

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

- **Canada**

“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 that we develop here in the World Customs Organization.

It has also harmed the global economy, and seriously threatened the harmony of global customs cooperation.

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

- **New Zealand**

“Thank you Chair. Kia ora and good morning to all delegates. NZ supports the proposed agenda.

Aotearoa New Zealand joins others in condemning the illegal, unprovoked and unjustified attack by Russia on Ukraine. It is grave breach of international rules, and it is inconsistent with the purpose and principles of the World Customs Organisation, and in particular the principles of cooperation, harmonisation and facilitation, which we are here today to work on together.

We support the call for the Russian Federation, supported by Belarus, to stop all military action against Ukraine and its people.

Our thoughts are with the people of Ukraine and our Ukrainian Customs colleagues and we stand in full solidarity with Ukraine. Thank you.”

- **Kosovo**

“Kosovo thanks Ukraine for her intervention and would like to echo the interventions presented by: the UK, EU, NORWAY, CANADA, BELGIUM, SWEDEN, USA, JAPAN, GERMANY, NEW ZEALAND, ITALY, AUSTRALIA, IRELAND, and FRANCE, in the support of Ukraine. The Russian Federation’s aggression, supported by the Republic of Belarus, towards Ukraine as a member of the World Customs Organization, is considered the violence against civilian population and infrastructure, as well as the operations of a World Customs Organization Member. The Republic of Kosovo stands in full support and solidarity with Ukraine.”

- **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.

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

We call on distinguish delegates to eliminate political discussions and to focus on technical customs matters”

- **Sweden**

“Sweden fully supports the Statement of the EU and its Member States and wish to express our full solidarity with Ukraine and the Ukrainian people. We stand behind Ukraine in the WCO.

Sweden fully supports the Statement of the EU and its Member States and condemn in the strongest possible terms the unprovoked and unjustified aggression by the Russian Federation against Ukraine, as well as the involvement of Belarus in this aggression.”

- **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.”

- **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, European Union, Norway, Canada, Sweden, and the United States. 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. We call on Russia to immediately cease its aggression and flagrant violations of international peace and security.”

- **France**

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

- **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.”

- **Ukraine**

“Dear Chair, Colleagues

Russia and Belarus continue the unjustified war against Ukraine. Almost every day there are air raid alerts over Ukraine. Every day russian military commit new war crimes in Ukraine. Here are the recent news:

- On 16, 17, 18, 19 October 2023 at night Russia launched missile and drone strike on Kherson, Odessa region, Zaporizhzhia, Dnipro and Kharkiv. Civilian people were killed and wounded.
- On 22 October 2023 the russian missile attacked the sorting station of the courier delivery company «New Post». Again at night. 6 people were killed and 16 people were wounded. The company was known for delivery of parcels with humanitarian aid to war-affected people.

I recall the devastating implications of the russian war for Ukrainian Customs:

- Half of the Customs checkpoints and all airports are closed
- Customs infrastructure and Customs borders are ruined and destroyed
- Part of Ukraine's Customs territory is seized by russia
- Customs staff is not secure due to frequent shelling

Russia and Belarus are blatantly violating the UN Charter, rules of war, the WCO Council conclusions which condemned any acts of aggression on Customs borders.

We recall that in response to crimes against Ukrainian children the International Criminal Court issued an arrest order to the Russian president (attached).

We call on to support Ukraine and demand that Russia and Belarus stop the war immediately, withdraw troops from Ukraine, respect Ukraine's internationally recognized Customs borders and sovereignty. Terrorist states such as Russia and Belarus should not be the members of the WCO.

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

Thank you for your attention.

## **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.”

- **Russian Federation**

“World Customs Organization (WCO) has been established with a defined mandate and purpose. It is not, and should never be, a place for political debates or discussions on matters that do not directly relate to its core objectives. We firmly believe that, in keeping with the established working methods of the WCO, interventions should be focused, technical, and directly linked to the agenda.

It appears there is a diversion towards topics that deviate from the core technical discussions. Russian Federation would like to underscore that the WCO is not the appropriate forum to discuss international political situations. Any interventions of a political nature can detract from our primary objective and should therefore be strongly discouraged. We firmly believe that most member states of this esteemed organization do not support such endeavors. In fact, persisting in such debates could pose a threat to the very functioning of the WCO itself.

It is crucial to emphasize that this diversion is not without consequences. Countries that choose to pursue such politicization for their own ambitions and potential political gain are not only jeopardizing their relationship with Russia but also compromising regional stability.

Furthermore, the adoption of political proclamations under false pretenses during WCO meetings can severely damage the credibility and effectiveness of these meetings. Instead of serving as forums for productive discussions and problem-solving in customs-related matters, they risk becoming battlegrounds for settling political scores.

We, therefore, urge the WCO Leadership and the Secretariat to actively work against any such politicization and to uphold the integrity and purpose of our organization. In conclusion, we call on the WCO Members to eliminate the attempts to politicize the work of the Organization, to continue to work for the benefit of our citizens and the whole world.”

- **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.”

- **European Union**

“The European Union and its Member States reiterate in the strongest possible terms our condemnation of the Russian Federation’s illegal, unjustified and unprovoked war of aggression against Ukraine, supported by the Republic of Belarus, as being a flagrant violation of international law and the UN Charter. It not only disrupts global security, supply chains and stability, but also undermines international trust-based cooperation on customs matters. It is therefore fundamentally contrary to the nature, values and objectives of the World Customs Organization (WCO). We urge the Russian Federation to immediately cease its war of aggression and respect Ukraine’s internationally recognized borders, only then will it be possible to rebuild today’s

disrupted international customs cooperation with the participation of the Russian Customs. The EU and its Member States stand in solidarity with Ukraine and its people.”

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