

Russia's invasion of Ukraine: joint statement on the OSCE Moscow Mechanism report

Mr. Chairperson,

I am delivering this statement on behalf of 45 participating States: Albania, Andorra, Bosnia and Herzegovina, Canada, Georgia, Iceland, Liechtenstein, Republic of Moldova, Monaco, Montenegro, North Macedonia, Norway, San Marino, Serbia, Switzerland, Turkey, Ukraine, the United Kingdom, the United States, and the European Union Member States.

Mr. Chairperson,

On Tuesday, April 12, 2022, OSCE participating States received the independent experts' report of the Moscow Mission to address the human rights and humanitarian impacts of the Russian Federation's invasion and acts of war, supported by Belarus, on the people of Ukraine, within Ukraine's internationally recognised borders and territorial waters. The mandate for the experts was to:

Establish the facts and circumstances surrounding possible contraventions of OSCE commitments, and violations and abuses of international human rights law and international humanitarian law

Establish the facts and circumstances of possible cases of war crimes and crimes against humanity, including due to deliberate and indiscriminate attacks against civilians and civilian infrastructure; and to collect, consolidate, and analyse this information with a view to presenting it to relevant accountability mechanisms, as well as national, regional, or international courts or tribunals that have, or may in future have, jurisdiction.

[Our collective invocation of the Moscow Mechanism on March 3, 2022](#), with the support of Ukraine, reflected our shared concerns about the impact of Russia's invasion. Unfortunately, the report from the independent experts confirms our fears.

While our capitals and delegations are still reviewing the 99-page report in detail, we would like to highlight a number of critical determinations made by the experts in the report's Executive Summary.

1. "The Mission found clear patterns of International Humanitarian Law (IHL) violations by Russian forces in their conduct of hostilities"
2. "If they (Russia) had respected their IHL obligations in terms of distinction, proportionality and precautions in attack and concerning

specially protected objects such as hospitals, the number of civilians killed or injured would have remained much lower.”

3. “Much of the conduct of Russian forces displayed in the parts of Ukraine it occupied before and after 24 February 2022, including through its proxies, the self-proclaimed ‘republics’ of Donetsk and Luhansk, violates IHL of military occupation”

4. The report has found “credible evidence suggesting that such violations concerning even the most fundamental human rights (right to life, prohibition of torture and other inhuman and degrading treatment and punishment) have been committed, mostly in the areas under the effective control of Russia or entities under overall control of Russia”

Furthermore, there are strong indications that crimes against humanity committed by Russian forces may have occurred pursuant to widespread or systematic attacks directed against a civilian population, with the report stating:

5. “some patterns of violent acts violating International Human Rights Law (IHRL), which have been repeatedly documented in the course of the conflict, such as targeted killing, enforced disappearance or abductions of civilians, including journalists and local officials, are likely to meet this qualification. Any single violent act of this type, committed as part of such an attack and with the knowledge of it, would then constitute a crime against humanity.”

In terms of recommendations for additional actions, the report states that:

6. “The report can inform other bodies’ more in-depth investigations into legal accountability. The findings may also contribute to establishing political accountability.”

Mr. Chairperson,

We appreciate that Ukraine has expressed its gratitude to the Mission of Experts for the “tremendous work accomplished”. We would also like to thank Professors Benedek, Bilkova, and Sassoli for their tireless work in preparing this report in such a short period of time. As stated, this report will require careful consideration and study, in the OSCE region and beyond. The broad conclusions, however, are clearly and compellingly presented. It is now upon the participating States and the international community to ensure that we undertake the necessary actions. That includes follow-up in the OSCE through the further use of its human dimension tools and mechanisms.

Thank you Mr Chair, and I ask that this statement be attached to the journal of the day.

Government awards nearly £2 million to innovative transport proposals

- creative entrepreneurs awarded share of £1.95 million to revolutionise UK's transport network
- projects include technology to protect public transport systems from extreme weather conditions and proposals to reduce carbon emissions from HGVs
- government-backed projects will help support a greener and more efficient transport future, as UK drives towards net zero targets

Entrepreneurs and innovators pioneering new ways of creating a more efficient transport system are being backed by government funding announced today (13 April 2022).

In total, 51 projects have been awarded a share of £1.95 million in Department for Transport (DfT) funding as part of the government's [Transport Research and Innovation Grant \(TRIG\) programme](#), the largest number of projects backed in the programme's history.

