

**Distinguished President,**

**Excellencies,**

You will recall that when my colleagues and I updated you last September, we focused, as we did in our report to the General Assembly in October 2022, on events in four regions from late February to March 2022. The report that we are presenting today covers nine regions and events that took place during almost one year. Moreover, the Commission has strengthened its analysis of patterns of violations, thematically deepened its investigations on torture, included attacks on energy infrastructure, and it continues to articulate recommendations on a broad notion of accountability.

The Commission notes that the conflict continues inflicting suffering on the civilian population, with more casualties, separation, displacement, and destruction of key infrastructure. This has affected millions of people, has worsened living conditions, and hampered access to water, food, health, and education.

During its mandate, the Commission has travelled eight times to Ukraine, where it visited 56 locations, and it also went to Estonia and Georgia. It has interviewed almost 600 persons. The Commission wishes to express its gratitude to the victims and witnesses who agreed to share their stories, at the cost of very painful memories. It inspected sites where violations had occurred and analysed a wide range of evidence.

The Commission has assessed the information it gathered impartially and in total independence from any country or entity. It established a constructive cooperation with Ukrainian authorities through access to the territory and regular communication. The Commission also appreciates cooperation with other governments and various international organisations. It was not able to establish such a dialogue with the Russian Federation, as all its attempts remained unsuccessful; nor did it obtain access to occupied territories.

In the time allotted to this interactive dialogue, the Commission will not be able to present in detail its findings and recommendations. In addition to the present report, the Commission will publish a conference room paper.

The Commission's investigations have demonstrated that Russian authorities have committed a wide range of violations of international humanitarian law and international human rights law in Ukraine. Many of these amount to war crimes.

As regard Ukrainian armed forces, the Commission has documented a small number of violations. In addition to two cases of war crimes involving shooting, wounding, and torture of Russian prisoners of war, mentioned in September, found instances where Ukrainian armed forces likely committed indiscriminate attacks in Iziium city and, on some occasions did not take requisite precautions to avoid endangering civilians.

With regard to the **conduct of hostilities**, the Commission has confirmed its previous findings on the Russian conduct of hostilities after investigating 25 attacks with explosive weapons in populated areas in the nine regions. It has documented considerable civilian harm. OHCHR reported that 90.3 per cent of all casualties are due to such attacks. The Commission observed first-hand the damage to buildings and infrastructure and was struck by the extent of the destruction in the cities of Kharkiv, Chernihiv, and Iziium.

Since 10 October 2022, Russian armed forces launched waves of **attacks on energy infrastructure** in Ukraine that were disproportionate and constitute war crimes. The Commission recommends further investigations to clarify whether all elements of crimes against humanity are fully met, including to what extent a policy was directed against the civilian population, and whether the accumulated impact on this population over time is equivalent to that of the enumerated acts that constitute crimes against humanity.

The Commission's further investigations has confirmed a widespread pattern of **summary executions** in areas that Russian armed forces controlled in 17 localities in the Chernihiv, Kharkiv, Kyiv, and Sumy regions, with the highest number in the Kyiv region. Most of the executions took place during the first few months of the armed conflict and were mainly targeted at individuals for any form of activity actually, or perceived to be, unfavourable to the Russian armed forces.

The Commission has established a pattern of **widespread unlawful confinement** affecting men, women and children in areas controlled by Russian armed forces. Some men and women were deported to the Russian Federation.

**Torture and inhuman treatment** of detainees, mostly men, have also been widespread, systematic and prevalent against certain categories of people, in particular those suspected of providing any form of support to the Ukrainian armed forces. Victims and witnesses have given distressing testimony. The Commission documented the existence of dedicated places of detention where torture took place, and it identified torture methods that were used consistently in several of these detention facilities. In addition to amounting to war crimes and violations of human rights, the Commission has found that such acts may amount to crimes against humanity and recommends further investigations.

Regarding **sexual and gender-based violence**, the Commission has documented cases affecting women, men and girls in Ukraine and in the Russian Federation. The sexual violence affected mainly women during house searches, and men during detention. Rapes during house-to-house searches were committed at gunpoint, with extreme brutality and additional acts of torture. In detention, the evidence shows that sexual violence constituted torture. In addition, there were situations in which Russian authorities imposed forced nudity in detention, at checkpoints, and filtration facilities.

The Commission has not been able to verify the different figures provided by the parties related to **forced transfers and deportation of children** but has concluded that the situations it has examined violate international humanitarian law and amount to war crimes. Russian authorities violated their obligation to facilitate in every possibly way the reunion of families and unjustifiably delayed the repatriation of civilians. Moreover, the Commission has documented legal and policy measures taken in the Russian Federation appear to create a framework for some children to remain permanently in the country.

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In accordance with its mandate, the Commission has made recommendations on accountability measures. It has considered the efforts undertaken at national, regional and international levels.

Coordination of all existing judicial measures is essential to protect victims and witnesses from further harm and achieve results. The Commission recommends the adoption of a prosecutorial strategy in Ukraine to address both the limited resources and the enormous caseload. In addition to judicial measures, we strongly believe that other dimensions of accountability, including truth, reparations, and guarantees of non-recurrence are essential. Priority should be given to a victims' registry and institutional support, including mental health and psychosocial services.

Thank you.