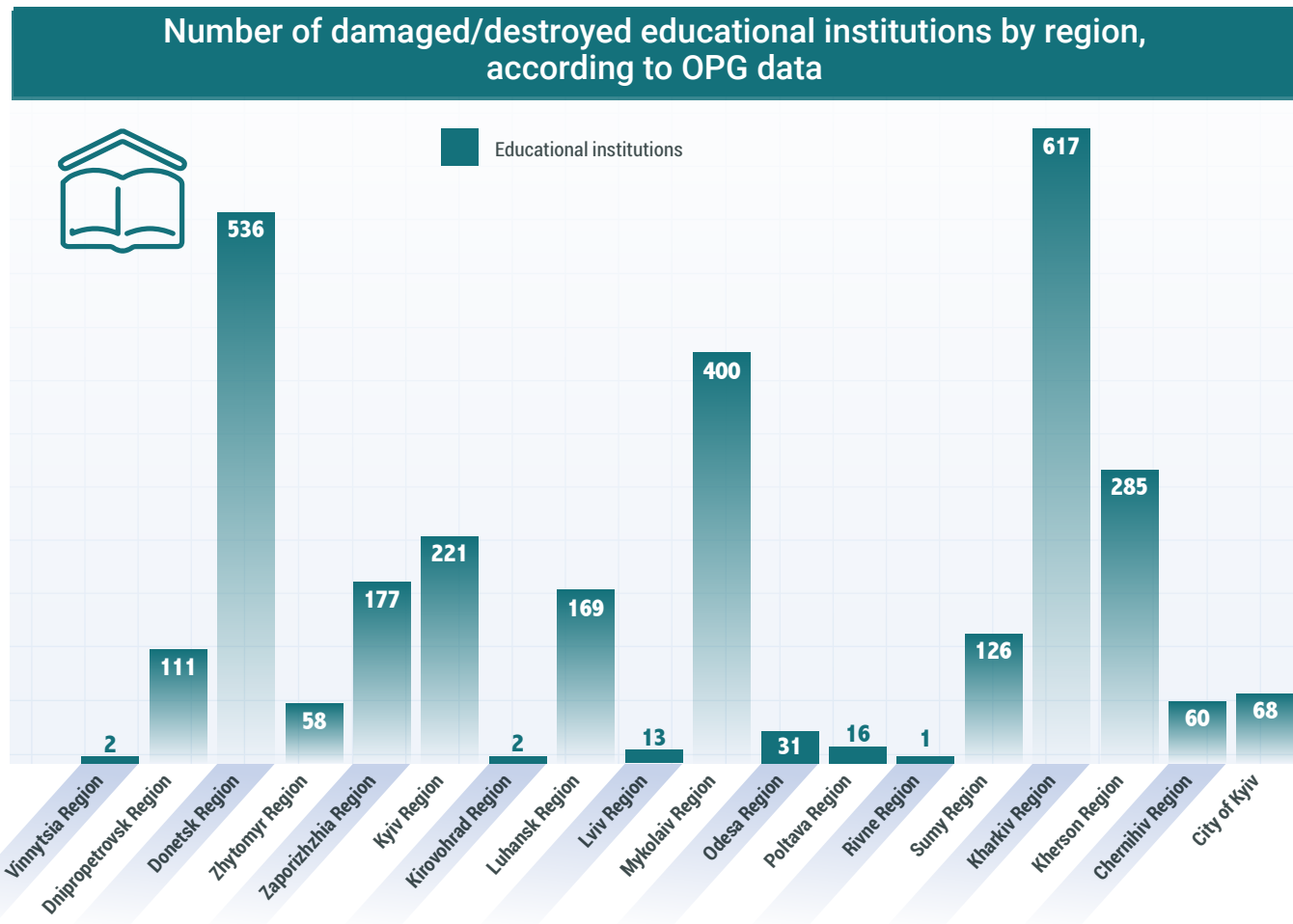
The regions with the least damage are Ternopil (0 destroyed, 1 damaged), Rivne (0 destroyed, 2 damaged) and Vinnytsia (0 destroyed, 4 damaged) Regions.

### Number of destroyed and damaged educational institutions by region, according to MES data



## 2.2. Documentation of crimes by the Office of the Prosecutor General

According to information provided by the Office of the Prosecutor General (hereinafter referred to as the OPG), starting from February 24, 2022, the armed forces of the Russian Federation destroyed and damaged 2,893 educational institutions.



The OPG documented the highest number of crimes of destruction of educational facilities in Kharkiv (617), Donetsk (536), Mykolaiv (400) and Kherson (285) Regions, and the lowest in Rivne (1), Vinnytsia (2) and Kirovohrad (2) Regions.

*The difference in statistical data in the national structures of the MES and the OPG may be caused by separate accounting mechanisms of these institutions, lack of information exchange between them or peculiarities of criminal investigations.*

*Currently, it is impossible to draw a single conclusion about the scope of destruction/damage at the national level due to the significant difference in statistical data in different state bodies.*

*The lack of correlation of this information may become an obstacle or complicate the process of defending the interests of Ukraine and our citizens in the context of ensuring the right to education before international partners who express their willingness to participate in the restoration of educational infrastructure in Ukraine.*



### 2.3. Monitoring of destruction and damage to educational institutions by UHHRU

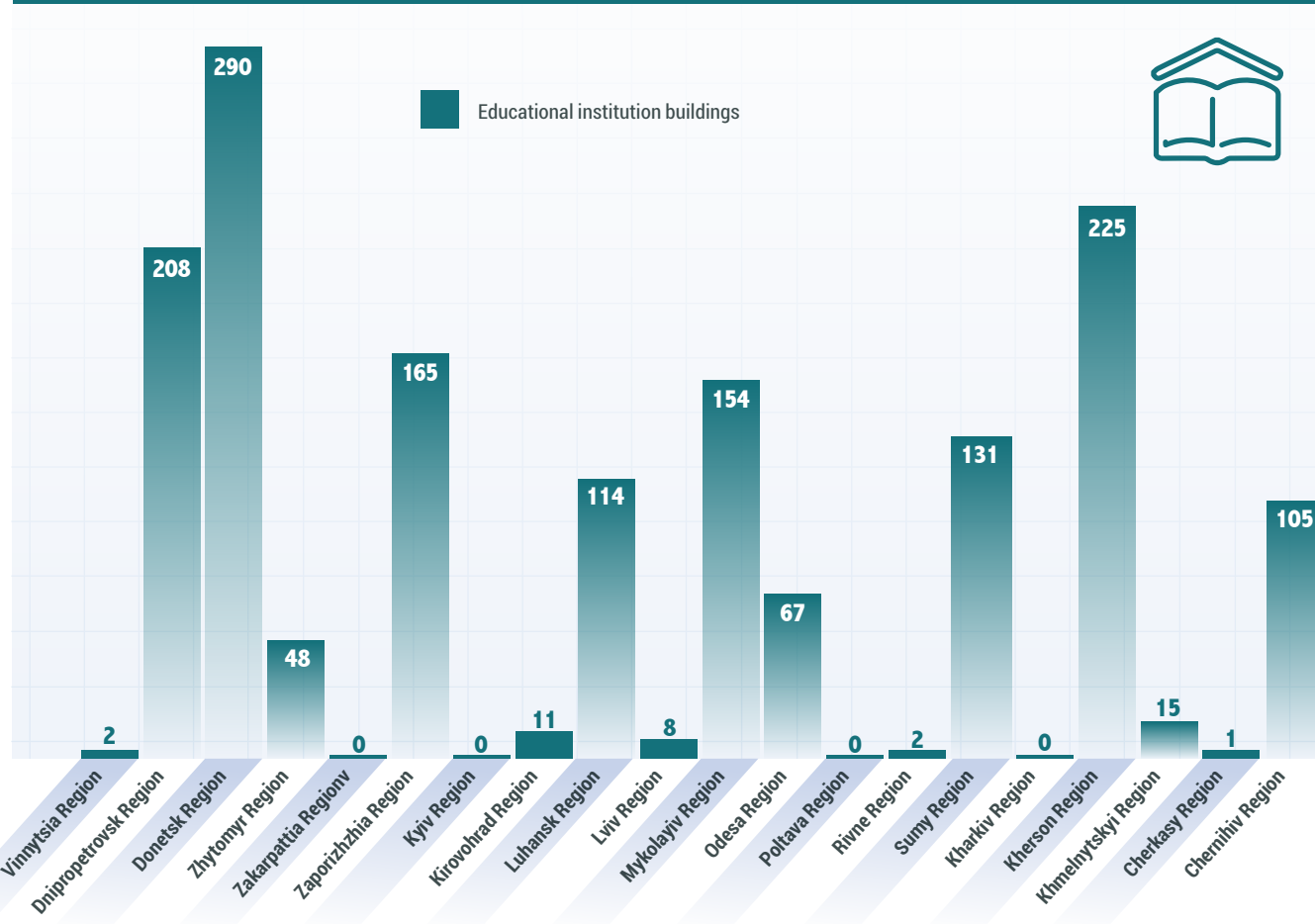
The UHHRU is collecting and summarizing information about the alleged international crimes of the full-scale Russian-Ukrainian war on the territory of Ukraine, collected by partner organizations and regional UHHRU LACs as part of the global initiative «Tribunal for Putin». The starting point for gathering information is February 24, 2022 – the day of the full-scale military invasion of Ukraine by the Russian Federation.

**According to the UHHRU data**, the number of damaged educational institutions (within the studied regions) is 1,546 (from February 24, 2022 to December 24, 2023).

During the study period, the largest number of damaged educational institutions was documented in the frontline and near-frontline regions. In particular, 290 educational institutions in the Donetsk Region, 225 in the Kherson Region, and 208 in the Dnipropetrovsk Region. In regions farther from the frontline, such as Zakarpattia and Poltava Regions, our documentation officers did not record any destruction of educational institutions.

