



## **EUROPEAN UNION**

### **OSCE Permanent Council No.1442 Vienna, 21 September 2023**

#### **EU Statement on the Russian Federation's ongoing aggression against Ukraine**

1. Mr. Chair, as we speak, Russia continues its illegal, unprovoked and unjustified war of aggression and its heinous attacks against Ukraine's cities, civilians and civilian objects, including grain storage facilities and port infrastructure, not only in the Black Sea but also on the Danube close to the border of EU Member States. Since its unilateral withdrawal from the Black Sea Grain Initiative, Russia has damaged or partially destroyed hundreds of thousands of tonnes of grain and multiple port infrastructure facilities in an attempt to disrupt Ukraine's ability to export food that threatens to undermine global food security. We strongly condemn these Russian attacks. Intentionally directing attacks on civilians and civilian objects is a war crime. There will be no impunity for Russia's illegal actions and deliberate destruction in Ukraine. The EU and its Member States will continue to address food insecurity caused by Russia's war of aggression, including through the EU Solidarity Lanes.
2. On 8-10 September, regional and local elections were organised in Russia. At the same time, Russian invaders organised sham elections in Ukraine's Crimean peninsula, as well as in parts of the Donetsk, Luhansk, Zaporizhzhia and Kherson regions of Ukraine that Russia has temporarily occupied. We strongly condemn the holding of these illegal and illegitimate actions. Accordingly, we do not and will not recognise the results of these so-called "elections". Echoing the OSCE leadership, we strongly reject this further futile attempt by Russia to legitimise or normalise its illegal military

control and attempted annexation of parts of Ukrainian territories, as condemned in the UNGA Resolution adopted on 12 October 2022. As also stated in the UNGA Resolution, they have no validity under international law and do not form the basis for any alteration of the status of these regions of Ukraine. They represent yet another manifest violation of international law, including the UN Charter, and Ukraine's independence, sovereignty and territorial integrity. Russia's political leadership and those involved in organising them will face consequences for these illegal actions. We reiterate our unwavering support and commitment to Ukraine's independence, sovereignty and territorial integrity within its internationally recognised borders.

3. Two days ago, the EU Delegation, together with the Delegations of Ukraine, Poland and the US, organised the screening of the documentary "20 Days in Mariupol", which retells the account of innocent civilians caught in the infamous siege of Mariupol – a siege that has become synonymous with Russia's brutal war practices. The harrowing images of the unspeakable human suffering and destruction, brought about by Russia and depicted in this documentary, are unfortunately not an isolated case. The Statement of preliminary findings and recommendations published on 10 September upon the conclusion of a visit to Kyiv by the UN Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment speaks of "grievous acts" that appear to be "...neither random nor incidental, but rather orchestrated". These acts are being perpetrated against civilians and prisoners of war by Russian authorities "...as part of a State policy to intimidate, to instil fear, to punish, or to extract information and confessions". As explained by the Rapporteur, "the inaccessibility of areas presently occupied by Russia remains one of the multiple obstacles to achieving justice for victims". We therefore reiterate our call on Russia to abide by its international obligations and ensure full, immediate and unconditional access for international organisations and human rights monitoring missions to the territories it currently controls, including the Crimean peninsula.

4. Every criminal act committed by Russian forces will continue to be documented, as Ukraine liberates its territories currently under illegal Russian control. The EU will sustain its support for efforts by national and international investigative bodies in gathering evidence of the atrocities committed by Russia. There can be no impunity for war crimes, crimes against humanity and other atrocity crimes committed in the context of Russia's war of aggression against Ukraine, including for the crime of aggression. All those responsible must and will be held accountable.
5. In this context, the *Reckoning Project: Ukraine testifies*, which the Delegations to the OSCE of Ukraine, the EU and the US presented on 20 September, is a valuable contribution to international accountability efforts. To date, over 350 testimonies, shedding light on potential war crimes, have been gathered as part of this project. The Project has made submissions to the OSCE Moscow Mechanism reports and to the International Criminal Court regarding Russia's forced transfer and deportation of Ukrainian children.
6. We deeply regret that Russia's external aggression on a neighbouring State is accompanied by an internal repression of the Russian people. The human rights situation inside Russia is deteriorating with more restrictive legislation and an increasing number of human rights violations. This has been evidenced in the relevant OSCE Moscow Mechanism report and the report of the UN Special Rapporteur on the situation of human rights in the Russian Federation released on Monday. In the aftermath of Russia's brutal full-scale invasion Russian authorities have severely curtailed the freedoms of association, peaceful assembly and expression, both online and offline, and have fundamentally undermined the independence of the judiciary and the guarantees of fair trial. An array of administrative sanctions is being applied arbitrarily against dissenters and force used against peaceful protesters. Both the harshness of recent criminal sentences and the number of people sentenced on politically motivated charges have increased.

7. In her latest State of the Union speech, the European Commission President von der Leyen reaffirmed the EU's unwavering commitment to supporting Ukraine for as long as it takes and to helping it build its future as a modern and prosperous country within the European family. Our commitment and resolve to this end will not falter. In line with President Zelenskyy's Peace Formula, we will continue striving for a comprehensive, just and lasting peace in Ukraine based on full respect for the country's independence, sovereignty and territorial integrity within its internationally recognised borders.
8. The EU reiterates its condemnation of the continued military support for Russia's war of aggression provided by the Belarusian authorities. We call on Russia to immediately stop its illegal war of aggression against Ukraine and withdraw all its military forces, proxies, and equipment, unconditionally and entirely, from the whole territory of Ukraine. Russia must also immediately cease actions endangering the safety and security of civilian nuclear facilities in Ukraine.

The Candidate Countries NORTH MACEDONIA\*, MONTENEGRO\*, ALBANIA\*, UKRAINE, the REPUBLIC OF MOLDOVA, and BOSNIA and HERZEGOVINA\*, the Potential Candidate Country GEORGIA, and the EFTA countries ICELAND, LIECHTENSTEIN and NORWAY, members of the European Economic Area, as well as ANDORRA, MONACO and SAN MARINO align themselves with this statement.

\* North Macedonia, Montenegro, Albania and Bosnia and Herzegovina continue to be part of the Stabilisation and Association Process.