

## HUMAN RIGHTS COUNCIL - 50th SESSION

### Interactive dialogue on the oral update of the High Commissioner on the grave human rights and humanitarian situation in Mariupol (Ukraine)

16 June 2022

In her opening remarks, **Ms. Michelle Bachelet, United Nations High Commissioner for Human Rights**, emphasised that the Office does not have access to the territory under control of the Russian armed forces, including access to Mariupol itself. The extent of destruction, death and injury strongly suggest that serious violations of IHL and gross violations of IHRL have occurred. Up to 90 per cent of residential buildings have been damaged or destroyed, as well as up to 60 percent of private houses. An estimated 350,000 people were forced to leave the city. A Russian air attack on Mariupol's drama theatre on 16 March stands out among the deadliest examples of the harm caused to civilians, in particular children. She also highlighted the mass destruction of civilian objects, including civilian housing, raising serious concerns about compliance with the prohibition of indiscriminate attacks and the requirements of proportionality. In addition, the Office has not been able to assess the conditions of detention and treatment of Ukrainian war prisoners. The courts do not comply with international standards, including the general right to a public hearing, the principles of independence and impartiality, among others. Even though the shelling has faded, the city was left depleted and with limited access to basic utilities. The removal of explosive remnants of war from the city, and recovery, identification and decent burial of all mortal remains, must be immediately prioritized. Finally, she mentioned that in order to guarantee independency and impartiality, the Office should have complete unimpeded access to Mariupol. Pursuing justice and ensuring remedy and reparation for all victims are crucial next steps for all authorities.

**Russian Federation (Country concerned)** first emphasised that the city of Mariupol has been liberated from Ukrainian Nazi formations. This city was held hostage by the Nazis "Azov" for eight years, and now peaceful life is being established. The authorities of the DPR are ensuring the resumption of water and electricity supply to residential buildings and the operation of public transport. The country further denounced that Europe and the United States have praised Kyiv for its destruction of Donbass, the rampant neo-Nazism, and the persecution of national, religious, and linguistic minorities. The provision of weapons by NATO and EU countries to Ukraine, has pushed it to continue hostilities. The Armed Forces of Ukraine are terrorizing the civilian population of the LPR and DPR, striking at the residential sector of settlements and civilian objects. Constant shelling is destroying key infrastructure such as hospitals, schools, and kindergartens. Law enforcement agencies of Russia and the DPR have recorded evidence on shootings by Ukrainian militants in residential areas, the use of the population as a "human shield", violence against civilians, the equipment of military firing points in the homes of civilians, schools, hospitals and social institutions. Finally, armed forces of Ukraine have also blocked the "humanitarian corridors" for the evacuation of the population from the combat zones.

**Ms. Tetiana Lomakina, Coordinator of the Humanitarian Corridor Effort, Office of the President of Ukraine (Country Concerned)** mentioned that Donbass is currently experiencing the cruellest land warfare in Europe since World War II. The city of Mariupol has resisted Russia's assault and bloody destruction under constant shelling and bombs. Cruel attacks have been deployed in the maternity ward and the drama theatre of Mariupol where hundreds of children, women and most vulnerable were seeking refuge. The international community should help combat impunity for these crimes and help ensure accountability. 100,000 of Ukrainian citizens remain hostages in Mariupol under the Russian occupation. People continue to live in basements due to the complete destruction of their homes by Russian artillery and bombs. The coordinator further denounced Russia's inhuman treatment of the dead and the destruction of evidence. She also highlighted that a possible outbreak of extremely dangerous infectious diseases in Russian-occupied Mariupol could kill residents by the end of this year. She remarked that Ukrainian defenders protected the city for three months from the Russian invaders and 2,500 of them are now being held by Russia as prisoners of war. Finally, she called upon the international community to pressure Russia into implementing its obligations under IHL and engage with all relevant parties and international mechanisms to ensure the return of Mariupol's displaced population in safety and dignity.