Below is a graph of the educational institutions destruction recorded by our documentation officers, by region, for the period from February 24, 2022 to December 24, 2023.

Number of damaged/destroyed educational institutions by region, according to UHHRU data



“

*They said it was a guided bomb, and there were also Shaheds...* UHHRU data

**IN LATE MARCH 2022, THE RUSSIAN ARMY LAUNCHED BRUTAL, PROBABLY TARGETED, STRIKES ON THE VYRIV LYCEUM IN RYCHKY VILLAGE COUNCIL IN SUMY REGION.**

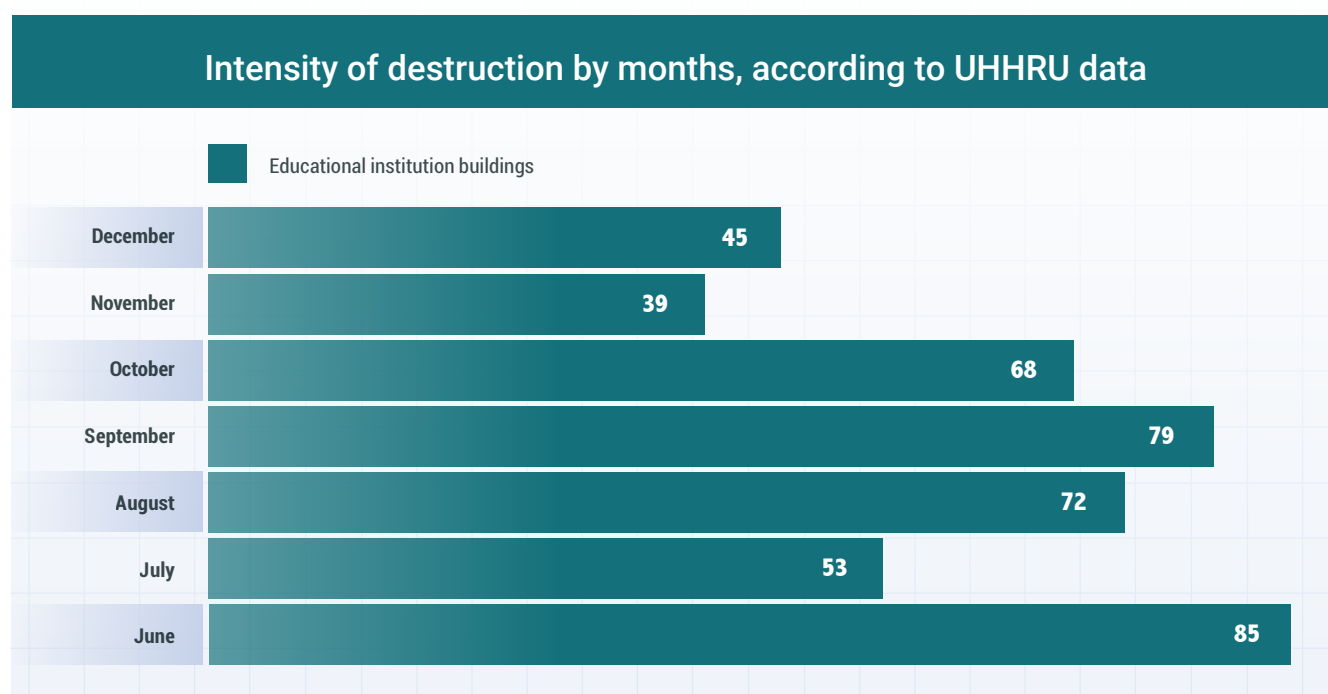
*Teacher describes the events of that night:*

“On March 24 at midnight, as a result of Russian aggression, a part of our institution was destroyed, the elementary school was completely destroyed. The gym got ruined. It is very upsetting that this is the elementary school where the new Ukrainian school was being implemented. From afar, we saw that the gym was gone and the fire engulfed the three-story building, which resulted in complete destruction. They were trying to slow down the fire. But firefighters were still working in the morning. There was a huge crater near the facility.”



**For the period from June through December 2023**, the highest number of crimes of destruction of educational infrastructure occurred in June and the lowest – in November.

Below is a graph showing the intensity of educational infrastructure destruction during June-December 2023.



**In June**, the largest number of damaged educational institutions was documented in Odesa (16 objects), Dnipropetrovsk and Kherson Regions (15 facilities each). The lowest number of damaged educational institutions was documented in Zaporizhzhia (2 facilities) and Luhansk (3 facilities) Regions. The total number of documented cases of destruction is 85.

During **July**, a smaller level of destruction of educational infrastructure facilities (53) was recorded, and the geography of destructions also changed slightly. Thus, the most cases of damage to educational institutions were documented in Donetsk Region (17 facilities), Mykolaiv Region (11 facilities) and Kherson Region (7 facilities). The lowest number of destructions of educational institutions in July 2023 was documented in Lviv (2 facilities) and Zaporizhzhia (1 facility) Regions.

In **August**, the Russian army intensified its attacks on educational infrastructure. The total number of documented cases of destruction is 72. The regions that suffered the most such attacks were Dnipropetrovsk (25 facilities) and Kherson (14 facilities) Regions. The lowest number of destructions of educational institutions was documented in Chernihiv (2 facilities) and Zhytomyr (1 facility) Regions.

The results of documenting these crimes during **September** show an increase in the number of such cases (79). The most damaged educational institutions were recorded in Odesa (2 facilities) and Zhytomyr (1 facility) Regions. And least – in Khmelnytskyi (2) and Zaporizhzhia (2) Regions.

In **October**, educational institutions in Kherson (25), Luhansk (15) and Dnipropetrovsk (8) Regions suffered the most. And least – in Mykolaiv (3) and Zaporizhzhia (3) Regions. The total number of documented cases of destruction is 68.

**November** was marked by the lowest level of educational infrastructure destructions – 39 facilities. The largest number of damaged educational institutions was documented in Sumy (16) and Kherson (12) Regions. Lower number of damaged educational institutions was documented in Odesa (2) and Dnipropetrovsk (1) Regions.

In **December**, the most damaged educational institutions were documented along the front line: in Luhansk (10), Kherson (8) and Donetsk (6) Regions. A smaller number of destroyed educational institutions for December 2023 was documented in Dnipropetrovsk (2) and Khmelnytskyi (1) Regions.

Our documentation officers recorded the following types of attacks on educational institutions:

- **Seizure** and use of institutions by occupying forces for their own purposes: use as headquarters/control centers, medical units, military stay/dislocation sites, torture chambers, etc;
- **Destruction** and damage to these facilities: targeted destruction, indiscriminate shelling.

“

*...They even forced people to cook food for them...*

UHHRU data

**IN THE OCCUPIED TERRITORIES, THE RUSSIAN ARMY USED EDUCATIONAL INSTITUTIONS TO HOUSE ITS SOLDIERS AND THE OCCUPATION ADMINISTRATION.**

*A resident of Makiivka in the Luhansk Region told about the actions of the occupiers:*

**“The occupiers stationed their headquarters in the local school, so all the villagers who lived near it were very unlucky. Those monsters went to bathe alongside the nearby villagers causing the pumping stations to break down due to the large number of people using their showers. They even forced people to cook food for them. It was good that the school had a washing machine and they mostly used it, although sometimes they made the locals do the laundry for them..”**



“

*...One missile hit the facade to the university...”*

UHHRU data

**PETRO MOHYLA BLACK SEA NATIONAL UNIVERSITY (MYKOLAIV) WAS REPEATEDLY SHELLED BY THE RUSSIAN ARMY. THESE ATTACKS WERE FIRST INDISCRIMINATE AND THEN PRE-PLANNED TARGETED SHELLING BY THE RUSSIANS OF A CIVILIAN EDUCATIONAL INSTITUTION WHERE THERE WERE NO MILITARY TARGETS.**

*University administration describes the first shelling:*

«On August 17, 2022, the first two missiles hit our building at night. One missile hit the facade near the main entrance to the university, went through the wall, destroyed the entrance. Windows, ceilings, and doors in the first and second buildings were blown away by the blast wave. The second missile, at around 2:00 a.m., hit next to the building in the courtyard where the heating main was running, destroying the heating unit. And the same thing happened: the windows in the reading room, gym were blown out; there were destructions in the assembly hall. At that time, there was one security guard at the university, he was in the basement. He was not injured.

The second attack took place on August 19 at about three o'clock in the morning. Again, two rockets were fired”





“

*On the school, almost all windows were blown out in the building...* UHHRU data

**DURING ONE OF THE EPISODES OF SHELLING OF KHERSON BY THE RUSSIAN MILITARY, A WELL-KNOWN HISTORIAN, CHAIRMAN OF THE REGIONAL ORGANIZATION OF THE COMMITTEE OF VOTERS OF UKRAINE, AND EDITOR OF THE “POLITYCHNA KHERSONSHCHYNA NEWSPAPER (POLITICAL KHERSON) DEMENTI BIELYI ALMOST DIED.**



The Russian military fired a salvo from the Grad missile system at a peaceful neighborhood. Almost instantly, we heard four explosions. On the territory of the school, almost all windows were blown out in the building (there are no classes there now, it is just closed).”

“

UHHRU data



*Alevtyna is a journalist from Mariupol:*

**She and her family lived in the besieged city until mid-March 2022. They miraculously survived an air raid on their famous clock house and saw with their own eyes how the Russians shelled the university building.**

Destruction of educational infrastructure facilities not only negatively affects the right to education, but also entails immense losses for the state. Thus, according to the **Kyiv School of Economics**<sup>36</sup>, since the beginning of Russia’s full-scale invasion and up to the beginning of 2024, at least 3.8 thousand educational institutions have been damaged, destroyed or seized in Ukraine, the cost of which is estimated at USD 6.8 billion.

