



EUROPEAN UNION

**OSCE 86th Joint FSC - PC Meeting
Vienna, 23 November 2022**

EU Statement on International Humanitarian Law in the OSCE region

The European Union and its Member States commend the Belgian FSC and the Polish OSCE Chairs for dedicating this joint meeting to the particularly timely topic of international humanitarian law in the OSCE region. We welcome the distinguished Speakers and thank them for their insightful presentations.

Respect for human rights and fundamental freedoms are paramount to lasting security and stability in the OSCE area and beyond. The current security situation throughout the OSCE region reminds us again that abidance by international humanitarian law remains non-negotiable. The civilian population must be protected in all circumstances and the accountability of those who violate international humanitarian law must be ensured.

Mr. Chair, this year, since 24 February, there has hardly been an OSCE meeting without a point about Russia's gross violations of international humanitarian law. Tomorrow, we will mark exactly nine months since the Russian full-scale invasion of Ukraine. Today, we reiterate once more our strongest condemnation of this illegal and unprovoked war of aggression and demand that Russia cease its military actions, withdraw all troops and military equipment from the entire territory of Ukraine and fully respect Ukraine's territorial integrity, sovereignty and independence.

In its war of aggression the Russian Federation is using a wide range of conventional weapons, often in a manner that does not comply with international humanitarian law. Russia launches continuous, massive and deliberate attacks targeting civilians as well as civilian objects, including critical infrastructure. We have seen indiscriminate use by Russia of cluster munitions and incendiary bombs in populated areas, bombing of

critical civilian infrastructure, including schools, hospitals and cultural property. Even the most innocent are among the victims. According to the Office of the UN High Commissioner for Human Rights more than 400 children have already been killed, with many injured or maimed, as a result of Russia's aggression against Ukraine. Russia organised deportations and forced adoptions of Ukrainian children which may amount to war crimes. The immense human suffering, a consequence of the Kremlin's war of choice, is being steadily documented as more and more Ukrainian cities are being liberated. Bucha, Irpin, Izyum, and now Kherson are testimonies to atrocities, including those which might amount to war crimes, committed by Russia's forces. Some of those atrocities are already under investigation by the International Criminal Court.

Accountability is key to preventing further violations. The European Union supports all measures to ensure that the perpetrators and those responsible for violations of international humanitarian law are held to account.

Despite the growing evidence to the contrary, the Russian Federation continues to claim that it is only targeting military objects. In this regard, we would like to recall the conclusions of the Moscow Mechanism reports, an essential contribution to a first collection and analysis of facts with a view to presenting it to accountability mechanisms. Moreover, the adoption last week of the UN General Assembly Resolution on the "Furtherance of Remedy and Reparation for Aggression against Ukraine", endorsing the creation of an international Register of Damage for Ukraine, is an important step toward holding Russia accountable for its illegal war.

The European Union and its Member States underline the important role of the International Committee of the Red Cross (ICRC) as a guardian and promoter of international humanitarian law and one of our most trusted humanitarian partners. We express our appreciation for the ICRC's strong commitment and dedication in providing assistance to those most in need. To fulfil its role, the ICRC must be able to act with complete independence, impartiality and neutrality and gain rapid and unimpeded access to those who need its help. We call on all participating States to facilitate the work of the ICRC to the maximum. On our side, we are determined to continue to support the ICRC, politically as well as financially.

In this context, we demand the Russian Federation allow the ICRC full access to all places where prisoners of war may be held. The UN Fact-Finding Mission should also be given access to the camp in Olenivka. Reported cases of mistreatment of prisoners of war in temporarily Russian controlled areas remain of high concern. In its latest report dated 15 November 2022, the Office of the UN High Commissioner for Human Rights has also identified patterns of torture and ill-treatment of POWs held by Russia, particularly during internment. All OSCE participating States are parties to the Geneva Conventions and have to fully comply with their obligations under these Conventions, including with regard to the treatment of prisoners of war.

Mr. Chair, women and girls are disproportionately affected by armed conflicts. Russia's unjustified, brutal war of aggression against Ukraine has again underscored why the specific emphasis on women and the WPS agenda is important. We are horrified by reports, including those presented by both expert missions under the Moscow Mechanism, outlining widespread conflict-related sexual and gender-based violence, such as rape, sexual violence, and sexual harassment, committed by Russia's forces. In addition, the full, equal and meaningful participation of women as agents of peace, contributing to compliance with international humanitarian law, remains of key importance. We applaud the resilience and courage of Ukrainian women who are protecting their country and communities in these challenging circumstances.

Mr. Chair, the EU and its Members States remain fully committed to the principles of international humanitarian law. We welcome all efforts by the international community aimed at furthering full respect for international humanitarian law and strengthening the protection of civilians and civilian objects during armed conflicts, including the protection of cultural property. We urge all States to strictly abide by their obligations under international humanitarian law.

Thank you

The Candidate Countries NORTH MACEDONIA*, MONTENEGRO*, ALBANIA*, UKRAINE and REPUBLIC of MOLDOVA, the Potential Candidate Country GEORGIA, the EFTA countries ICELAND and LIECHTENSTEIN, members of the European Economic Area, as well ANDORRA 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.