

Prevention and prosecution of war crimes: UK remarks at OSCE Parliamentary Assembly event

Thank you Mr Whittingdale and Madam President. I am honoured to be part of this panel with Professor Ibrahim and Dr Elliott.

What I want to do today is focus on two key elements – the first is the UK Government's position on accountability for war crimes and sexual violence – with a focus particularly on Ukraine. Secondly I will talk about actions which we and others within the OSCE have taken in terms of transparency and political accountability.

Firstly, the pursuit of justice and accountability is an integral part of UK's support to Ukraine.

As we are all aware, the appalling war by the Russian government has caused untold suffering and shattered the foundations of security in the region. Mariupol, Bucha, Irpin, Kramatorsk and now Kremenchuk and incidents in Odesa will be forever seared in our memories. We're horrified by instances and allegations of rape and sexual violence being committed by Russian forces in the invasion of Ukraine. We are being very clear, and we all should be clear, that the use of sexual violence in conflict zones constitutes a war crime.

We are determined as the UK Government to hold to account the individuals who have undertaken these atrocities – members of the Russian Government and individual members of the Russian military – to hold them responsible for these atrocities so we can make sure this doesn't ever happen again. And that is why we are heavily supporting justice and accountability efforts, alongside our military, economic and humanitarian assistance. And we are working through the OSCE, with Ukraine's Prosecution General and with international bodies like the International Criminal Court to bring this issue to light.

Secondly, we believe it is critical to support Ukraine's own accountability mechanisms.

National jurisdictions will always bear the greatest burden of cases. And so we are supporting investigation efforts by Ukrainian authorities, working in particular the Office of the Prosecutor of Ukraine, who has been doing some outstanding work in investigating war crimes on Ukraine's territory.

We have [appointed Sir Howard Morrison as an Independent Adviser to the Ukrainian Prosecutor General](#). And our Attorney General also led a scoping mission to Ukraine in May, to assess how the UK can further support Ukraine itself to identify and collect evidence.

In conjunction with this we have procured over 30,000 forensic medical kits

to support accurate, reliable and consistent evidence collection. We've [deployed specialist UK war crimes and conflict-related sexual violence experts to Poland](#) to identify options for further UK support.

And we are supporting grassroots efforts, having launched a £10m Civil Society Fund to support Ukrainian organisations, including those gathering evidence and supporting survivors. We are also funding trusted humanitarian partners to provide protection services and reporting mechanisms.

Putting survivor's voices up front and centre is paramount. This month we are co-sponsoring a Human Rights Council side event with Global Survivors Fund on reparations for survivors of conflict-related sexual violence in Ukraine. This will provide a platform for survivor voices to highlight challenges, needs and prospects.

Thirdly, we are supporting international mechanisms.

In March, [the UK led a group of 37 other states to refer the atrocities in Ukraine to the Court](#) – the largest group referral in the ICC's history – now supported by 42 states.

The ICC investigation is now underway, led by the ICC Prosecutor, Karim Khan. We are working with allies in terms of providing financial and technical support as appropriate, including war crime experts to support the investigation.

In addition, in March the Metropolitan Police War Crimes Team set up an online reporting tool for witnesses, including refugees, to submit evidence in support of the ICC investigation. They are submitting evidence both to the ICC and for Ukraine's own domestic investigation.

Fourthly, we are making use of the OSCE

We see this organization as being key and complementary to the work, particularly in terms of political accountability and increasing transparency. And we've been using the OSCE as a bridging mechanism for other structures, such as the ICC and elsewhere until they are fully established and reporting.

In March, a group of 45 participating States in the OSCE, together with Ukraine's support [invoked the Moscow Mechanism](#). This is an independent fact finding mission to investigate allegations of abuses and violations of International Human Rights Law and International Humanitarian Law in Ukraine. And that large number of participating States invoking the mechanism – 46 out of 57 – was in and of itself a strong signal of the support by the international community.

In April, this produced [the first independent fact-finding report](#) by an international institution and that covered the period from the invasion on 24 February through to 1 April.

What it found was credible evidence of war crimes, from the torture, rape and killing of innocent civilians to the forced deportation of over 500,000

people. There are allegations of rape, including gang rape documented across numerous regions in Ukraine. One particularly grave incident recorded in Bovary village where a drunken soldier allegedly broke into a private house, killed the owner and then raped his wife in the presence of her small child.

The report also outlined evidence of humanitarian convoys and healthcare facilities being attacked and of arbitrary arrests and extra-judicial killings.

What we have done in terms of a follow up, is the same group of 45 States with Ukraine's support was to invoke the Moscow Mechanism for the second time. That report will come out in 2 weeks' time and will cover the period of Russian atrocities in Bucha, and Kramatorsk and further atrocities in that period in Mariupol. We will be calling on as many as we can to help disseminate these findings far and wide. We see it as a key part of political accountability, but also helping to frame the issue of the horrific incidents and use these as a bridging mechanism.

Fifth, it is important to join up the dots and minimise risks of duplication of initiatives.

What we have done with US and EU is announce the [creation of the Atrocity Crimes Advisory Group \(ACA\)](#), which is a mechanism aimed at ensuring efficient coordination of all of our respective support to accountability efforts on the ground. This will include putting survivors' voices up front and centre.

Sixth, the preservation and collection of evidence is vital. The UK is funding independent organisations to gather robust evidence of war crimes.

We believe that ensuring survivors can have their experiences recorded safely and in a way that strengthens the pursuit of justice is a vital, first step towards accountability. But despite numerous sets of guidance for those collecting evidence and information from survivors and witnesses, mistakes continue to be made in this area.

In many settings around the world, many survivors still face re-traumatisation and unnecessary re-interviewing due to poor practices and lack of coordination between actors involved in this work.

As Lord Ahmad and Prof Elliott have already said, we [launched the 'Murad Code' at the United Nations Security Council](#) back in April. We see this Code as being a vital step to ensure justice for survivors of sexual violence by setting global standards for the safe and effective gathering of evidence from survivors and witnesses.

And we are urging governments, UN agencies, NGOs and human rights institutions to champion the goal of survivor-centred documentation and ensure adherence to the standards set out in the Murad Code.

In concluding, we continue to be shocked and horrified by the barbaric acts we are seeing from the Russian Government and the Russian military in Ukraine. President Putin clearly underestimated the resolve and bravery of the Ukrainian people, but also the resolve of the international community.

Ensuring accountability for war crimes is a vital tool and it requires international governance, NGOs in Ukraine and international organisations to work together effectively. All hold different bits of the puzzle on building evidence through to ensuring individual accountability and justice.

It's vital we do this precisely because we need to ensure what has happened with Russia's invasion of Ukraine never happens again.

Thank you.