The Kyiv School of Economics’ cost estimate is very approximate, because during the ongoing conflict it is difficult to determine the full monetary equivalent of the «losses» of educational infrastructure (because Ukraine does not have access to the occupied territories). Therefore, the final «cost of war» for education may be much higher.

<sup>36</sup> <https://kse.ua/ua/about-the-school/news/zagalna-suma-zbitkiv-zavdana-infrastrukturi-ukrayini-zroslo-do-mayzhe-155-mlrd-otsinka-kse-institute-stanom-na-sichen-2024-roku/>



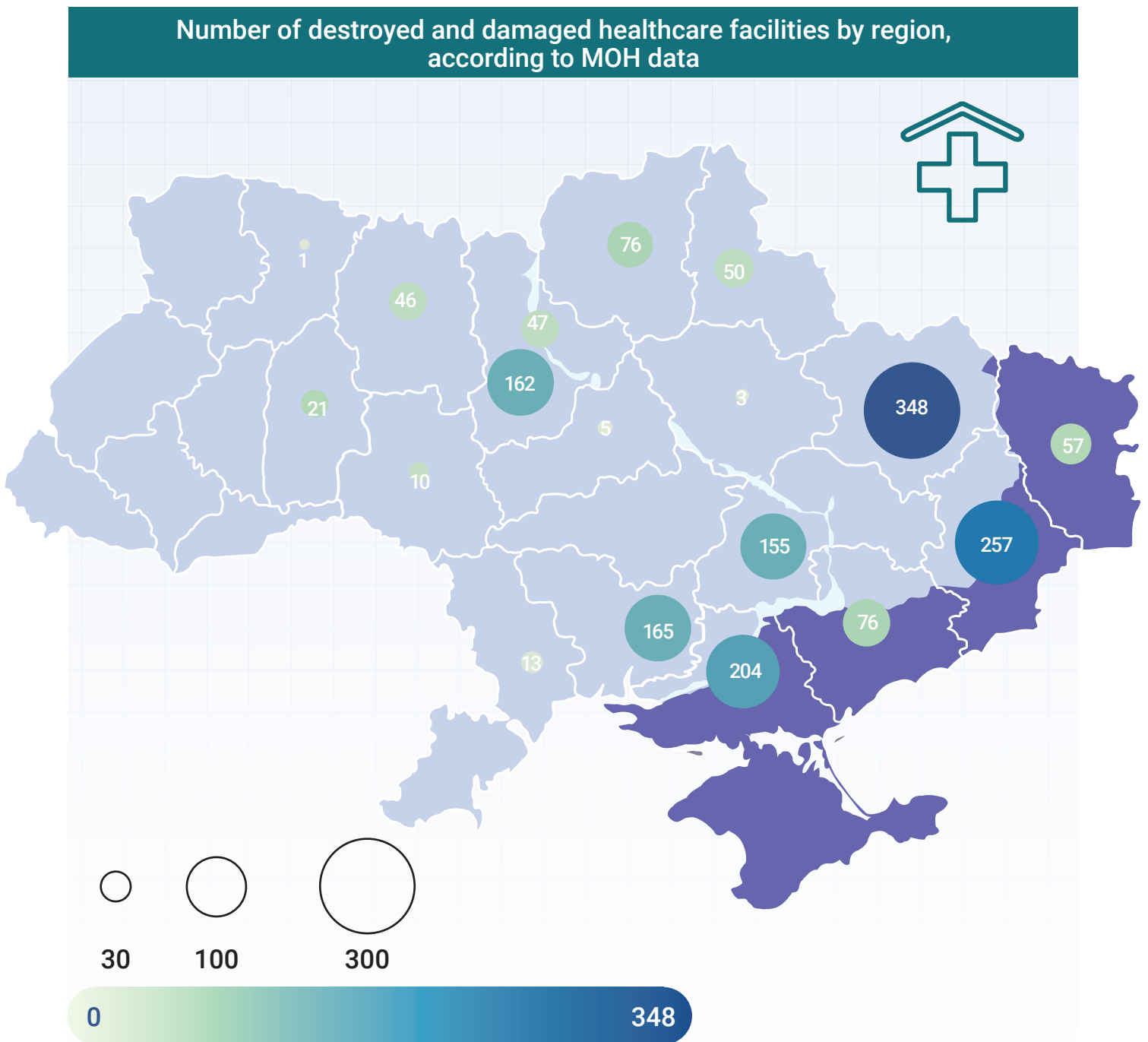
SECTION III.  
**HEALTHCARE INSTITUTIONS AND  
FACILITIES AS TARGETS OF ATTACK  
BY THE RUSSIAN FEDERATION**

### 3.1. State of affairs according to the data of the Ministry of Health

For the purpose of operational monitoring, the **Ministry of Health of Ukraine** (MOH) maintains its own list of healthcare institutions damaged and destroyed as a result of the armed aggression of the Russian Federation, which is filled out by the healthcare subdivisions of regional and Kyiv military administrations.

According to the Ministry of Health, since the beginning of the full-scale invasion and as of January 4, 2024, the destruction of 1,696 healthcare facilities has been recorded. Of these, 195 facilities have been destroyed and 1,501 facilities have been damaged. Of these, 474 facilities have been fully restored and 383 facilities have been partially restored.

Number of destroyed and damaged healthcare facilities by region, according to MOH data

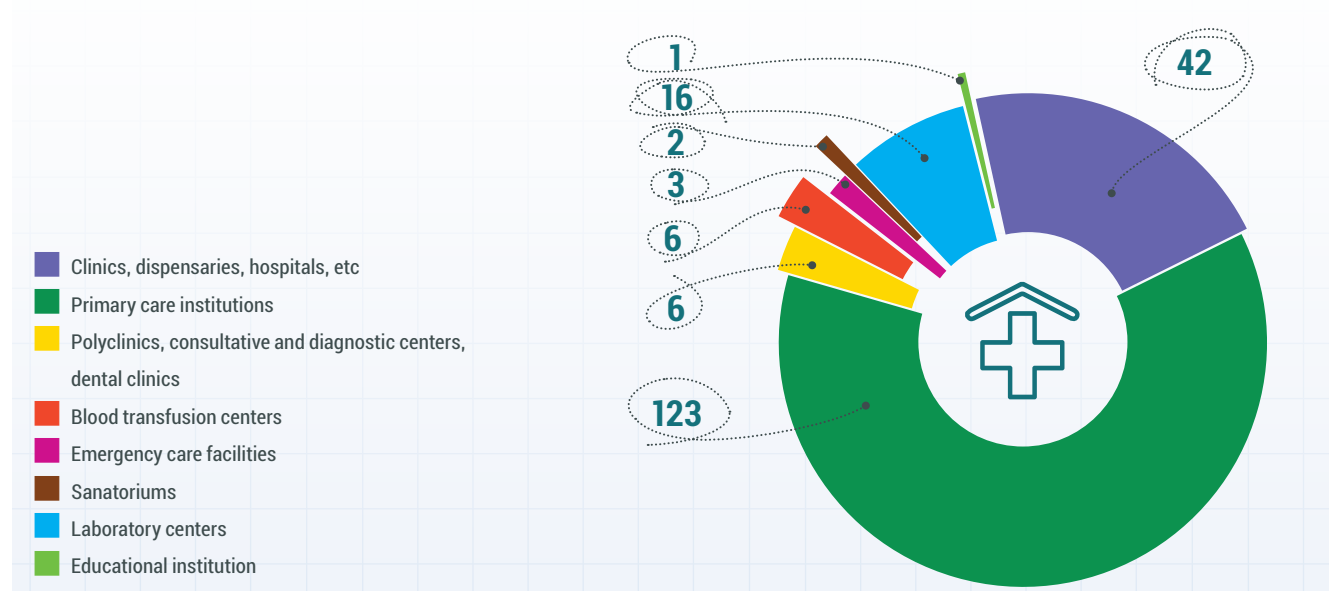


According to the Ministry of Health, the largest number of damaged and destroyed healthcare facilities is located in Kharkiv (348), Kherson (204), Donetsk (257) and Mykolaiv (165) Regions.

Data on the number and types of destroyed/damaged healthcare facilities by region are shown in **Annex 3 and 4**.

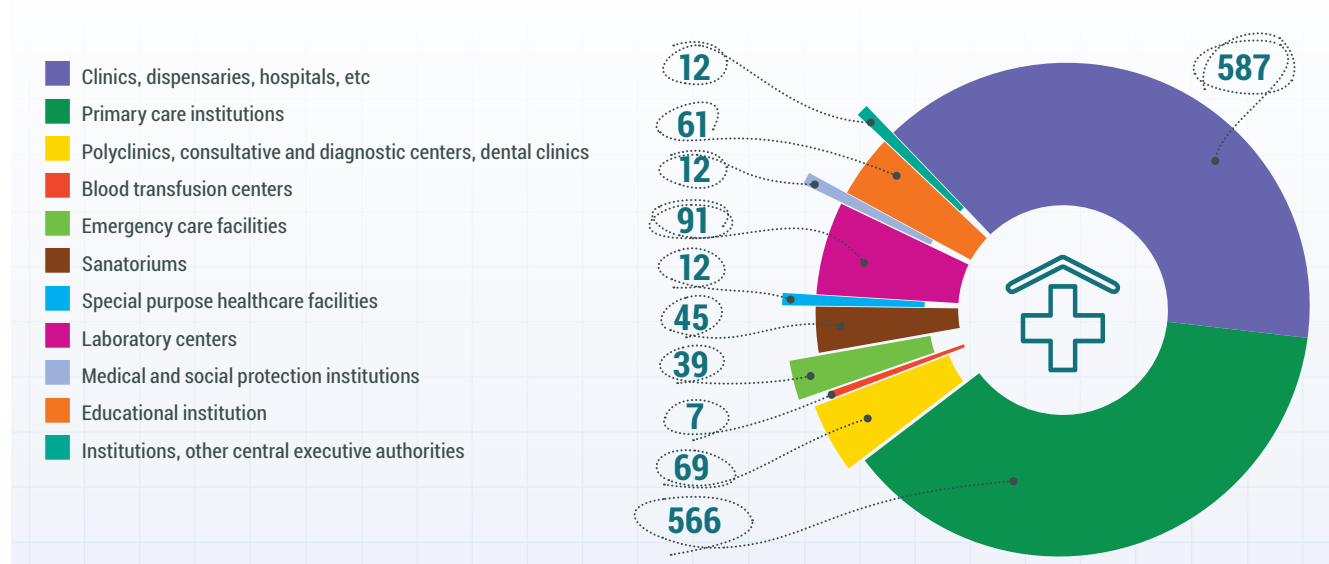
Primary healthcare facilities (123), and clinics, hospitals, dispensaries (42) were the most destroyed. According to the Ministry of Health, blood transfusion stations were the least destroyed (1).

