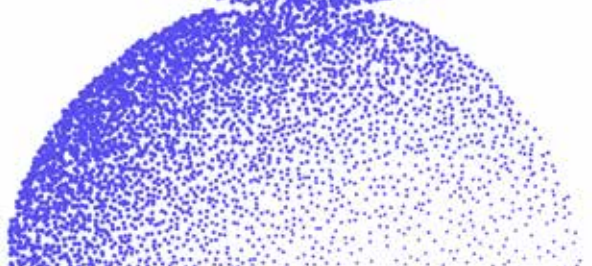
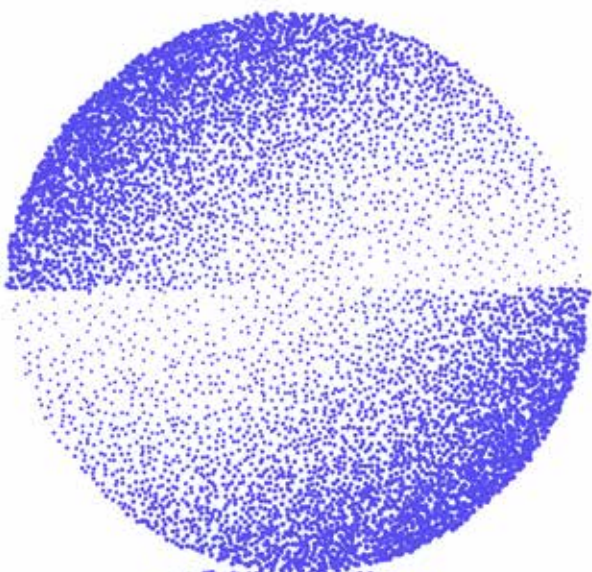
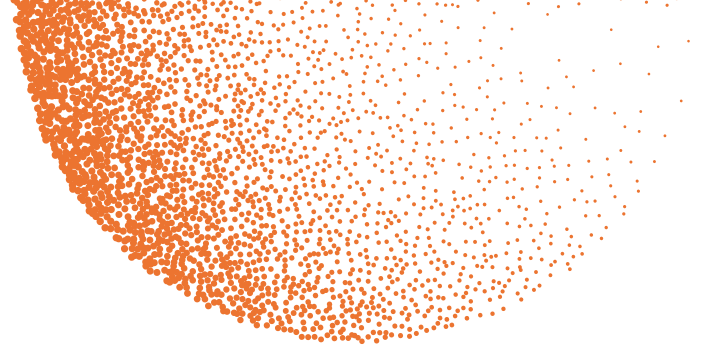


WHITE PAPER

# Conflict-related sexual violence in Ukraine: **Where are we now ?**

Discussions and recommendations based on the November 2024 symposium: "Documenting, supporting survivors, and combating impunity – a dialogue between survivors and experts"





## Preface



### Isabelle Rome

**French Ambassador for Human rights  
and for the duty of memory relating  
to the international dimension of the  
Shoah and spoliation**

Sexual violence in armed conflicts is not incidental. In the war against Ukraine, it is used deliberately by Russia to destroy lives, communities, and societies. The sexual crimes committed by Russia target the whole Ukrainian population, regardless of age or gender. Against men, Russia perpetrates acts of sexual torture in detention, while against women, it deploys sexual violence as a weapon to break the cohesion of communities and society. These crimes leave invisible wounds, not only on survivors, but on entire generations. It is our collective duty to ensure that survivors are no longer silenced or shamed—but instead, protected, supported, and recognized as holders of rights.

As France's Ambassador at-Large for Human Rights and International Holocaust Remembrance, I am honoured to introduce this white paper, based on the symposium "*Conflict-Related Sexual Violence in Ukraine: Where Are We Now?*", held in Kyiv in November 2024. This symposium, organised by We are NOT Weapons of War and the Women's Information and Consultative Center, with the support of Stand Speak Rise Up! and the French Ministry for Europe and Foreign Affairs, brought together a wide range of actors to discuss justice and accountability for survivors. The discussion reflected our unwavering commitment to justice, the rule of law, and the fight against impunity for

international crimes, including those of sexual violence committed in times of war.

The way survivors are received, protected, and heard speaks to the strength and commitment of our public institutions. Justice cannot remain theoretical. It must take root in the lived experience of those who seek it. As a former judge, I have seen how justice can repair, when it listens; and how it can wound, when it forgets. Prosecutors, judges, social workers, police officers—each has a role to play in ensuring that law is not simply applied but understood and felt. That is why France consistently defends the importance of professional training, survivor-centred legal reforms, and mechanisms that bring survivors into the heart of judicial processes. This commitment is also reflected in France's domestic and foreign policies grounded in relationships of mutual respect and cooperation with its partners.

The memory of crimes is not only about the past. It is a responsibility toward the future. Naming sexual violence, documenting it, prosecuting it—even during an ongoing war—is an act of resistance against impunity. It is also an affirmation of the humanity of those who suffered. This white paper, based on rigorous exchanges between survivors, practitioners, and institutions, provides concrete recommendations to meet the demands of justice. It reflects what I consider essential: a legal system equipped to seek truth and a community of actors trained and working together.

To all those who fight for justice in the face of brutality, I express my full support. To the survivors who spoke out during this symposium, I offer my deep respect. May this work help ensure that your dignity is not only acknowledged but defended, for your present, your future and the future of Ukraine.

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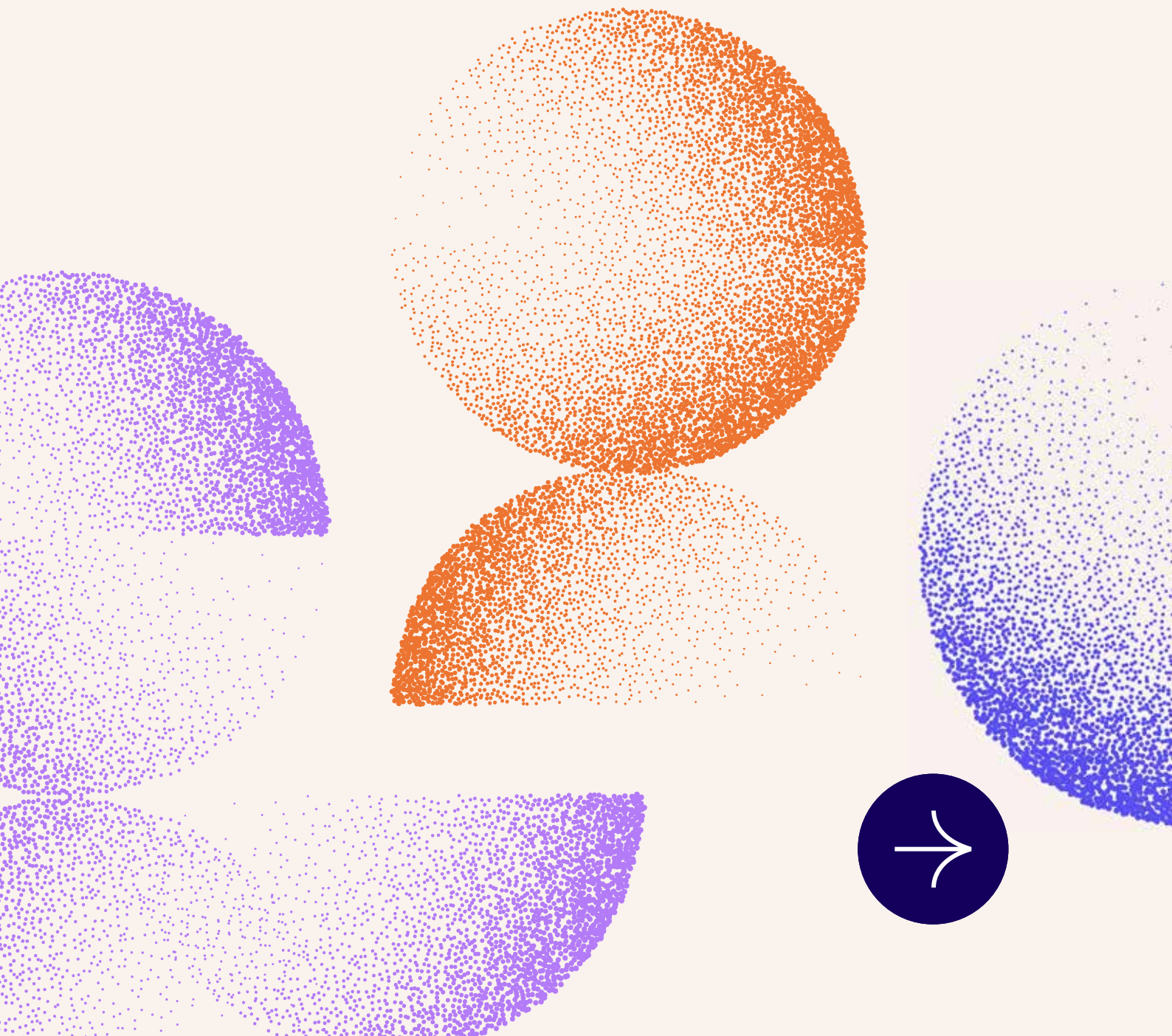
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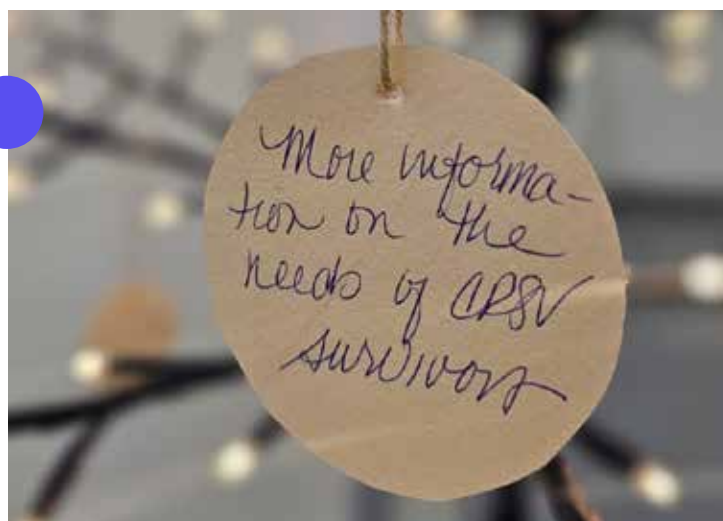
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# **Introduction to the context of conflict- related sexual violence in the Ukrainian war**





The war against Ukraine began in 2014, following Russia's annexation of Crimea after its military intervention. This event triggered a protracted and multifaceted conflict, further exacerbated by Moscow's backing of separatist movements in eastern Ukraine, specifically in Donetsk and Luhansk. What began as localized unrest soon escalated into a sustained armed confrontation between Ukrainian forces and separatist groups led and controlled by Russia. The full-scale invasion launched on February 24, 2022, marked a turning point, significantly intensifying the conflict and leading to widespread humanitarian crises, as well as heightened challenges for justice and accountability.

Amid this prolonged war, one of its gravest yet often overlooked aspects has been the use of sexual violence. Conflict-related sexual violence (CRSV) refers to any act of a sexual nature committed against a person without their consent, often through force or coercion, with a direct or indirect link to the conflict, whether temporal, geographical, or causal. CRSV encompasses incidents or patterns of rape, sexual slavery, forced prostitution, forced pregnancy, enforced sterilization, or any other form of sexual violence of comparable gravity, against women, men, girls, or boys. These acts are often employed as part of broader strategic objectives, including terror, displacement, and humiliation of target populations by armed groups.

Reports from civil society organizations, the United Nations, and the European Council pro-

vide evidence of the widespread and systematic use of CRSV by Russian forces in Ukraine since February 2022. Documented cases reveal distinct patterns affecting women and men differently. While women and girls are disproportionately targeted during house raids—sometimes in front of family members as a method of terror and intimidation—men are particularly subjected to severe sexual violence in detention settings. According to Human Rights Watch, approximately 80% of former prisoners of war (POWs) have reported experiencing sexual violence while in captivity. The documented methods include rape, threats of rape against men, women, children and their relatives, electric shocks to genitals (for both genders), targeted sexual violence against women's breasts, as well as threats of castration and genital mutilation.

### **Conflict-Related Sexual Violence: scope and challenges**

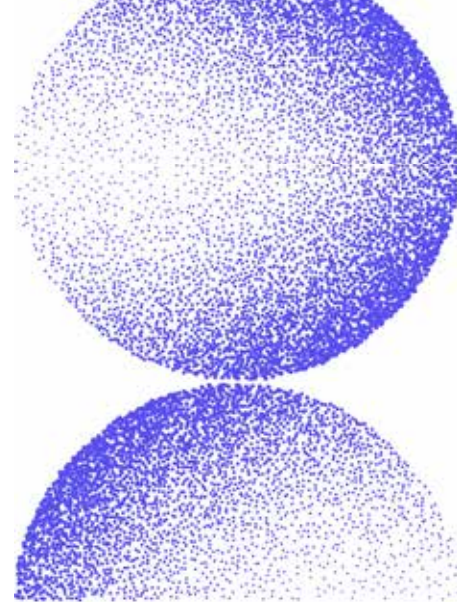
Since February 24, 2022, Ukrainian prosecutors have documented at least 349<sup>1</sup> cases of rape and other forms of sexual violence. However, these figures likely underestimate the full scale of CRSV, as many survivors face significant barriers to reporting, including stigma, fear of reprisals, and limited access to justice—particularly in occupied territories. According to the UN Human Rights Monitoring Mission in Ukraine, 376 cases of CRSV were documented between February 24, 2022, and August 31, 2024, affecting 262

<sup>1</sup> February 3, 2025, General Prosecutor Office data

men, 102 women, 10 girls, and 2 boys. These figures illustrate the systematic nature of these crimes and the distinct ways in which different groups are targeted.