One winner, Makesense Technology Ltd, will develop a technology to guide visually impaired people through the public transport network. A handheld device will scan the area and provide touch feedback, such as a vibration to the tablet holder, alerting them to any obstacles and their direction of travel.

AJEA Products Ltd is also among those awarded funding, creating autonomous flood protection for critical transport infrastructure. It will design self-deploying barriers that can be installed at train stations across the UK and pop up automatically when floods are detected, preventing passenger journeys from being disrupted by extreme weather.

Meanwhile, Unitrove Innovation Ltd is being backed to develop a control system for the world's first liquid hydrogen fuel container facility for zero emission ships (as seen in the image above).

The University of Cambridge is developing a new low-cost and lightweight steering system for heavy goods vehicles (HGVs), which will reduce tyre wear, reduce carbon emissions and make it easier for larger vehicles to manoeuvre on the road.

Transport Minister Trudy Harrison said:

Innovation funded as part of TRIG could be the key to unlocking a more efficient and safer transport system for tomorrow.

I support the ingenious ideas of this year's cohort every step of the way and wish the successful applicants all the very best. I

look forward to seeing the ideas develop to boost our green agenda and create high-skilled jobs across the UK.

Now in its 11th round of funding, the TRIG programme, delivered in partnership with [Connected Places Catapult](#), brings together talented start-ups – mainly SMEs and universities – and policymakers at the earliest stage of innovation to help enhance the UK's transport system.

Since launching in 2014, over £6 million in grants has supported more than 200 TRIG projects.

This year, the programme focused on increasing the diversity of its applicants. From Southampton to the Shetland Islands, the winning projects are based across the UK and reflect DfT's commitments to levelling up.

The winners were selected based on 4 key themes:

- maritime decarbonisation
- future of freight
- COVID-19 recovery
- transport resilience

An open call, where any transport related idea was also considered.

For the first time, 6 Future of Freight grants worth £100,000 each were piloted for larger projects, moving them past 'proof of concept' and towards being demonstration ready. These will complement remaining 45 grants of up to £30,000 each, spread across all 4 themes.

DfT will also be working in partnership with Connected Places Catapult this year to pilot an Innovation Accelerator Programme, which will support companies at a later stage in their innovation journeys. The programme will provide funding to help projects take the last step towards the market by providing bespoke training from industry experts.

Rachel Gardner-Poole, Connected Places Catapult, Chief Operating Officer said:

TRIG is a one-of-a-kind programme. It provides a mechanism to identify and support early-stage innovation that might slip through the nets of traditional funding routes.

Connected Places Catapult is extremely proud to deliver TRIG 2021, which is supporting over 50 innovators across 4 different challenges, including the future of freight, maritime decarbonisation, COVID-19 recovery and resilient transport systems. I am excited to see what great products and services arise.

Agreement with major developers to fund building safety repairs

- Major homebuilders accounting for half of new homes pledge to fix all unsafe tall buildings they have had a role in developing
- More than £2 billion committed by over 35 developers to make buildings safe
- Extension to the Building Safety Levy will raise a further estimated £3 billion forcing industry to pay and protecting innocent leaseholders

The government has today (13 April 2022) revealed a wide-ranging agreement that will see industry contribute £5 billion to address the building safety scandal.

In a victory for leaseholders, Levelling Up Secretary Michael Gove has agreed a solution with the housing industry that will see developers commit a minimum of £2 billion to fix their own buildings. Industry will also pay up to a further £3 billion through an expansion to the Building Safety Levy.

Under the new agreement, which will become legally enforceable, over 35 of the UK's biggest homebuilders have pledged to fix all buildings 11 metres+ that they have played a role in developing in the last 30 years.

For the companies yet to make the pledge, the Secretary of State has also confirmed there is little time left for them to sign up, and that those who continue to refuse will face consequences if they fail to do so.

As set out in January, a new government scheme will also see industry pay to fix buildings where those responsible cannot be identified or forced to in law. This follows previous confirmation that plans for a 30-year loan scheme paid for by leaseholders would be scrapped.

The new scheme will be funded through an extension to the Building Safety Levy that will be chargeable on all new residential buildings in England. This is expected to raise up to an additional estimated £3 billion over ten years from developers and ensure no leaseholder in medium-rise buildings faces crippling bills, even when their developer cannot be traced.