### Number of destroyed healthcare facilities according to MOH data

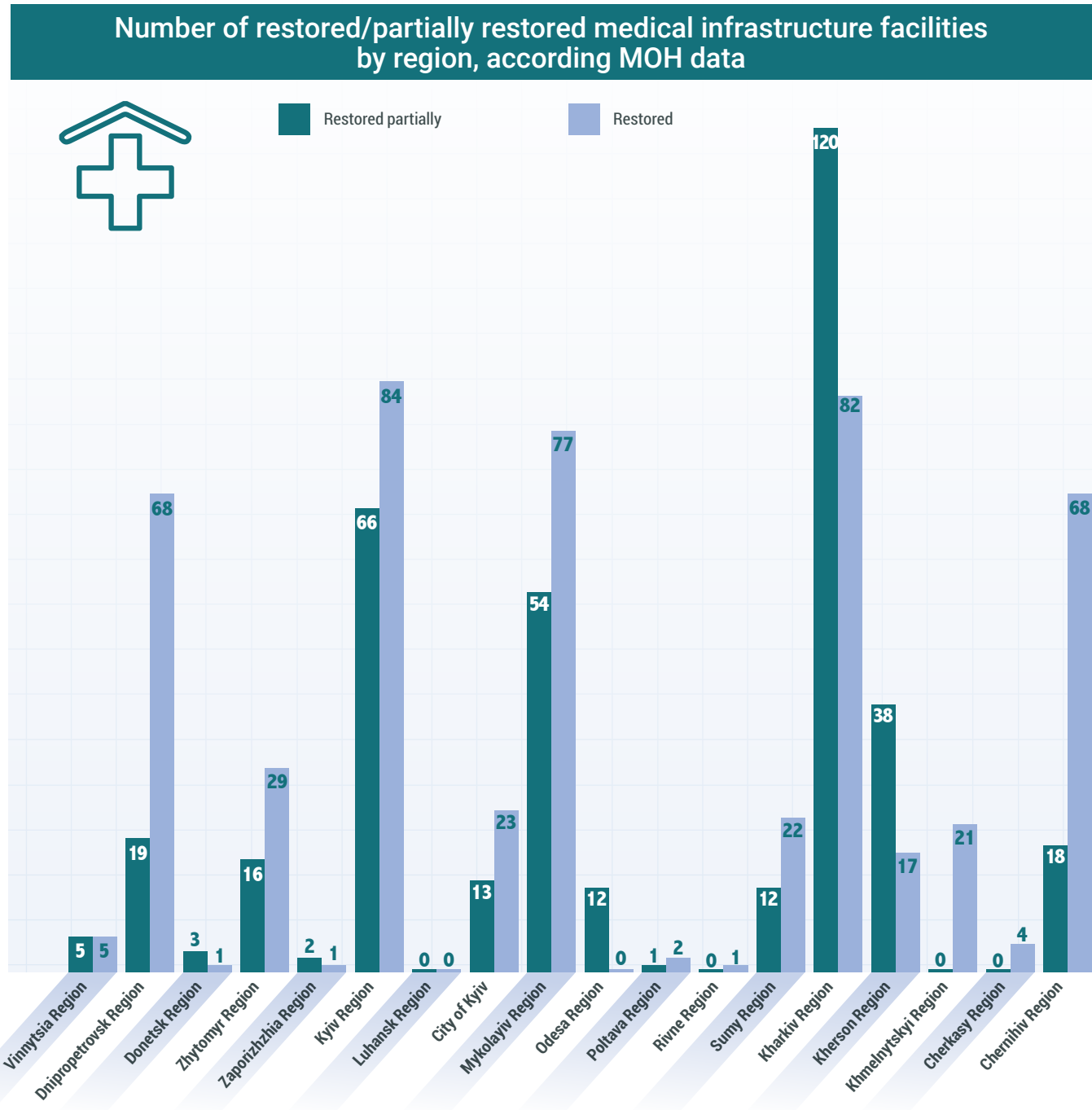


The data on damaged healthcare facilities is somewhat different. Thus, clinics, hospitals, dispensaries (587), primary healthcare facilities (566) and laboratory centers (91) suffered the most damage. Blood transfusion facilities were the least damaged (7).

### Number of damaged healthcare facilities according to MOH data



Thus, clinics, hospitals, dispensaries, and primary healthcare facilities are most often attacked by the Russian Federation. That is, those institutions where there are usually many civilians and where people directly exercise their right to healthcare.



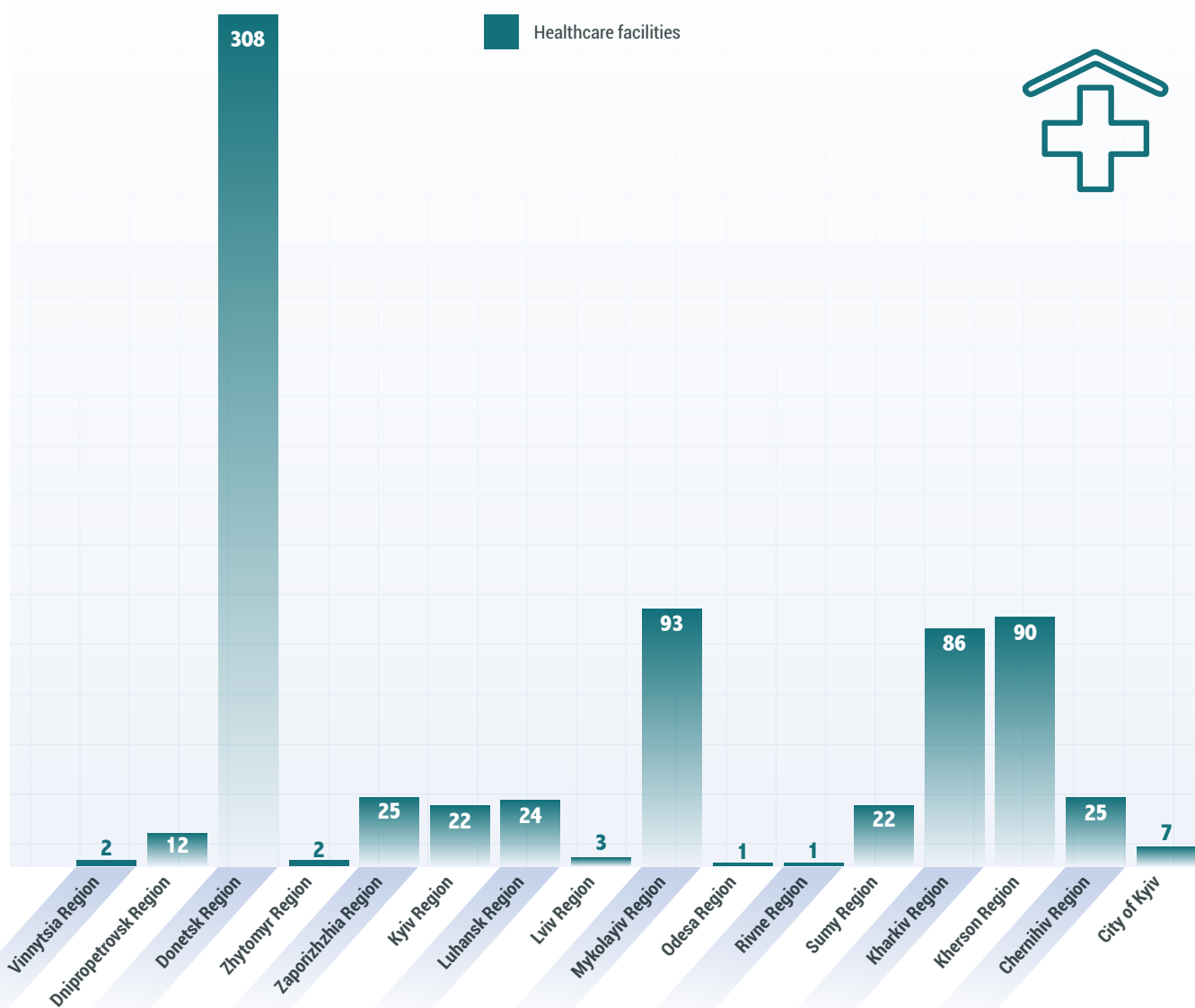
Despite continuous massive shelling, in particular of frontline territories, Ukraine is constantly rebuilding destroyed and damaged medical infrastructure to ensure that the civilian population has access to healthcare.

Thus, the most facilities have been fully or partially restored in Kharkiv Region (202), Kyiv Region (150), Mykolaiv Region (131), Dnipropetrovsk Region (87) and Chernihiv Region (86).

### 3.2. Documentation of crimes by the Office of the Prosecutor General

**According to the OPG**, the armed forces of the Russian Federation destroyed and damaged 723 healthcare facilities, nearly half of the 1,696 facilities reported by the Ministry of Health.

**Number of damaged/destroyed healthcare facilities by region, according to OPG data**



The OPG documented the highest number of crimes of destruction of healthcare facilities in the Donetsk (308), Mykolaiv (93), Kherson (90) and Kharkiv (86) Regions, and the smallest – in Odesa (1), Rivne (1), Vinnytsia (2) and Zhytomyr (2) Regions.