Legal and institutional responses to CRSV in Ukraine have undergone significant evolution in recent years. Before the full-scale invasion, Ukraine's legal framework for addressing sexual violence was limited, with gaps in the recognition and prosecution of CRSV. However, in response to growing awareness and international pressure, reforms were initiated. A key milestone was the ratification of the Istanbul Convention on June 20, 2022, which entered into force on November 1, 2022. Additionally, amendments to the Ukrainian Criminal Code in 2017 redefined rape and sexual violence, emphasizing the principle of voluntary consent rather than requiring proof of physical resistance—aligning national law more closely with international standards. Following the 2022 invasion, the Office of the Prosecutor General created a dedicated war crimes unit, including specialized prosecutors trained to handle sexual violence cases. Ukraine also intensified cooperation with the International Criminal Court and other international bodies, seeking to enhance accountability for these crimes. In August 2024, the Rome Statute was ratified and several laws were passed to adapt legislation to accommodate the international instrument. In October 2024, the parliament adopted a bill which is based on yearlong consultations with legal practitioners and Ukrainian civil society that reforms the Code of Criminal Procedure and the Criminal Code to bring them in line with the Rome Statute.

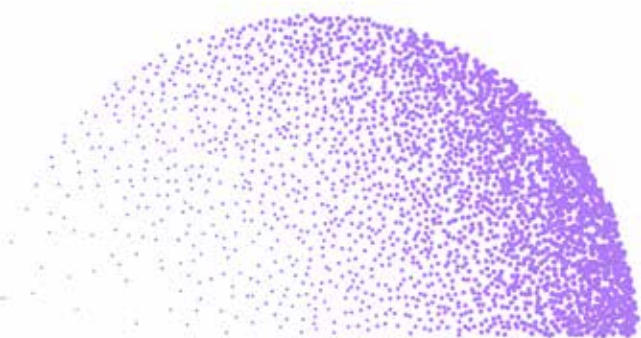
Furthermore, in November 2024, the Ukrainian



parliament has passed Law No. 10132 to provide legal and social protection for survivors of conflict-related sexual violence during Russia's invasion. Expected to come into force in the first half of 2025, this legislation creates a concrete mechanism for urgent interim reparations including psychological support, medical care, and financial compensation. The law emerged from collaboration between MP Maryna Bardina, the Global Survivors Fund (GSF), government officials, and survivors themselves, building on a 2023 GSF pilot project. **Notably, it makes Ukraine the first country to implement reparations for sexual violence survivors during an active conflict.** The law establishes a survivor-centred registration process and creates a bridge between immediate assistance and future comprehensive state reparation programs.

Beyond legal challenges, deeply ingrained gender norms shape both the experiences of survivors and societal responses to CRSV. Women and girls frequently face stigma and victim-blaming, discouraging them from seeking justice. Male survivors, on the other hand, encounter societal denial, as entrenched notions of masculinity render their victimization invisible. These dynamics create additional obstacles to documentation, prosecution, and survivor support. The impact extends beyond direct survivors. Family members—spouses, children, and parents—often suffer secondary trauma, feelings of helplessness, and social ostracization. Yet, they remain largely absent from existing support structures, despite their critical role in the survivor's recovery.

As Ukraine navigates these complex realities, it





is essential to assess existing gaps, evaluate the needs of key stakeholders, and identify effective strategies to strengthen responses to CRSV. This white paper builds on the discussions held during the Kyiv symposium on November 25-26, 2024, bringing together civil society organizations, legal experts, and survivors to propose concrete, survivor-centered solutions for addressing CRSV in Ukraine. In response to these challenges, We are NOT Weapons of War and the Women's Information and Consultative Center convened the symposium *'Conflict-Related Sexual Violence in Ukraine: Where Are We Now?'* on November

25-26, 2024, in Kyiv, with the support of Stand Speak Rise Up! and the French Ministry for Europe and Foreign Affairs.

This event brought together survivors, civil society actors, legal experts, and policymakers to assess the response to CRSV, identify gaps, and propose concrete strategies. By facilitating dialogue between key stakeholders, the symposium aimed to amplify survivor voices and push for a more effective, coordinated response to CRSV in Ukraine.

## The organizers and partners



### **We are NOT Weapons of War (WWoW):**

Founded in 2014 and based in Paris, WWoW is a French NGO dedicated to combating CRSV and promoting security, rule of law, and good governance in post-conflict environments. Utilizing innovative legal approaches and technologies, WWoW has developed the Back Up tool, which allows survivors to securely report incidents and access essential services. This platform also facilitates the transfer and analysis of evidence, aiding in the acceleration of the justice process. WWoW is one of the co-organizers of the symposium.

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### **Women's Information Consultative Center (WICC):**

Established in 1995, WICC plays a crucial role in collecting, analyzing, and disseminating information about women's organizations and initiatives in Ukraine. Since 2015, WICC has been actively involved in conflict zones, addressing gender issues and advocating for women's rights. Their insights and expertise are vital to the discussions on CRSV during the symposium. WICC is also a co-organizer of the symposium.

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### **Stand Speak Rise Up! (SSRU):**

Founded in September 2019 under the initiative of the Grand Duchess of Luxembourg, SSRU focuses on denouncing the use of rape as a weapon of war. The organization works to prevent its proliferation and supports survivors in their recovery and pursuit of justice. As a partner of the symposium, SSRU's commitment to amplifying survivors' voices is essential to the goals of the symposium.

## Methodology

This white paper is based on a qualitative analysis of discussions held during the Kyiv symposium on CRSV (November 25-26, 2024), supplemented by external sources to provide context and validation. Data collection relied on three main sources:



Symposium discussions, structured around six thematic sessions, where survivors, legal professionals, policymakers, and civil society representatives exchanged perspectives;



Expert interviews conducted after the symposium to clarify or expand on points raised during the sessions;



Existing reports and legal frameworks from international organizations, national institutions and NGOs to contextualize the findings.

Discussions at the symposium were conducted under the Chatham House Rule, ensuring that participants could speak freely without their statements being directly attributed to them.

Participants were selected based on their professional expertise and direct involvement in CRSV-related issues. While every effort was made to ensure diversity of perspectives, the number of participants was limited, and discussions were shaped by the constraints of the context.

Each session followed a structured format, beginning with a moderated roundtable discussion followed by an open exchange. The dialogue allowed for in-depth analysis of key issues, though some topics required further exploration beyond the symposium itself. Where gaps remained or additional clarifications were needed, targeted interviews were conducted with

relevant experts.

The authors acknowledge the complex implications of terminology used to describe individuals who have experienced conflict-related sexual violence. While “survivor” emphasizes resilience, personal agency, and the journey of recovery, we recognize that the term “victim” is sometimes necessary, particularly in legal contexts where it confers specific rights and protections. However, our language choices reflect this nuanced understanding, prioritizing “survivor” over “victim” where possible. The white paper does not claim to offer an exhaustive or universally representative account of CRSV in Ukraine. Rather, it provides a synthesis of expert discussions and survivor testimonies, framed within the broader legal and institutional landscape. External sources have been integrated where necessary to support findings and mitigate potential biases arising from the symposium setting.

## Objectives

The primary aim of this white paper is to provide a structured and practical framework to enhance responses to conflict-related sexual violence in Ukraine. Its objectives are to:

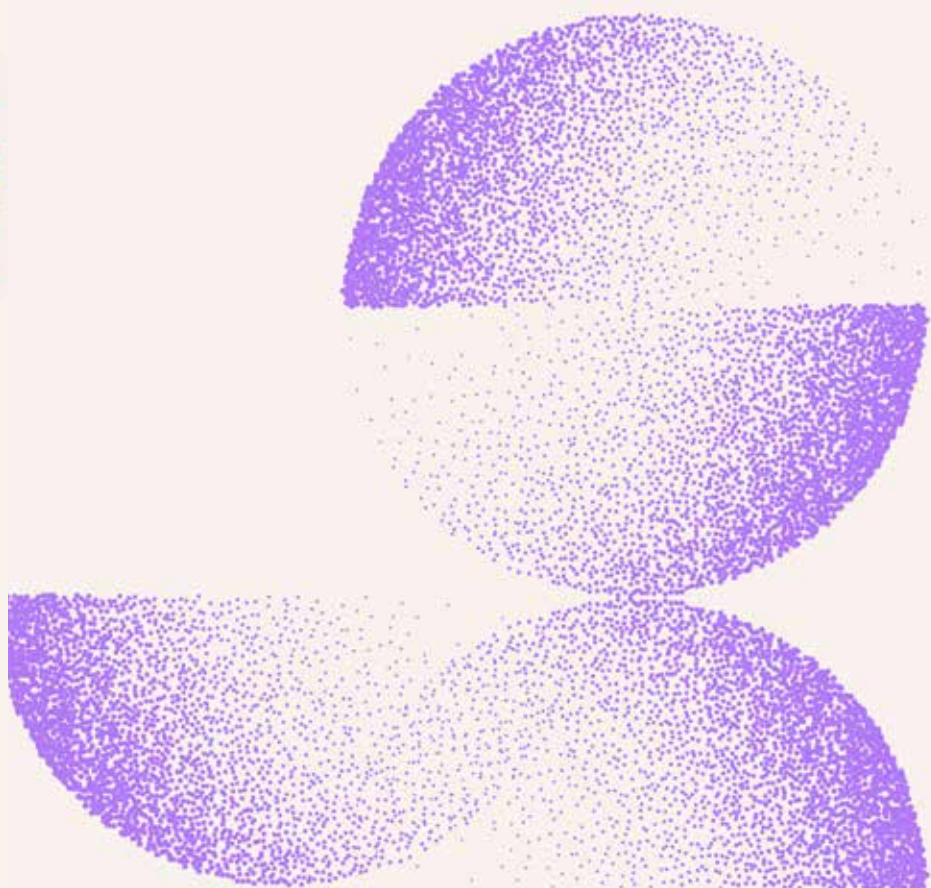
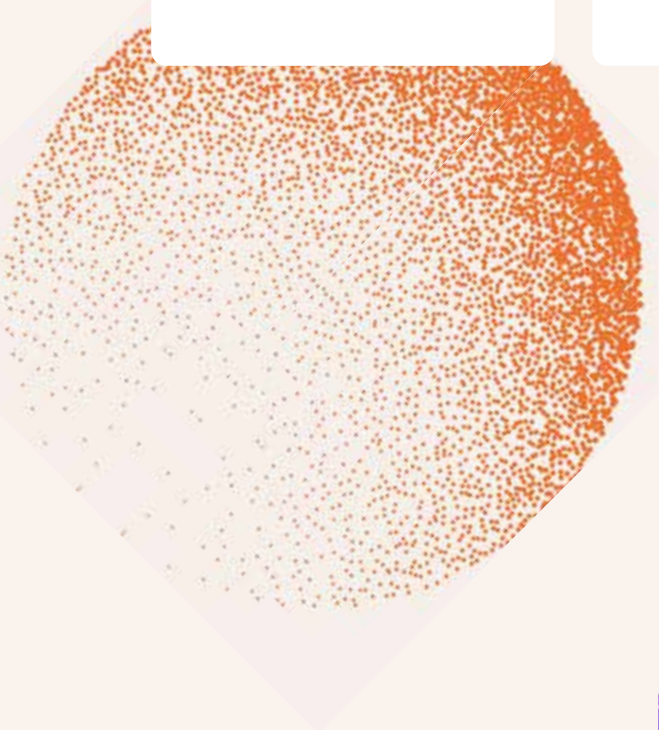
➔ Identify key challenges faced by survivors, legal practitioners, service providers, and policymakers in addressing CRSV;

➔ Assess the effectiveness of current legal, institutional, and social mechanisms in supporting survivors and prosecuting perpetrators;

➔ Highlight gaps in documentation, justice processes, and survivor assistance, particularly in conflict-affected and occupied areas;

➔ Formulate actionable recommendations based on the symposium discussions, expert input, and best practices from international frameworks;

