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**Statement of the Delegation of Ukraine  
71<sup>st</sup> General Assembly Sixth Committee on Agenda Item 78: Report of the  
International Law Commission on the Work of its 68th Session (Chapter X  
Protection of the environment in relation to armed conflicts, Chapter XI  
Immunity of State officials from foreign criminal jurisdiction, Chapter XII  
Provisional application of treaties)**

*3 November 2016*

**Mr. Chairman,**

I would like to begin my statement by thanking the International Law Commission (ILC) for providing us with a comprehensive report on the work of its sixty-eighth session.

My delegation appreciates the Commission for its dedication to the progressive development and codification of the international law. Taking into account the significance of all three chapters under this Cluster, we would like to share our views on the Chapter X of the Report “Protection of the environment in relation to armed conflicts”.

First and foremost, I would like to express my esteem to Special Rapporteur Ms. Marie G. Jacobsson for her work. This topic has been of particular importance to my country considering its relevance and applicability to the situation in and around Ukraine arising from the foreign armed aggression.

With regard to the present Third report of the ILC, which primarily deals with the post-conflict phase and contains nine draft principles, we think that it makes a valuable contribution to the ongoing debate over environmental and civilian impact of armed conflict and its aftermath.

The Protection of the environment in areas affected by armed conflict is relevant and important issue, which warrants immediate actions in the global context of the SDGs and the rule of Environmental law.

Environmental degradation during and after armed conflicts has a direct impact on human health, lives and livelihood. We are of the opinion that these issues must be discussed together with the protection of the “natural environment”.

In the context of the Report, I would like to refer to the Draft principle 4 “Measures to enhance the protection of the environment”, which, *inter alia*, goes in line with the Resolution on protection of the environment in areas affected by armed conflict. This resolution was initiated by Ukraine and adopted at the Second session of the United Nations Environment Assembly.

We stress the importance of practical implementation by all States of the relevant international law to reduce conflict-related environmental impacts.

Turning to the humanitarian angle of the issue, the environmental impact of conflicts remains significant and continues to have direct consequences on human wellbeing and enjoyment of fundamental human rights, as it was also reflected in the respective UNEA resolution.

In this regard we would also like to refer to the Draft principle 16 “Remnants of war”. We welcome the general idea behind this principle. However, we propose to amend the first paragraph by highlighting that toxic and hazardous remnants of war do not only cause or pose a risk of causing damage to the environment, but clearly threaten human health, as the discharges from damaged industrial facilities, military wastes and explosive ordnance cause direct harm to the civilian population.

Draft principle 15 “Post-armed conflict environmental assessments and remedial measures” is also worth mentioning in this respect, which is clearly of relevance to eastern Ukraine.

Pollution from damaged industrial sites or flooded mines, groundwater pollution with mining effluents, pollution of surface water with sewage and irregular removal of municipal waste, increase in forest fires etc. will get worse the longer it is left unsolved. Thus, cooperation of all parties with international agencies to assess and remedy damage is important, particularly where it poses threats and can spread across the line of control.

Ukraine also highly welcomes Draft principle 18 “Sharing and granting access to information” as it is vital to facilitate remediation and harm reduction.

We are confident that by adhering to these and other relevant principles the international community will contribute to respective environmental protection.

In closing, I would like to reiterate my country’s full support of the issue of protection of the environment especially in relation to armed conflicts and to urge the Commission to continue its work on this topic.

**I thank you, Mr. Chairman.**