**In turn, the World Health Organization** (hereinafter referred to as WHO) conducts open monitoring of attacks on healthcare institutions in different countries, including in Ukraine – the Surveillance System for Attacks on Health Care (SSA)<sup>37</sup>.

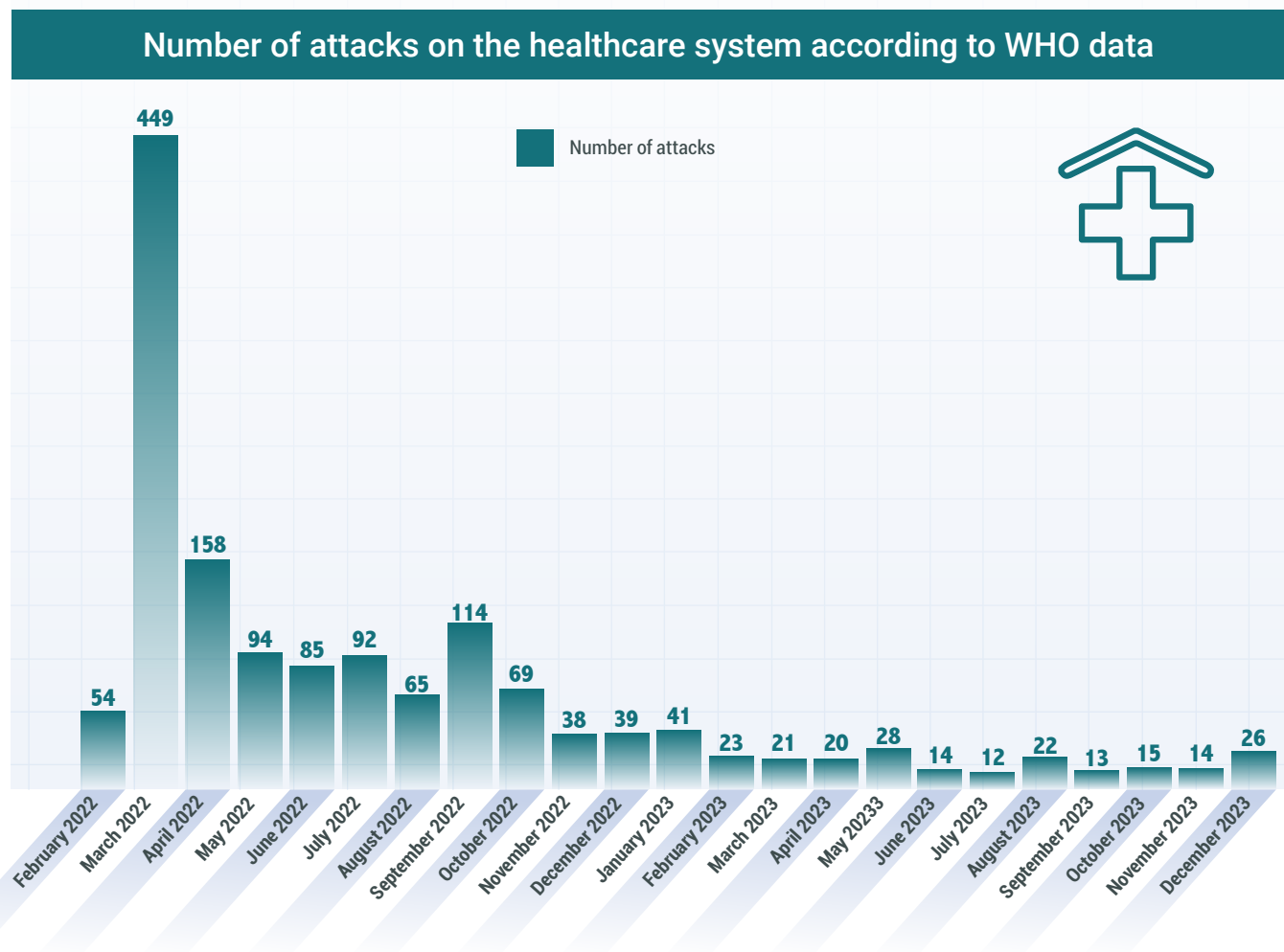
<sup>37</sup> <https://extranet.who.int/ssa/Index.aspx>

According to this system, since the beginning of Russia's full-scale invasion of Ukraine, for the period from February 24, 2022 to December 31, 2023, there have been:

- **1,506 attacks**, of which 1,318 affected healthcare facilities;
- **214 attacks** on medical transport;
- **127 attacks** that impacted medical personnel;
- **44 attacks** that impacted patients;
- **346 attacks** that affected the supply of medicines;
- **18 attacks** that impacted warehouses.

WHO data show that the number of attacks on healthcare facilities during 2022 was significantly higher than in 2023. For example, there were 1,257 attacks in 2022 and 249 attacks in 2022.

Below is a graph of the attack intensity for the period from February 24, 2022 to December 31, 2023.



The intensity of attacks indicates the activity of the enemy army in the first 7 months of the full-scale invasion. The decrease in the number of destructions indicates the effectiveness of the Ukrainian army, strengthening of air defense systems, etc.

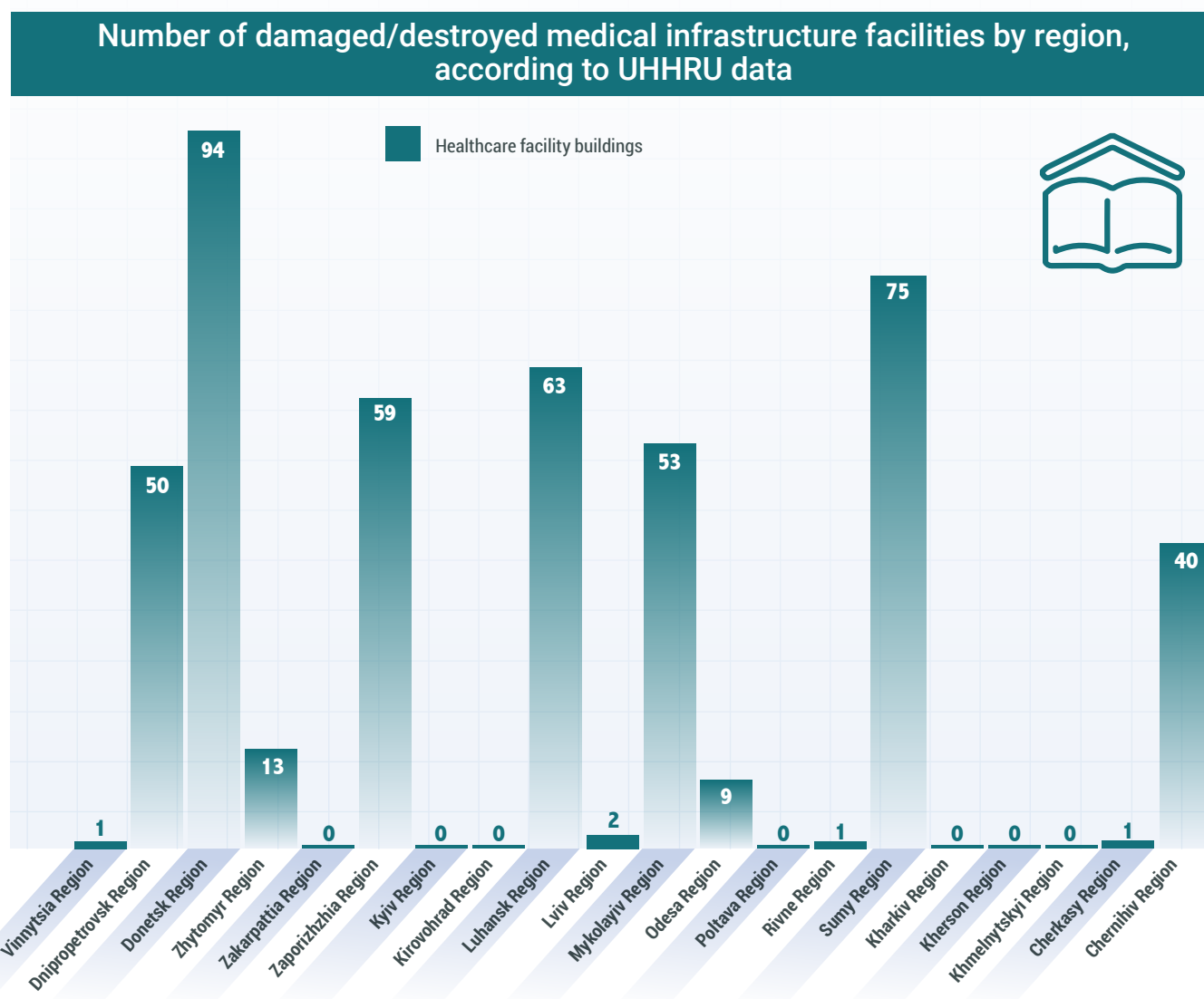


### 3.3. Monitoring of destruction and damage to healthcare facilities by UHHRU

According to the UHHRU data, the number of damaged healthcare facilities (within the studied regions) is 461 (from February 24, 2022 to December 24, 2023).

