

Over a Million Ukrainians Face Loss of All Legal Rights by New Year

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Executive summary

Holding Russia accountable for its violations of international law will be central to any lasting Russia policy, as well as crucial for restoring respect for international law and achieving a just peace. This is especially pressing as there are expectations or fears that negotiations loom on the horizon. Guaranteeing the fundamental rights of Ukrainian civilians living under Russian occupation must be a priority in any ceasefire discussions or future talks. If Ukraine chooses to pursue negotiations, its international allies should advocate for international monitoring to ensure that the basic human rights of the civilian population in the occupied territories are respected.

Residents of the four occupied regions of Ukraine—Kherson, Zaporizhzhia, Donetsk and Luhansk—face a deadline of 31 December 2024 to exchange their Ukrainian passports for Russian ones. Those who have not formally adopted Russian citizenship—currently estimated by Ukrainian monitoring [at one million people](#)—will be classified by the Russian occupying forces as “foreigners” in their own homeland. Measures are being put in place to facilitate their deportation and the seizure of their property.

In addition, there are fresh reports of recruits being conscripted from the Kherson and Zaporizhzhia regions to serve in the Russian armed forces, demonstrating a serious worsening of Russian violations of international humanitarian law. While the conscription of Ukrainians is not new, forcibly recruiting those who have been forced to change their citizenship is a grave breach of international law that demands strong international condemnation and countermeasures.

Introduction

That negotiations may be on the horizon in Russia's ongoing war against Ukraine is becoming a common assumption. The election of Donald Trump as US President is often interpreted as a waning of US resolve regarding the war. A telephone call between Chancellor of Germany Olaf Scholz and President of Russia Vladimir Putin on 15 November marked the first conversation between the two leaders in two years, further suggesting a shift towards compromise with Russia. President Volodymyr Zelenskyy has indicated in a Sky News interview that he is open to a ceasefire that would leave some parts of Ukraine under Russian control, provided that NATO offers security guarantees. While Kyiv has hinted at this previously, this was the first time that Zelenskyy had stated it so clearly, although he later partially retracted what he had said. The current approach suggests that a halt to hostilities should later lead to recovery of the remaining occupied areas through diplomatic means.

Alongside these political developments, Russia has been making slow but costly gains on the battlefield in eastern Ukraine, resulting in significant loss of life. The anticipated decline in western support for Ukraine's continued resistance, fuelled by growing defeatism and the false notion that negotiations could de-escalate the situation, creates less than ideal conditions for Ukraine in any potential negotiations in 2025.

What is happening in the occupied territories?

The situation for civilians living under Russian occupation has significantly deteriorated. International reports, notably two (1,2) from UN Special Rapporteur on human rights in the Russian Federation Mariana Katzarova, shed light on the plight of arbitrarily detained Ukrainian civilians. Her reports note at least 1,672 detentions and 14,000 civilians unaccounted for. Those in detention endure appalling conditions, which include torture and sexual violence, often being held incommunicado in dilapidated facilities either in Russia or in occupied Ukrainian regions. Over 2,000 Ukrainian detainees have been deported to Russian prisons where they face similarly inhumane treatment. The forcible transfer of nearly 20,000 Ukrainian children to Russia has understandably prompted the strongest reaction internationally and direct accusations of war crimes in the International Criminal Court in The Hague.

Oppression extends well beyond those who have been arrested or forcibly deported. Intimidation, humiliation and sudden raids are part and parcel of daily life in the occupied territories. The Russian authorities are wary even of those who ostensibly support or at least do not openly resist occupation.

Everyday life in occupied Ukraine goes largely unreported as the Russian authorities do not permit independent media coverage or international monitoring. In September, Ukrainian journalist Viktoria Roshchyna was found dead in Russian custody after trying to report from occupied territories. Despite these challenges, several international media outlets ([The Economist](#), [ABC](#), [France 24](#), [DW](#)) have increased their coverage of the terror faced by Ukrainian civilians. They are heavily reliant on Ukrainian initiatives to describe the situation using sources on the ground and testimonies from those who have managed to escape. The accounts paint a stark picture of violent repression, forced population swaps and aggressive Russification, as outlined in a [SCEEUS report](#) in June.

How is the forced change of passports proceeding?

Residents of the four occupied regions of Ukraine—Kherson, Zaporizhzhia, Donetsk and Luhansk—have until 31 December 2024 to exchange their Ukrainian passports for Russian ones. Presidential Decree No. 307, issued on 23 April 2023, outlines that failure to do so could result in deportation and the confiscation of property.

There are indications of local resistance to the enforced change of nationality, exemplified by the recent delay in aligning mandatory insurance with the Russian system, which has been postponed until 1 January 2026. Ukrainian monitoring estimates that just over half the population [has switched passports](#).

Given this reluctance, the Russian authorities have turned to other methods to bolster the number of Russian citizens in the occupied territories. On 1 December 2024, passports issued by the self-proclaimed people's republics of Donetsk and Luhansk, which have been mandatory for residents in those areas since 2014, were rendered invalid. Local officials have accelerated the process of replacing these with Russian passports, making it clear that from 1 January 2025, anyone in the occupied areas without a Russian passport will forfeit all rights.

In late November 2024, [reports emerged](#) that Russia is enlisting Ukrainians from occupied regions to fight against their own country. This information stemmed [from RIA Novosti Crimea](#), which covered a ceremony in Simferopol celebrating the conscription of recruits from Kherson and Zaporizhzhia. While the recruitment of Ukrainians is nothing new in this conflict—earlier drafts took place in the self-proclaimed people's republics and are [ongoing in Crimea](#), as well as in regional prisons—this represents a significant escalation.

The forced change of nationality has at least three overarching aims. The first is to enable the mass mobilization of the local population into the Russian armed forces and the use of Ukrainians as combatants in the aggression against their own country—and potentially in a wider war against the West. The second is to complete the mass population exchange that is already underway in the occupied territories, where migrants from Russia as well as migrant workers from other countries have been encouraged to move in and take over the homes, property and businesses left behind by Ukrainians who have been killed or deported or forced to flee.

It is also arguable that Putin's decision to go to war is rooted in demographic anxieties and considerations, which ultimately view the demographic crisis in Russia as a clash of values with the West. Ivan Krastev has recently made a [compelling case](#) for this motive. Whether the war has really addressed any of Russia's demographic challenges, however, remains open to question.

Ukraine's western partners should back the country to adopt the strongest possible stance in any upcoming negotiations. The territories currently under occupation are not "disputed" but internationally recognised as Ukrainian land. Russia's unlawful annexations and population exchanges represent clear breaches of international law, designed to impede the future reintegration of these areas into Ukraine.

Policy Recommendations

We encourage international observers and decision makers to continue to monitor developments after 1 January 2025, when Ukrainians who have not officially taken up Russian citizenship will be regarded by the Russian occupying authorities as foreigners in their own country. Legal provisions are being established to facilitate their deportation and the confiscation of their property.

- Ensuring the fundamental rights of Ukrainian civilians living under Russian occupation must be a key condition of any ceasefire talks or future negotiations. The Russian government should be pressured to allow international observers to monitor compliance with these rights.
- The recruitment of Ukrainians who have previously been forced to change their citizenship into the Russian armed forces represents a serious breach of international law and should be met with strong international sanctions. The European Union should lead the way.
- The European Union must urgently prioritise addressing the widespread human rights violations and abuses suffered by Ukrainian civilians in the occupied territories, which include ongoing large-scale population exchanges.



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