

## **Statements received in writing from Members regarding discussions under PTC Agenda Item II – Adoption of the Agenda <sup>1</sup>**

- **European Union**

“The WCO is based on trust among its Members and on their willingness to co-operate. As highlighted in the conclusions of the WCO Permanent Technical Committee of October 2022, hostile military actions against any WCO Member are fundamentally incompatible with Customs cooperation. The European Union and its Member States reiterate our severe condemnation of the Russia’s illegal, unjustified and unprovoked war of aggression against Ukraine, supported by Belarus, which is also contrary to the nature and objectives of the WCO. We therefore urge Russia to immediately and unconditionally cease its aggression, to withdraw all of its troops and military equipment from the entire territory of Ukraine within its internationally recognized borders and to act as should be expected from a Member of the WCO.

We stand in solidarity with the people of Ukraine, and remain committed to providing and stepping up the necessary support to Ukraine, including for the re-construction of Russian-destroyed Customs Border posts and supply-chain related infrastructure. We call for similar enhanced support to Ukraine from all Members of the WCO’s International Customs Community”

- **Japan**

“Japan would also like to express our full solidarity with Ukraine and the Ukrainian people, and echo and support the statements of our partners, the United Kingdom, the European Union, Norway, the United States, Sweden, Germany, and Belgium. We condemn in the strongest possible terms Russian Federation’s unprovoked and unjustified aggression with the involvement of the Republic of Belarus. Such actions egregiously undermine the spirit of the WCO, which is to promote cooperation between Customs administrations, as stipulated in the preamble of the Convention Establishing a Customs Cooperation Council.”

- **Norway**

“Norway condemns Russia’s unprovoked and illegal military aggression against Ukraine, supported by Belarus. We see Russia’s actions as a violation of the vision and values underpinning WCO cooperation and stand with a number of other WCO members in supporting Ukraine and demanding that its territorial integrity, sovereignty and independence are restored.”

- **Belarus**

“The State Customs Committee of the Republic of Belarus is convinced that the WCO should retain the status of a purely professional platform for dialogue between customs administrations. We call on the WCO Member States and Secretariat to eliminate politicization of the Organization.”

- **France**

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<sup>1</sup> In the order in which the WCO Secretariat received the statements.

“France supports UE's and Ukraine's declaration and strongly condemns the non justified and unprovoked aggression of Ukraine by Russia which is completely opposed to the spirit and the founding principles of the WCO.”

- **Germany**

“Germany fully supports the Statement of the EU. We condemn the aggression against Ukraine and express our full solidarity with Ukraine and the Ukrainian people.”

- **Ukraine**

“Thank you Chair! Before we proceed, I need to make the following statement.

Dear Chair, Colleagues

I recall the [Statement of Ukraine on military actions of the Russian Federation and the Republic of Belarus, which damage Customs operations and disrupt global Customs cooperation](#) submitted to the Council. The Council condemned any acts of aggression on Customs borders and called on enhancement of Customs cooperation. Everybody supported the conclusions by acclamation.

We thank all our partners for strong support and assistance to Ukraine. We refer to the [Joint Statement to the World Customs Organization on the aggression against Ukraine](#) issued by nearly 50 countries on 20 May 2022.

Regardless of this, we continue observing an unprecedented and unjustified military attack on Ukraine by the Russian Federation. The so called “second army in the world” is not able to defeat brave Ukrainians in the battlefield. Therefore, in addition to guns and missiles Russia uses lie and low-quality propaganda against Ukraine. We know that Russia disseminates false information about Ukraine behind our backs. Do not trust them!

On top of this, Russia is fighting against Ukrainian women and children. The official death toll of Ukrainian children killed by Russian military is 470 and 948 wounded, 19393 children were illegally deported from occupied territories<sup>2</sup>.

In response to these criminal deeds the International Criminal Court issued arrest orders (information attached) for the Russian president and the commissioner of children’s rights. We trust the International Criminal Court will eventually issue its verdict to all war criminals.

I recall the devastating Customs implications of the Russian war against Ukraine:

- Half of Ukrainian Customs border points are closed due to combat actions.
- All airports are closed. Russian Navy blocks all seaports except for the Grain Initiative.
- Russia attempted to annex 20% of Ukrainian Customs territory.
- Supply chains are broken.
- All Customs personnel is not secure due to missile attacks on Ukraine by Russia.

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<sup>2</sup> <https://childrenofwar.gov.ua/en/>

The war conducted by Russia is not consistent with the values promoted by the WCO.

We call on to the WCO and all Members to demand that Russia and Belarus follow conclusions of the Council, withdraw troops from Ukraine, observe international law and the UN Charter, respect Ukrainian Customs borders and sovereignty.

We hope for the solidarity of all members. Thank you for your attention.

Chair, Ukraine will submit this in writing together with annexed Statement by prosecutor Karim Khan of International Criminal Court.”

