



Permanent Mission of Ukraine
to the International
Organizations in Vienna

**STATEMENT BY THE DELEGATION OF UKRAINE
AT THE 1030th FSC PLENARY MEETING
(7 December 2022)**

Agenda item 1, General Statements

Mr Chairperson,

On behalf of the delegation of Ukraine let me deliver a statement on the subject of the Russian war of aggression against Ukraine.

Two days ago, on 5 December 2022, we marked 28 years since the Budapest Memorandum on security assurances in connection with Ukraine's accession to the Non-Proliferation Treaty was signed. In this document, the Russian Federation as one of the signatory states committed itself to refrain from the threat of force or use of force against the territorial integrity or political independence of Ukraine.

In his speech at the Munich conference in February 2022 (5 days before the Russian invasion of Ukraine), President Zelenskyy announced his intention to convene consultations of the signatory states of the Budapest Memorandum, which provided for security assurances for Ukraine in exchange for renouncing nuclear weapons.

It was Ukraine's 4th attempt to convene such consultations. That is why President Zelenskyy said: " If they do not happen again or their results do not guarantee security for our country, Ukraine will have every right to believe that the Budapest Memorandum is not working and all the package decisions of 1994 are in doubt."

Today, we once again witnessed unfair prejudice and manipulative interpretation of the statement of the Ukrainian President, when the Russian delegate presented it as Ukraine's desire to possess nuclear weapons. The Russian side should start behaving in a civilized manner and stop putting their own words into the mouth of the Ukrainian leadership.

By occupying part of the sovereign territory of Ukraine in 2014 and launching full-scale military aggression in 2022 under a made-up pretext, the Kremlin flagrantly violated its own commitments and basic principles of international law.

Again and again, we see that the words of the Russian side don't meet its deeds.

At the very same time as Russian diplomats are trying to convince the international community of the need to talk in order to find the so-called «diplomatic resolution of the conflict», the Russian occupying forces do not give up their persistent efforts to seize Bakhmut and Avdiivka in the Donetsk region of Ukraine.

At the very same time as the Kremlin keeps whining about its so-called «legitimate security concerns», the Russian forces keep shelling Kherson and Mykolaiv as well as launching new missile attacks against the critical civilian infrastructure throughout Ukraine.

The Russian Federation continues to wage its aggressive war of choice against Ukraine, demonstrating total disregard for norms and principles of international law. Despite repeated calls from the international community and strict obligations imposed by International Humanitarian Law, the Kremlin does not abandon its terrorist tactics and continues massive strikes against the civilian population of Ukraine and its critical infrastructure facilities using all available arsenal, including those types of weapons that are not even designed for ground targets, such as S-300 anti-aircraft missiles.

As a result, the death toll of the war is growing every day. According to the recent estimates of the Office of the UN High Commissioner for Human Rights, the ongoing Russian war has already taken the lives of 6,702 civilian persons, moreover, at least 10,479 civilians were injured (05.12.2022).

As it is stated by the OHCHR, most of the civilian casualties recorded were caused by the use of explosive weapons with wide area effects, including shelling from heavy artillery, multiple launch rocket systems, missiles and air strikes.

Furthermore, as a result of Russian regular air and missile attacks, millions of people in Ukraine are left without water, electricity, heating and communication, they have severe problems with access to basic needs, such as medical care.

Just recently, on 5 December 2022, after the Russian missile attack against the electricity facilities in Odesa, the entire city with a population of over a million people was left without heating and water supplies.

The wave of the brutal missile attacks also affected Vinnytsia, Zaporizhzhia, Cherkasy and Kyiv regions. In total, during 5 December alone, the Russian Federation launched more than 70 missiles, including 38 air-surface Kh-101 and Kh-555 cruise missiles as well as 22 sea-based «Kalibr» cruise missiles. While the majority of Russian missiles were intercepted by the Ukrainian air defence forces (60+ out of 70+) the rest caused substantial damage to the civilian population since the missiles deliberately targeted critical infrastructure facilities.

We are grateful to all participating States who have provided their military assistance for Ukraine, in particular air defence systems, to Ukraine during these extremely difficult times for us and would like to call on all to continue that since it is so needed to protect the civilian population of Ukraine.

Regular missile attacks by the Russian Armed Forces are nothing but an attempt to sow fear and terror among the Ukrainians in order to undermine our williness to fight against the aggressor state.

There is no other explanation of why Russian so-called «high precision weapons» again and again strike residential buildings, schools, hospitals and power and heating plants or water stations. The Additional Protocol I to the IV Geneva Convention clearly prohibits “acts or threats of violence the primary purpose of which is to spread terror among the civilian population”.

