

HUMAN RIGHTS COUNCIL – 51st SESSION

Interactive dialogue with the Independent International Commission of Inquiry on the situation of human rights in Ukraine stemming from the Russian aggression

23 September 2022

In his opening remarks, **Mr. Erik Møse, Chair of the Independent International Commission of Inquiry on Ukraine** highlighted that the report focuses on the cases of human rights violations occurred in the regions of **Kyiv, Chernihiv, Kharkiv, and Sumy**. He commended the access to Ukrainian territory granted by the government and expressed that it will persist with its efforts to contact and cooperate with the Russian entities. With regards to the report, after having visited 27 towns and settlements and interviewed 150 victims, Mr. Møse expresses concern about the impact of the war on civilians. After meeting with relevant stakeholders, the report concludes that war crimes have been committed in Ukraine. These crimes include the misconduct of hostilities, explosive weapons causing irreparable damage to essential infrastructure, forced displacement, and a large number of violations against peoples' personal integrity. Many executions have been recorded in 16 towns and settlements as well as cases of ill-treatment and torture carried out during unlawful confinements by Russian forces in Ukraine. In addition, cases of sexual and gender-based violence by Russian forces have been recorded in conjunction with grave human rights violations against children who have been raped and unlawfully confined. The Chair further mentioned that the COI will continue its inquiry related to the four regions and devote more resources to its general mandates which are thematically and geographically broader. This will include the investigation of filtration camps and the alleged forced transfer of people. Apart from the personal integrity cases treated in this report, the COI seeks to investigate further other types of cases such as the destruction of civilian infrastructure, appropriation of economic resources, violations of the right to food, and the legality of changes of administration. More recommendations will follow about criminal accountability and other dimensions of accountability to which victims have rights.

The Russian Federation (Country concerned) was not present in the session.

Mr. Anton Korynevych, Ambassador-at-large in the Ministry of Foreign Affairs of Ukraine (Country Concerned) condemned Russia's 8-month invasion of Ukraine. He said that this will have a devastating effect on civilians' lives. Ukraine has launched a comprehensive effort with all international institutions to guarantee accountability for numerous crimes and the COI is a crucial element for this undertaking. Mr. Korynevych expressed there are new revelations that show the atrocities the Russian forces are perpetrating in the country and asked the COI to further investigate crimes in the cities of **Izioum** and **Bucha**. He condemned the Russian rocket strikes that have killed millions of children in **Mariupol, Odessa**, and other Ukrainian cities and said that Russian forces will be hold accountable for the death of 400 Ukrainian children. The Ambassador further recognised that Russia continues to contribute to the world's food security crisis. Finally, he called for the establishment of a special tribunal that investigates and prosecutes senior political and military officials that seeks justice and accountability for thousands of innocent victims.

Interactive dialogue

The majority of countries and State organisations, including **Finland (on behalf of the Nordic-Baltic countries), the EU, the United States, the Republic of Korea, Ecuador, North Macedonia, Argentina, Japan, Uruguay, New Zealand, Malta, Albania, Israel, Bosnia and Herzegovina** and others, commended the work of the COI and condemned Russia's invasion of Ukraine. They expressed deep concern about the indiscriminate attacks affecting civilians, deliberate attacks on schools, forced deportation and rape. They called upon the Council to hold Russia accountable and expressed deep

concern about the disproportionate impact on children, women, elderly and persons with disabilities. They also expressed that Russia must grant full and safe access for humanitarian actors and allow safe passage for civilians who wish to leave, recalling their support to Ukraine's independence, sovereignty and territorial integrity. Some countries mentioned that these violations may amount to war crimes and crimes against humanity. **India** and **China** expressed that more efforts should be made for a peaceful settlement of the conflict. India called upon States involved to return to dialogue and diplomacy, while China expressed the need to put in place the conditions for the parties to negotiate. China further mentioned that the current situation in Ukraine is a clear example of the world's deficit in security and governance and proposed an initiative for global security and development to avoid similar crisis in the future.

Venezuela stated that the conflict in Ukraine is the result of human rights violations in the Donbass Region, perpetrated by the United States. NATO's continued expansion into Eastern Europe, combined with growing hostility towards the Russian Federation since 2014, added unavoidable threats. It called upon the council to demand NATO countries to stop providing arms to Ukraine. **The Syrian Arab Republic** expressed that the COI relies on information based on the Western anti-Russian narrative, not considering the alarmingly increasing manifestations of anti-Russianism in the West, the stigmatization of Russian-speaking people, and the banning of Russian-language news channels from broadcasting. It condemned Ukrainian forces for gross violations of IHL and discriminatory laws against Russian speakers. **Belarus** highlighted that the Council has not taken any assessments or actions to protect Russian-speaking Ukrainians. This approach continues today since discussions focused solely on accusations against Russia.

UN Women expressed concern over the lack of women in formal decision-making at all levels, including in peace processes; the continued sexual and gender-based violence against women and girls in conflict being used as a tactic of war; the high risks of human rights violations and sexual exploitation and abuse, including transactional sex, survival sex, trafficking and conflict-related sexual violence; and the increased cases of persecution, threats, sexual violence and 'corrective rape' against LGBTQIA+ persons during violent escalations. They called upon the international community to joint efforts to address gender discrimination and violence as well as the participation of women and marginalized communities in the crisis response.

Several NGOs condemned the Russian Federation's invasion of Ukraine and its devastating impacts on civilians' lives. They expressed concern about the mobilisation of military reservists in Russia on the 21st of September and recalled the importance of safeguarding the right of conscientious objection to military service. Other NGOs highlighted the importance of having a gender dimension to human rights violations since military attacks on the health system have severely affected sexual and reproductive rights of women and girls. Other crimes condemned included enforced disappearances, torture of civilians and military forces, and the creation of filtration camps. One NGO called for the creation of special legal tribunals to hold Russian forces accountable. Finally, several NGOs highlighted the importance of protecting children's rights and called upon States to do a close follow-up on children being evacuated and those being taken/or that have already been taken to Russia.

Delegations that took the floor during the Interactive Dialogue (57 country delegations):

Finland (on behalf of a group of countries), Lithuania, European Union, Sovereign Order of Malta, Liechtenstein, Luxembourg, Norway, Switzerland, Republic of Korea, Slovenia, Ecuador, France, Ireland, Australia, North Macedonia, Germany, Austria, Venezuela, Malta, Netherlands, Syrian Arab Republic, Czechia, Iceland, Japan, United States, United Kingdom, Argentina, Timor-Leste, Croatia, Romania, Spain, Montenegro, Denmark, Republic of Moldova, Slovakia, Belgium, Poland, Bulgaria, Greece, Canada, Uruguay, New Zealand, Portugal, Georgia, Malawi, Albania, Latvia, Sweden, Turkey, Estonia, Belarus, Cyprus, Israel, India, Bosnia and Herzegovina, China, New Zealand.

NGOs and other observers that took the floor during the Interactive Dialogue (12):

UN Women, Ukrainian Parliament Commissioner for Human Rights, Conscience and Peace Tax International (CPTI), Center for Reproductive Rights, Inc., Human Rights House Foundation, World Federation of Ukrainian Women's Organizations, Child Rights Connect, International Bar Association (Joint Statement), International Fellowship of Reconciliation, Amnesty International, World Organisation Against Torture, iuventum e.V.

To watch full meeting refer to UN Web TV, [Part 1](#) and [Part 2](#).