



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

**STATEMENT BY THE DELEGATION OF UKRAINE  
AT THE 1028<sup>th</sup> FSC PLENARY MEETING  
(9 November 2022)**

**Agenda item 1, Security Dialogue: «Code of Conduct Annual Discussion  
revisited»**

Mr Chairperson,

Ukraine aligns itself with the statement by the European Union. I should like, though, to make some additional points in my national capacity.

We welcome the decision of the Belgian FSC Chairpersonship to dedicate this Security Dialogue to the topic of the OSCE Code of Conduct on politico-military aspects of security. As it is rightly mentioned in the concept note for the discussion, the Code of Conduct is an important pillar and one of the key OSCE documents in the politico-military dimension and we appreciate the opportunity to discuss it today. We also would like to express our gratitude to the panellists for their valuable contribution to the FSC discussion on this matter.

The Code of Conduct whose provisions are closely linked to the norms and principles enshrined in the Helsinki Final Act, the Charter of Paris and the Helsinki Document of 1992 was designed to promote more responsible and co-operative behaviour in the politico-military dimension.

Fully ignoring the basic provisions of international law on the freedom of each participating State to determine its security interests on the basis of sovereign equality and to choose its own security arrangements, enshrined in Paragraph 10 of the CoC, the Russian Federation launched large-scale military aggression against Ukraine that not only undermined the entire architecture of international security but also thrown our Organisation into a deep crisis.

The toolbox provided by confidence- and security-building measures and other forms of peaceful cooperation, outlined in Chapters V-VI, failed to prevent this terrible war since the Russian Federation opted to ignore all of them.

Last year, in disregard for Paragraphs 12-13, the Russian Federation deployed substantial forces in its territory, the territory of Belarus as well as in the temporarily occupied Ukrainian Crimea and Donbas. Neither activation by Ukraine and the Baltic states of the Vienna Document Mechanism of Risk Reduction, nor consistent calls of other participating States helped to stop the Kremlin regime from taking the fatal decision of launching the full-scale invasion of Ukraine on 24 February 2022. In contravention of Paragraph 8 of the Code of Conduct, Belarus allowed its territory to be used as a launchpad for Russia's attacks and continues to be the Kremlin's loyal supporter in waging the war of aggression against Ukraine.

Manipulating the basic provisions of international law, the Russian side persistently tries to justify its war of aggression. Our Organisation remains to be at the epicentre of these efforts.

Mr Chairperson,

A substantial part of the Code of Conduct is dedicated to ensuring participating States' compliance with the norms and principles of International Humanitarian Law. Paragraph 34 unequivocally states that «each participating State will ensure that its armed forces are, in peace and in war, commanded, manned, trained and equipped in ways that are consistent with the provisions of international law and its respective obligations and commitments related to the use of armed forces in armed conflict». Regrettably, the ongoing war in Ukraine demonstrates a total disregard of the Russian Federation for this provision.

Openly violating its obligations under International Humanitarian Law, the Russian occupying forces in Ukraine conduct indiscriminate strikes against protected objects, detain local residents of the occupied areas in the so-called «filtration camps», forcibly deport thousands of civilians, including children, to the Russian territory as well as violates all principles of treatment of prisoners of war.

Numerous atrocities committed by the Russian troops in the temporarily occupied territories of Ukraine prove that all regular Russian assurances of its so-called «full compliance with International Humanitarian Law» are nothing but a barefaced lie.

Despite all clear evidence of crimes committed by its own troops, the Russian Federation continues to assure us that «its armed forces act strictly in line with the IHL».

However, the truth is quite the opposite. We all remember mass killings of civilians in Bucha, Irpin and Izyum, numerous missile strikes against residential areas and critical infrastructure facilities across the entire territory of Ukraine and disgusting cases of torture and ill-treatment of prisoners of war committed by the Russian troops during the so-called «special military operation».

Even its own national legislation is ignored by the Kremlin in the course of this senseless war. Despite the fact that the activities of private military companies remain illegal under Russian national legislation, the Russian Federation widely uses such groups in Ukraine in an attempt to compensate for the shortage of manpower and hide the responsibility of the regular forces.

The mercenaries from such companies, including from the infamous Wagner Group, commit terrible atrocities in the territory of Ukraine and very often fall outside the command-and-control system of the Russian army. Such practice is a violation of Paragraph 25 of the Code of Conduct which obliges the participating States not to tolerate or support forces that are not accountable to or controlled by their constitutionally established authorities.

We are determined that all persons responsible for the war crimes committed in Ukraine will be held accountable. It is inevitable for all, be it a civil servant of the defence ministry, an officer or an ordinary soldier who follows unlawful orders. Paragraph 31 of the CoC clearly states that the responsibility of superiors does not exempt subordinates from any of their individual responsibilities.

Mr Chairperson,

Notwithstanding the caution contained in Paragraph 17, Russian state propaganda continues to spread belligerent rhetoric fuelling aggressive Russian nationalism and chauvinism aimed at denying the very fact of the existence of the Ukrainian nation, its language, history and statehood.

It is particularly concerning that the special attention of Russian war propaganda is directed at the population of the temporarily occupied territories where in violation of

Paragraph 27 of the Code of Conduct the Russian Federation continues to engage the local population in its military service.

The conscription campaign that has been recently launched in the temporarily occupied Crimea as well as the mobilisation of local residents in the Donetsk, Luhansk, Zaporizhzhia and Kherson regions of Ukraine constitute a gross violation of the IV Geneva Convention and should be stopped immediately.

Esteemed colleagues,

Despite all the difficulties of the wartime, Ukraine remains fully committed to the principles enshrined in the Code of Conduct.

Democratic control of the security and defence sector, compliance with International Humanitarian Law as well as protection of military personnel's rights remain among the top priorities of our government. The permanent work of respective agencies aimed at further improvement of national legislation in the field of International Humanitarian Law is an illustrative example of our true commitments. A number of important legislative acts on the implementation of the IHL, including those related to the POW treatment, have been adopted already after the beginning of the full-scale invasion to ensure proper reflection of the situation.

Improvement of the protection of the rights of military personnel is particularly important during war times. Special attention in this regard is paid to the issue of ensuring full, equal and meaningful participation of women. Since the beginning of the Russian full-scale aggression, the number of women in our Defence Forces has raised substantially – only in the Armed Forces of Ukraine, there are currently more than 50,000 women. And we are fully committed to the goal of ensuring proper service conditions for all of them.

We firmly believe that all norms and principles enshrined in the Code of Conduct must be fully respected and faithfully implemented. To this end, the Government of Ukraine takes all necessary steps.

Thank you, Mr Chairperson.