## Interactive dialogue

The majority of countries called upon Russia to put an immediate end to its military aggression and to fully respect the sovereignty, political independence, and territorial integrity of Ukraine. Additionally, countries highlighted the negative impact of the war on global food security and energy systems. **Albania (on behalf of 46 countries<sup>1</sup>)** denounced indiscriminate attacks of Russian forces against civilians and civilian infrastructure, forced deportations of children followed by threat of illegal adoption, rape and other sexual and gender-based violence in Ukraine. The **EU** and **Sweden (on behalf of the Nordic Baltic countries<sup>2</sup>)** stressed that Russia has deliberately blocked the delivery of humanitarian aid and denying civilians the possibility to leave for safer areas in Ukraine. They also condemned Russia's attempts to set up illegitimate alternative administrative structures in Mariupol. They expressed their support for Ukraine's sovereignty and territorial integrity within its internationally recognized borders and urged for all those responsible to be held accountable. They also expressed their support for the investigation by the ICC and other initiatives to this end, including the Commission of Inquiry. The **U.S.** expressed its support to continue documenting all conflict-related human rights abuses and violations of IHL, including war crimes, committed by Russian forces and their proxies. The country commended the accountability efforts of the OHCHR's Monitoring Mission and the newly established Commission of Inquiry and welcomed the creation of the War Crimes Units of Ukraine's Office of the Prosecutor General. **Mexico** specifically referred to the increase in cases of sexual violence against women and girls, as well as the increased risk of being victims of trafficking, including for the purpose of sexual exploitation.

Other countries such as **Venezuela, Iran** and **the Syrian Arab Republic**, said that the war in Ukraine is the result of years of human rights violations in the Donbass Region. This has also been the result of the breach of the Minsk Agreements at the instigation of the US Government. Additionally, NATO's permanent expansion into Eastern Europe and the growing hostility against Russia since 2014 has added unavoidable threats. NATO countries have armed Ukraine, in a dangerous precedent-setting move that will prolong the conflict. They also expressed their rejection of UCMs imposed on the Russian Federation since this escalates the conflict and undermines human rights. They encouraged the return to the path of diplomatic understanding through dialogue between the parties, in the interest of preserving life, human rights and stability in the region. They also denounced the OHCHR for having a biased approach in assessing the current situation in Ukraine. The international community should encourage and support negotiations between Russia and Ukraine until peace is restored, by the principles of impartiality, non-selectivity and constructive international dialogue and cooperation.

**Most NGOs** expressed that Russia's violations of IHL, and human rights must be investigated including, the destruction of property, the deportation of residents out of Ukraine via filtration camps, and attacks on undefended houses of worship. Russian forces' assault on Mariupol relied on attacks and tactics that resulted in indiscriminate and disproportionate civilian suffering and loss of life. Russia is breaching the Genocide Convention, emphasising the serious risk of genocide in Ukraine, including Russia's incitement to commit genocide. Church leaders have been particularly affected and forcefully relocated to Russia. It is imperative that Russian forces be held accountable. Several NGOs called upon the international community to support Ukraine and refugees-host countries, with humanitarian and other kind assistance needed. Russian authorities should guarantee that Ukrainian citizens transferred to Russia have unfettered access to legal, civil society, and other support services that may assist them in relocating inside or outside of Russia as they wish. Filtration processes are often accompanied by interrogations, searches, sometimes beatings and torture.

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<sup>1</sup> Albania, Australia, Austria, Belgium, Bosnia-Herzegovina, Bulgaria, Canada, Colombia, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Guatemala, Iceland, Ireland, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Montenegro, Netherlands, New Zealand, North Macedonia, Norway, Poland, Portugal, Republic of Korea, Romania, Slovakia, Slovenia, Spain, Sweden, Switzerland, Ukraine, United Kingdom, United States

<sup>2</sup> Denmark, Estonia, Finland, Iceland, Latvia, Lithuania, Norway, Sweden

Delegations that took the floor during the Interactive Dialogue (54 country delegations):

*Russian Federation (Country Concerned), European Union, Estonia, France, Norway, Ecuador, Germany, Iceland, Lithuania, Office of the President of Ukraine, Minister for Foreign Affairs of Sweden (on behalf of a group of countries), Deputy Minister for Europe and Foreign Affairs of Albania (on behalf of a group of countries), Liechtenstein, Slovenia, Japan, Switzerland, Luxembourg, Czech Republic, Spain, Canada, Paraguay, Montenegro, Venezuela (Bolivarian Republic of), Australia, Latvia, Republic of Korea, Greece, Romania, Italy, Republic of Moldova, Denmark, Portugal, Albania, Turkey, Georgia, Malta, Argentina, Monaco, Finland, Croatia, Austria, Ireland, United Kingdom of Great Britain and Northern Ireland, Poland, Bulgaria, Syrian Arab Republic, United States of America, Mexico, New Zealand, Slovakia, Uruguay, Brazil, Cyprus, Iran.*

NGOs that took the floor during the Interactive Dialogue (9):

*World Alliance, International Federation for Human Rights Leagues, International Bar Association, Human Rights House Foundation, Center for Global Nonkilling, International Commission of Jurists, Human Rights Watch, Asociacion HazteOir.org, World Federation of Ukrainian Women's Organizations.*

To watch full meeting refer to [UN Web TV](#)