



Delegation of Canada
to the OSCE

Délégation du Canada
auprès de l'OSCE

**STATEMENT BY AMBASSADOR JOCELYN KINNEAR
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
1360th MEETING OF THE PERMANENT COUNCIL
MARCH 3, 2022**

Mr. Chairperson,

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

Today, our delegations will send the following letter to ODIHR Director Matteo Mecacci, invoking the Moscow Mechanism, with the support of Ukraine, in light of our grave 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.

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, following bilateral consultations with Ukraine under the Vienna (Human Dimension) Mechanism, are invoking 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 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.

The mission of experts, if Ukraine agrees, could be 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.

We also request that, should Ukraine agree to a mission of experts, ODIHR provide any relevant information or documentation derived from that 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, and I ask that this statement be attached to the journal of the day.