



EUROPEAN UNION

OSCE Permanent Council No. 1364 Vienna, 24 March 2022

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

1. One month has now passed since President Putin launched his devastating war against Ukraine with the participation of the Lukashenka regime in Belarus as co-aggressor. We are witnessing an unprecedented act of Russian military aggression against a sovereign and independent neighbouring country, Ukraine, in flagrant violation of international law and the core principles that underpin the rules-based international order. Since the start of this war, at least 925 civilians have been killed and 1.496 injured, according to UN Human Rights Office, who estimate that the actual toll will be much higher. In addition, over 10 million people have been forced to flee their homes in less than a month and, while the majority are internally displaced, over 3.5 million people have fled to other countries, out of which 1.5 million are children. Many of them are severely traumatized.
2. The European Union condemns President Putin's premeditated, unprovoked, unjustified and brutal war of aggression against Ukraine in the strongest possible terms. Deliberate attacks directed against civilians are prohibited by international humanitarian law. There is *prima facie* evidence that the Russian indiscriminate attacks in densely populated areas and on those fleeing the war zones, as well as on civilian infrastructure, including hospitals and schools, could be constitutive of war crimes. We demand that Russia immediately and unconditionally cease its military actions and withdraw all its troops from the entire territory of Ukraine. Equally, Russia must stop its state-run disinformation campaign and cyber-attacks. We also reiterate our call on Belarus to stop enabling the Russian aggression and to abide by its

international obligations. The EU resolutely supports Ukraine's inherent right to self-defence, and the Ukrainian Armed Forces' efforts to defend Ukraine's territorial integrity and population in accordance with Article 51 of the UN Charter.

3. Russia has no right under international law to use unilateral force on the territory of a third country and bears full responsibility for these acts of military aggression and all the destruction and loss of life. The International Court of Justice has ordered Russia to immediately suspend its military operations on the territory of Ukraine, stating that it has found no evidence to substantiate Russia's "justifications" of the war. We demand that Russia complies with the provisional measures order of the Court, which is binding under international law. We also support all efforts to gather evidence and document the atrocities of this war, including by the International Criminal Court's prosecutor, the UN Human Rights Council and the OSCE, through the Moscow Mechanism and other tools. The perpetrators of these serious Human Rights violations and possible war crimes, including the responsible government officials and military leaders, will be held accountable.

4. The European Union condemns in the strongest possible terms Russia's siege and heavy bombardment of Mariupol and the intensification of Russian offensive formations around big cities including Kyiv, Chernihiv, Zaporizhzhia, Mykolaiv, Berdiansk and Kryvy Rih. The situation in Mariupol is catastrophic. Russian troops have pummelled the city with artillery, rockets and missiles - damaging or destroying over 90% of the city. They bombed an art school in which 400 residents had taken shelter. This follows the bombing last week of a theatre where civilians were sheltering and hundreds of people were trapped beneath rubble in a basement. They have also cut off access to electricity, heating, fresh water, food and medical supplies, consciously creating a humanitarian catastrophe, which Moscow reprehensibly blamed on Ukraine for refusing to surrender. According to local authorities at least 2.300 people have been killed in the city and in some cases, there has been no other option but to bury the dead in mass graves. We are appalled by the reports, including from Human Rights Watch, indicating that Russian forces are using cluster munition against civilians, including in three separate attacks in Mykolaiv.

5. These pitiless and deliberate attacks on civilians and civilian infrastructure are shameful and totally unacceptable. Like the UN, we are calling on the Russian Federation to urgently agree to a sustained ceasefire in order to allow for safe passage for civilians who wish to leave and comply with its obligation to ensure the free and safe movement and access for those delivering humanitarian assistance. As in all conflict situations or situations of displacement, women and children are particularly vulnerable to human rights abuses and their rights must be safeguarded and upheld.

6. We strongly condemn the kidnappings of democratically elected mayors and local representatives by the Russian Armed Forces and call for their immediate release. Any attempt by Russia to conduct unlawful referenda to create illegitimate alternative administrative structures in Ukraine will be considered null and void. In this context, we are impressed by the determination and courage of the residents of Kherson, peacefully opposing any attempts of the Russian Armed Forces to declare their control over the city.

7. Putin's war in Ukraine is mirrored by a wide-ranging and systematic crackdown on human rights and fundamental freedoms in Russia. We strongly condemn Russia's propaganda and disinformation campaign at all levels and fora. Through its propaganda proxies, the Kremlin actively incites militarism and chauvinism, while brutally denying freedom of speech and other fundamental rights and freedoms to the Russian people. As the RFoM pointed out last week, media are subject to harsh censorship, including the ban on describing the Russia-inflicted war as a war or even saying "no to war". Freedom of peaceful Assembly is grossly disrespected, as peaceful protesters are routinely detained. Moreover, independent judiciary has long been lost, as politically motivated court rulings testify, not least in the case of opposition leader Alexei Navalny. As a result of Russia's ruthless actions in Ukraine gravely violating the Council of Europe statute, the country's membership of the Organisation was ceased last week. It is regrettable that President Putin has deprived its citizens of the possibility of filing their complaints to the European Court of Human Rights, thus further limiting Russian citizens' access to legal remedies. There are, nevertheless, brave individuals in Russia, such as the journalist Marina

Ovsyannikova, who stand up against the official propaganda. We applaud the courage of all those in Russia who defend the values of democracy, freedom and peace at high personal risk and underline the importance of fighting the propaganda campaign by enlightening the Russian people about the war in Ukraine.

8. Mr Chair, let us be clear: the use of chemical and biological weapons anywhere, at any time, by anyone and under any circumstances is unacceptable and contravenes international law prohibiting the use of such weapons. Russia's continued disinformation attempts about biological labs and chemical weapons in Ukraine don't have any substance or credibility. Ukraine has been faithfully implementing its obligations under UNSCR 1540 and a number of other organisations, including the OSCE, and the EU has been providing assistance in this regard. In the event of a biological or chemical incident, Russia would bear full responsibility.
9. The EU and its transatlantic and likeminded partners have reacted strongly and in an unprecedented way to the Russian aggression by targeting those who bear the responsibility of this unlawful attack with the most far-reaching and hard-hitting sanctions packages in our Union's history. We have also sanctioned key individuals in Belarus for their involvement in facilitating the Russian military aggression from Belarusian territory. We are prepared to adopt further restrictive measures if President Putin does not stop and reverse the military aggression.
10. The European Union reiterates its unwavering support and commitment to Ukraine's independence, sovereignty and territorial integrity within its internationally recognised borders and territorial waters. Ukraine, as any sovereign State, has the inherent right to choose its own future and destiny. We stand by the people of Ukraine and its democratically elected institutions and representatives in this difficult time. The EU and its Member States will continue to provide coordinated political, financial, material and humanitarian support as well as shelter for those who flee the war. We are also committed to provide support for the reconstruction of a democratic Ukraine once the Russian onslaught has been overcome. Ukraine belongs to our European family.

I kindly ask that this Statement be attached to the Journal of the Day.

The Candidate Countries REPUBLIC of NORTH MACEDONIA*, MONTENEGRO*, and ALBANIA*, the Country of the Stabilisation and Association Process and Potential Candidate BOSNIA and HERZEGOVINA, and the EFTA countries ICELAND, LIECHTENSTEIN and NORWAY, members of the European Economic Area, as well as UKRAINE, GEORGIA, ANDORRA, MONACO 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.