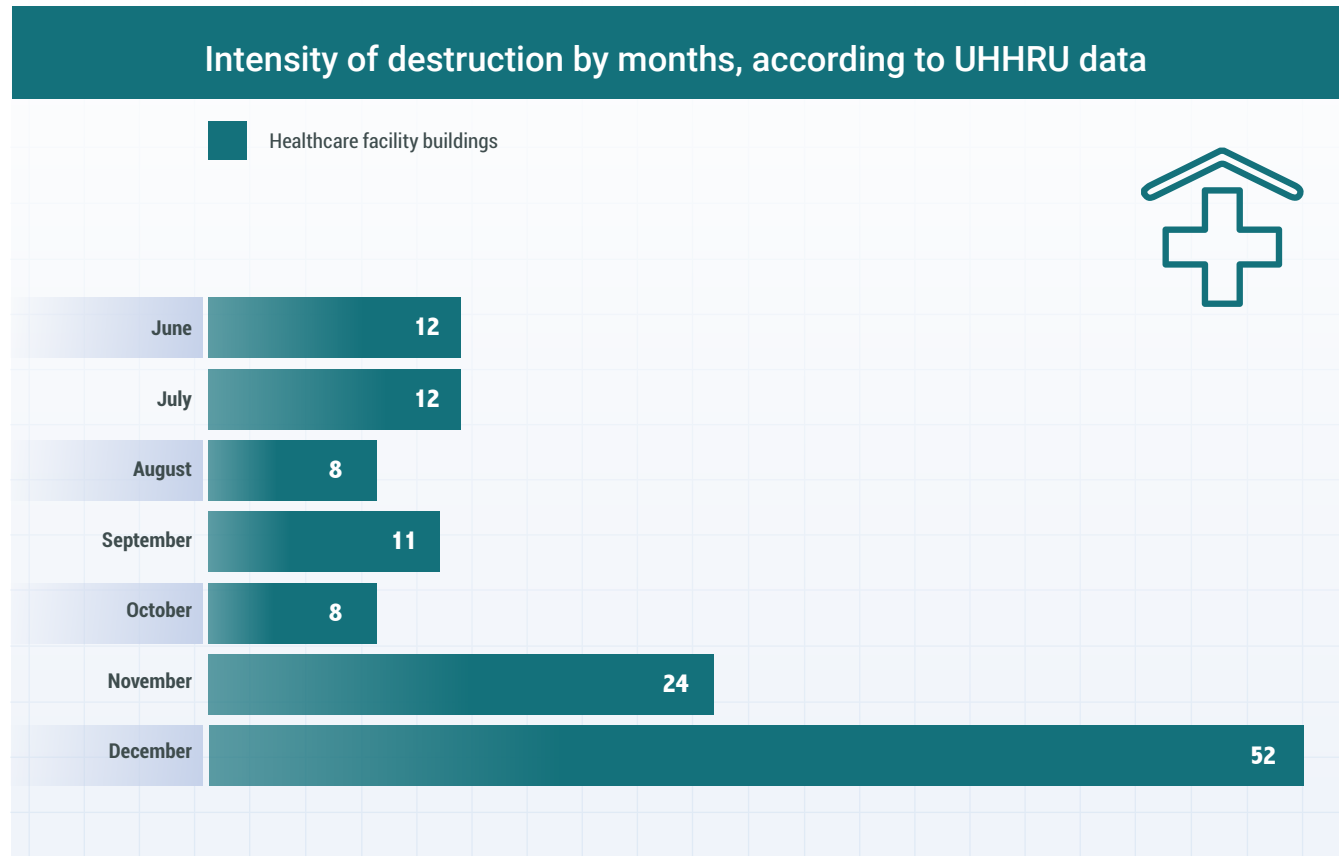
During the study period, the largest number of damaged healthcare facilities was recorded in the frontline regions, namely: 94 facilities in Donetsk Region, 75 facilities in Sumy Region and 63 facilities in Luhansk Region. In regions more distant from the frontline, the number of healthcare facilities that were damaged is somewhat smaller: 1 facility in Lviv Region, 1 facility in Vinnytsia Region and 1 facility in Rivne Region.

Below is a graph of the healthcare facilities destruction recorded by our documentation of officers, by region, for the period from February 24, 2022 to December 24, 2023.



For the period from June through December 2023, the highest number of crimes of destruction of medical infrastructure occurred in June and the lowest – in July and October.

Below is a graph showing the intensity of medical infrastructure destruction during June-December 2023.



In **June**, the biggest number of damaged healthcare facilities was documented in Sumy region – 20 facilities, in Donetsk region – 11 facilities and in Mykolaiv Region – 7 facilities. A slightly smaller scope of damage was documented in Zhytomyr Region – 4 facilities and Dnipropetrovsk Region – 3 facilities. The total number of documented cases of destruction is 52.

In **July**, the scope of destructions almost halved, with only 24 cases reported. The largest number of damaged healthcare facilities was documented in Mykolaiv (7) and Dnipropetrovsk (5) Regions. And least – in Donetsk (3) and Zaporizhzhia (2) Regions.

**August** was marked by a significant decrease in attacks on the medical infrastructure of Ukraine. 8 healthcare facilities were destroyed: in Dnipropetrovsk (5), Kirovohrad (2) and Donetsk (1) Regions.

In **September**, the total number of damaged facilities slightly increased – 11 damaged/destroyed medical infrastructure facilities. During this month, the biggest number of damaged healthcare facilities was documented in Odesa (6) and Chernihiv (2) Regions, and the least – in Zhytomyr and Dnipropetrovsk Regions – 1 facility each.

In **October**, similar to August, 8 healthcare facilities were damaged: 3 facilities in the Donetsk Region, 2 facilities in the Zaporizhzhia Region, 2 facilities in the Luhansk Region, and 1 facility in the Dnipropetrovsk Region.

In **November**, the biggest number of damaged healthcare facilities was documented in Sumy region – 6 buildings. The least amount of destruction was experienced by the healthcare facilities in the Zaporizhzhia and Odesa Regions, with 1 facility affected in each region. The total number of destroyed buildings is 12.

In **December**, similar to November, the number of damaged healthcare facilities was 12. The largest number of such facilities is located in Luhansk (4) and Donetsk (3) Regions, and the smallest – in Mykolaiv, Odesa and Zhytomyr Regions – 1 facility each.

“

*They covered the children with their bodies so that they did not get hurt”* UHHRU data

**IN JANUARY 2023 ALONE, THE RUSSIAN MILITARY SHELLED THE KHERSON CHILDREN'S REGIONAL CLINICAL HOSPITAL THREE TIMES. DESPITE THE FACT THAT THEY KNOW VERY WELL THAT THERE ARE NO MILITARY OR STRATEGIC FACILITIES NEARBY. BECAUSE IN ALMOST NINE MONTHS OF OCCUPATION, THEY HAD EVERY OPPORTUNITY TO MAKE SURE OF IT.**

The institution suffered the most during the first shelling, at midnight between December 31 and January 1. Instead of the festive New Year's salute, nine Grad shells landed on the territory of the hospital.

At that time, there were 80 employees and about 30 patients, including several infants. Most of the hospital staff were women. They covered the children with their bodies so that they did not get hurt.

The explosions destroyed almost 50% of the infant ward in the neonatal building (for infants). One of the shells did not explode – it broke through the roof of the building (there was a hole about a meter in diameter) and got stuck in the technical room.





“

*the Russians decided to turn this institution into their military hospital”* UHHRU data

**AFHANASII AND OLHA TROPINI KHERSON CITY CLINICAL HOSPITAL WAS BOTH SUBJECTED TO MILITARY STRIKES AND USED BY THE RUSSIAN MILITARY FOR ITS OWN PURPOSES.**

Right after the occupation of Kherson, the Russians decided to turn this institution into their military hospital.

Armed military personnel, on armored personnel carriers, searched the territory of the facility for wounded Ukrainian soldiers and Territorial Defense soldiers who survived in the Buzkovi Park.

Then military doctors arrived. They arrived in APCs with armed “guards”. On June 7, accompanied by machine gunners, they appointed their head of the institution.

Later, fleeing the city, the occupiers robbed the hospital: took the automobile, laboratory equipment, unique microscopes, etc.

And before the New Year’s Eve, on December 27, 2022, the Russians hit the reception of the maternity hospital. The roof and doorways were damaged, and all the windows on the first floor were blown out. The territory was shelled for the second time in January 2023. Then all the windows in the laundry and food processing rooms were blown out.





“

*The two missiles on either side had damaged the main building as well”*

UHHRU data

*Hospital administration, told about the shelling of the hospital at the end of the summer of 2022.:*

“On August 1, 2022 at 1 a.m., we received a ‘gift’ from our neighbors in the form of two S-300 missiles. They came in one after another.

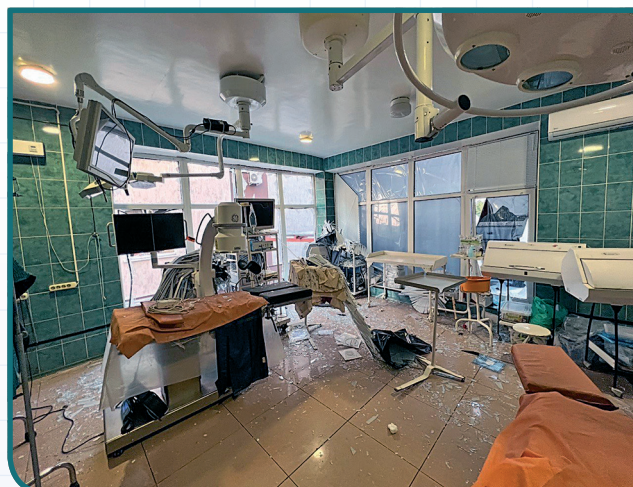
In one of the operating rooms, a nurse was just coming in with a set of instruments. The first missile hit the nearby skin and STD clinic.

The shock wave blew out the stained glass (panoramic) windows of the operating rooms in the main build-

ing of the hospital and got “teleported” back into the corridor from which it got inside the operating room. No sooner had it landed than the second missile that hit the emergency room carried it into the operating room.

The two missiles on either side had damaged the main building as well, not just the emergency room building. A direct hit to the roof destroyed the building of the skin and STD clinic.

