



EUROPEAN UNION

OSCE Permanent Council No. 1372 Vienna, 5 May 2022

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

1. Mr Chair, as the months pass by since the Russian invasion of Ukraine on 24 February, we are more and more appalled by the number and scale of heinous crimes reportedly committed by the Russian Armed Forces. Indiscriminate shelling of residential places, killings of civilians, including children, the use of torture and sexual violence, looting of private properties, cultural sites and public resources, and the forced deportations to Russia and to so-called "filtration camps" are just a short list of Russia's atrocities. As a result of Russia's aggression, thousands of civilians have been killed and injured, including at least 220 killed and 406 injured Ukrainian children.
2. Over the last week, the city of Kharkiv and its outskirts have been under permanent fire by the Russian Armed Forces, with seemingly no distinction between military and civilian targets. Russia has also shelled Udy and Prudyanka settlements. Russian missiles were fired against Kyiv even as UN Secretary General Guterres was visiting the city. Russian Armed Forces shelled Severodonetsk, Lysychansk, Hirske and Pryvillia in the Luhansk region and local authorities were forced to suspend evacuation from Popasna after two evacuation buses went missing following an attack by Russian troops. In the Donetsk region, Russian Armed Forces kept shelling the entire contact line with a missile strike being reported on the Kramatorsk suburbs. Mariupol, where Russian forces are sieging the Azovstal steelworks, also remains under constant fire. We welcome the evacuation of some civilians from the steelworks and from other areas of Mariupol. We urge Russia to allow the safe passage to other parts of Ukraine for civilians, including for those wounded and in need of urgent medical assistance, as well as to allow the delivery of the humanitarian assistance for all those in need.
3. The European Union supports all measures to ensure accountability for violations of international humanitarian law and international human rights law, including violations

and abuses, which may amount to war crimes and crimes against humanity. We will ensure that the evidence collected can be used in the accountability processes of the international community, inter alia the ICC and international mechanisms such as OHCHR's Human Rights Monitoring Mission, the HRC-mandated Commission of Inquiry, as well as national investigations, including the Joint Investigation Team into allegations of international crimes committed in Ukraine, comprising Ukrainian, Polish and Lithuanian representatives, recently joined by the ICC Prosecutor. The report by the OSCE Moscow Mechanism expert Mission was an important first international and independent effort on the collection of evidence displaying a devastating reality of a clear pattern of violations of international humanitarian law, and gross and systematic violations of human rights by the Russian Armed Forces. We also appreciate the ODIHR's contribution to these international efforts, including the *Ukraine Human Rights Monitoring Initiative*. The EU has amended the mandate of the EU Advisory Mission in Ukraine so that it can provide support to the Office of the Ukrainian Prosecutor General and Law Enforcement Agencies to facilitate the investigation and prosecution of international crimes. All perpetrators must be held to account.

4. We condemn Russia's attempts to replace democratically elected Ukrainian local authorities through illegitimate so-called referenda, as well as to introduce the ruble and school curriculum in areas currently under Russian military control, including in the Kherson region. We deplore that on 27 April, a group of locals peacefully protesting against these actions was dispersed with teargas and sonic grenades. In addition, the ongoing abductions of people, including local leaders, by the Russian Armed Forces in the Kherson region and elsewhere in Ukraine, is also deplorable. Local authorities have disclosed information about abducted local officials, most notably Igor Protokovilo, a member of the city council of Nova Kakhovka, Viktor Pentalchuk, a school director, and Mykola Kurivchak, the head of the Zmiivka village community. We are also saddened and shocked by the news that Nazar Kagalniak, an army medic abducted by Russia, has died as a result of being tortured. We call on Russia to immediately release all democratically elected Ukrainian officials who remain in Russian detention and to respect the sovereignty and territorial integrity of Ukraine within its internationally recognized borders and territorial waters, as well as human rights and fundamental freedoms in the areas currently under Russian military control.

5. Moreover, the EU reiterates its call to immediately release all national SMM Mission members detained by the Russia-backed armed formations in the Donetsk and Luhansk regions of Ukraine. Such detentions are unacceptable and we recall that Mission members remain under SMM's functional legal protection. We condemn the ongoing acts of intimidation, harassment and hostile public rhetoric against the SMM and the Mission staff and call on Russia to take up its responsibility and ensure the safety and security of the SMM's personnel and assets.

6. We are deeply concerned about how Russia's aggression against Ukraine is affecting the security situation in the wider region. The recent incidents in the Transnistria region of the Republic of Moldova are of particular concern. We welcome the visit to the Republic of Moldova of the Special Envoy of the OSCE Chairman-in-Office, Ambassador Artur Dmochowski and the Special Representative of the Polish OSCE Chairman-in-Office for the Transdniestrian Settlement Process, Ambassador Thomas Mayr-Harting on 29 and 30 April. We renew our call for strict compliance with the rules established by the Joint Control Commission of the Security Zone. We praise Moldova's posture of restraint and its support to Ukraine, including through hosting hundreds of thousands of refugees. The European Union calls on the relevant actors to avoid a destabilisation of the situation. The EU stands in solidarity with Moldova and reiterates its unwavering support to the sovereignty and territorial integrity of the Republic of Moldova within its internationally recognised borders and with a special status for the Transnistrian region.

7. We call on the Russian authorities to guarantee human rights and fundamental freedoms for their own population, in line with Russia's commitments within the OSCE. Therefore, we urge Russia to bring its legislation in line with these provisions. We condemn the newly adopted law, which criminalises so-called "fake" information about Russia's war of aggression against Ukraine. Furthermore, we fully endorse the positions expressed by the RFoM and her colleagues from the UN, the African Commission of Human Rights and the Inter-American Commission for Human Rights in their 2 May joint statement: During times of war and armed conflict the right to freedom of expression and free access to information must be vigorously defended, as it is instrumental for the promotion of lasting peace, understanding the nature of the conflict and ensuring accountability. With this in mind, we call on Russia to stop the

persecution of its citizens who exercise their fundamental rights. We also urge Russia to immediately release all those held in detention, including the artist Alexandra Skochilenko, who is being punished for displaying information about Russia's war in Ukraine through pacifist price tags in a shop in St. Petersburg.

8. The European Union condemns Russia's premeditated, unprovoked, unjustified and brutal war of aggression against Ukraine in the strongest possible terms. We demand that Russia immediately and unconditionally cease its military actions and withdraw all its troops and equipment from the entire territory of Ukraine, including the illegally annexed Crimean peninsula. We also reiterate our call on Belarus to stop enabling the Russian aggression and to abide by its international obligations. We will continue to stand in full solidarity with and actively support Ukraine and the Ukrainian people until they prevail.

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

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