JOINT STATEMENT ON THE INVOCATION OF THE MOSCOW MECHANISM TO ADDRESS THE HUMAN RIGHTS AND HUMANITARIAN IMPACTS OF RUSSIA'S INVASION AND ACTS OF WAR AGAINST UKRAINE

As delivered by Ambassador Christine Fages, Permanent Representative of France to the OSCE, to the Permanent Council

Vienna, 2 June 2022

Mr Chairperson,

I am delivering this statement on behalf of Albania, Andorra, Bosnia and Herzegovina, Canada, Georgia, Iceland, Liechtenstein, Republic of Moldova, Monaco, Montenegro, North Macedonia, Norway, San Marino, Serbia, Switzerland, Turkey, the United Kingdom, the United States, and the European Union Member States.

Today, our delegations will send the following letter to OSCE Office for Democratic Institutions and Human Rights (ODIHR) Director Matteo Mecacci, invoking again the Moscow Mechanism, with the support of Ukraine, as we continue to have concerns regarding the humanitarian impacts of Russia's invasion and potential for war crimes and crimes against humanity.

Director Mecacci,

On February 24, 2022, the Russian Federation, with the support of Belarus, launched an invasion to wage war against Ukraine. This further invasion took place against the backdrop of ongoing Russian aggression against Ukraine that has, since 2014, violated Ukraine's sovereignty, independence, and territorial integrity within its internationally recognized borders and territorial waters.

On 3 March 2022, 45 OSCE Delegations, following bilateral consultations with Ukraine under the Vienna (Human Dimension) Mechanism, invoked the Moscow (Human Dimension) Mechanism under Paragraph 8 of that document. We requested that the Office of Democratic Institutions and Human Rights (ODIHR) inquire of Ukraine whether it would invite a mission of experts to address the human rights and humanitarian impacts of the Russian Federation's invasion and acts of war, supported by Belarus, on the people of Ukraine, within Ukraine's internationally recognized borders and territorial waters.

A mission of experts were subsequently tasked, inter alia, to undertake the following:

- Establish the facts and circumstances surrounding possible contraventions of OSCE commitments, and violations and abuses of international human rights law and international humanitarian law;

- Establish the facts and circumstances of possible cases of war crimes and crimes against humanity, including due to deliberate and indiscriminate attacks against civilians and civilian infrastructure; and to collect, consolidate, and analyze this information with a view to presenting it to relevant accountability mechanisms, as well as national, regional, or international courts or tribunals that have, or may in future have, jurisdiction.

On Tuesday, 12 April 2022, OSCE participating States received the independent experts' report, which confirmed our shared concerns about the impact of the Russian Federation's invasion and acts of war.

Concerned of the continuing impact of Russia's ongoing aggression against Ukraine, the delegations of Albania, Andorra, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Moldova, Monaco, Montenegro, Netherlands, North Macedonia, Norway, Poland, Portugal, Romania, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, Turkey, the United Kingdom, and the United States of America, invoke again the Moscow (Human Dimension) Mechanism under Paragraph 8 of that document. We request that the Office of Democratic Institutions and Human Rights (ODIHR) inquire of Ukraine whether it would invite a new mission of experts to consider, follow up and build upon the findings of the Moscow Mechanism report received by OSCE participating States on 12 April.

We also request ODIHR provide any relevant information or documentation derived from any new mission to other appropriate accountability mechanisms, as well as national, regional, or international courts or tribunals that have, or may in future have, jurisdiction.

Thank you, Mr Chairperson.