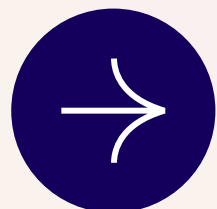
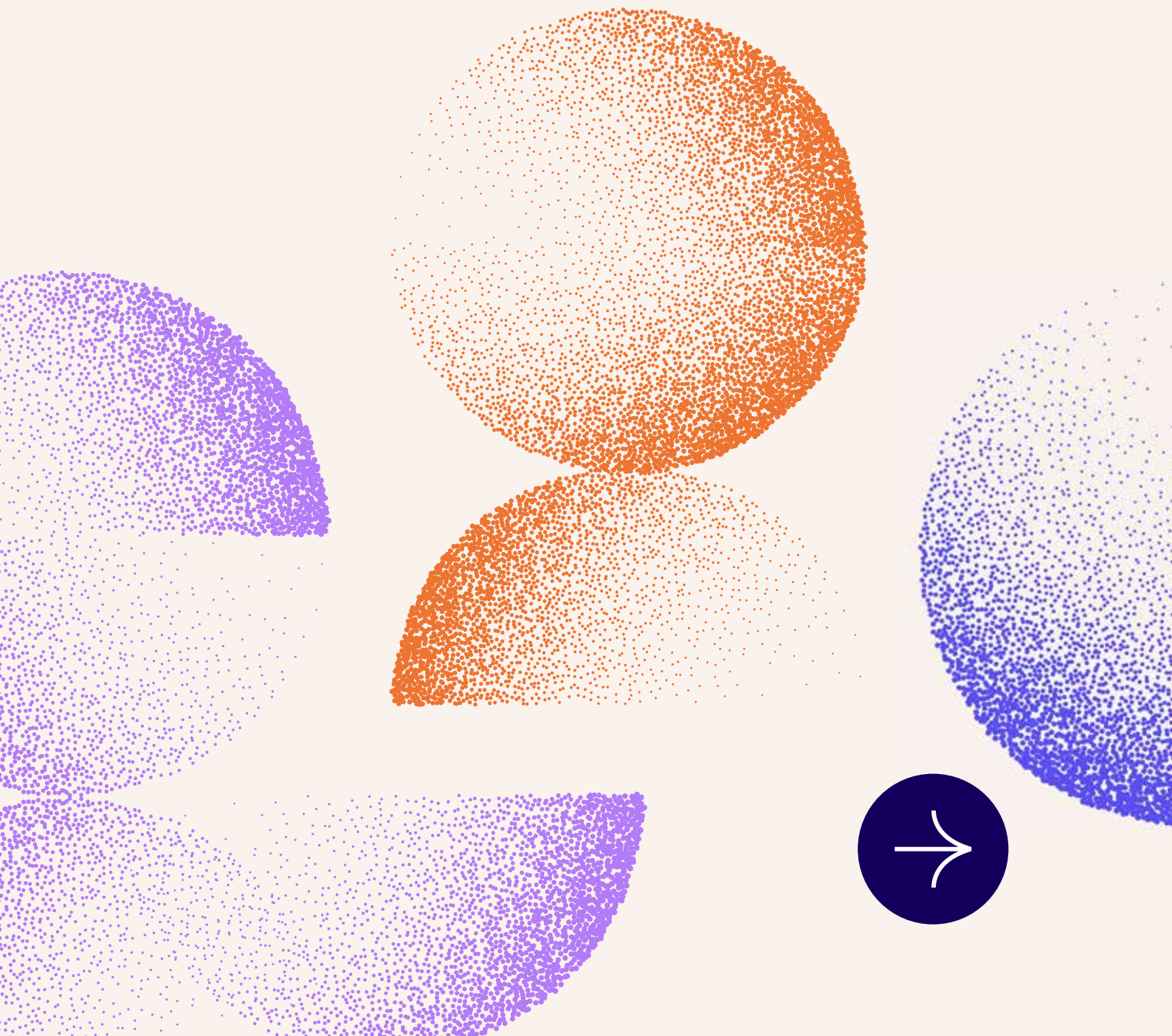
➔ Encourage a survivor-centered approach that integrates legal accountability with psychosocial and medical support while addressing structural and societal barriers.







# Improving and facilitating psycho-social support for CRSV survivors





## ► What are the key challenges and progress in providing psychosocial support to CRSV survivors in Ukraine?

Survivors and service providers discussed both advancements since 2014 and ongoing gaps in the support system. Participants emphasized the persistent lack of public awareness, not only about CRSV but also about other forms of trauma-inducing violence, which affects access to appropriate care.

Participants highlighted the complete absence of services in occupied areas, creating a stark disparity with the rest of Ukraine. Under constant exposure to violence and repression, civilians in these regions are effectively cut off. Pervasive Russian surveillance, reinforced by modern technology, makes it nearly impossible to reach survivors without endangering them, and no viable solutions currently exist to facilitate safe communication. Participants emphasized the urgent need for effective prevention strategies in frontline areas and robust emergency care systems in recently de-occupied territories. In Kherson Oblast alone, evidence has been collected from over 1,000 survivors of Russian torture chambers, highlighting the critical demand for comprehensive support services.

### Public awareness gaps and their impact on survivor support

**Survivors often struggle to recognize their own trauma experiences.** This gap often results in survivors not identifying their experiences as CRSV, delaying access to appropriate care. One male survivor described how connecting with a network of other male survivors helped him understand and process his trauma, even though civil society organizations provided information. This challenge of recognizing trauma can also extend beyond CRSV to other forms of violence. A female survivor shared similar journeys of gradually understanding her experience, noting that despite increased awareness of CRSV in recent years, many still take time to identify their experiences as sexual violence. In one case, a survivor only came to understand what had happened to her through psychological support suggested by a peer survivor.

A representative from an organization providing psychosocial support to internally displaced people highlighted the widespread nature of unrecognized trauma. When they began operations in 2022, they discovered many displaced individuals were experiencing trauma without awareness of their condition. This problem is particularly severe in rural areas, where isolated local authorities and delayed assistance contribute to more intense trauma symptoms. When it comes to the occupied territories, the situation is even more difficult, since there is no possibility to reach the population currently living on the Russian controlled territory.

“A policeman in a regional city once said ‘if I am asked to go to occupied territories with many CRSV survivors, I will resign.’ (...) It was connected to his personal trauma, illustrating the critical need for training and protection of personnel.”

### Gaps and progress of the Ukrainian support infrastructure for survivors

Participants discussed the existing support infrastructure for survivors of CRSV in Ukraine, highlighting both improvements and ongoing limitations. A United Nations (UN) representative noted that the Ukrainian government has established support centers in twelve cities, offering psychological consultations, assistance with identity documentation, and other essential services for those affected by war. However, these centers remain insufficient given the scale of needs, particularly in rural and conflict-affected areas. To address the lack of accessibility in remote regions, mobile support units have been deployed from Kyiv. Despite these efforts, male survivors emphasized the particular difficulties they face in accessing support. One survivor who endured captivity described being unaware of available resources until connecting with the International Organization for Migration, which provided rehabilitation and reparation assistance.

### Challenges faced by service providers

**Participants emphasized the necessity of adapting mental health and psychosocial support protocols to protect the well-being of service providers.** One participant shared the case of a psychologist working with women in the military who was deeply affected by a survivor’s testimony, illustrating the emotional toll on professionals supporting CRSV survivors. Service providers, including mental health professionals, are exposed to vicarious trauma, which can impact their ability to provide effective care. This underscores the importance of psychological support for those working with survivors and the need for structured supervision mechanisms. Additionally, participants highlighted the necessity for professionals to recognize when a case exceeds their expertise to prevent potentially harmful interventions.

## Recommendations

### Enhancing information access and awareness

Many survivors may not recognize that they have experienced CRSV, leading to delays in seeking support. To address this, targeted information campaigns are essential, especially in rural areas.

- ➔ **Launch targeted awareness campaigns in rural areas**, led by civil society organizations using existing materials. Address women, men, boys and girls.
  - ➔ **Provide clear information on support services** through a national online platform, printed materials in key locations.
  - ➔ **Adapt outreach to different populations** via radio, social media, and trusted local leaders, ensuring multilingual accessibility.
- .....

### Strengthening professional development and training

To ensure service providers can support survivors effectively without experiencing vicarious trauma, structured training and supervision mechanisms must be reinforced.

- ➔ **Implement continuous training** on vicarious trauma for all professionals working with CRSV survivors to safeguard both their well-being and service quality.
  - ➔ **Review and adapt existing training programs** with expert input and CRSV survivor consultation to improve approaches on retraumatization risks and appropriate language.
- .....

### Expanding geographic coverage of psychosocial support

Ensuring equal access to psychosocial support requires strengthening outreach in rural and newly liberated areas.

- ➔ **Expand mobile support services** in underserved rural areas, building on existing UN-led initiatives and adapting them to local needs.
- ➔ **Develop rapid response protocols** for newly liberated areas to ensure immediate access to psychosocial and medical support for survivors.
- ➔ **Strengthen coordination between state and civil society** to enhance service deployment in hard-to-reach regions and avoid duplication of efforts.

# Expert interview

## Interview with a Ukrainian expert in state security affairs

### Presentation of the interviewee and his work

I work in the field of legal education, focusing on the preparation of security professionals involved in criminal investigations. My responsibilities include developing and delivering training sessions related to procedural practices, including those relevant to the investigation of international crimes.

### Based on your interactions with security forces, to what extent are law enforcement and investigative bodies in Ukraine aware of the needs of survivors? Have you observed a shift in their understanding and approach since the start of the full-scale invasion?

Since the beginning of the full-scale invasion, there has been growing recognition of the specific challenges involved in documenting and prosecuting CRSV. At the national level, different investigative bodies have integrated international standards and taken part in targeted trainings, leading to visible improvements in institutional awareness and approach.

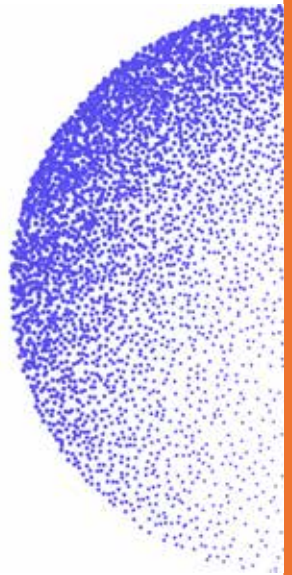
However, this progress should continue. While central authorities may benefit from international cooperation and structured capacity-building, those working in the field—particularly in frontline or newly liberated areas—often face resource constraints, limited training, and operational pressures that hinder consistent application of good practices. The overall understanding of CRSV among law enforcement personnel varies significantly depending on their location, function, and institutional support. That said, the increased visibility of CRSV cases and the

involvement of multiple stakeholders—including civil society and international actors—have contributed to a broader, albeit still developing, professional engagement with these crimes.

### Investigative and forensic inconsistencies continue to undermine CRSV case documentation, especially in newly liberated areas where evidence is at high risk of loss. From the perspective of national security, what reforms are needed to strengthen coordination between experts while taking into account the specific psychosocial needs of survivors?

While some mechanisms for inter-institutional coordination do exist, they are not always systematically applied across all regions or institutions. Inconsistencies in procedures and communication remain a challenge, particularly in areas affected by active hostilities or where institutional capacity is under strain. There is a clear need for unified guidelines that define ethical standards and operational protocols for handling CRSV cases. These should be endorsed at the national level and disseminated across all relevant agencies to promote consistency and prevent discretionary or ad hoc approaches.

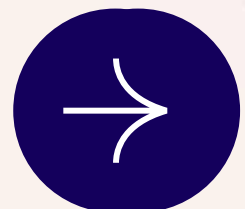
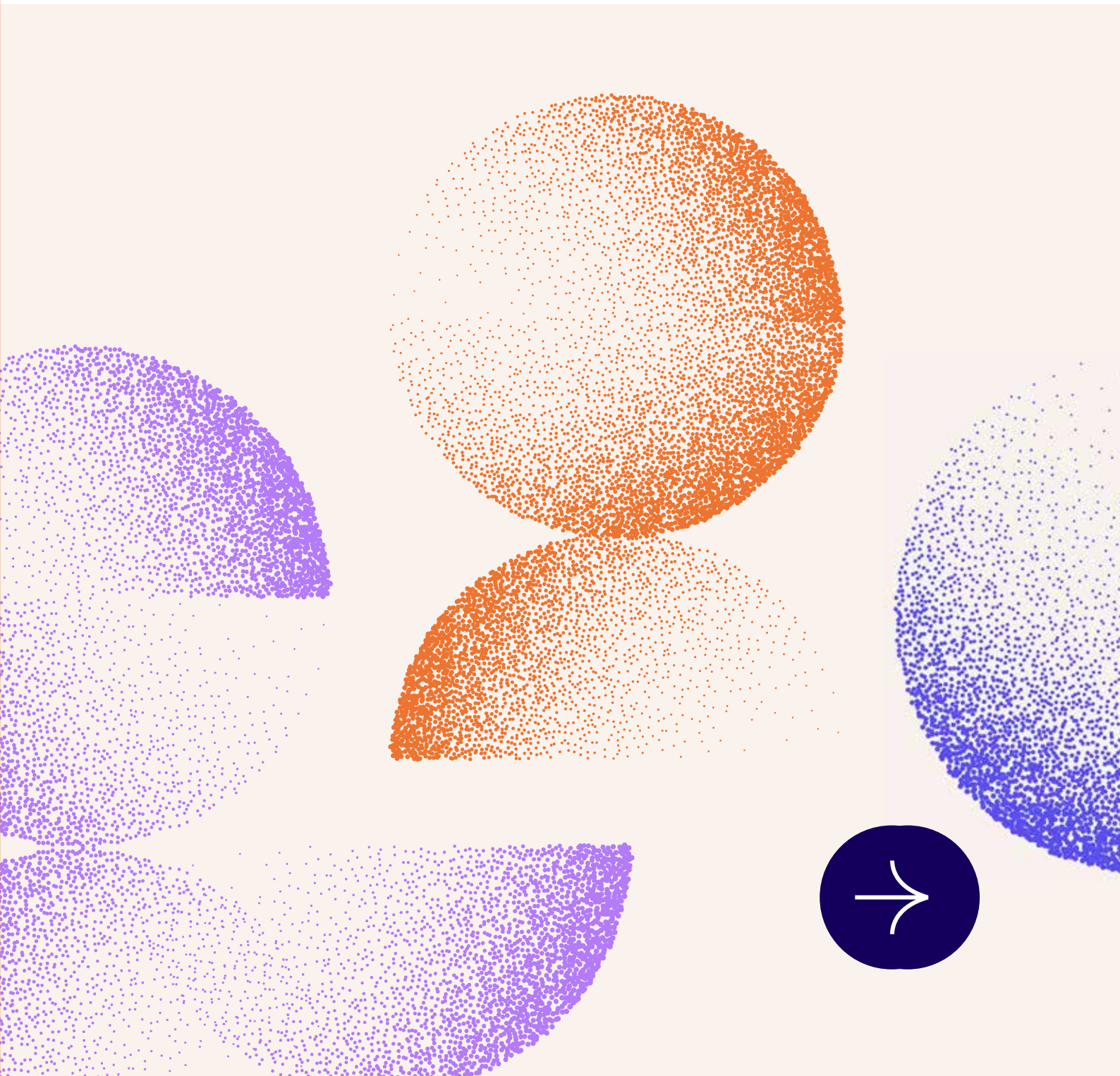
Moreover, improving coordination also requires investment in sustained training, better inter-agency communication channels, and the inclusion of survivor-centered principles in investigative frameworks. Without these reforms, gaps in practice and understanding will continue to impact the effectiveness of documentation and prosecution efforts.







