



Permanent Mission of Ukraine
to the International Organizations in Vienna

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Statement
in response to H.E. Nils Muižnieks, 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 1164th meeting of the Permanent Council,
16 November 2017

Mr. Chairman,

I join previous speakers in warmly welcoming the Commissioner for Human Rights of the Council of Europe H.E. Nils Muižnieks back at the Permanent Council and thank him for the insightful presentation that he shared with us today.

Mr. Commissioner,

We commend your dedicated efforts aimed at fostering the respect for human rights in the Council of Europe member States in accordance with the undertaken obligations. The Council of Europe is founded on the values of democracy and the rule of law, which today need not only to be promoted, but staunchly defended against attempts to undermine and erode them. The biggest challenge stems from the Russian Federation and its pursuit of policies of external aggression and internal clamp-down on the exercise of human rights and freedoms.

By launching aggression against Ukraine the Russian Federation flagrantly violated the norms of international law, the OSCE principles and political commitments as well as the Council of Europe legally-binding obligations.

For the Council of Europe as well as for the OSCE the steadily deteriorating situation with human rights in the illegally occupied Crimea and certain areas of Donbas, which are under effective control of the Russian Federation, remains of utmost concern. Since 2014 Russia's illegal occupation has entailed systematic violations of rights of Crimean Tatars, Ukrainians, persecution of journalists, human rights defenders and activists, illegal detentions, enforced disappearances, tortures and killings that remain without investigation. Russia has ignored the provisional measures ordered by the International Court of Justice in April of this year in view of Russia's violation of the International Convention on the Elimination of All Forms of Racial Discrimination.

Russia as an occupying authority has been acting in contravention of international humanitarian law and denies establishment of permanent international human rights monitoring in the illegally occupied territory of Ukraine. These circumstances require that the conventional monitoring mechanisms of the Council of Europe be effectively used to make a comprehensive assessment of the situation.

Of particular concern is the fate of the Ukrainian citizens, who had been thrown in jail by Russian authorities on fabricated charges both on the illegally occupied territory and in Russia. Among them - Oleh Sentsov, Oleksandr Kolchenko, Mykola Karpyuk, Stanislav Klykh, Roman Suschenko and others who are Russia's political prisoners. Among most recent case is the abduction by Russian secret services of a 19-year old Ukrainian citizens Pavlo Hryb from the territory of Belarus. In violation of the norms of international law and the respective decision of the European Court of Human Rights, the Russian authorities continue denying medical assistance to him, inflicting a deliberate harm to his health. We encourage Commissioner Muižnieks to use all available instruments of his mandate to facilitate the immediate release of these Ukrainian citizens.

In this light it remains essential to consolidate and step up the efforts of the international organisations, in particular the Council of Europe, the OSCE and the United Nations, in contributing to full implementation of the UN GA Resolution 71/205 "Situation of human rights in the Autonomous Republic of Crimea and the city of Sevastopol (Ukraine)".

Mr. 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 freedoms inside the country.

The independent human rights organizations assess the current climate to be the most oppressive in the history of modern Russia. Severe restrictions on freedom of expression, freedom of assembly, freedom of the media as well as practices of discrimination and erosion of access to justice are widespread and some of them get codified into legislation under untenable pretexts. The reports from earlier this year about torture and extrajudicial executions of LGBTI persons in Chechnya point out to the most heinous forms of discrimination and denial of the right to life. As this subject was repeatedly raised in the OSCE in the course of the year without any meaningful response from the Russian delegation, we wish to ask Commissioner Muižnieks if steps had been taken within his mandate to help impartially investigate this situation.

The Russian Federation assumed obligations when joining the Council of Europe in 1996. We believe that Russia's policies in the recent years and the systematically deteriorating situation with human rights and democracy warrant preparation of a comprehensive report on the country's compliance with its international obligations.

Mr. Chairman,

We once again thank Commissioner Muižnieks for his thought-provoking presentation and wish him every success in continuing to contribute to strengthening the democratic security in Europe by adequate and effective response to violations of international human rights standards and obligations undertaken within the Council of Europe.

Thank you, Mr. Chairman.