



Permanent Mission of Ukraine
to the International Organizations in Vienna

**Statement by the Delegation of Ukraine in response to
Mr. Matteo Mecacci, Director of the OSCE Office for Democratic
Institutions and Human Rights**

As delivered by Ambassador Yevhenii Tsymbaliuk,
Permanent Representative of Ukraine to the International Organizations in Vienna,
to the 1364th meeting of the Permanent Council,

24 March 2022

Mr. Chairperson,

The Delegation of Ukraine welcomes back to the Permanent Council meeting Director Matteo Mecacci and thanks him for his comprehensive presentation underlining a number of critically important issues in relation to ODIHR's engagement in addressing severe consequences of the ongoing atrocities, committed by the Russian armed forces in Ukraine.

Mr. Director,

We appreciate ODIHR's swift reaction to Russia's invasion of Ukraine on 24 February 2022 and your Office's permanent priority attention to the situation on the ground.

We commend your efforts aimed at monitoring and addressing the ongoing violations of international humanitarian law and human rights by the Russian armed forces in the course of the war of aggression against Ukraine.

The list of Russia's violations of international humanitarian law and rules of warfare is constantly growing.

Every day Ukrainian law enforcement register numerous civilian casualties caused by Russian armed forces continued shelling, bombings and missile strikes on Mariupol, Kharkiv, Kyiv, Sumy, Chernihiv, Mykolaiv, Vinnytsia and other Ukrainian cities, exposing civilian population and infrastructure to indiscriminate attack.

Most of them amount to openly barbaric acts like the recent case in the Kharkiv region, when a Russian tank shot down a car with a family of two children. The family shouted that they were civilians, waving a white flag, but in vain. Parents and a 9-year-old girl were killed and a 17-year-old boy was injured.

On 9 March, the whole world was shocked by shelling by the Russian Federation of the maternity hospital in Mariupol, that was cynically confirmed by the Russian foreign minister. On 16 March, the Russian army deliberately destroyed the Drama Theater in the heart of Mariupol, which bore a clear marking "children". The besieged Mariupol, which is under constant heavy shelling, remains a place of the worst humanitarian catastrophe in Ukraine. So far, almost 3.000

local residents were killed in Russian airstrikes in Mariupol. The grim reality is that because of the non-stop shelling the dead cannot be counted precisely.

The Russian Federation has launched a new phase of terror against the city of Mariupol. Residents who survived Russian bombing and artillery shelling are now being forcibly deported to Russia.

15,000 residents of the Left Bank district of Mariupol are in grave danger. The Russian occupiers are forcing them to move to Russia. The invaders confiscate people's passports and other identity documents.

According to the information available, the Russian army has forcibly deported about 6,000 Mariupol residents to Russian filtration camps in order to use them as hostages and put more political pressure on Ukraine. Those, who agree to move inside of Russia are being sent to northern, depressive parts of the country, for example to Sakhalin. They receive documents with prohibition to leave Russia during 2 years.

At the same time, the Russian armed forces are firing on evacuation columns trying to leave Mariupol for the territory of Ukraine free from Russian occupation. Russian troops continue to hold in detention a humanitarian convoy of buses that arrived a few days ago from Zaporizhzhia to take people from Mariupol.

Such actions by Russia are a gross violation of the laws and customs of war, the norms of international humanitarian law, in particular the Geneva Conventions of 1949 and Additional Protocol I to the Geneva Conventions.

We are alarmed by the similar situation in Chernihiv remaining under massive Russian bombardments for several days, without access to water, heating and food, and evacuation routes mined or destroyed.

As of March 23, the Prosecutor's General Office registered 2401 crimes committed by the Russian occupation forces, 2336 of which are violations of the laws and customs of war committed by the Russian troops. The Russian invaders have killed 121 Ukrainian children and wounded another 168. As of 19 March, Russian occupation forces have illegally deported 2,389 children from the temporarily occupied territories of Donetsk and Luhansk to Russia.