New proposed laws, announced in February under the Building Safety Bill, will ensure qualifying leaseholders are protected from the costs of historical building safety defects, including total protection against cladding costs. Today's deal establishes that the industry responsible – not innocent leaseholders – will pay.

Levelling Up Secretary Michael Gove said:

Today marks a significant step towards protecting innocent leaseholders and ensuring those responsible pay to solve the crisis they helped to cause.

I welcome the move by many of the largest developers to do the right thing.

But this is just the beginning. We will do whatever it takes to hold industry to account, and under our new measures there will be nowhere to hide.

The pledge published by government today commits developers who have signed up to legally binding contracts, and to implement their promises as soon as possible.

The detailed agreement confirms developers will:

- Act as quickly as possible to fix buildings
- Implement new proportionate guidance on building safety
- Regularly report to leaseholders and government on their progress
- Respect an independent dispute resolution process established by government; and
- Refund money already received from the taxpayer to fix their buildings.

More information on how government plans to enforce the agreement in law will be released in due course.

The government is introducing new powers that could be enforced on a developer should they breach the agreement, as well as on any remaining companies who fail to sign up. These new powers would allow the Secretary of State to block those who refuse to sign from building and selling new homes.

The government is clear that building safety is an industry wide issue. Cladding and insulation manufacturers are yet to accept their share of responsibility and come forward with a proposal. The Secretary of State has also today written to the Construction Products Association and warned he will do whatever it takes to hold cladding and insulation manufacturers to account.

Today's announcement follows a statement from Mr Gove in January, when he set out a 4-point plan to reset the approach to building safety and give leaseholders more protection against unfair costs.

The Building Safety Levy will be chargeable on new residential buildings of all heights – see [clause 57](#) in the Building Safety Bill.

Leaseholders will be contacted by their developer in due course to confirm whether their building is covered.

The Building Safety Bill includes far reaching provisions to protect qualifying leaseholders, in law, from the costs associated with historical building safety defects. Qualifying leaseholders are those living in their

own homes or with up to three UK properties in total in medium and high-rise buildings.

The Building Safety Bill will also give government, regulators, and leaseholders and others new ways to hold to account companies that fail to do the right thing. More information is available here and further details on these measures will be announced in due course.

[Attorney General seeks clarification on the law following protest case](#)

News story

The Attorney General has decided to refer questions of law to the Court of Appeal concerning the proper scope of defences to criminal charges arising from protests.



The Attorney General, the Rt. Hon. Suella Braverman QC MP, has decided to refer questions of law to the Court of Appeal concerning the proper scope of defences to criminal charges arising from protests, and the directions which should be given to juries in such cases.

The referral relates to the Colston statue protest. The Attorney has concluded that this case has led to uncertainty regarding the interaction between the offence of criminal damage and the rights relevant to protest peacefully. The Attorney's action will not overturn the acquittals in this case.

The Court of Appeal will be asked to clarify the law around whether someone can use a defence related to their human rights when they are accused of criminal damage. The Court will also consider whether juries should be asked to decide if a conviction for criminal damage is a 'proportionate interference' with the human rights of the accused, particularly the right to protest and freedom of expression. In the Colston statue case, the judge

directed the jury that, before they could convict, they must be sure that doing so would be a 'proportionate interference' (in other words compatible) with the defendants' exercise of their rights to freedom of thought and to freedom of expression.

Acting independently of Government, in her role as the Guardian of the Public Interest, the Attorney General made the decision in the interests of future cases involving the same point of law.

Since 2000, there have been 19 instances of this power being used by Attorneys General. The last time this power was used was in December 2020 when the Attorney clarified the law in relation to sexual assault.

Commenting on her decision, the Attorney General said:

After careful consideration, I have decided to refer the Colston statue case to the Court of Appeal to clarify the law around protests.

Trial by jury is an important guardian of liberty and critical to that are the legal directions given to the jury. It is in the public interest to clarify the points of law raised in these cases for the future. This is a legal matter which is separate from the politics of the case involved.

