



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

## **STATEMENT BY THE DELEGATION OF UKRAINE**

**1048<sup>th</sup> FSC Plenary Meeting**  
(7 June 2023)

### Agenda Item 1, Security Dialogue:

OSCE Code of Conduct on Politico-Military Aspects of Security: The Importance of International Humanitarian Law and the Oversight of Private Military and Security Companies in Times of Conflict and War

Madam Chairperson,

Ukraine aligns itself with the statement by the European Union. In addition, I would like to make some comments in my national capacity.

The delegation of Ukraine fully supports the Bulgarian Chairpersonship as well as the Chairpersonship's professional approach to the organisation and conduct of the FSC meetings, including Security Dialogues that reflect the most topical issues of today.

We are grateful to the Bulgarian FSC Chairpersonship for dedicating today's Security Dialogue discussion to the OSCE Code of Conduct on politico-military aspects of security. Let me also express our gratitude to the panellists for their comprehensive presentations and valuable contribution to the FSC discussion on this matter.

The Code of Conduct is based on the founding principles of this Organization as laid down in the Helsinki Final Act, the Charter of Paris and the 1992 Helsinki Document. It contains norms of responsible behaviour and cooperation between states.

If fully implemented in letter and spirit, it could contribute to the development of confidence and trust, the strengthening of peace and friendly relations between the participating States.

Unfortunately, we have all witnessed that the norms of the Code were rejected and it led to escalation, a decrease in security, and a breach of trust.

Since February 2014, the Russian Federation has been waging a war of aggression against Ukraine, which it aggravated on 24 February 2022 with a massive invasion of Ukraine.

Such actions of the aggressor-state violate the key provisions of the Code. They were recognized as gross violations by the vast majority of the participating States and are reflected in numerous documents and resolutions of international institutions.

Notwithstanding the provisions of Paragraph 1 reinforced by Paragraph 7 of the Code of Conduct, the Russian Federation violated the Guiding Principles of the Helsinki Final Act, namely, sovereign equality, respect for the rights inherent in sovereignty, territorial integrity, inviolability of frontiers, obligation to refrain from the threat or use of force and non-intervention into internal affairs.

According to numerous reliable sources and documented testimonies, Russian military personnel violated the norms of international humanitarian law, including relevant Geneva Conventions, by participating in the torture and execution of Ukrainian prisoners of war in the occupied territories of Ukraine. Such actions are a violation of paragraphs 30, 31, and 34 of the Code.

In addition, having rejected any principles of morality and humanity, in Russia they publish videos of atrocities against Ukrainian servicemen. This is a purposeful state policy of the Russian Federation to highlight the atrocities of its army against Ukrainians. The purpose of this policy is an attempt to demoralize and sow panic in the Ukrainian Defence and Security Forces. But they will not succeed.

Also, the purpose of these public atrocities is to intimidate their own soldiers as well – they say, do not think about surrendering, because in captivity they will do to you what we do to Ukrainian prisoners. Which is a lie and falsehood. No matter how hideous the enemy is, Ukraine adheres to the Geneva Conventions. First-hand information in this regard was presented to this Forum this morning by representative of the Ukrainian Coordinating Headquarters for the Treatment of Prisoners of War Mr Petro Yatsenko.

Another flagrant violation of IHL is Russia's deliberate strategy of destruction of the civilian population of Ukraine. The killing of civilians, shelling of peaceful towns and civilian facilities by the aggressor-state constitute war crimes and crimes against humanity.

The UN High Commissioner for Human Rights reports that 24,425 civilian casualties have been recorded since the beginning of the full-scale invasion, including 8,983 killed and 15,442 injured.

More than 8.2 million people were forced to leave the country to escape the hostilities. In addition, more than 4.8 million people are registered as internally displaced persons.

At least 19,501 Ukrainian children have been deported by the Russian Federation, with about 380 of them illegally adopted by Russian families.

To date, more than 20,000 Ukrainian civilians are illegally held hostage by the Russian occupiers. For the most part, civilian hostages on the territory of the Russian Federation or in the temporarily occupied territories of Ukraine are held without contact

with the outside world, are deprived of the opportunity to inform their relatives about their whereabouts and to receive proper legal assistance.

According to witnesses, the state of detention of civilian hostages were and still are inhumane: people are detained in terrible conditions without proper access to basic human needs such as water, food, and proper medical care.

Madam Chairperson,

As it was rightly mentioned in the Concept note to our today's discussion, recent developments have also demonstrated that private military and security companies (PMSCs) are playing an ever greater role on the battlefield.

Today, the Russian Federation has created an entire system of different PMCs in order to compensate for the shortage of manpower and hide the responsibility of the regular forces. The Wagner Group, «Slavonic Corps», «E.N.O.T. Corps», «Redout», «Moran Security Group» are only a small part of the most infamous PMSCs the Russian Federation employs in Ukraine. Although all these PMCs are affiliated with different Russian authorities, the mercenaries from such companies very often fall outside the command-and-control system of the Russian army and regularly commit war crimes against civilians.

At the same time, the provision of military services by private companies (mercenarism) is prohibited by law in Russia. Moreover, the Criminal Code of the Russian Federation provides for up to seven years in prison for participation in armed conflicts on the territory of another country.

Thus, the use by the Russian army of private military companies in the war against Ukraine violates not only the provisions of Paragraph 25 of the Code of Conduct but also Russian legislation itself.

Esteemed colleagues,

Notwithstanding the fact that Ukraine is facing full-scale war of aggression and continuing violations of its territorial integrity and sovereignty, we remain fully committed to the principles enshrined in the Code of Conduct.

Compliance with the norms of International Humanitarian Law remains one of the priorities of Ukrainian authorities.

Let me reaffirm Ukraine's deep conviction that, despite the disappointing frequency of violations of the Code of Conduct in the OSCE area, it retains its relevance and importance for ensuring responsible cooperative relations between participating States. We firmly believe that the respect for and compliance with the norms and principles of the Code of Conduct will be restored.

Thank you, Madam Chairperson.