



EUROPEAN UNION

OSCE Permanent Council 1416 Vienna, 23 March 2023

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

1. Mr Chair, since the very first day of Russia's full-scale invasion of Ukraine, the EU stands united and in full solidarity with Ukraine and its people who are so courageously defending themselves against brutal Russian invaders. Ukraine is exercising its inherent right to self-defence against Russia's aggression - in full compliance with international law, notably Article 51 of the UN Charter. Ukraine has the legitimate right to liberate and regain full control of all illegally Russian-occupied territories within its internationally recognised borders, including the illegally annexed Crimean peninsula. In this regard, the EU and its Member States have been providing Ukraine with unprecedented support – political, financial, legal, humanitarian and military – and we will continue doing so for as long as it takes. The latest example is the EU Member States' agreement reached last Monday to speed up the delivery and joint procurement of 1 million rounds of ammunition for Ukraine.
2. The EU has also been absolutely clear on the need for accountability. There will be no impunity for crimes committed by Russia against Ukraine and its people. As underlined by the Heads of States and Governments of the EU Member States on 9 February 2023, the European Union is firmly committed to holding to account all commanders, perpetrators and accomplices of war crimes and other most serious crimes committed in connection with Russia's war of aggression against Ukraine. The EU fully supports Ukraine's and the international community's efforts in this respect, including the establishment of an appropriate mechanism for the prosecution of the crime of aggression, which is of concern to the international community as a whole.

3. In this context, we take note of the 17 March 2023 decision by the International Criminal Court (ICC) to issue arrest warrants against Mr Vladimir Putin, President of Russia, as well as Ms Maria Lvova-Belova, Commissioner for Children's Rights in the Office of the President. We see this ICC decision as the beginning of the accountability process and holding Russia, its leaders, and anyone responsible to account for the crimes and atrocities they are ordering, enabling or committing in Ukraine. We reiterate our support to the investigations by the ICC Prosecutor in Ukraine and call for full cooperation by all State Parties. We also reaffirm our support for the work of the Joint Investigation Team and welcome the establishment of the International Centre for Prosecution of the Crime of Aggression against Ukraine.

4. The EU supports international efforts to document war crimes committed in connection with Russia's war of aggression against Ukraine, to collect respective evidence and to ensure that the perpetrators are held to account for their crimes. In this context, we wish to recall another important document released last week – the report by the UN Commission of Inquiry on Ukraine. The report concludes that Russian authorities have violated a wide range of international human rights law and international humanitarian law in various regions of Ukraine. Many of these amount to war crimes including deliberate attacks on civilians and energy-related infrastructure, wilful killings, unlawful confinement, torture, rape and other sexual violence, as well as forced transfers and deportations of children. In this regard, the EU encourages the OSCE and its participating States to continue using all available OSCE tools, notably the Moscow Mechanism, for pursuing accountability.

5. The EU reiterates its support for President Zelenskyy's initiative for a just peace. Any diplomatic solution needs to be based on full respect of international law and its rules and principles, including those enshrined in the UN Charter, the Helsinki Final Act, and the Paris Charter. Regrettably, we have not seen to date any willingness on Russia's side to cease its hostilities, withdraw its troops and military equipment from the entire territory of Ukraine, and work towards a comprehensive, just and sustainable peace. The Kremlin is only repeating its

- ultimatums and doubling down on its brutal aggression, without abandoning its goal of subjugating Ukraine and undermining its statehood and independence.
6. The EU welcomes the most recent renewal of the Black Sea Grain initiative. At the same time, we wish to renew our call on Russia to stop threatening to use a Ukrainian grain export blockage as a weapon, putting millions of vulnerable people globally at risk of starvation.
 7. Mr Chair, we continue to pay due attention to the Kremlin's propaganda and disinformation campaign, so actively spread in public fora and through its state-controlled media outlets, by its propagandists and diplomatic channels. Let us repeat: no propaganda will change either the *de jure*, or the *de facto* situation around Russia's war of aggression. Neither will other illegal actions, such as, according to the Kremlin, Mr Putin's visits to the illegally annexed Crimean peninsula and Mariupol and his staged meetings with representatives of the occupational administration and so called 'local residents'. Kherson, Zaporizhzhia, Donetsk and Luhansk regions, as well as the Autonomous Republic of Crimea and the city of Sevastopol are, and will always be, Ukraine!
 8. We call on Russia to stop its disinformation activities and other malign actions against Ukraine, but also against other OSCE participating States, including the Republic of Moldova, and Georgia. We also call on the OSCE structures to pay increased attention to these actions by Russia that aim at destabilising the internal political and security situation in sovereign neighbouring countries.
 9. We reiterate our call on Russia to immediately, completely and unconditionally withdraw all of its troops and military equipment from the entire territory of Ukraine within its internationally recognised borders. In addition, we urge the Belarusian authorities to stop enabling Russia's illegal war of aggression against Ukraine, by permitting Russian armed forces to use Belarusian territory and by providing support and training to the Russian military. The Belarusian authorities must fully abide by their obligations under international law. The EU will continue

to respond to all actions supporting Russia's unlawful and unjustified war of aggression and remains ready to move quickly with further restrictive measures against Belarus.

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.