Russian bombings and shelling damaged 548 educational institutions, 72 of which were completely destroyed. The Russian occupation forces fully destroyed 7 hospitals, 104 hospitals were damaged, 34 medical vehicles were shelled, 6 medical workers were killed and 13 sustained injuries.

According to the UN OHCHR, most of the civilian casualties were caused by the use of explosive weapons with a wide impact area, including shelling from heavy artillery and multi-launch rocket systems, and missile and air strikes. The UN OHCHR confirmed the use of cluster munitions by Russian troops in populated areas that violates international humanitarian law.

Furthermore, according to the head of the Luhansk Regional State Administration, the Russian troops in their attack on Popasna settlement used phosphorus munitions which are banned under international law.

Keeping in mind its plans to dismantle the Ukrainian statehood, the Russian Federation conducts acts of political terror, especially in the territories of Kherson, Zaporizhzhia and Mykolayiv regions. Following its 2014 playbook, Russia now desperately tries to organize a sham "referendum" for a fake "people's republic" in Kherson. Nevertheless, despite the presence of armed Russian soldiers, residents of Kherson, Berdyansk, Melitopol and other cities continue to hold rallies of many thousands against the Russian invaders.

Having no public support, Russia also conducted similar political terror in the Zaporizhzhia region by abducting democratically elected Ukrainian mayors of Melitopol and Dniprorudne.

Distinguished colleagues,

The international community has failed to prevent a war in the heart of Europe. It is now our common duty to prevent impunity and ensure justice by holding accountable all masterminds and perpetrators of the crimes of Russia's war of aggression against Ukraine, war crimes, and crimes against humanity.

We count on ODIHR's significant contribution to this cause.

Mr. Chairperson,

I am compelled to conclude my today's statement by acknowledging an acute problem related to the functioning of the OSCE and its structures. The course of action against the backdrop of the war of aggression waged by Russia against Ukraine on 24 February 2022 raised an important issue of proper implementation of the OSCE autonomous institutions' early warning and early action mandates.

And my point here would be that the OSCE institutions were established by participating States not to count victims – killed, wounded, tortured, raped, displaced, refugees etc. This is not what tens of millions of people expected from Europe's leading institutions. Instead, they were created with the aim to help preventing such victims and crimes from occurring. Talking about the OSCE institutions, it is first and foremost about pro-active and preventive measures contributing to strengthen democracy, human rights and rule of law. It is about efficient measures, as strong, decisive and swift as needed, which would not allow a war, crisis or conflict to happen.

Since 2014, Ukraine has drawn attention to the fact that terror reigns in Russia-occupied Crimea and parts of Donbas, where rights and freedoms are trampled on, and the population is under massive oppression. We kept saying about the hasty militarization of these territories, persecution on national, ethnic, linguistic and religious grounds, illegal mass displacement and other violations of human rights and humanitarian law. On numerous occasions, Ukraine urged the HCNM and ODIHR to closely follow-up on their 2014-2015 reports of human rights assessment missions (HRAM) to Crimea to make the Russian occupying power implement the respective HRAM recommendations.

For 8 years in a row, Ukraine has been emphasizing and warning that medieval lawlessness and human rights' black hole reigns in Russia itself, the rule of law has been destroyed, and democratic freedoms have been degraded.

We also emphasized on the direct and indisputable link between internal repressions inside Russia and its external aggression against Ukraine.

We called on the OSCE institutions to give priority and to address immediately these critical issues that have long undermined peace and security throughout the OSCE region and could have unpredictable consequences.

What has been done by the OSCE institutions to address these issues in a timely and comprehensive manner? What has been done to make Russia abide by its OSCE commitments and international law obligations? What has been done to address the unprecedented challenges impartially – and we all know that “impartially” in the OSCE often means without fear of Russia's political and financial repercussions on the activities of the OSCE. We should see now how the OSCE community is planning to maintain the sustainability of our Organization and give honest responses to these questions.

Thank you, Mr. Chairperson.