# CRSV preventive measures and urgent actions in case of aggression



## ► Strengthening emergency response and legal protection in CRSV contexts: Lessons from Ukraine

The discussion revealed critical insights into Ukraine's response to CRSV, highlighting both gaps in prevention strategies and weaknesses in immediate response mechanisms. Participants emphasized issues such as insufficient early warning systems, inadequately trained law enforcement, prosecutorial difficulties, and a lack of emergency protection measures. At the same time, the conversation underscored the need for stronger emergency response protocols.

### Law enforcement emergency response

A representative of the Ukrainian security services stated that, while police forces were generally well prepared, the level of aggression the country faced has been underestimated, leading to an inadequate response to conflict-related sexual violence. He acknowledged that law enforcement officers often lacked the necessary skills to identify and intervene early in CRSV incidents. This gap was illustrated by a survivor from Kherson who recounted that male survivors attempting to report their experiences were met with mockery or outright refusal by police officers. This reaction highlights the persistence of stigma and a lack of understanding of sexual violence, even within law enforcement structures. The treatment of male survivors in particular exacerbates their trauma, discourages reporting, and ultimately distorts the reality of CRSV in the conflict by concealing cases.

NGO representatives confirmed similar patterns in Kherson, where survivors increasingly chose not to report their experiences due to the inadequate response from law enforcement. The absence of standardized emergency response protocols means that interventions are often inconsistent, leaving survivors vulnerable to further harm. Training sessions with the national police revealed serious internal communication gaps between units handling these cases. Investigators also faced overwhelming caseloads and difficulties interpreting case law, further affecting their ability to conduct sensitive and effective investigations.

### Legal system challenges and reforms

Participants identified several obstacles within Ukraine's legal system that hinder the effective prosecution of CRSV. These include delays in securing safe accommodation, a lack of emergency restraining orders, and inconsistent legal aid access in newly affected areas.

A representative from the Office of the Prosecutor General (OPG) highlighted inadequacies in witness protection. In smaller communities, local trials often lead to personal data exposure, especially when prosecutors fail to follow proper procedures, resulting in data leaks. This risk discourages survivors from reporting their experiences.



Another impediment is the incomplete alignment of national legislation with international law.

Although Ukraine ratified the Rome Statute in August 2024, there is a need to harmonize domestic laws to deliver meaningful justice. Notably, the Criminal Code lacks internationally aligned definitions of core crimes, provisions for command responsibility, and clear standards for modes of participation in international crimes. The Criminal Procedure Code also has significant gaps in protocols for handling evidence, particularly regarding open-source information and intelligence. The framework for in absentia proceedings remains inadequate, and there are no provisions for engaging international experts or utilizing donated investigation equipment. Additionally, comprehensive legislation for survivor and witness protection is lacking, and safeguards for fair trial rights under European Court of Human Rights standards are insufficient, especially in cases involving prisoners of war.

**“Criminal justice is inherently traumatic, but every effort should be made to address factors that could further traumatize CRSV survivors.”**

➔ Lawyer

A lawyer further emphasized that criminal justice processes are inherently traumatic, and additional efforts are needed to prevent unnecessary trauma to CRSV survivors. This includes addressing issues such as judges ordering repeat witness examinations without valid reasons, despite the law allowing evidence collected during pre-trial investigations to be presented in court if properly recorded. **Survivors often face procedural delays in obtaining emergency protective status, prolonging their vulnerability to further harm.**



## Recommendations

### Strengthening immediate law enforcement response

Ensuring that law enforcement can react swiftly and effectively to CRSV incidents is critical to survivor protection and accountability.

- ➔ **Deploy specialized CRSV emergency response teams** in conflict-affected areas to provide immediate assistance, secure evidence, and ensure safe referrals to medical and psychosocial services.
  - ➔ **Establish mandatory CRSV response protocols** for frontline officers, ensuring standardized procedures for survivor interaction, documentation, and case escalation.
  - ➔ **Create emergency intervention guidelines** to prevent further harm to survivors, including immediate removal from dangerous situations and protection from retaliation.
- .....

### Ensuring rapid access to medical and psychosocial support

Survivors require immediate and trauma-informed care to mitigate long-term physical and psychological consequences.

- ➔ **Expand mobile crisis units** in high-risk and newly liberated areas, ensuring on-the-ground access to emergency medical and psychosocial services.
  - ➔ **Implement emergency safe shelters** to provide immediate protection for survivors facing security risks, with pathways to long-term support.
- .....

### Implementing survivor-centered emergency legal protections

Legal protections must be immediately available to survivors to prevent intimidation and ensure their rights are upheld.

- ➔ **Establish rapid protective measures** for survivors willing to testify, including safe housing, legal anonymity options, and psychological support throughout the process.
- ➔ **Facilitate emergency legal aid** to ensure that survivors have immediate access to legal counsel and guidance on their rights.
- ➔ **Ensure safe and confidential reporting mechanisms** through secure digital platforms and dedicated crisis response hotlines.



## Expert interview



### **Pauline Brosch,**

**Senior Advisor on Investigation of Conflict-Related Sexual Violence at the European Union Advisory Mission (EUAM)**

#### **Presentation of the expert and the work of EUAM Ukraine:**

My name is Pauline Brosch, and I am the Senior Advisor on Investigation of Conflict-Related Sexual Violence at the European Union Advisory Mission (EUAM) Ukraine. EUAM Ukraine was established in 2014 in the aftermath of the Revolution of Dignity. Following violent clashes between protestors, riot police and unknown shooters, the Ukrainian government asked the EU for assistance to reform the law enforcement sector to re-establish the trust of the people. After Russia's full-scale invasion in 2022, EUAM's mandate was extended to support Ukrainian counterparts with the investigation and prosecution of international crimes, including CRSV.

#### **Ukraine has made significant efforts in prosecuting CRSV, yet early warning mechanisms remain weak. What overlooked factors could help predict and prevent international crimes more effectively in conflict zones?**

Ukraine's remarkable efforts to prosecute CRSV contribute not only to accountability for past crimes, but they can also have a deterrent effect on future perpetrators and thus help preventing future cases of CRSV. As one of the implementing entities of the Atrocity Crimes Advisory Group, EUAM supports the Office of the Prosecutor General and other law enforcement entities in the investigation of international crimes, including CRSV. A strong legislative framework on international crimes and effective rule of law institutions are the basis for any accountability effort to be successful. Despite the ongoing war, Ukraine has taken important steps in that

regard. On 21 August 2024, the Verkhovna Rada, Ukraine's parliament, ratified the Rome Statute of the International Criminal Court which underlines Ukraine's commitment to align its laws with international law and jurisprudence.

#### **We analyzed gaps in emergency response and survivor protection. From an EU law enforcement advisory perspective, how could international actors contribute to bridging these gaps without undermining local agency?**

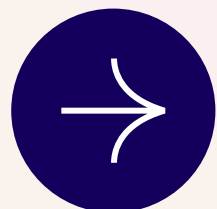
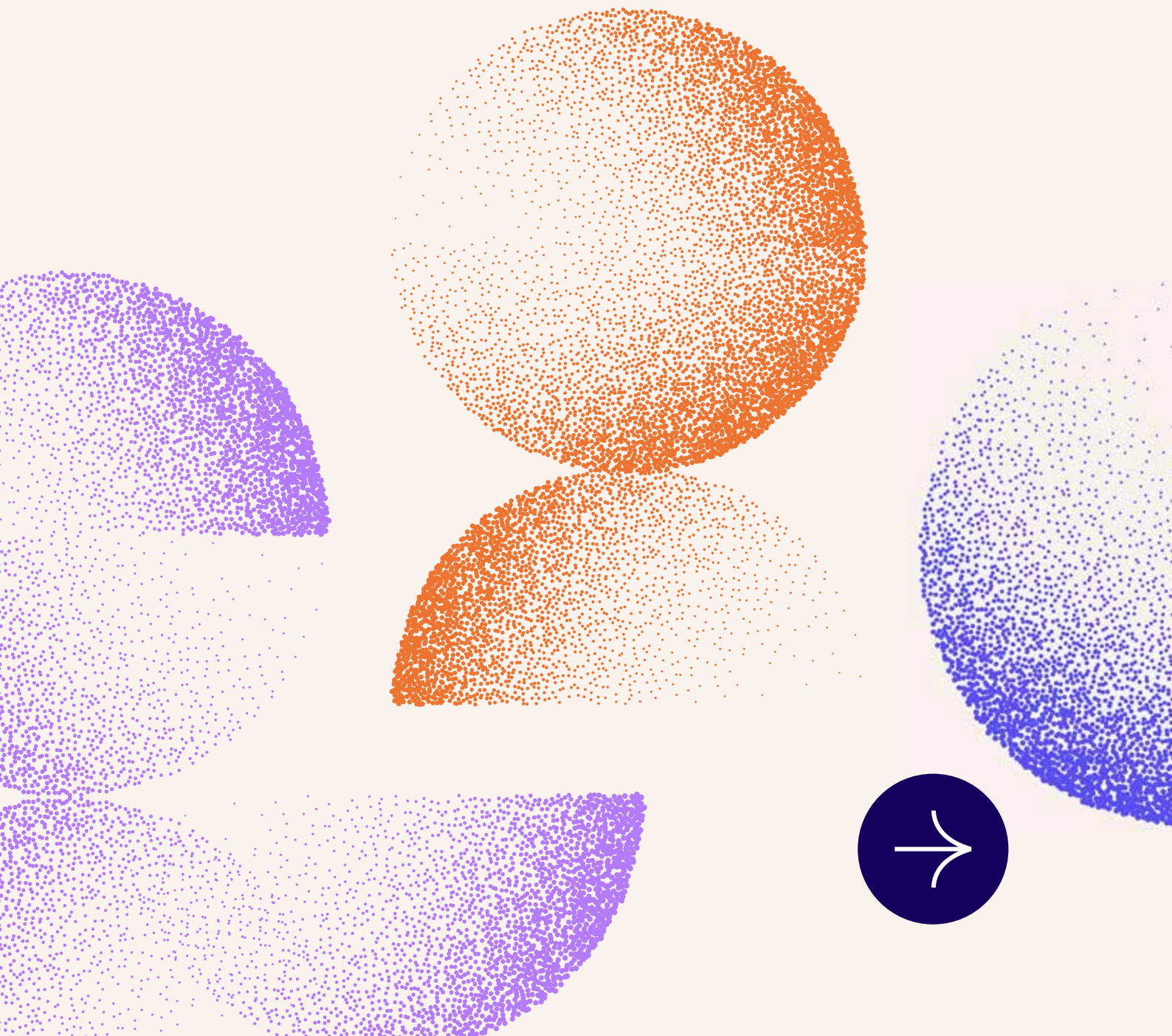
EUAM Ukraine has an advisory mandate. We see ourselves as partners to support our Ukrainian counterparts in their reform efforts. For example, in the area of CRSV, we provide advice to develop and implement legislation aimed at protecting and supporting survivors. We also help strengthening the capacities of stakeholders by providing training on the investigation and prosecution of CRSV in line with international standards and a survivor-centered approach.

#### **During the symposium, we identified that one of the key weaknesses in Ukraine's response to CRSV is the lack of standardized emergency response protocols among law enforcement. Given EUAM's role in supporting security sector reform, what concrete steps could be taken to institutionalize clear operational guidelines for frontline officers dealing with CRSV cases?**

The development of standardized operational guidelines would indeed be an important instrument to harmonize approaches and ensure adherence to international criminal law, international humanitarian law, and more in general international law and best practices.



# Understanding and addressing CRSV against men



## ► In what way does sexual violence against men require a specific approach?

According to civil society actors and the OPG, male survivors now constitute a significant proportion of sexual violence survivors in the war against Ukraine. Between February 2022 and August 2024, the UN Human Rights Monitoring Mission in Ukraine documented 376 cases of conflict-related sexual violence, with 262 cases involving male victims. While official documentation efforts are improving, major challenges persist in capturing the full scope of these crimes. As prisoners of war (POWs) or detained civilians, male survivors are subjected to **various forms of sexualized violence**, including rape, forced nudity, electric shocks to the genitals, threats of castration, and other acts intended to cause humiliation and psychological trauma. **These abuses are often used as a method of torture, coercion, or punishment, rather than solely sexual acts.**

Barriers to disclosure are multifaceted: deep-rooted societal stigma surrounding sexual violence, a severe shortage of professionals trained to address male-specific trauma, and entrenched patriarchal norms in Ukrainian society that place extraordinary pressure on men. During the symposium, survivors courageously shared their experiences, providing crucial insights into the availability and quality of services. Their testimonies, along with those of family members, illuminated both the immediate and ripple effects of these crimes on families and communities.

### Survivor networks

A male survivor described how, during his captivity, he and his fellow detainees were subjected to **sexualized torture, which had lasting psychological effects on many of them**. Despite the violence inflicted on him, he maintained his resilience and began supporting others in detention. **After his release, he formalized this role by establishing a network for male survivors of sexual violence**, drawing inspiration from female advocates who had broken the silence around CRSV. **These networks are vital in helping survivors name their experiences**, breaking stigma, and encouraging access to support services. Through peer support and information sharing, they guide survivors toward psychological care and legal assistance, while fostering a community that reframes seeking help as a sign of strength rather than weakness.

Although some service providers have started reaching out to male survivors in the Kherson region, many survivors remain reluctant to disclose their experiences or engage with available support, underscoring persistent underreporting.

### Family impact and support structures

The stigma surrounding CRSV makes it particularly difficult for male survivors to discuss their experiences within their families and communities, often preventing them from seeking psychological support. This communication bar-

rier extends to broader society, limiting survivor reintegration and access to care. Many survivors struggle to reclaim a sense of normalcy, a challenge exacerbated by the lack of comprehensive rehabilitation programs that support both survivors and their families.

