

# JOINT COMMUNIQUÉ

## RESTORATION OF JUSTICE

September 19, 2024

*Grounded in* the results of the high-level Summit on Peace in Ukraine held on June 15-16, 2024 in Switzerland,

*building on* the common path delineated during the third thematic Conference of the Peace Formula, dedicated to the seventh point, “Restoration of Justice” of the Ukraine’s Presidential Peace Formula, held online on September 19, 2024,

*in the face of* profound human suffering and widespread devastation wrought by the ongoing war of aggression perpetrated against Ukraine by the Russian Federation,

*we are united* by an unwavering resolve to forge a path toward peace, accountability, and restoring justice for Ukraine.

We believe that achieving a comprehensive, just and lasting peace can only be possible if respect for international law, starting with the United Nations Charter, is restored. We underscore the necessity of ensuring accountability for the most serious crimes under international law committed in or against Ukraine through appropriate, fair and independent investigations and prosecutions at the national and international levels.

The Russian Federation and its leadership must be held accountable for violations of international law in or against Ukraine, including for aggression, which violates the United Nations Charter, as well as for any violations of international humanitarian law and human rights law. The Russian Federation and its leadership must bear the legal consequences of all internationally wrongful acts, including by making reparations for all the damage caused by such acts.

Therefore, we reaffirm our resolute commitment to advancing peace, accountability, and justice. We call upon the global community to unite in this concerted effort, contributing to a robust and effective response to the enduring challenges posed by the aggression against Ukraine.

## **1. Ensuring Effective Investigation at the National Level**

With the aim to strengthen the national investigative and prosecutorial capacities, we pledge to reinforce Ukraine's efforts to enhance its national capabilities by supporting its specialized units dedicated to investigation and prosecution of any international crimes, including inter alia the crime of genocide, crimes against humanity and war crimes, in particular torture and/or other forms of cruel, inhumane or degrading treatment of civilians and prisoners of war in detention facilities, conflict-related sexual violence, unlawful transfer and deportation of Ukrainian children by the Russian Federation, as well as destruction of cultural heritage and the environment. We emphasize the importance of strengthening Ukraine's capacities in line with international standards with a view of Ukraine's accession to the EU.

For Enhancing Technical and Human Resources we recognize the importance and the need to facilitate continuous and uninterrupted provision of technical assistance and capacity building initiatives for Ukrainian prosecutors and investigative bodies, aimed at increasing their operational effectiveness.

Furthermore, we also recognize the necessity and importance of international judicial cooperation in national investigations through measures such as information and evidence sharing.

## **2. Securing Accountability for the Crime of Aggression**

To address accountability for the crime of aggression against Ukraine, we endorse and are resolute in aiding the continued operation of the International Centre for the Prosecution of the Crime of Aggression against Ukraine (ICPA), supported by Eurojust, which is a crucial coordination platform for States to support national investigations into the crime of aggression against Ukraine and ensure that no time is lost in effectively preparing and contributing to future prosecutions of the crime of aggression against Ukraine.

We acknowledge that advocating for and addressing accountability for the crime of aggression against Ukraine is essential for long-lasting peace, justice and ending impunity. We are committed to advancing necessary legal frameworks for pursuing accountability for the crime of aggression against Ukraine, which may include the establishment of a special tribunal.

### **3. Continuing Strategic Partnerships with the International Justice Mechanisms**

To ensure accountability at the international level, we remain committed to supporting a range of investigations into Russia's atrocities in Ukraine, including those by the International Criminal Court (ICC) in cases related to international crimes falling within the jurisdiction of the ICC.

We are firm in pursuing close coordination with other international mechanisms, including inter alia the UN Independent, International Commission of Inquiry on Ukraine and the OSCE Moscow Mechanism fact-finding missions. Our commitment extends to supporting and advocating for mechanisms to address the commission of international crimes in line with relevant rules of international humanitarian law, international criminal law and international human rights law.

### **4. Fostering Bilateral and Multilateral Inter-State Partnerships for Investigation and Prosecution**

In our commitment to achieving comprehensive accountability, we are dedicated to expanding our bilateral and multilateral partnerships. In this regard, we commend the work undertaken in the framework of the Joint Investigation Team (JIT) and other bilateral and multilateral fora. We coordinate international and national accountability efforts through the Dialogue Group and other collaborative platforms, ensuring a unified and effective approach.

By fostering effective cooperation with third states, international organizations and civil society, we secure the effective functioning and interplay of the different initiatives aimed at ensuring accountability.

### **5. Compensation for Damage, Loss, and Injury**

In addressing the extensive damage, loss and injury caused by the Russian Federation's aggression, we are committed to supporting the implementation of the UN General Assembly Resolution A/RES/ES-11/5 and the operation of the Register of Damage Caused by the Aggression of the Russian Federation against Ukraine. We express determination to continue working towards the establishment of a comprehensive international compensation mechanism for reparation for damage, loss or injury arising from the internationally wrongful acts of the Russian Federation in or against Ukraine. The Register was created and is now accepting claims, which is the first step in this process. The next step is the creation of a claims commission, which can assess the factual and legal

bases and evidence for the claims to determine their value for future payment of compensation.

We are also firm in enhancing sanctioning measures to limit the Russian Federation's capacity to sustain the aggression. We reaffirm that the Russian Federation must pay for the damage it has caused in Ukraine and that, consistent with our respective legal systems, Russian sovereign assets will remain immobilized until the Russian Federation ends its illegal war of aggression and pays for the damage it caused to Ukraine.

We are dedicated to ensure full accountability and we support Ukraine in obtaining compensation for the loss, injury and damage resulting from Russia's aggression so that justice is achieved.

We recall the importance of recognizing and addressing the needs and rights of victims of the Russian aggression against Ukraine, ensuring that their voices are heard, and their suffering acknowledged in the process of collection of compensation claims.