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PC.DEL/1082/22  
18 July 2022

ENGLISH only



**Permanent Mission of Ukraine**  
to the International Organizations in Vienna

**Statement by the Delegation of Ukraine  
on the occasion of the presentation of the second OSCE Human Dimension  
Moscow Mechanism report on the violations of international humanitarian  
and human rights law, war crimes and crimes against humanity  
committed during russia's war of aggression against Ukraine**

As for delivery by Ambassador Yevhenii Tsymbaliuk,  
Permanent Representative of Ukraine to the International Organizations in Vienna,  
to the 1382<sup>nd</sup> meeting of the Permanent Council,  
14 July 2022

**Mr. Chairperson,**

The Delegation of Ukraine expresses its gratitude to the distinguished experts Veronika Bílková, Laura Guercio and Vasilka Sancin for the preparation of the comprehensive independent international report under the OSCE Human Dimension Moscow Mechanism in line with the mandate established by 45 OSCE participating States and Ukraine as OSCE reaction to russia's war of aggression against Ukraine.

It is important to note that the mission's activities encompassed the entire territory of Ukraine within its internationally recognized borders, including the Autonomous Republic of Crimea, the city of Sevastopol, and the Donetsk and Luhansk regions of Ukraine.

We highly value that the second mission was able to visit Ukraine on 20-23 June 2022, to meet with the representatives of Ukrainian authorities and civil society, as well as to visit the towns of Irpin, Bucha and Hostomel in the Kyiv region, which were under the russian occupation from the end of February till the end of March.

**Mr. Chairperson,**

The findings of the report clearly testify that the second mission has largely confirmed the conclusions reached by the first mission and that gross violations of international humanitarian and human rights law, war crimes, crimes against humanity and other atrocities continue to be committed by russia and its armed forces on the sovereign territory of Ukraine.

As stressed in the document, the magnitude and frequency of the

indiscriminate attacks carried out against civilians and civilian objects, including in sites where no military facility was identified, is credible evidence that hostilities were conducted by Russia's armed forces disregarding their fundamental obligation to comply with the basic principles of distinction, proportionality and precaution that constitute the fundamental basis of international humanitarian law. As a result, the considerable number of civilians have been killed or injured, and civilian objects have been damaged or destroyed in numerous towns and villages.

In fact, Russia does not stop shelling for a single day and continues to terrorize the Ukrainian population. This morning, Russia's rockets hit Vinnytsia and killed at least 24 people, including 3 children, and injured at least 202 others.

Mission confirmed that the Russian military is using incendiary and cluster munitions, phosphorus bombs and thermobaric weapons. Experts identified, that Russian armed forces have used at least six types of cluster munitions in attacks that have resulted in hundreds of civilian casualties and damage to civilian objects, including homes, hospitals, and schools, since Russia's invasion of Ukraine on 24 February 2022.

According to the report, the international human rights law has been extensively violated by the Russian occupation troops. Some of the most serious violations include:

- targeted killing of civilians, including journalists, human rights defenders and local mayors;
- the illegal practice of establishment and use of so-called filtration centres by the Russian armed forces;
- large-scale deportations of Ukrainian civilians to Russia;
- various forms of ill-treatment, including torture, inflicted on detained civilians and prisoners of war;
- unlawful detentions, abductions and enforced disappearances;
- the imposition of the death penalty.

According to the experts, "reports from and about women being raped or otherwise sexually abused by members of the Russian armed forces, especially in the newly occupied territories, have become abundant."

The events concerning the towns of Bucha and Irpin, which were visited by the mission, are described in the document as two emblematic examples of the grave breaches by the Russian armed forces of international humanitarian law under the Geneva Conventions and their Additional Protocols, which constitute war crimes. The signs of torture and ill-treatment on the corpses of killed civilians also testify to the unprecedented degree of barbarity and inhumanity of the Russian military.

Against this backdrop, the mission noted that instead of investigating the allegations of serious crimes, the Russian Federation simply denies these allegations and even confers special honours on members of the Russian armed forces who are suspected of having engaged in mistreatment and extrajudicial killings of civilians.

As to the filtration camps, established by the Russian armed forces, it was acknowledged that they serve to filter individuals seeking to leave besieged cities or other dangerous areas. Filtration, according to witness testimonies, involves harsh interrogation and humiliating body inspection. Those who pass through the filtration are often transferred to the Russian territory. Those who do not pass through it, tend

to be transferred to the russian occupation administration in Donetsk and Luhansk regions of Ukraine and their whereabouts are mostly not known.

Mission also identified that the export by the russian occupation forces of Ukrainian grain from the country reveals signs of an organized activity and amounts to a violation of international humanitarian and human rights law and must be properly investigated.

And these are only few examples of the mission's findings, providing a general understanding of the gravity and extent of russia's crimes in Ukraine.

I strongly encourage distinguished Ambassadors and colleagues to present this report in the capitals.

**Mr. Chairperson,**

We view the second Moscow Mechanism report as yet another important contribution to the international community's efforts on documenting crimes of the aggressor-state, ensuring justice and holding accountable all masterminds and perpetrators of the crimes of russia's war of aggression against Ukraine.

Ukraine expresses its gratitude to the mission of experts for the important and responsible work accomplished.

In view of the mission's sound conclusions regarding the considerable amount of russia's violations of international humanitarian and human rights law, we call on the OSCE Institutions, in particular the ODIHR, to engage further in addressing the severe consequences of russia's aggression against Ukraine.

**Dear colleagues,**

Let me conclude my intervention with the information that at the International Conference on holding russia accountable for crimes in Ukraine, which takes place today in The Hague, Minister for Foreign Affairs of Ukraine Dmytro Kuleba called for the creation of a Special Tribunal on the Crime of Aggression against Ukraine to bring the highest military and political leadership of the russian federation to justice. In particular, Minister Kuleba disclosed its future parameters and explained that while international criminal justice has sufficient tools to investigate war crimes, crimes against humanity and the crime of genocide, existing institutions face objective legal obstacles in investigating the crime of aggression against Ukraine. That is why it is necessary to create a Special Tribunal that will be able to prosecute the leadership of russia for this particular crime.

I kindly ask that this Statement be attached to the Journal of the Day.

**Thank you, Mr. Chairperson.**