Family members, particularly spouses, play a key role in survivor recovery. **However, the intense stigma surrounding male sexual violence in Ukrainian society can lead to additional isolation, even within close relationships.** One survivor's wife highlighted how many men fear judgment or disbelief, even from family members. A survivor described his wife's deep emotional suffering following his disclosure, illustrating how CRSV has ripple effects on entire family units, further exacerbated by societal reluctance to recognize men as victims of sexual violence. These testimonies underscore the urgent need for holistic rehabilitation programs that support both survivors and their families, addressing psychological trauma and helping them navigate societal stigma.

**“In war, there is no choice and no escape—people from all walks of life have been subjected to this violence.”**

➔ **Survivor**

## Institutional challenges

A representative of the OPG acknowledged the legal and societal barriers to addressing CRSV against men, noting that Ukraine was initially unprepared to recognize these war crimes. While psychological support is offered regardless of whether survivors provide official testimony, many survivors hesitate to speak due to fear of exposure or lack of trust in the system.

A disconnect persists between how survivors and prosecutors categorize these experiences. **Many male survivors avoid terms like “sexual torture”, instead referring to their ordeals simply as “torture,” requiring investigators to recognize the sexual violence component even when not explicitly named.** Survivors also expressed concerns over privacy and personal data protection, fearing disclosure could put their lives at risk. The OPG acknowledged the need to improve communication about existing protection measures, particularly for survivors in occupied areas. Currently, only fifteen courts and institutions have the technical capacity to facilitate closed-face testimony, all of which were funded by external organizations rather than government initiatives. Financial and logistical constraints further hinder access to justice, as prosecutors often require survivors to travel without considering their physical, financial, or security situation. The issue is even more pronounced for survivors living abroad, as case management does not accommodate their specific needs, a point raised by the Ukrainian ambassador in France.



## Recommendations

### Expanding and strengthening survivor networks

Strengthening survivor-led peer support is crucial to breaking stigma and ensuring access to services for male CRSV survivors.

- ➔ **Increase financial and logistical support** for survivor-led networks to expand outreach and create safe spaces for men survivors to share experiences.
  - ➔ **Train service providers on male CRSV dynamics** to improve survivor engagement and ensure trauma-sensitive approaches in outreach and care.
  - ➔ **Integrate survivor networks into national support systems** to improve coordination between NGOs, mental health professionals, and legal services.
- 

### Enhancing family support and reintegration

Families play a key role in survivor recovery but often face their own psychological burdens and societal stigma.

- ➔ **Establish dedicated family counseling programs** to help relatives understand and support male survivors while addressing their own secondary trauma.
  - ➔ **Develop structured reintegration pathways** that assist survivors and their families in regaining stability through employment, housing, and long-term psychological support.
  - ➔ **Launch awareness initiatives for family members** to reduce internal stigma and encourage open dialogue about CRSV within households and communities.
- 

### Improving institutional responses and access to justice

Male survivors face unique barriers in seeking justice and protection, requiring adapted legal and institutional measures.

- ➔ **Train prosecutors and investigators** to recognize CRSV elements in testimonies, even when survivors use alternative terminology such as “torture.”
- ➔ **Strengthen confidentiality protections** by reinforcing legal safeguards against data leaks and ensuring survivors in occupied areas are informed of existing protective measures.
- ➔ **Address logistical barriers to legal participation** by providing state-funded travel support for survivors required to testify, including those residing abroad.

## Expert interview



**Oleksy Syvak**

Founder of the Alumni Network

### **Presentation of interviewee and his work:**

I have vocational training as a welder-assembler of metal ship hulls and spent 17 years working at sea as a fitter for foreign companies. During that time, I gained valuable experience collaborating with people from diverse nationalities and backgrounds. However, the full-scale invasion abruptly ended both my job and career. My city was occupied, and because of my strong pro-Ukrainian stance and efforts to help others, I was eventually captured. I was released shortly before the city was liberated.

After the de-occupation, I encountered bureaucratic hurdles and a general lack of understanding regarding what happened to me in detention. Still, these challenging circumstances gave me an opportunity to try to make a difference.

**You have established the Alumni network to support male survivors in acknowledging their experiences and seeking help. How do you approach the issue of conflict-related sexual violence against men in the context of captivity?**

First of all, we don't divide people into CRSV and non-CRSV survivors. Nearly all men who were held in captivity were subjected to torture, including sexual violence. Those who "only" endured beatings and torture still need support, while those who experienced CRSV may not be willing to disclose it.

It's important to remember that CRSV is a broad term, but the word "rape"—the first in its definition—carries the heaviest stigma for men. In some segments of society, prison culture dominates, where a man who has been raped is seen as having lost all his rights. Admitting it can mean being ostracized or pitied to an unbearable extent.

One of the main issue survivors faces, is that a lot of individuals—journalists, service providers, and others—often pressure men to reveal rape, which only deepens their trauma. Instead, we should offer equal support to all survivors; that's how we'll reach even those who choose to remain silent.

**Based on your experience and the work of survivor-led networks, what are the most pressing obstacles male CRSV survivors face in reintegrating into their families and communities?**

Men who have been held in captivity often face significant challenges when trying to reintegrate into society. Their families are usually unaware of the full extent of what they went through, while friends and acquaintances may be indifferent or fail to understand, resulting in fractured family and social relationships. Relatives remain overwhelmed by their own trauma, as survivors grapple with theirs.

They also encounter other barriers such as poor health, psychological trauma, and lack of employment. On top of this, the widespread belief that men must always appear strong and never show weakness intensifies their suffering when they feel unable to live up to that image.

Although many men are in need of psychological support, they often avoid seeking it and may instead resort to substance use as a way to cope. Most available support systems also require men to actively ask for help and to see themselves as victims—something many find extremely difficult to do.

**From your perspective, what role should the government and international actors play in strengthening survivor networks and improving institutional responses?**

Deliver concrete help and services instead of only discussing them. Prioritize addressing basic needs before offering psychological or initial legal support. Stay in close contact with survivor networks to receive feedback, understand their actual and urgent needs, and foster peer support among them. When support is real and effective, survivor networks—not just NGOs—will naturally spread the word more effectively than any advertising campaign.

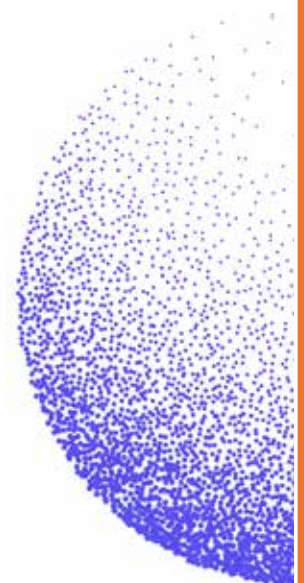
**You mentioned that female survivor networks inspired you to establish Alumni. Beyond this inspiration, have concrete partnerships or mutual support mechanisms been developed with female survivor networks? How can collaboration between male and female survivor networks contribute to breaking the stigma and improving support structures for all survivors?**

In fact, it wasn't women's networks that inspired me, but a specific person — Iryna Dovhan. I was encouraged to create the network by two representatives from Dr. Mukwege's Foundation, which also provided technical assistance. At that time, I had already encountered issues regarding

support for men. Initially, I thought the problem was that men remained silent and didn't seek help. However, after meeting Iryna, I realized how severe the situation really was.

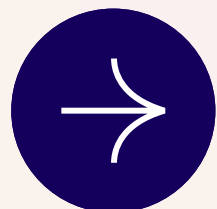
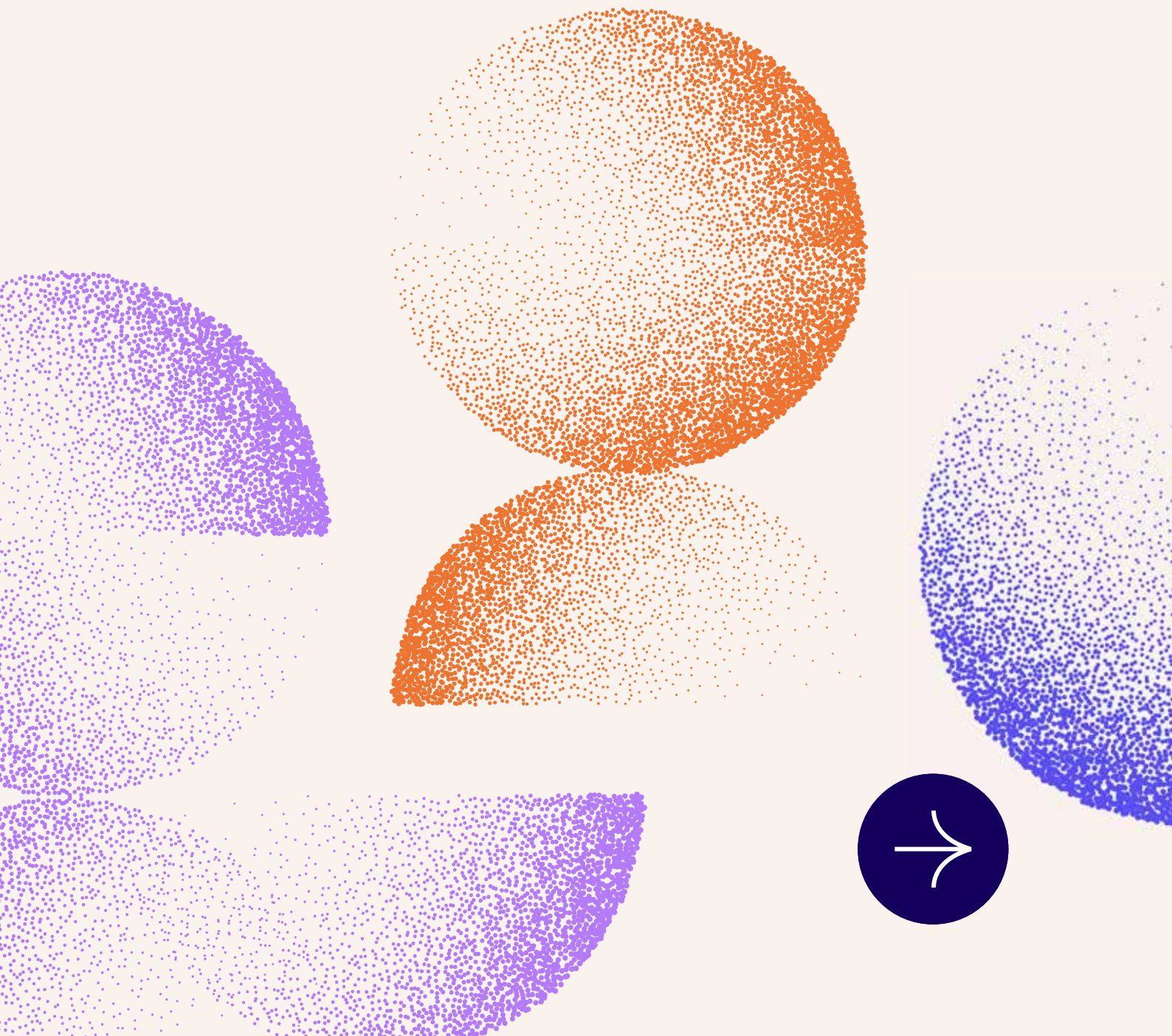
First and foremost, I decided to support women in their fight for justice on the international stage. In 2023-2024, I got to know the SEMA network more closely. While advocating for the rights of survivors — not only men — we amplify and complement the voices of the women's network. Feeling this support, women begin to see men not only as perpetrators.

Currently, we are developing a cooperation program for 2025 between the men's and women's organizations — SEMA Ukraine and Vypusknky. Right now, we are working together on advocacy efforts and collecting signatures in support of a joint open letter from survivors of sexual violence addressed to the UN Secretary-General, calling for Russia's inclusion on the so-called "shame list." I believe that joint work and combined efforts will help achieve more significant results than if we acted alone.





# Supporting supporters: The issues faced by survivor's family members





## ► The invisible burden: when families become secondary survivors

The critical role of family members in supporting CRSV survivors emerged as a central theme during the discussions, revealing a complex dynamic where these secondary survivors navigate both their loved ones' trauma and their own psychological wounds, often while facing similar social stigma and isolation.

### Family dynamics after release

A survivor couple shared how their family life had fundamentally changed after captivity. While the husband prioritized reuniting with his children, he was unable to express his emotions and chose not to share details of his captivity, fearing it would burden his family. A female survivor described a growing emotional distance from her mother, who struggled to understand her trauma. She also felt unable to talk openly with her son, creating a barrier between them: *"Since my captivity, I stopped laughing with my eyes."* The intergenerational impact of trauma was evident, as their youngest child required therapy due to the effects of his father's captivity.

### Support needs and recognition

On 20 November 2024, the Ukrainian Parliament adopted Law No. 10132, titled the "Law on the Legal and Social Protection of the Rights of Victims of Sexual Violence Related to the Aggression of the Russian Federation Against Ukraine and Urgent Provisional Reparations." This law officially recognized survivors of conflict-related sexual violence as victims and established

a concrete mechanism to provide them with urgent reparations.

Aligned with the principles of the Murad Code, the law adopted a survivor-centred, trauma-informed, and gender-sensitive approach. It granted survivors access to urgent provisional reparations, including psychological support, medical care, and financial compensation, while aiming to reduce the risk of retraumatization. The law was scheduled to enter into force in the first half of 2025, making Ukraine the first country to implement an urgent reparations system for survivors of conflict-related sexual violence during wartime. It applied retroactively from 20 February 2014, thereby covering all instances of sexual violence linked to the Russian Federation's armed aggression against Ukraine since that date. The law also recognized the status of survivors' immediate family members in cases where the victim had died. Article 2 specified that accessing urgent provisional reparations did not entail renouncing other rights, including judicial protection and full, effective reparations. Article 5 outlined the recognition process for victims, including both direct victims and children born as a result of sexual violence.

