



Permanent Mission of Ukraine
to the International
Organizations in Vienna

**Statement in response to H.E. Dunja Mijatović,
the Commissioner for Human Rights of the Council of Europe**

As delivered by Ambassador Ihor Prokopchuk,
Permanent Representative of Ukraine to the International Organizations in Vienna,
to the 1210th meeting of the Permanent Council,
20 December 2018

Mr. Chairman,

Ukraine joins other delegations in warmly welcoming the Commissioner for Human Rights of the Council of Europe H.E. Dunja Mijatović at the Permanent Council, now in her new capacity, and thanks her for the comprehensive presentation.

Madam Commissioner,

We attach great value to co-operation between the OSCE and the Council of Europe in protecting and promoting the human rights and fundamental freedoms, which represent an essential pillar of security in Europe. For the two organisations, which place at their core the values of democracy and the rule of law, the biggest challenge stems from the Russian Federation, its pursuit of the policy of aggression and flagrant violation of the OSCE politically-binding commitments and the Council of Europe legally-binding obligations. The Russian Federation defies both. The most glaring violations of human rights take place in the territories affected by Russia's aggression and which remain under Russia's illegal occupation.

In the temporarily occupied Crimea since 2014, Ukrainians and Crimean Tatars face systematic violations of their rights; journalists, Christian and Muslim religious minorities, human rights defenders and activists are persecuted and repressed. There are numerous cases of illegal detention, enforced disappearance, torture and killings by the Russian occupation authorities and their affiliates that remain without investigation.

Contrary to international obligations, Russia has totally ignored the provisional measures ordered by the International Court of Justice in 2017 in connection with Russia's violation of the International Convention on the Elimination of All Forms of Racial Discrimination. Russia flouted its responsibilities as the occupying power under international law and, in particular, has undertaken many and deliberate actions in contravention of international humanitarian law. Until now Russia denies establishment of permanent human rights monitoring in the peninsula by respective international organisations. These circumstances require that the conventional monitoring mechanisms of the Council of Europe be used to the full and without delay to make a comprehensive assessment of the situation.

We also look forward to your follow-up on Commissioner's report based on the findings of the visit to Crimea in September 2014 and the assessment of the current

situation of human rights and fundamental freedoms on the peninsula in line with respective decision of the Committee of Ministers “Situation in the Autonomous Republic of Crimea and the city of Sevastopol (Ukraine)” of 3 May 2017.

Of particular concern for the OSCE and the Council of Europe from the human rights perspective must be the fate of the Ukrainian citizens, who had been thrown in jail by the Russian authorities on fabricated charges both in the Russia-occupied territories of Ukraine and in Russia. Among them – Oleg Sentsov, Oleksandr Kolchenko, Volodymyr Balukh, Roman Suschenko, Pavlo Hryb and more than 70 others, who are Russia’s political prisoners. Instead of moving towards restoring Russia’s respect for its international obligations and commitments, the Russian authorities choose to further seriously aggravate the situation – most recently by another unprovoked act of armed aggression against Ukraine, which happened on 25 November 2018. We are convinced that the voices of the OSCE and the Council of Europe must be strong and loud in urging Russia to immediately and unconditionally release 24 Ukrainian servicemen who are now prisoners of war in Russia’s captivity.

We encourage Commissioner Mijatović to use all available instruments of her mandate to facilitate the immediate release of these Ukrainian citizens.

In this light we also emphasise the importance of stepping up efforts of the international organisations, in particular the Council of Europe, the OSCE and the United Nations, in contributing to the full practical implementation of the UN GA Resolutions “Situation of human rights in the Autonomous Republic of Crimea and the city of Sevastopol (Ukraine)”.

Madam Commissioner,

Russia’s defiance of the established rules and norms in relations between states cannot be viewed in isolation from Russia’s departure from its international commitments and obligations on the standards of respect for human rights and fundamental freedoms inside the country.

It is a known fact that the independent human rights organizations assess the current climate to be the most oppressive in the history of modern Russia.

In particular, the report circulated in the OSCE last week under the Moscow Mechanism confirmed the practice in Chechnya of the most heinous forms of discrimination and denial of the right to life through extrajudicial executions, enforced disappearances, arbitrary and unlawful arrests and detentions, harassment and torture of citizens, including the LGBTI persons, observed since 2017. The gravity of these violations and persisting impunity demand an international investigation and we encourage Commissioner Mijatović to be fully seized of this matter.

The Russian Federation assumed obligations when joining the Council of Europe in 1996. It is clear to us that Russia’s policies in the recent years and effective default in the area of respect for human rights and democracy warrant preparation of a comprehensive report on the country’s compliance with its international obligations.

Mr. Chairman,

We again thank Commissioner Mijatović for her presentation and wish her every success in contributing to strengthening the democratic security in Europe which requires an adequate and effective response to violations of international human rights standards and obligations undertaken within the Council of Europe.

Thank you, Mr. Chairman.