



EUROPEAN UNION

OSCE Permanent Council No.1475 Vienna, 23 May 2024

EU Statement on the Russian Federation's ongoing aggression against Ukraine

1. Russia's intensified attacks on Ukraine's Kharkiv region have continued unabated for another week, causing further civilian casualties and displacement. On 19th May alone, Russia's shelling on communities in the region killed at least 12 people, including a pregnant woman, and injured more than 50 others. Some of the casualties were caused by yet another Russian double-tap strike. In the meantime, in just a week, an estimated 10 000 people have been evacuated from the areas of the region, most affected by Russia's shelling. People across Ukraine continue to suffer from Russia's relentless attacks, with additional civilian casualties and damage to civilian infrastructure, including energy facilities, recently reported in the Odesa, Sumy and Kherson regions. These are just the latest examples of Russia's systematic disregard for human life and international humanitarian law in its brutal war of aggression against Ukraine.
2. During a side event organised by Ukraine on 15th May, dedicated to Ukrainian civilians and servicemen who have gone missing as a result of Russia's war of aggression against Ukraine, it was reported that, as of February 2024, at least 28 000 Ukrainian citizens are officially considered missing, and that this number is constantly growing. Furthermore, participants highlighted Russia's obstructions to Ukraine's search and identification efforts, including Russia's refusal to provide access or security guarantees to search teams to visit the Ukrainian territories it temporarily and illegally occupies, its disregard for requests for information regarding detained Ukrainians, its refusal to grant ICRC access to places of detention,

and its practice of destroying evidence regarding the fate of missing persons.

3. All this adds to the findings of the Moscow Mechanism Report of April 2024, which documented numerous grave violations of international law by Russia, stemming from its practice of arbitrarily detaining Ukrainian civilians. Many of the identified acts may constitute war crimes or crimes against humanity. Some of the violations pertain to Russia's consistent failure to fulfil its obligations under the Fourth Geneva Convention and the Additional Protocol I to transmit information about civilian Ukrainian detainees. We recall that the report also indicated that Russia has consistently, in contravention with international law, resorted to detaining Ukrainian civilians incommunicado, which further complicates the search for missing persons and may amount to enforced disappearances of protected persons. ODIHR's 4th Interim Report of December 2023 also documents several cases of arbitrary detention of Ukrainian civilians.
4. The issue of missing Ukrainian civilians is inextricably linked to the situation of thousands of Ukrainian children who remain unaccounted for, after being forcibly transferred or deported by Russia. In this context, it is worth recalling one of the conclusions of the relevant Moscow Mechanism Report of May 2023 – namely that Russia has persistently disregarded its duties and obligations under IHL in relation to the registration, tracking, communication and reestablishment of contact with families of these children, exacerbating the gravity of their situation.
5. The EU once again urges Russia to comply with its international obligations, including by immediately and unconditionally releasing all arbitrarily detained Ukrainian civilians and providing comprehensive lists of the names and whereabouts of all Ukrainians deprived of their liberty. We reiterate the EU's call for the immediate release of the three OSCE SMM staff members who have been arbitrarily detained by Russia. Russia must also ensure immediate, safe and unfettered access for the ICRC to all facilities where

Ukrainians are being detained, both in the temporarily occupied Ukrainian territories and in Russia.

6. Russia and its leadership must be held fully accountable for waging a war of aggression against Ukraine and for other most serious crimes under international law, as well as for the massive damage caused by its war. The EU is firmly committed to ensuring full accountability for all crimes committed in connection with Russia's war of aggression against Ukraine, including victims' rights to justice and reparation, as well as guarantees of non-repetition.
7. We reaffirm our unwavering support for Ukraine's independence, sovereignty and territorial integrity within its internationally recognised borders. We are determined to continue providing Ukraine and its people with all the necessary political, financial, economic, humanitarian, legal, military and diplomatic support for as long as it takes and as intensely as needed, also taking into account the urgent need to speed up and intensify the delivery of all necessary military assistance to Ukraine in its rightful self-defence against the Russian aggressor.
8. We will continue intensive global outreach efforts and cooperation with Ukraine and other partners to ensure the widest possible participation in the upcoming international high-level peace conference in Switzerland, and international support for a comprehensive, just and lasting peace and the key principles and objectives of Ukraine's Peace Formula, based on the UN Charter. No matter how hard Russia tries to discredit and obstruct this event, it cannot rewrite the UN Charter and the OSCE's founding documents, including the Helsinki Final Act and the Charter of Paris.
9. In conclusion, we once again demand that Russia immediately end its illegal, unprovoked and unjustifiable war of aggression against Ukraine, and completely and unconditionally withdraw all its forces and military equipment from the entire territory of Ukraine within its internationally recognised borders. We also condemn the continued military support for Russia's war of aggression against Ukraine provided by Belarus, as well as

Iran and the DPRK. We urge all countries not to provide material or other support for Russia's war of aggression, which is a blatant violation of international law, including the UN Charter, and the OSCE's core principles and commitments.

The Candidate Countries NORTH MACEDONIA*, MONTENEGRO*, ALBANIA*, UKRAINE, the REPUBLIC OF MOLDOVA, BOSNIA and HERZEGOVINA*, and GEORGIA, the EFTA countries ICELAND, LIECHTENSTEIN and NORWAY, members of the European Economic Area, as well as ANDORRA and MONACO align themselves with this statement.

* North Macedonia, Montenegro, Albania, and Bosnia and Herzegovina continue to be part of the Stabilisation and Association Process.