However, an NGO representative argued that family members should be recognized as survivors in their own right, as they endure psychological and social consequences. Living with a relative suffering from psychiatric disorders requires specialized support, especially for child-

ren. The representative highlighted the scientific recognition of generational trauma, describing how psychological wounds can be passed down through parenting, inherited stress responses, and social interactions.

### **Gender-specific challenges and family impact**

The discussion emphasized that gender norms shape how trauma is processed within families. A survivor described how mothers often experience deep guilt when separated from their children during captivity, with some women even resisting release for fear of how their stories will affect their families. The gendered impact also extends to family reintegration: while wives often provide unwavering support for husbands returning from captivity, women survivors frequently find that their husbands have moved on or struggle to accept what happened to them. Support workers noted cases where husbands have difficulty understanding their wives' experiences of captivity, often due to deeply ingrained societal attitudes about sexual violence. These patterns reveal how traditional gender norms shape the trauma experience and create additional barriers to recovery.

### **Media coverage**

A journalist survivor highlighted the media's role in shaping public perception of CRSV, stressing that coverage in remote areas where atrocities occurred remains inconsistent and challenging. While media documentation is essential, ethical concerns arise in survivor interviews, particularly in preventing retraumatization. Support organizations have introduced protective protocols for journalist interactions, such as psychological readiness assessments and the use of "stop words" to prevent retraumatization. However, a survivor's wife pointed out that interviewees rarely have access to their own recorded testimonies and are often unaware of the final published content. She stressed that the media rarely considers the emotional impact on survivors after interviews, leaving them without psychological support.

Participants also discussed the power of language in shaping survivor experiences. In different contexts, including Ukraine, the term "victim" carries connotations of sacrifice, reinforcing a perception of irreversible suffering. Many participants advocated for the use of "survivor" instead, emphasizing resilience and the possibility of rebuilding life.

**"There are people who are strong  
and people who are less strong,  
but human rights are for everyone."**

## Recommendations

### Expanding legal recognition and targeted support for family members

Family members of CRSV survivors face psychological, social, and legal challenges, yet current frameworks do not recognize them as indirect survivors unless the “direct” survivor is deceased.

- ➔ **Amend the legal framework** to grant family members formal recognition as indirect survivors, ensuring their eligibility for support services.
  - ➔ **Introduce targeted support pathways** distinct from those for direct survivors, addressing secondary trauma.
  - ➔ **Ensure that reparations policies explicitly include family-centered assistance**, avoiding a one-size-fits-all approach that fails to acknowledge the varying impacts of CRSV on different family members.
- 

### Strengthening ethical standards and trauma-informed media practices

Media plays a critical role in shaping public perception of CRSV, but without clear ethical guidelines, reporting can inadvertently harm survivors and their families.

- ➔ **Develop standardized ethical guidelines for journalists** covering trauma-sensitive interviewing techniques and informed consent.
- ➔ **Ensure survivors can review their interviews before publication**, with the option to withdraw consent if they feel retraumatized.
- ➔ **Provide mandatory training for journalists covering CRSV** on minimizing harm, avoiding sensationalism, and using survivor-centered language instead of stigmatizing terms.
- ➔ **Encouraging media outlets to adopt a charter for interviewing survivors**, with sanctions in case of violation.

## Expert interview



**Fedir Dunebabin,**  
Country Representative for  
Ukraine, Global Survivors Fund  
(GSF)

### Presentation of interviewee and his work:

I am the country representative for GSF in Ukraine, accountable for the coordination of the GSF work in Ukraine on ensuring access to reparations for CRSV survivors, including implementation of the Pilot Project on Urgent Interim Reparations for CRSV survivors and provision of technical support to the Government of Ukraine on implementation of the Law on the Legal and Social Protection of the Rights of Survivors of Sexual Violence Related to the Armed Aggression of the Russian Federation Against Ukraine and Urgent Interim Reparations (Law 4067).

**Current legal frameworks in Ukraine do not fully recognize the psychological and social consequences of CRSV on family members unless the survivor is deceased. From your experience, what are the key challenges in advocating for broader legal recognition of family members as indirect victims? What concrete steps—whether legal, financial, or psychological—should be taken to ensure they receive adequate support?**

Family members should be acknowledged as direct victims, without receiving financial compensation, given the limited resources and the need to prioritize reparation programmes for other vulnerable victim groups—such as survivors of torture, relatives of civilians arbitrarily killed, victims of enforced disappearance, and deported children along with their parents. However, family members should at least be granted access to rehabilitation programmes, including medi-

cal care, social and psychological support, and legal aid. These reparative measures could be implemented either through an amendment to Law 4067 (the fast-track option) or through the development and adoption of a comprehensive state policy on reparations for victims of armed aggression (the slow-track option). In all cases, a system of social accompaniment—similar to Chile's PRAIS programme—should be established to ensure effective access to services.

**How can we balance the need for public awareness with the responsibility to protect survivors and their families from further harm?**

Recommendation to the media: 'chasing' shocking stories of the atrocities is unethical (unless survivors do want to tell their story with details). The emphasis in covering survivors' stories should be on the needs in recovery and strength and courage of survivors to come forward and speak openly.

Recommendation to the service providers and other actors in the field of international crimes prevention and response: do not compare Conflict-Related Sexual Violence with Sexual and Gender-Based Violence, it is inappropriate for survivors who consider themselves as survivors of war, not of the domestic violence.

In general, strong emphasis should be made that CRSV, although is a terrible crime with severe consequences on lives of survivors and their closed ones, it is a war crime and violation of





human rights, same as killings of civilians and it could happen to any person in the areas of hostilities, under occupation or in detention.

**Family members of CRSV survivors often navigate secondary trauma while providing crucial emotional and practical support. However, most assistance programs focus primarily on direct survivors. Based on your experience, what types of targeted support programs have proven most effective in addressing the specific needs of family members? How can Ukraine integrate these approaches into its national response framework?**

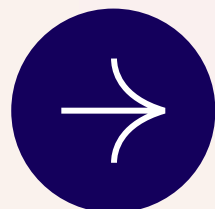
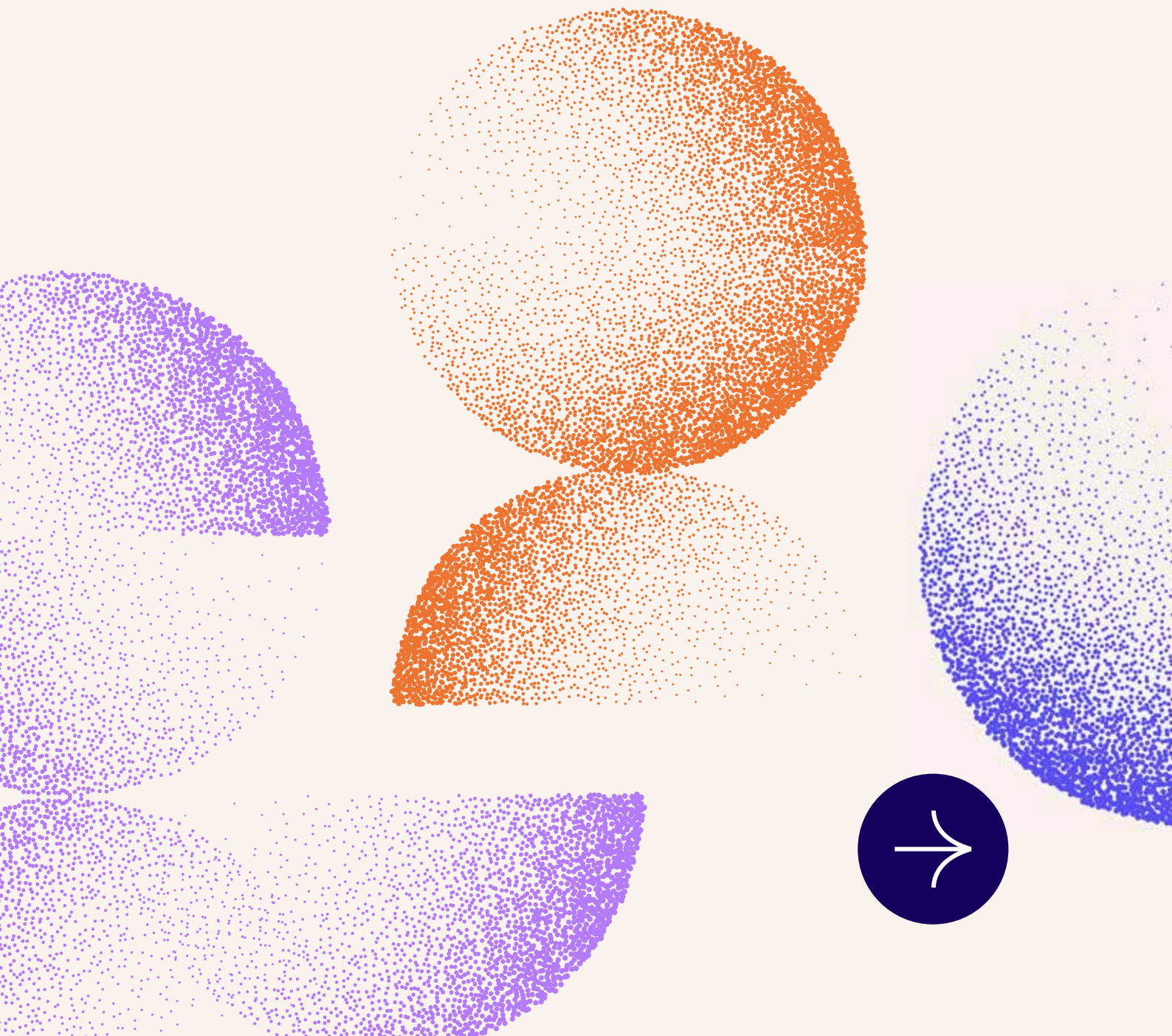
In my opinion the most suitable and feasible for implementation model in Ukraine have to be based on experience on PRAIS programme that was implemented in Chile to provide long term medical and psychosocial support to the victims of the Pinochet regime and their relatives

up to third generation. The system consists of multidisciplinary teams of medical specialist, psychologists and social workers whose task it is to design a holistic health intervention to address trauma caused by torture. As for 2024 almost 700,000 people are registered in the programme and from them 150,000 requires long term support. 46 teams around the country are successfully managing this task, although the improvement to the system should be made. Implanting similar system in Ukraine, will allow survivors to receive support and accompaniment in the 'mazes' of complex and multilayered system of medical, social and legal support. In order for this system to be effective it should cover not only CRSV survivors and their family members, but also survivors from other serious violations of Human Rights and gross violations of International Humanitarian Law.





# Documentation and pre-trial investigation of CRSV



## Bridging national and international standards in prosecuting CRSV

Ukraine's legal framework criminalizes sexual violence under several articles of the Criminal Code, including Article 152 (rape) and Article 153 (sexual violence). These provisions define offenses based on the absence of voluntary consent and encompass various forms of sexual acts. Additionally, Article 438 addresses violations of the laws and customs of war, under which acts of CRSV can be prosecuted as war crimes. However, this article does not explicitly mention sexual violence, leading to challenges in its application.

In August 2024, Ukraine ratified the Rome Statute, thereby becoming a member of the International Criminal Court (ICC). This ratification obliges Ukraine to align its domestic legislation with international standards for prosecuting serious crimes, including CRSV. Despite these significant steps, integrating international provisions into Ukrainian law presents challenges, as existing legislation requires amendments to fully comply with the international law standards.

### Challenges in documentation and evidence collection

The OPG has established a specialized CRSV Unit within its War Crimes Department to investigate and prosecute these offenses. While numerous CSOs actively document CRSV cases, they face significant challenges in sharing evidence with official investigators due to legal and procedural barriers. Additionally, the lack of coordination among CSOs has led to multiple interviews of

the same survivors - in one example, a single individual was interviewed seventeen times by different organizations. This particularly troubling example underscores the urgent need to address the systemic inefficiencies that not only waste resources but, more critically, risk retraumatizing survivors through repeated recounting of their experiences.

Legal practitioners also pointed to the absence of a unified information-sharing system between investigative bodies, security services, and prosecutors. This lack of centralized data management delays case processing and creates inconsistencies in survivor interviews and documentation. Survivors often have to recount their experiences multiple times to different actors, increasing the risk of re-traumatization and testimonial fatigue.

### Legal barriers and the risk of wrongful accusations under martial law

A distinct challenge for survivors is the potential legal risk of being accused of collaboration with enemy forces under Ukraine's martial law. Ukraine's anti-collaboration legislation, designed to penalize individuals cooperating with occupying forces, has broad definitions that can inadvertently criminalize civilians who were coerced into sexual acts. Survivors who experienced sexual violence by occupying forces

may hesitate to report their cases due to fear of being labeled as collaborators, rather than being recognized as survivors. This risk is particularly high for women who were forced into sexual interactions in exchange for basic survival needs.

### Forensic and investigative expertise gaps

Many law enforcement officers, prosecutors, and forensic experts lack adequate training to handle CRSV cases sensitively and effectively. Investigators can fail to recognize the interconnected nature of rape, torture, and other war crimes, treating them as separate offenses rather than part of a systematic pattern of violence. This fragmented approach undermines the survivor's legal experience and increases the risk of incomplete prosecution. At the same time survivors often do not tell investigators on CRSV in cases of multiple crimes.

Forensic experts also struggle to differentiate between various forms of violence, particularly in assessing physical and psychological harm. Moreover, as stipulated by Article 7 of the Law of Ukraine "On Forensic Examination", medical reports issued by general practitioners are not formally admissible as forensic evidence unless provided by certified forensic experts or specialized government agencies, which further complicates prosecution efforts.