And in the emergency room, the very part that we disassembled when installing the second elevator collapsed. We were forbidden to use the emergency room”



According to the **Kyiv School of Economics**<sup>38</sup>, since the beginning of Russia's full-scale invasion and up to the beginning of 2024, at least 1,300 healthcare facilities have been damaged, destroyed or seized in Ukraine, the cost of which is estimated at USD 3.1 billion.

Thus, the destruction of medical infrastructure has a very negative impact on access to healthcare services. And the scale of destruction is estimated to be in the billions of US dollars.

As with the educational sphere, the data of the Kyiv School of Economics are very approximate, due to Ukraine's lack of access to the occupied territories. Therefore, the cost of losses in the field of healthcare, as well as education, may be much higher.

<sup>38</sup> <https://kse.ua/ua/about-the-school/news/zagalna-suma-zbitkiv-zavdana-infrastrukturi-ukrayini-zroslo-do-mayzhe-155-mlrd-otsinka-kse-institute-stanom-na-sichen-2024-roku/>



## IV. **CONCLUSIONS AND RECOMMENDATIONS**



## Conclusions

1. The IHL clearly defines educational and medical institutions as civilian infrastructure that cannot be attacked under any circumstances. However, within two years of the full-scale invasion of Ukraine, the Russian Federation has systematically seized, damaged and destroyed Ukrainian educational and medical institutions in flagrant violation of international humanitarian law.
2. Attacks on educational and medical infrastructure are criminalized under both national and international law, namely Article 438 of the Criminal Code of Ukraine and Articles 7, 8 of the RS ICC.
3. Despite the fact that international humanitarian law has clear norms that protect educational and medical institutions from attack and sometimes impose an explicit ban on such attacks, the national criminal legislation (Article 438 of the Criminal Code of Ukraine) does not single them out as a separate category.

The issue of qualification of all war crimes of the Russian Federation within one Article 438 of the CCU is quite debatable. The broad disposition of this norm covers a wide range of acts. This may lead to difficulties in the process of pre-trial investigation and proving certain criminal acts or omissions.

4. The possibility of applying the legal qualification and sanction under Part 2 of Article 438 of the Criminal Code of Ukraine is vague with regard to the combination of violation of the laws and customs of war with premeditated murder, when, for example, it is an indiscriminate attack on a school or hospital where children, teachers, doctors, other civilians, etc., were injured.
5. Clinics, hospitals, dispensaries, and primary healthcare facilities are most often attacked by the Russian Federation. That is, those institutions where there are usually many civilians and where people directly exercise their right to healthcare.
6. Currently, national structures (MOH, MES, OPG) and international organizations (WHO) have different statistics on the destruction and damage of medical and educational infrastructure facilities. Institutions, within their powers and jurisdictions, collect facts separately and without any further unification.

Such a situation may lead to negative consequences, such as improper investigation of crimes committed by the Russian Federation in Ukraine, failure to bring the perpetrators to justice, incorrect estimates for the allocation of resources for the restoration of destroyed facilities, and so on.

7. Despite various statistical data on the destruction of educational and medical infrastructure at the national level, in the field of healthcare the world community – the UN – is trying to keep its own open record of such destruction. Such records are kept not only in relation to Ukraine, but also in relation to other countries of the world. The educational sphere does not have an external entity that accounts for the destruction of kindergartens, schools, and universities.

- 8.** The destruction of educational and medical infrastructure has a very negative impact on access to educational and healthcare services, and the scale of the destruction is estimated at billions of US dollars. The high cost of restoring the educational and medical infrastructure will require international donors' funds, as it is obvious that Ukraine's budget in the war and post-war period will be insufficient due to the need to restore other infrastructure (housing stock, business and transport facilities, etc.).

## Recommendations

### 1. Verkhovna Rada of Ukraine, Cabinet of Ministers of Ukraine shall:

- Intensify foreign policy activities aimed at increasing pressure on the Russian Federation due to mass attacks on Ukrainian educational and medical infrastructure facilities.
- Consider revising the current Article 438 of the Criminal Code of Ukraine in order to strengthen its legal certainty, concretize it and expand the possibility of qualifying crimes committed by the Russian Federation in connection with attacks on educational and healthcare facilities.

### 2. The Cabinet of Ministers of Ukraine and the Office of the Prosecutor General should coordinate the collection of data on destruction and damage to educational and healthcare facilities.

### 3. International organizations and states (all those that may be concerned) shall:

- Increase pressure on the Russian Federation to stop the attack on Ukrainian educational and healthcare facilities;
- Take measures to bring to justice those responsible for criminal acts in Ukraine in accordance with the norms of international humanitarian law;
- If possible, provide assistance in restoring educational and medical infrastructure.



V.  
**ANNEXES**

Annex 1

**Response of the Office of the Prosecutor General  
to the UHHRU's request**

Prosecutor's Office of Ukraine

**OFFICE OF THE PROSECUTOR GENERAL**

13/15, Riznytska Street Kyiv, 01011 fax: (044) 280-26-03

e-mail: office@gp.gov.ua, web: www.gp.gov.ua

USREOU (Unified State Register of Enterprises and Organizations of Ukraine) code 00034051

№. \_\_\_\_\_

Your Ref. №. \_\_\_\_\_ dd. \_\_\_\_\_

Attn: **Executive Director of the Ukrainian  
Helsinki Human Rights Union  
Oleksandr PAVLICHENKO  
PO box 100, Kyiv, 04071**

**Dear Mr. Pavlichenko,**

The Department for Combating Crimes Committed in the Conditions of Armed Conflict of the Office of the Prosecutor General has reviewed your letter dated 08/08/2024 No. 08/01-02 (FA), within the scope of its competence, regarding the provision of information on criminal proceedings for damage and destruction of healthcare facilities and educational institutions, and as well as the number of victims of these criminal offenses, including those who died, distinguishing them by sex and age, the results of their pre-trial investigation and judicial review for the period from 02/24/2022 to 12/31/2023.

Starting from February 24, 2022, the armed forces of the Russian Federation have destroyed and damaged 2,893 educational institutions, in particular: 617 in Kharkiv Region, 536 in Donetsk Region, 400 in Mykolaiv Region, 285 in Kherson Region, 221 in Kyiv Region, 177 in Zaporizhia Region, 169 in Luhansk Region, 126 in Sumy Region, 111 in Dnipropetrovsk Region, 60 in Chernihiv Region, 58 in Zhytomyr Region, 31 in Odesa Region, 16 in Poltava Region, 13 in Lviv Region, 2 in Vinnytsia Region, 2 in Kirovohrad Regions, 1 in Rivne Region and 68 in Kyiv.

In addition, the armed forces of the Russian Federation have destroyed and damaged 723 healthcare facilities, namely: 308 in Donetsk Region, 93 in Mykolaiv Region, 90 in Kherson Region, 86 in Kharkiv Region, 25 in Zaporizhzhia Region, 25 in Chernihiv Region, 24 in Luhansk Region, 22 in Kyiv Region, 22 in Sumy Region, 12 in Dnipropetrovsk Region, 3 in Lviv Region, 2 in Vinnytsia Region, 2 in Zhytomyr Region, 1 in Odesa Region, 1 in Rivne Region, and 7 in Kyiv.

Pre-trial investigation in criminal proceedings of this category is carried out on the grounds of a crime under Article 438 of the Criminal Code of Ukraine.

We would also like to inform you that the reports generated by the prosecutor's offices do not include information on criminal offenses



Офіс Генерального прокурора  
№18/3-7383ВИХ-24 від 25.01.2024  
КЕП: Белоусов Ю. Л. 25.01.2024 18:29  
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## 2

(proceedings) based on the facts of damage and destruction of healthcare facilities, educational institutions and persons killed or injured during the commission of these war crimes.

Please be informed that from February 24, 2022 to December 31, 2023, the number of victims of criminal offenses under Article 438 of the Criminal Code of Ukraine for January-December 2022 is 50,913 (including women – 13,771, minors aged 14 to 18 y.o. – 3,394, minors below 14 years of age – 812) and for January-December 2023 it is 72,728 people (including women – 29,582, minors aged 14 to 18 y.o. – 2,043, minors below 14 years of age – 547).

At the same time, during that period, criminal acts committed by the representatives of the Russian Federation resulted in the death of 11,673 civilians (including 514 children) and the injury of 18,184 children (including 1,172 children).

As a result of pre-trial investigations in criminal proceedings under Article 438 of the Criminal Code of Ukraine, investigators and prosecutors have reported 473 persons suspected of committing war crimes, indictments have been filed against 318 persons, and 73 persons have been convicted.

Please note that the data are not final due to the impossibility of inspecting the sites of shelling in the areas of active hostilities and in the temporarily occupied territories of Ukraine. It will be possible to establish the real number of victims after the end of hostilities, removal of rubble, destroyed facilities and identification of dead civilians.

