

HUMAN RIGHTS COUNCIL – 55th SESSION

Interactive dialogue with the Independent International Commission of Inquiry on Ukraine

19 March 2024

Mr. Erik Møse, Chair of the Independent International Commission of Inquiry on Ukraine, presented an update on its work. Russian authorities continued to carry out unlawful attacks with explosive weapons in populated areas, which caused the largest number of civilian casualties and large-scale damage and destruction. Russian authorities committed, among others, **war crimes** of torture, wilful killing, sexual violence, and unlawful transfer of children. The Commission also documented a few human rights violations committed by Ukrainian authorities against persons they accused of collaborating with Russia.

The **siege of Mariupol** from 2022 onwards had a devastating impact on civilians, thousands of whom reportedly died. Witnesses described relentless shelling, buildings collapsing, dead bodies strewn on the streets or piled up in hospitals, and medical institutions lacking basing items. The multiplicity of explosive weapons attacks in populated areas demonstrated that Russian forces failed to take feasible precautions and showed a pattern of disregard for harm to civilians. Attacks and explosions also affected **hospitals** and **cultural objects** in Mariupol, Dnipro, and in the historic centre of Odessa. The seizure by Russian authorities of cultural property from Kherson qualified as a war crime.

As regards personal integrity violations, Russian authorities resorted to **systematic and widespread use of torture** when conducting house searches to identify civilians allegedly supporting Ukraine. In certain instances, Ukrainian prisoners of war kept in detention facilities in Russia were subjected to relentless brutal treatment for prolonged periods, including recurrent beating, electroshocks, and torture with a sexual dimension with a view to extracting information, punishing, or intimidating. Torture occurred with a knowledge of superiors and in the context of a prevailing sentiment of impunity. In Russian-controlled areas, the Commission documented cases of **rape and sexual violence** against women and girls aged from 15 to 83 years, which also amounted to torture as a war crime. It also qualified as a war crime the prolonged transfer by Russian authorities of 46 children aged below five years from an institution in Kherson to Crimea.

In his concluding remarks, Mr Møse recommended further investigations to determine whether some violations qualify as crimes against humanity and emphasized the importance of investigating all violations and holding perpetrators accountable; **Ms. Vrinda Grover, Member of the Independent International Commission of Inquiry on Ukraine**, proposed the establishment of a DNA database to ensure the reunification of children with their families; **Mr Pablo de Grieff, Member of the Independent International Commission of Inquiry on Ukraine**, stressed that important role of the international community in ensuring judicial and non-judicial forms of accountability as well as effective mental health and psychosocial support.

Ukraine (Concerned country) stated that over the last decade the entire world had been witnessing Russian atrocities and flagrant violations of human rights in Ukraine. Reported wilful killings, indiscriminate attacks against civilians and civilian infrastructure, torture, rape, enforced disappearances, and transfer of children figured among the unending list of Russian crimes in Ukraine. Forcing millions of Ukrainian citizens to participate in the Russian presidential elections was illegal and had no validity under international law. Finally, Ukraine welcomed the establishment of the Register for Damage for Ukraine and called upon the Council's members to support the extension of the Commission's vital mandate.

Interactive dialogue

48 country delegations took the floor during the interactive dialogue. **The majority of the countries** condemned the large spectrum of international humanitarian law violations committed by Russian forces in Ukraine including wilful killings, torture, forced deportations, sexual and gender-based violence, and indiscriminate attacks against civilians and civilian objects. They further expressed strong condemnation of the unlawful forced transfer of Ukrainian children and called for their immediate and safe return. Most delegations stressed the importance of supporting accountability efforts for such crimes and delivering justice to victims. Several countries renewed their call on Russia to immediately and unconditionally withdraw its forces from all internationally recognized Ukrainian territories.

The **EU** remained gravely concerned over the growing body of evidence of violations of international human rights and humanitarian law. It further declared the so-called elections organized by Russia within the internationally recognized borders of Ukraine had no validity under international law. **China** expressed concern over the continuing deterioration of the humanitarian situation and called upon the international community to raise more voices for dialogue and negotiation.

UN Women strongly condemned rape and sexual violence inflicted upon women and girls by Russian authorities and expressed concern over their increased vulnerability to conflict-related sexual violence due to the ongoing humanitarian crisis and widespread displacement. The **National Human Rights Institution of Ukraine** stated that further mechanisms were needed to stop the Russian aggression and to bring those responsible to justice. The reconstruction of Ukraine and the rehabilitation of victims was already underway. The institution called for concrete international support in all these fields.

NGOs strongly condemned all crimes committed by Russian authorities; stressed the need to ensure accountability and called for the extension of the Commission's mandate. **Physicians for Human Rights** documented coercive measures targeting patients and health personnel and the use of health facilities for non-medical purposes. **Human Rights House Foundation** urged the immediate return of Ukrainian civilians forcibly taken by Russia. **International Bar Association** expressed concern over rhetoric in Russian media that may constitute incitement to genocide.

Delegations that took the floor during the Interactive dialogue (48 country delegations):

Ukraine, Estonia (on behalf of the Nordic Baltic countries), European Union, Netherlands (on the behalf of a group of countries), Georgia, France, Czechia, Switzerland, Portugal, Italy, Poland, Malta, North Macedonia, Canada, Netherlands, Luxembourg, Austria, Türkiye, Germany, Liechtenstein, Ireland, Slovenia, United States, Belgium, Romania, Iran, Belarus, Greece, Cyprus, Venezuela, Spain, People's Democratic Republic of Korea, New Zealand, Syrian Arab Republic, Argentina, China, Uruguay, Bulgaria, United Kingdom, Montenegro, Japan, Eritrea, Monaco, Moldova, Albania, Slovakia, Nicaragua, Israel.

NHRIs and NGOs that took the floor during the Interactive dialogue (8):

Physicians for Human Rights, International Bar Association, Human Rights House Foundation, Human Rights Watch, World Federation of Ukrainian Women's Association, Human Rights Research League, Institute for Reporters' Freedom and Safety, Institute for Human Rights.

International Organizations: UN Women, National Human Rights Institution of Ukraine.

To watch the full meeting refer to [UN WEB TV](#).