## “ANNEX

Statement: 17 March 2023 |

Statement by Prosecutor Karim A. A. Khan KC on the issuance of arrest warrants against President Vladimir Putin and Ms Maria Lvova-Belova

<https://www.icc-cpi.int/news/statement-prosecutor-karim-khan-kc-issuance-arrest-warrants-against-president-vladimir-putin>

On 22 February 2023, I submitted applications to Pre-Trial Chamber II of the International Criminal Court for warrants of arrest in the context of the Situation in Ukraine.

Today, the Pre-Trial Chamber has issued arrest warrants in relation to the following two individuals:

- Mr Vladimir Putin, President of the Russian Federation; and
- Ms Maria Lvova-Belova, Commissioner for Children’s Rights in the Office of the President of the Russian Federation.

On the basis of evidence collected and analysed by my Office pursuant to its independent investigations, the Pre-Trial Chamber has confirmed that there are reasonable grounds to believe that President Putin and Ms Lvova-Belova bear criminal responsibility for the unlawful deportation and transfer of Ukrainian children from occupied areas of Ukraine to the Russian Federation, contrary to article 8(2)(a)(vii) and article 8(2)(b)(viii) of the Rome Statute.

Incidents identified by my Office include the deportation of at least hundreds of children taken from orphanages and children’s care homes. Many of these children, we allege, have since been given for adoption in the Russian Federation. The law was changed in the Russian Federation, through Presidential decrees issued by President Putin, to expedite the conferral of Russian citizenship, making it easier for them to be adopted by Russian families.

My Office alleges that these acts, amongst others, demonstrate an intention to permanently remove these children from their own country. At the time of these deportations, the Ukrainian children were protected persons under the Fourth Geneva Convention.

We also underlined in our application that most acts in this pattern of deportations were carried out in the context of the acts of aggression committed by Russian military forces against the sovereignty and territorial integrity of Ukraine which began in 2014.

In September last year, I addressed the United Nations Security Council and emphasised that the investigation of alleged illegal deportation of children from Ukraine was a priority for my

Office. The human impact of these crimes was also made clear during my most recent visit to Ukraine. While there, I visited one of the care homes from which children were allegedly taken, close to the current frontlines of the conflict. The accounts of those who had cared for these children, and their fears as to what had become of them, underlined the urgent need for action.

We must ensure that those responsible for alleged crimes are held accountable and that children are returned to their families and communities. As I stated at the time, we cannot allow children to be treated as if they are the spoils of war.

Since taking up my position as Prosecutor, I have emphasised that the law must provide shelter to the most vulnerable on the front lines, and that we also must put the experiences of children in conflict at the centre of our work. To do this, we have sought to bring our work closer to communities, draw on advanced technological tools and, crucially, build innovative partnerships in support of our investigative work.

I am grateful for the support of many partners of the Office that have allowed us to move forward rapidly in the collection of evidence. I wish to express my thanks in particular to the Office of the Prosecutor General of Ukraine whose engagement has been essential in supporting the work my Office has carried out, including on the ground in Ukraine. Our participation in the Joint Investigation Team with national authorities from seven States, under the auspices of Eurojust, has also facilitated swift access to relevant information and evidence.

I will also continue to seek cooperation from the Russian Federation in relation to the Situation in Ukraine, and ensure my Office fully meets its responsibility pursuant to article 54 of the Rome Statute to investigate incriminating and exonerating circumstances equally.

Whilst today is a first, concrete step with respect to the Situation in Ukraine, my Office continues to develop multiple, interconnected lines of investigation.

As I stated when in Bucha last May, Ukraine is a crime scene that encompasses a complex and broad range of alleged international crimes. We will not hesitate to submit further applications for warrants of arrest when the evidence requires us to do so.”

- **Canada**

“As noted in the May 20th 2022 Joint Statement to the World Customs Organization on the aggression against Ukraine, Canada strongly condemns President Putin’s unjustifiable, unprovoked and illegal invasion of Ukraine, with the involvement of the Belarusian regime.

The unprovoked attack by the Russian Federation has unnecessarily disrupted the stability and integrity of the international standards we develop here in the World Customs Organization, has harmed the global economy, and has seriously threatened the harmony of global customs cooperation.

In addition, President Putin’s military mobilization and nuclear threats represent an irresponsible and dangerous escalation in his illegal war.

As such, we call on Russia to cease its aggression against Ukraine and its flagrant violations of international law.”

- **Russian Federation**

“Dear Chairperson,

We urge delegates that WCO is not a place for political debates and discussions on issues that do not correspond with its purpose. In accordance with working methods of the Organization Interventions are expected to be of a technical nature and linked to the agenda at hand. Interventions of a political nature should be discouraged.

Those actions taken by some states are actually undermining prestige of our organization. Thus, if we continue political debates we consider it will be threatening to the functioning of WCO itself. We call on the WCO Member States, WCO Leadership and Secretariat to eliminate politicization of the organization.”

- **Belgium**

“Belgium strongly supports the statement of the EU and its Member States.

We stand with the people of Ukraine and condemn the ongoing aggression of the Russian Federation, with help from Belarus, against this country.

This hostile military action from one WCO member against another clearly stands in the way of customs cooperation.”

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