



Delegation of Canada
to the OSCE

Délégation du Canada
auprès de l'OSCE

**STATEMENT BY COUNSELLOR ESTHER VAN NES
ON THE RUSSIAN FEDERATION'S ONGOING AGGRESSION AGAINST UKRAINE
1419th SPECIAL MEETING OF THE PERMANENT COUNCIL**

20 April 2023

Mr. Chair,

Other delegations have already described the terrible video evidence that has emerged over the past few weeks documenting horrific violations of international humanitarian law perpetrated by Russian forces and their proxies. These include the emergence last week of a video that appeared to show the decapitation of a Ukrainian prisoner of war by the Wagner Group. These include recently released video interviews of former Wagner commanders, Azamat Uldarov and Alexey Savichev, describing how they received “the order to execute any men who were 15 years or older.” And it is sadly not surprising that there was yet another video that emerged last week apparently showing the bodies of two decapitated Ukrainian soldiers lying next to their destroyed military vehicle, both with signs of torture. Torture and extrajudicial execution appear to be a disturbingly regular chapter of the playbook of Russia’s armed forces.

Just over a year ago, the liberation of Bucha revealed to the world the violent excesses of Russia’s war of aggression against Ukraine. Tragically, the systematic torture, abuse, and even murder of Ukrainian civilians and soldiers continues today. The Human Rights organisation ZMINA has reported that Russian troops use torture and ill-treatment to obtain information, to punish disloyalty or punish service in the Ukrainian army, and as an attempt to force cooperation. We deplore this conduct and call for all perpetrators, at all levels of leadership, to be held accountable.

Mr. Chair,

We took note that an exchange of Prisoners of War (POWs) last week allowed a number of Ukrainian soldiers to escape possible further ill-treatment. Ukraine’s Coordination Headquarters for the Treatment of Prisoners of War claims that almost half of the 80 men and 20 women soldiers who returned home had “serious injuries, illnesses or have been tortured”.

In a report released at the end of March, the UN OHCHR documented gross violations of IHRL and serious violations of IHL by Russian authorities. The OHCHR report detailed the mistreatment of Ukrainian POWs by Russian authorities including failure to provide medical care, torture, ill-treatment, summary executions, and the use of POWs as human shields. In 2/3 of places of internment used by Russian forces, the OHCHR recorded dire conditions of internment, denial of communications with the outside world, forced labour, and a lack of access of independent monitors. More than 90 per cent of Ukrainian prisoners of war interviewed by the OHCHR said that they were tortured or ill-treated.

Mr. Chair,

The same OHCHR report documented 17 cases in which women POWs interned in pre-trial detention and penitentiary facilities in occupied Donetsk or in the Russian Federation were subjected to beatings, electrocution, forced nudity, cavity searches and threats of sexual violence. Women POWs were also denied access to sexual and reproductive health services. Men were also subjected to horrific physical violence, leading to at least five cases where male POWs died, after being tortured or otherwise ill-treated. This documented use of torture or other ill-treatment to extract confessions and testimony is in violation of Russia's obligations under international law, including the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, particularly Article 2, which provides that "no exceptional circumstances whatsoever, whether a state of war or a threat of war [...], may be invoked as a justification of torture."

All states must comply with their obligations related to the proper treatment of POWs. We note and welcome that the Government of Ukraine provided the OHCHR with full and confidential access to POWs in official places of internment.

We call upon the Russian Federation to ensure that the International Committee of the Red Cross has access to POWs under its control. We call upon the Russian Federation to respect its obligations under IHL and end the torture and mistreatment of POWs under their power and of civilians in temporarily occupied territories. We call upon Russia to end its war of aggression by unconditionally withdrawing all troops and military equipment from the internationally recognized territory of Ukraine. We reiterate our call on Russia to release all SMM staff and assets.

Canada stands with Ukraine, and we will continue to do so for as long as it takes.