- The Attorney has the power to ask the Court of Appeal for clarification on important points of law in some cases where a defendant has been acquitted at trial – which means 'found not guilty'. The Criminal Justice Act 1972 provides the Attorney General with a power to refer a point of law to the Court of Appeal.
- The Attorney has referred one defendant (who cannot be named for legal reasons) from the Colston prosecution to the Court. This is because their case contains all of the issues which the Attorney wants the Court to clarify the law on. The individual's acquittal is unaffected.
- The Questions asked of the Court of Appeal are as follows:
 1. Does the offence of criminal damage fall within that category of offences, identified in *James v DPP* [2016] 1 WLR 2118 and *DPP v Cuciurean* [2022] EWHC 736 (Admin), where conviction for the offence is – intrinsically and without the need for a separate consideration of proportionality in individual cases – a justified and proportionate interference with any rights engaged under Articles 9, 10 and 11 of the European Convention on Human Rights ('the Convention')? If not, and it is necessary to consider human rights issues in individual cases of criminal damage:
 2. What principles should judges in the Crown Court apply when determining whether the qualified rights found in Articles 9, 10 and 11 of the Convention are engaged by the potential conviction of defendants purporting to be carrying out an act of protest? And

3. If those rights are engaged, under what circumstances should any question of proportionality be withdrawn from a jury?

- More information about the last time this power was used is available [here](#).

[Factsheet: the Attorney General's Referral of a Protest Case to the Court of Appeal](#) (PDF, 89.6 KB, 1 page)

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[New independent commissioner appointed by Geospatial Commission](#)

The Geospatial Commission is delighted to announce that distinguished Professor Louise Heathwaite CBE of Lancaster University joined our Board of Commissioners on 1 April 2022 replacing Kru Desai.

The Chair of the Geospatial Commission, Sir Bernard Silverman, said:

I welcome the appointment of Professor Louise Heathwaite to the Geospatial Commission's Board of Commissioners. Louise brings a wealth of experience in environmental science and [land management](#) that will be invaluable in helping us set our priorities for improving the interoperability of land use data and advancing our scientific capability.

I would like to convey my gratitude to Kru Desai for her significant contribution to the Geospatial Commission since its near inception.

Professor Louise Heathwaite said:

I am delighted to be joining the Geospatial Commission at such an important time. It has huge potential to influence some of the pivotal challenges ahead of us relating to achieving net zero and ensuring we go beyond the government's levelling up agenda to deliver 'levelling out'.

The UK's geospatial data and our geospatial capabilities are first

class and our success will depend on exploiting the potential of interoperable locational data that integrates the needs of government departments.

The Geospatial Commission sets the UK's geospatial strategy and promotes the best use of geospatial data to drive productivity, promote economic growth and improve the delivery of public services, while safeguarding considerations such as national security and intellectual property rights. The Geospatial Commission's Board of Commissioners are appointed through an open competition and provide impartial advice to the government.

The Board meets formally up to six times per year and has nine members:

- Sir Bernard Silverman (Chair)
- Nigel Clifford (Deputy Chair)
- Thalia Baldwin (Director, Geospatial Commission)
- Edwina Dunn (Independent Commissioner)
- Professor Louise Heathwaite (Independent Commissioner)
- Alex Notay (Independent Commissioner)
- Steve Unger (Independent Commissioner)

Karen Hanghoj (Director, British Geological Survey) and Peter Sparkes (Chief Executive, UK Hydrographic Office) are the two commissioners nominated by the Partner Bodies of the Geospatial Commission to represent them collectively.

Professor Louise Heathwaite Biography

Louise is Distinguished Professor of Environmental Science and Pro-Vice-Chancellor Research and Enterprise at Lancaster University. She is a hydrologist and hydrochemist by training. Her research has contributed to our understanding of how freshwater biodiversity responds to environmental pollution and has informed policy-interventions on land use and management designed to improve water quality.

Louise was awarded a CBE in 2018 for services to scientific research and scientific advice to the government and elected Fellow of The Royal Society of Edinburgh in 2015. Louise is a highly regarded leader in the environmental sciences, which is reflected in appointments to UKRI Natural Environment Research Council (2018-2021); the Royal Society Global Environment Research Committee (2018-) and election as President of the Freshwater Biological Association in 2017.

Louise was appointed Chair of Defra's Science Advisory Council in 2021 and to the advisory board of the Industrial Strategy Challenge Fund on Transforming Food Production in 2018, where she has helped develop a better understanding of the social as well as the financial barriers to the uptake of innovation in the UK food production sector.

She has direct experience of providing expert, impartial advice to government as Chief Scientific Adviser to the Scottish Government on Rural Affairs, Food and Environment from 2012-2017. In 2019 she led the Heathwaite Review: an independent review of the Scottish Funding Council's £0.5 Billion 15-year

investment in research pooling of STEM disciplines.