This provision of the Geneva Convention is not the only one that is violated by the Russian troops in Ukraine.

The Kremlin continues to demonstrate over and over that it sets no store for the norms and principles of International Humanitarian Law. Contrary to the provision that the civilian population cannot be forcibly transferred from occupied territory, residents in the temporarily occupied territories of Ukraine are subjected to illegal deportations and forced by Russians to go through the so-called «filtration camps».

Male population is widely drafted into the service in the Russian armed forces. A propaganda campaign to promote military service in the Russian Army, including among children, that is being carried out by the Russian Federation in the temporarily occupied territories of Ukraine, constitutes a clear violation of the requirements of International Humanitarian Law.

Numerous reports of independent non-Government human rights organisations, in particular Human Rights Watch, continue to register terrible facts of ill-treatment proving that the Ukrainian prisoners of war are being subjected to electric shock, waterboarding, severe beatings, threats at gunpoint, and being forced to hold stress positions for extended periods. These barbaric actions go against the very nature of a human being and constitute a gross violation of the III Geneva Convention. Russia must immediately stop this criminal practice.

Esteemed colleagues,

Currently, the Prosecutor General's Office of Ukraine investigates more than 51,000 criminal cases related to the Russian war of aggression against Ukraine that include violations of laws and customs of war, actions aimed at planning, preparation, initiation or waging of a war of aggression, propaganda of war as well as other actions that constitute crimes under national legislation and international law. The current number of investigations is horrifying but the most terrible fact is that the real number of crimes is much higher.

Justice remains a top priority of the Government of Ukraine and we continue to take every possible step to record every transgression committed by the Russian Federation to ensure that all perpetrators regardless of their rank will be brought to justice.

These efforts include also respective measures in the sphere of international cooperation. We welcome the Berlin Declaration of G7 ministers of justice adopted on 28 November that clearly states that «there can be no impunity for war crimes and other atrocities».

Let me also express our gratitude to the participants, in particular to all 37 co-sponsors, of the side event «Joint Actions for Ending Russia's Impunity and Delivering Justice for Victims» that was conducted on the margins of the Ministerial Council in Lodz.

We are convinced that Ukraine's initiative to establish a special tribunal for the crime of aggression against Ukraine is extremely relevant today. The main goal of the special tribunal will be to hold accountable not only perpetrators of war crimes, crimes against humanity, and genocide, but also the political and military leadership of Russia for the crime of aggression that led to all of these crimes.

Russia has committed the crime of aggression, the gravest international crime, and must not get away with it. The special tribunal for the Russian state and its leadership shall serve as one of the key guarantees that Russian aggression against any sovereign state will not be repeated.

Mr Chairperson,

Neither devastating economic and political consequences for the own country nor ongoing substantial military losses (to date Russia has already lost more than 91,000 persons KIA) do not convince the Kremlin that it is time to recognise its defeat.

By continuing its war, the Russian leadership demonstrates that it lives in its own reality defined by two principles «the end justifies the means» and «the winners are not judged».

The Russian Federation regime is ready to kill thousands of people and raze entire cities to the ground in an attempt to reach its revisionist goals. Unfortunately for the Kremlin regime, the rest of the world does not want to live in such a parallel world being aware of the terrible consequences of lawlessness and impunity.

Contrary to the Russian Federation with its empty smokescreen statements, Ukraine is very precise in its vision for just and sustainable peace.

On 15 November 2022, at the G20 summit President of Ukraine Volodymyr Zelenskyy presented his plan of ten steps to peace that should end the war. These steps are radiation and nuclear safety; food security; energy security; release of all prisoners and deported persons; implementation of the UN Charter and restoration of Ukraine's territorial integrity and the world order; withdrawal of Russian troops and cessation of hostilities; restoration of justice; countering ecocide; preventing escalation; confirmation of the end of the war.

This is a plan for long-lasting and stable peace, not peace at any price.

As Russia's war has far-reaching consequences and negative impact on the world security far beyond Ukraine and the European continent, we believe that this initiative should become a global format.

Wide engagement of countries across the globe in implementation of the "Peace Formula" will allow to achieve just and sustainable peace.

In conclusion, I would like to cite the words of Ukrainian Foreign Minister Dmytro Kuleba at the OSCE Ministerial Council in Lodz: «Time for empty compromises is over. Too many human lives were claimed by the unprovoked aggression. We have no right to give Putin any chance for his blackmailing to be successful. The responsibility is on us. »

Thank you, Mr Chairperson.