### Territorial access and coordination challenges

As previously highlighted in preventive measures and emergency response, ensuring immediate access to CRSV services is critical. However, prosecutors and investigators struggle to access evidence and survivors in occupied and newly liberated areas. In occupied territories, investigators cannot operate, and survivors fear retaliation when opening up about what happened to them, making real-time documentation nearly impossible. Upon liberation, physical evidence is often destroyed or missing, leaving testimonies as the main source of evidence. However, without trauma-informed approaches, testimony collection remains inconsistent, and survivors hesitate to report due to mistrust in institutions and stigma. As seen in emergency legal protections, the lack of a structured referral system delays legal and psychosocial assistance. Prosecutors noted that without immediate coordination mechanisms, key evidence is lost, and survivors are left without support.

Despite these challenges, progress has been made, including a proposal by the Council of Judges for a survivor- and witness-interview protocol involving the OPG coordination center at the pre-trial stage.

**"Forensic evidence often relies on standard medical reports, but these are not officially recognized unless provided by certified forensic experts."**

➔ **Forensic Expert**



## Recommendations

### Strengthening the legal framework and implementation

Gaps in forensic and legal procedures continue to hinder the effective prosecution of CRSV. Aligning national legislation with international standards and ensuring uniform forensic practices across regions are essential.

- ➔ **Amend the Criminal Code to explicitly recognize CRSV as a war crime under Article 438:** Currently, Article 438 of the Criminal Code of Ukraine addresses violations of the laws and customs of war, which can encompass acts of sexual violence. However, it does not explicitly list CRSV as a specific offense. Explicitly recognizing CRSV under this article would strengthen its prosecutorial emphasis.
  - ➔ **Standardize forensic evidence protocols across regions,** ensuring uniform procedures for the collection, preservation, and analysis of CRSV-related forensic data.
  - ➔ **Implement national certification and training for forensic experts,** guaranteeing consistency in the evaluation and admissibility of medical and
- 

### Developing specialized training and expertise

The fragmented and inconsistent documentation of CRSV cases compromises prosecution efforts and risks re-traumatizing survivors through repeated testimonies.

- ➔ **Expand forensic training programs:** Enhance training for forensic experts to accurately identify and differentiate various forms of violence and trauma, ensuring precise documentation and analysis.
  - ➔ **Certify organizations involved in documentation:** Establish certification standards for organizations engaged in CRSV documentation to ensure adherence to best practices and legal requirements.
- 

### Enhancing survivor protection

- ➔ **Protect against wrongful accusations:** Develop and enforce protocols to safeguard survivors from being misclassified as collaborators under martial law, ensuring they receive appropriate support and protection.
  - ➔ **Mandate trauma-informed training:** Require all personnel interacting with survivors, including law enforcement, legal professionals, and support staff, to undergo training focused on trauma-informed care and survivor-centered approaches.
- 

### Addressing territorial access and evidence collection barriers

- ➔ **Deploy rapid response forensic teams** in newly liberated areas to document evidence before it is lost or destroyed.

## Expert interview



**Iryna Kapalkina,**  
Ukrainian Legal Advisory Group  
(ULAG)

**One major obstacle in prosecuting CRSV in Ukraine is the lack of explicit recognition of these crimes under Article 438 of the Criminal Code. Beyond amending the legal framework, what practical steps should be prioritized to ensure the effective prosecution of CRSV as a war crime?**

The main steps that should be focused on to ensure effective investigation of CRSV as a war crime include the following:

- ① Amendment of Article 216 of the CPC of Ukraine to provide for the jurisdiction of the National Police of Ukraine, as it is currently the exclusive jurisdiction of the SSU investigators. In practice, however, cases are referred to the National Police of Ukraine for investigation, as SSU investigators have no experience in investigating violent crimes.
- ② The clear definition of CRSV in Article 438 of the CPC is not sufficient and therefore it is advisable to clarify the specifics of such a category of crimes as CRSV and to conduct additional training for investigators, prosecutors and judges on investigating CRSV cases and hearing cases in court.
- ③ Improving (reforming) the system of witness and victim protection in Ukraine (in particular, protection of personal data of such persons, change of their data, change of address). There should be a real system of protection, not just on paper, and it should be in place throughout the investigation, trial and execution of the sentence.

④ Amend the legislation of Ukraine to ensure effective implementation of the victim-centred approach. For example, investigators and prosecutors should inform victims about the possibility and necessity of engaging a attorney-at-law during the pre-trial investigation and court proceedings, including the possibility of receiving free legal aid. It is also necessary to introduce effective approaches in the work of pre-trial investigation bodies with victims and witnesses, which will ensure that victims and witnesses are not repeatedly interrogated in different cases and will help in the effective exchange of information and evidence between cases.

⑤ Amendments to the legislation on proper chain of custody of evidence, its use in various criminal proceedings and protection against unauthorised access by others.

⑥ Establishment of effective cooperation and communication in the framework of international cooperation and, in particular, the joint investigation team, which was established in 2022. (In particular, regarding the possibility of conducting interrogations at a distance, by video conference or on the territory of a foreign country with the subsequent recognition of such evidence as admissible).

⑦ Establishing effective communication with victims through the Coordination Centre for Victims and Witnesses, communication between the investigation and prosecution authorities and representatives of victims to provide support (legal, psychological, social, etc.).

⑧ The need to include forms of participation in the commitment of crimes under the Rome Statute in the Criminal Code of Ukraine. Since the majority (90%) of proceedings are considered in absentia, which will not be actually executed, the question arises of whether such forms are not abused for the sake of statistics alone. Over the past three years, none of the sentences in absentia under Article 438 of the CCU have been executed.

**Are there procedural or institutional reforms that could strengthen case-building, especially in light of Ukraine's recent ratification of the Rome Statute?**

Discussions are currently ongoing regarding the implementation of the Rome Statute into national legislation. There is a problem with the quality of translation of texts, in particular the text of the Rome Statute into Ukrainian (the terminology of the Ukrainian translation of the Rome Statute is selected in accordance with national criminal law, which does not correspond to the essence of the original English text of the Rome Statute). Other documents, such as the Elements of the Crime, do not have a Ukrainian translation at all. The same problem is with the translation of conventions and treaties in the field of international humanitarian law.

**Procedural:**

- Conducting information campaigns on the crimes of the CRSV and the importance of preserving evidence;
- Informing the population how to act during the occupation, including what may fall under the crime of collaboration;
- Investigators and prosecutors should inform victims about the possibility and necessity of engaging a attorney-at-law during the pre-trial investigation and court proceedings, including the possibility of receiving free legal aid.

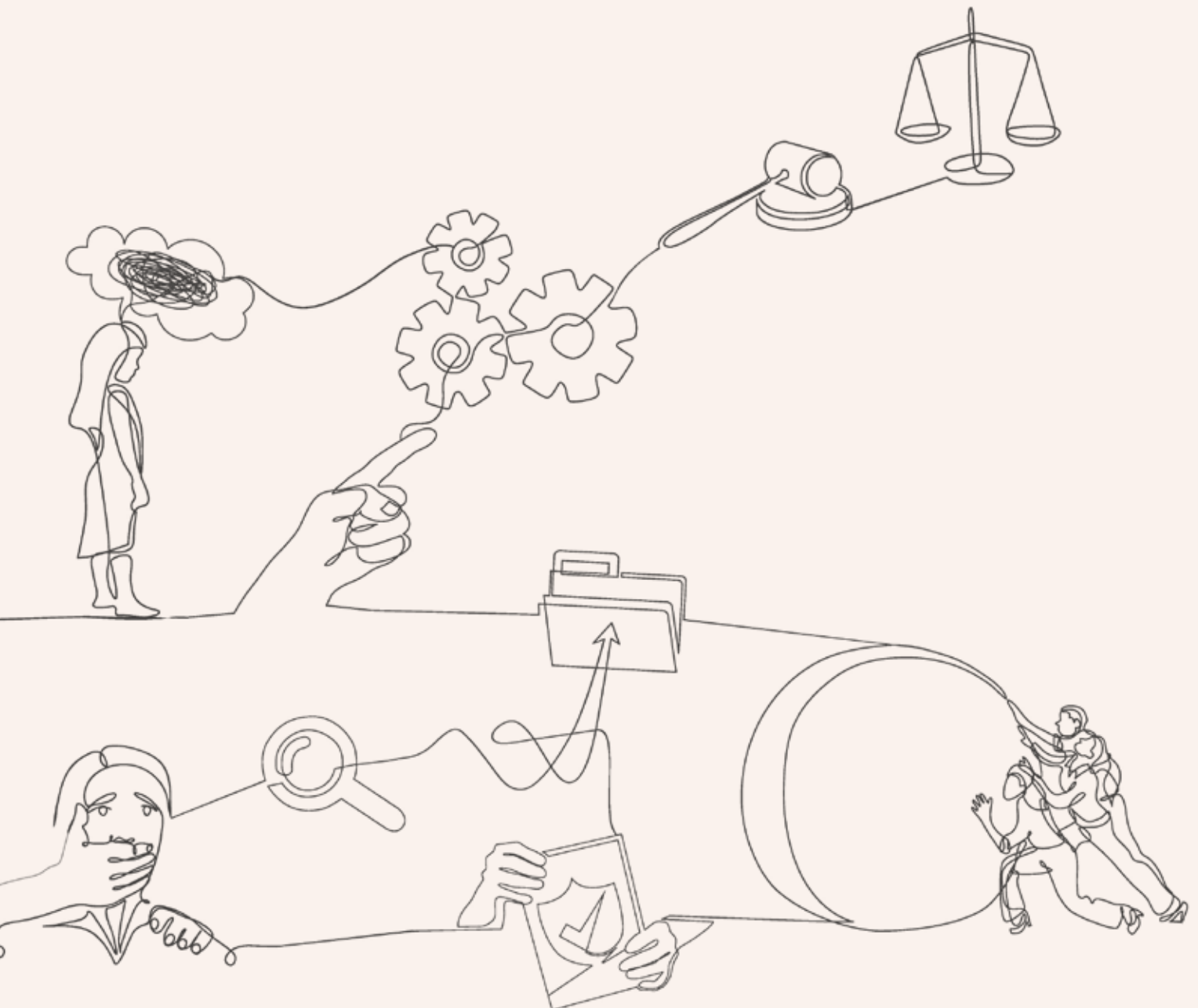
**During the symposium, it was remarked that one of the primary concerns is the limited recognition of open-source intelligence (OSINT) as primary evidence. Was that remedied with the amendments to Article 99-2 (5) of the CPU of 9 October 2024?**

Clause 5 of Part 2 of Article 99 of the CPC of Ukraine refers to certificates, conclusions and other documents of specialists as documents that can be used as evidence. Unfortunately, the problem with OSINT remains unresolved. The standards of the Berkeley Protocol should be implemented into national legislation. Courts have the discretion to accept information from open source as admissible evidence if it was collected and documented in accordance with the requirements of the CPCU. There are neither requirements nor standards of verification of the open-source information contained in the CPCU. There is also a problem (unresolved issue) with the storage of information (documented crimes) on servers outside Ukraine. It is also important to pay attention to the skills of investigators and prosecutors to work with OSINT and to properly record the data obtained (so that it complies with national criminal law).

## SPOTLIGHT

# The “BackUp” digital tool

The need for clear, secure, and survivor-centered tools emerged strongly during the symposium, particularly in light of the challenges in identifying, supporting, and referring survivors of conflict-related sexual violence (CRSV) in a fragmented institutional environment. In this context, the BackUp platform—developed by *We are NOT Weapons of War (WWoW)* in partnership with InTech—offers a promising and scalable solution.





# A secure and modular tool designed for CRSV contexts

## A tool designed for CRSV: existing functionalities

BackUp is a secure, multilingual **web application** developed specifically for contexts of sexual violence in armed conflict and crisis. It is currently used in North-East Nigeria in partnership with local organisations. Its design responds to the operational needs of both survivors and frontline actors. The current functionalities include:

### Self-identification and access to information

Survivors can access the web app directly to understand what CRSV is, assess whether their own experience falls within that scope, and receive clear, trauma-informed guidance. The interface offers tailored information based on urgency and situation, helping survivors make decisions safely and autonomously.

### Structured and standardized documentation

BackUp integrates internationally recognized documentation protocols (such as MARA and PEACE). Trained actors can use the tool to record CRSV incidents in a secure, consistent, and anonymized format. Each case generates a digital file protected by blockchain technology, ensuring integrity, confidentiality, and traceability.

### A stigma-reduction and awareness component

BackUp includes an education and outreach module with targeted content for professionals and community actors. This feature aims to improve understanding of CRSV, promote trauma-informed practices, and challenge the social norms that often silence or isolate survivors.



## Relevance to the Ukrainian context

Although BackUp has not yet been deployed in Ukraine, its potential use was discussed during the symposium. Participants highlighted that the tool could respond to several urgent challenges:

### Standardization of documentation procedures

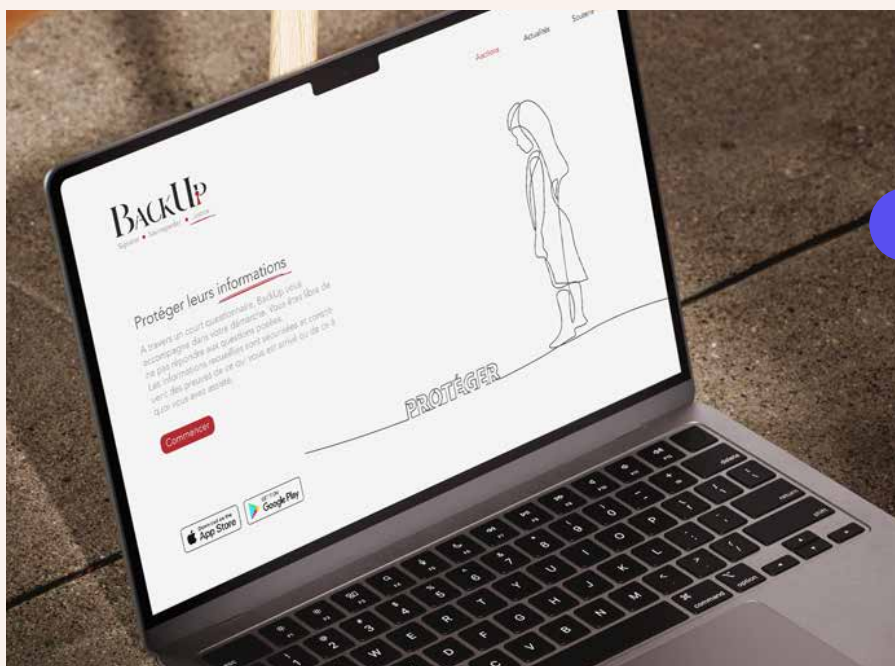
In the absence of harmonized formats, data collection across regions remains uneven. BackUp could offer a unified framework to strengthen consistency and quality of information collected by civil society actors and service providers.