Sincerely,

**Head of the Department  
for Combating Crimes Committed in the Conditions  
of Armed Conflict**

**Yurii BIELOUSOV**



## Annex 2

**Table of the Ministry of Education and Science: operational information on destroyed and damaged educational institutions, as of December 28, 2023**

Reg.s	Number of educational institutions that were														Total destroyed	Total damaged	Percentage of destroyed and damaged out of the total number of educational institutions										
	destroyed							damaged																			
	1. Pre-school education	2. Complete secondary education	3. Extracurricular education	4. Specialized education	5. Special education	6. Professional (vocational) education	7. Vocational pre-university education	8. Tertiary education	9. Adult education, including postgraduate education	1. Pre-school education	2. Complete secondary education	3. Extracurricular education	4. Specialized education	5. Special education				6. Professional (vocational) education	7. Vocational pre-university education	8. Tertiary education	9. Adult education, including postgraduate education						
Vinnitsya Reg.	0	0	0	0	0	0	0	0	0	2	1	0	0	0	0	0	0	0	0	0	0	0	0	0	4	0.29%	
Volyn Reg.	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0.00%
Dnipropetrovsk Reg.	0	10	0	0	0	0	0	0	0	90	147	20	0	0	24	15	5	0	0	10	301	15.40%					
Donetsk Reg.	59	88	11	0	1	5	6	3	0	282	258	25	0	6	24	26	10	0	173	631	83.06%						
Zhytomyr Reg.	0	1	0	0	0	0	0	0	0	32	66	4	1	0	9	9	5	0	1	126	10.03%						
Zakarpattia Reg.	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0.00%	
Zaporizhzhia Reg.	4	8	0	0	2	0	0	0	0	64	115	9	1	3	13	7	5	0	14	217	19.28%						
Ivano-Frankivsk Reg.	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0.00%	
Kyiv Reg.	6	5	1	0	0	1	0	0	0	69	118	5	0	0	5	0	1	0	13	198	15.14%						
Kirovohrad Reg.	0	0	0	0	0	0	0	0	0	3	2	2	0	0	0	1	1	0	0	9	0.89%						
Luhansk Reg.	6	11	1	0	0	2	3	0	0	55	95	7	2	3	12	5	2	1	23	182	29.41%						
Lviv Reg.	0	0	0	0	0	0	0	0	0	0	3	0	0	1	0	1	3	0	0	8	0.36%						
City of Kyiv	0	0	0	0	0	0	0	0	0	44	58	1	0	9	5	3	7	0	0	127	7.64%						
Mykolaiv Reg.	14	19	0	0	0	0	0	0	0	91	122	7	0	0	11	10	5	0	33	246	32.29%						
Odesa Reg.	0	0	0	0	0	0	0	0	0	13	35	8	1	1	5	10	9	1	0	83	4.76%						
Poltava Reg.	0	0	0	0	0	0	0	0	0	8	7	0	0	0	4	1	0	0	0	20	1.62%						
Rivne Reg.	0	0	0	0	0	0	0	0	0	0	2	0	0	0	0	0	0	0	0	2	0.17%						
Sumy Reg.	1	5	1	0	0	2	0	0	0	31	66	16	2	0	9	9	2	0	9	135	16.33%						
Ternopil Reg.	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	1	0.08%						
Kharkiv Reg.	8	35	5	0	0	2	1	0	0	191	269	26	9	13	18	29	23	1	51	579	54.22%						
Kherson Reg.	18	28	0	0	0	3	1	0	0	101	169	5	2	0	13	3	3	0	51	296	40.35%						
Khmelnytskyi Reg.	0	0	0	0	0	0	0	0	0	28	56	4	0	0	9	0	0	0	0	97	7.39%						
Cherkasy Reg.	0	0	0	0	0	0	0	0	0	6	5	0	0	0	0	0	0	0	0	11	1.18%						
Chernivtsi Reg.	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0.00%						
Chernihiv Reg.	0	2	0	0	0	0	0	0	0	54	75	1	2	0	5	4	3	0	2	144	16.40%						
Total	116	212	19	0	3	15	11	3	1	1,164	1,669	140	20	36	166	133	86	3	380	3,417	12.56%						

## Annex 3

## Table of the Ministry of Health: the list of damaged/destroyed healthcare facilities

	destroyed healthcare facilities				damaged healthcare facilities				Damaged and destroyed healthcare facilities, total					
	num-ber of facilities, in total	sq.m. of destroyed facilities	no data on the area of facilities, the number of facilities	partially restored	restored	num-ber of facilities, in total	sq.m. of damaged facilities	no data on the area of facilities, the number of facilities	partially restored	restored	number of facilities, in total	sq.m. of destroyed and damaged facilities	partially restored	restored
2	195	233,666.2	10	16	6	1,501	3,918,583.4	60	367	468	1,696	4,152,249.6	383	474
Clinics, dispensaries, hospitals, pathoanatomical departments	42	160,534.3	6	5	1	587	2,835,616.3	27	157	182	629	2,996,150.6	162	183
regional hospital	2	31,494.2	0	0	0	13	119,951.9	1	1	5	15	151,446.1	1	5
regional children's hospital	0	0.0	0	0	0	25	204,830.4	0	7	10	25	204,830.4	7	10
multidisciplinary hospitals	21	58,284.4	3	4	1	339	1,476,303.8	18	82	113	360	1,534,588.2	86	114
multidisciplinary children's hospital	0	0.0	0	0	0	26	74,321.1	1	12	8	26	74,321.1	12	8
monodisciplinary hospital	14	48,445.0	1	1	0	109	480,812.2	3	34	26	123	529,257.2	35	26
monodisciplinary children's hospital	0	0.0	0	0	0	9	32,428.9	1	0	1	9	32,428.9	0	1
maternity hospital, perinatal center	4	22,310.7	1	0	0	45	232,204.0	0	10	17	49	254,514.7	10	17
hospital	0	0.0	0	0	0	6	140,406.8	0	1	1	6	140,406.8	1	1
institutions, other CEBs	1	0.0	1	0	0	12	67,202.9	3	8	0	13	67,202.9	8	0
special type	0	0.0	0	0	0	1	4,828.0	0	1	0	1	4,828.0	1	0
pathoanatomical department	0	0.0	0	0	0	2	2,326.4	0	1	1	2	2,326.4	1	1
Primary care institutions	123	39,893.4	0	11	5	566	280,461.0	1	94	200	689	320,354.4	105	205
Primary care center, outpatient clinics	79	36,368.8	0	9	2	353	260,375.6	0	61	131	432	296,744.4	70	133
rural health centers	44	3,524.6	0	2	3	212	20,085.4	0	33	69	256	23,610.0	35	72
doctor's offices, other CEBs	0	0.0	0	0	0	1	0.0	1	0	0	1	0.0	0	0
Polyclinics, consultative and diagnostic center, dental clinics	6	3,970.8	2	0	0	69	216,226.8	4	19	32	75	220,197.6	19	32
Blood transfusion facilities	2	12,453.3	0	0	0	7	12,502.8	0	3	1	9	24,956.1	3	1
Emergency care facilities	3	398.0	2	0	0	39	49,876.4	7	3	14	42	50,274.4	3	14
Sanatoriums	2	8,945.7	0	0	0	45	57,345.9	6	29	5	47	66,291.6	29	5
special medical facilities	0	0.0	0	0	0	12	19,265.7	5	2	5	12	19,265.7	2	5
Laboratory centers	16	4,919.1	0	0	0	91	89,984.6	1	25	14	107	94,903.7	25	14
Medical and social protection institutions (orphanages, disability evaluation boards)	0	0.0	0	0	0	12	9,360.8	7	3	4	12	9,360.8	3	4
educational institutions	1	2,551.6	0	0	0	61	340,644.7	0	30	8	62	343,196.3	30	8
institutions, other CEBs	0	0.0	0	0	0	12	7,298.4	2	2	3	12	7,298.4	2	3

## Annex 4

## Table of the Ministry of Health: information on damaged/destroyed healthcare facilities

**Information about damaged/destroyed healthcare facilities**  
 ((according to operational monitoring data of the Ministry of Health))

	Region, city	destroyed healthcare facilities			partially restored	restored	damaged healthcare facilities				Damaged and destroyed healthcare facilities, total						
		number of facilities, in total	sq.m. of destroyed facilities	no data on the area of facilities			number of facilities, in total	sq.m. of damaged facilities	no data on the area of facilities	partially restored	restored	number of facilities, in total	number of facilities, in total	sq.m. of destroyed and damaged facilities	no data on the area of facilities	partially restored	restored
1	Vinnitsia Region	0	0.0	0	0	0	10	92,949.3	0	5	5	10	9	92,949.3	0	5	5
2	Dnipropetrovsk Region	2	1,457.0	0	0	0	153	392,811.0	0	19	68	155	61	394,268.0	0	19	68
3	Donetsk Region	93	167,635.7	9	0	0	164	249,844.6	25	3	1	257	94	417,480.3	34	3	1
4	Zhytomyr Region	1	72.0	0	1	0	45	143,851.4	3	15	29	46	28	143,923.4	3	16	29
5	Zaporizhzhia Region	7	1,185.1	0	0	0	69	237,702.6	1	2	1	76	40	238,887.7	1	2	1
6	Kyiv Region	5	1,009.3	1	1	2	157	175,725.7	6	65	82	162	48	176,735.0	7	66	84
7	Luhansk Region	10	9,181.2	0	0	0	47	149,274.2	1	0	0	57	36	158,455.4	1	0	0
8	City of Kyiv	0	0.0	0	0	0	47	333,248.5	6	13	23	47	37	333,248.5	6	13	23
9	Mykolaiv Region	13	4,272.5	0	5	0	152	280,637.9	1	49	77	165	45	284,910.4	1	54	77
10	Odesa Region	0	0.0	0	0	0	13	29,840.0	1	12	0	13	6	29,840.0	1	12	0
11	Sumy Region	5	1,422.8	0	1	1	45	95,770.2	0	11	21	50	30	97,193.0	0	12	22
12	Kharkiv Region	23	7,878.1	0	5	0	325	961,186.3	12	115	82	348	123	969,064.4	12	120	82
13	Kherson Region	28	4,454.1	0	3	1	176	406,595.9	2	35	16	204	58	411,050.0	2	38	17
14	Cherkasy Region	0	0.0	0	0	0	5	72,233.7	0	0	4	5	5	72,233.7	0	0	4
15	Chernihiv Region	8	35,098.4	0	0	2	68	231,218.7	2	18	40	76	33	266,317.1	2	18	42
16	Poltava Region	0	0.0	0	0	0	3	6,482.6	0	1	2	3	3	6,482.6	0	1	2
17	Khmelnytskyi Region	0	0.0	0	0	0	21	33,019.6	0	4	16	21	11	33,019.6	0	4	16
18	Rivne Region	0	0.0	0	0	0	1	26,191.3	0	0	1	1	1	26,191.3	0	0	1
	Total	195	233,666.2	10	16	6	1,501	3,918,583.4	60	367	468	1,696	668	4,152,249.6	70	383	474