### Securing and centralizing CRSV-related data

In newly liberated areas, evidence is often at risk of being lost, manipulated, or duplicated. By storing anonymized case files securely and independently of local servers, BackUp would reduce the risk of data fragmentation and enhance trust in documentation processes.

### Complementing national efforts

Stakeholders noted that such a tool could complement the work of Ukrainian institutions (including the Office of the Prosecutor General and the Coordination Centre for Victims and Witnesses) and help civil society actors document cases in line with international standards.



## Future development: potential for case management and cross-border deployment

At this stage, BackUp does not include case management functionality. However, its modular architecture allows for scalable development if dedicated funding becomes available. Several future components were identified as priorities:

### Case management functionality

Allowing authorized professionals to track the evolution of a survivor's situation over time, while preserving confidentiality, consent control, and strict access management. This would facilitate coordinated and long-term care.

### Multi-actor coordination interface

Designed to improve information sharing (anonymized and consent-based) between service providers, reduce duplication, and ensure follow-up across sectors.

### Data aggregation and analysis module

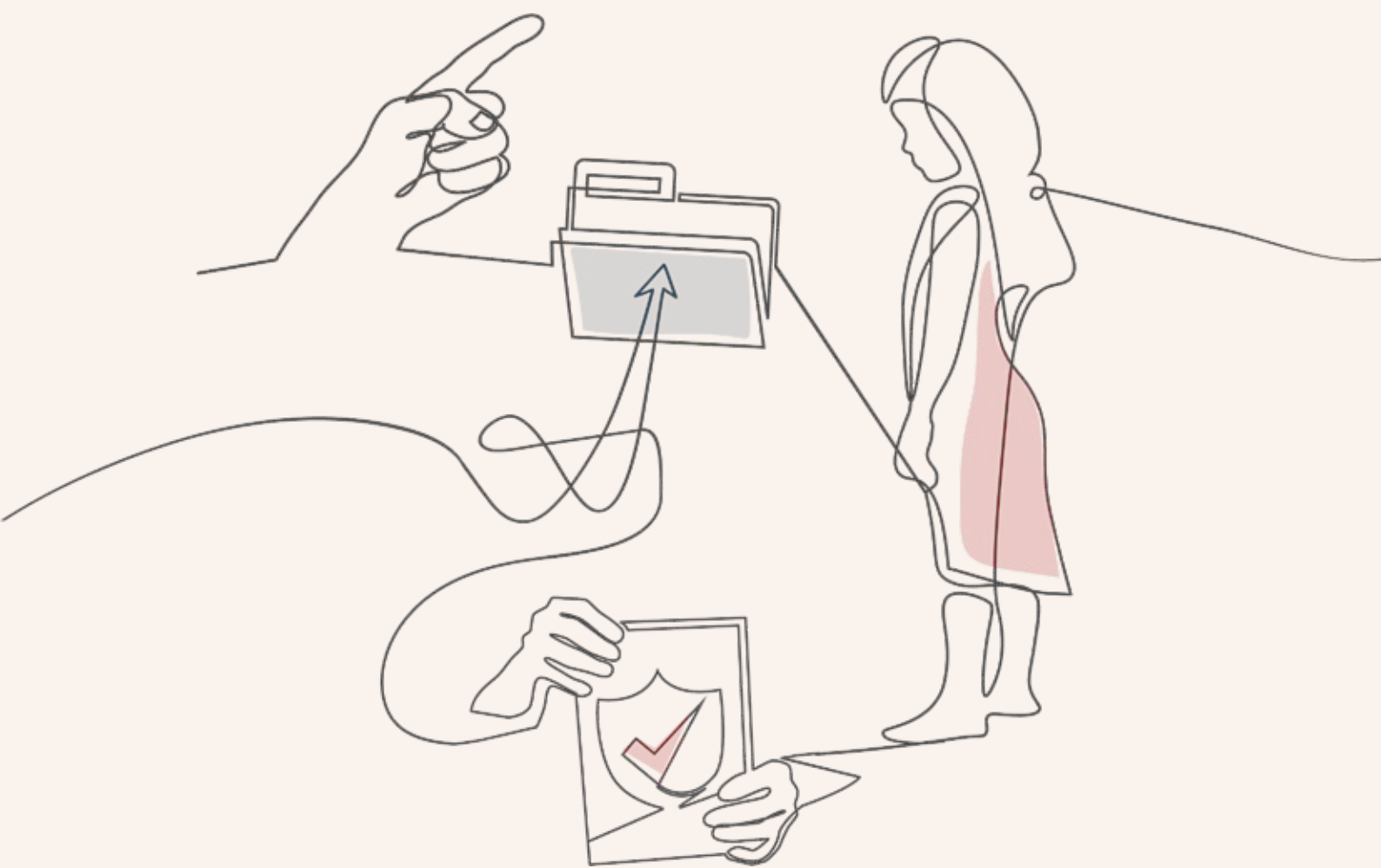
Enabling the production of anonymized dashboards and statistical outputs to inform programming, identify gaps, and support institutional planning.

### Deployment along displacement and migration routes

Participants suggested that BackUp could also be tested in **refugee reception centres** or **border areas**, where survivors of CRSV have sought protection abroad. In these settings, the tool could allow survivors to:

- Access essential information in their own language;
- Record their experience securely, even without filing a formal complaint;
- Be referred to competent institutions, including **prosecutorial offices**, in host countries or in Ukraine;
- Maintain continuity of their documentation in the event of later legal proceedings or reparation claims.

Such a deployment would require targeted investment and coordination with institutions in countries of refuge, but was identified by participants as a **realistic and relevant next step**.







# Conclusion

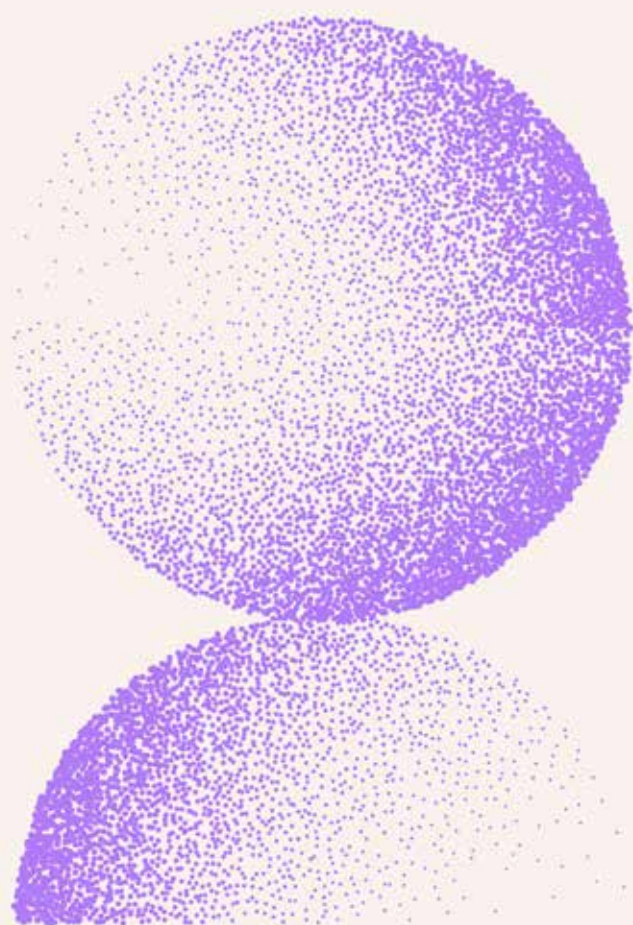
**We are NOT Weapons of War**, the **Women's Information and Consultative Center** and **Stand Speak Rise Up** extend their deepest gratitude to all participants who contributed to this symposium and the white paper. Their most profound thanks go to the survivors who courageously shared their experiences – your testimonies not only highlighted the challenges within the current system but will serve as catalysts for meaningful change, paving the way for others to face fewer obstacles in their pursuit of justice.

This symposium's unique discussion format created a space for genuine dialogue and exchange among diverse stakeholders – from survivors and advocacy groups to legal professionals and State support services. The dynamic interactions between participants from different sectors of the response system generated insights that would have been impossible to achieve in a traditional conference setting. This collaborative approach exemplified how complex challenges surrounding CRSV can be addressed more effectively when stakeholders engage in direct, open dialogue.

The successful implementation of the recommendations identified **requires sustained commitment from all stakeholders, adequate resource allocation, and regular evaluation of outcomes**. Most importantly, it demands a shift from rapid response to quality-assured, systematic approaches that prioritize survivor well-being and prevention of retraumatization throughout all processes.

Finally, organizations stress that ground projects cannot indefinitely rely on external funding. They emphasize that support must ultimately come from the state, and trauma-informed training must be implemented across local, regional, and central services. Inter-organizational collaboration was highlighted as crucial for providing comprehensive survivor support.

We extend our sincere thanks to the Premier Palace Hotel Kyiv for their warm hospitality, to the interpreters for their translation support, the sound engineers for their presence throughout the symposium, and Jessica Richer for the visual design.

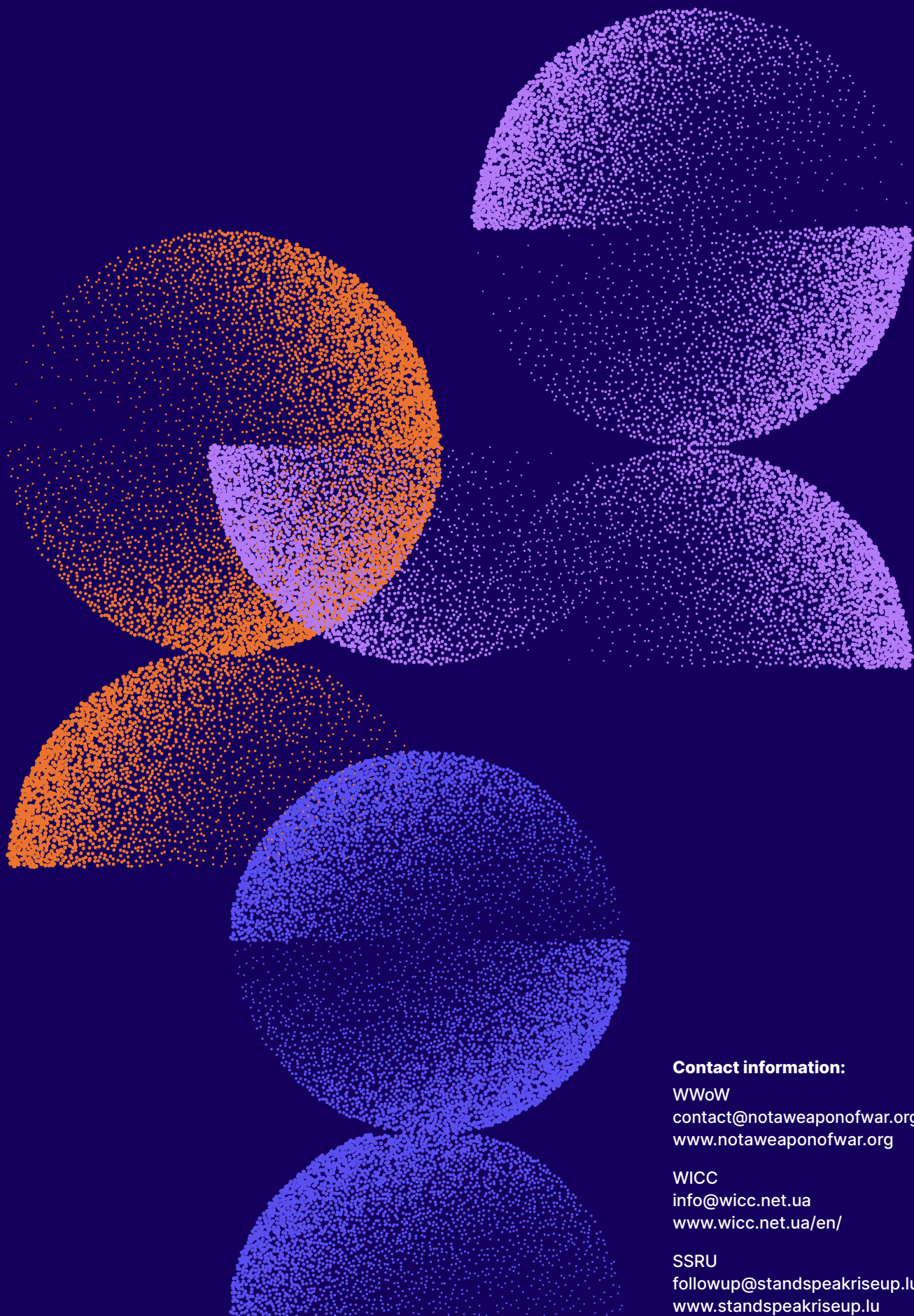


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