



**Permanent Mission
of Ukraine**
to the UN

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**Statement of the Delegation of Ukraine
at the Sixth Committee of the General Assembly of the United Nations on
the Rule of Law at national and international levels
(agenda item 84)**

Mr. Chair,

Ukraine aligns itself with the statement delivered by the European Union and we would like to make comments in our national capacity.

We welcome the report of the Secretary-General on strengthening and coordinating United Nations rule of law activities, addressing the national and international dimensions of the rule of law and the United Nations assistance to States. We would like to repeat once again that ensuring rule of law and justice systems responsive to people should remain a priority for the Organization for now and ever.

Challenges to the rule of law remain on almost every front, with widespread conflicts and violations of international humanitarian law and international human rights law, including conflict-related sexual violence, and impunity for war crimes, crimes against humanity and genocide.

In this regard, we are welcoming offered by Secretary-General in his report entitled “Our Common Agenda” strategic plan of action aimed to address global challenges to human rights.

Without promotion and protection of the rule of law, we will not be able to overcome existing challenges and restore trust in democratic principles, ensure protection of human rights for all and timely deliver justice. We cannot turn a blind eye on the precedents of rule of law breach and deliver no further punishment for it.

Mr. Chair,

While Ukraine is exercising its inevitable right to self-defense in accordance with Article 51 of the UN Charter to repel Russia’s aggression, the rule of law remains an effective tool at the international level to defend sovereignty, territorial integrity and to advance protection of human rights. We are committed to the peaceful settlement of any international disputes based on the UN Charter and international law, including those resulting from foreign armed aggression.

In 2 days after Russia launched its full-scale armed invasion, on February 26, we initiated a case in the International Court of Justice concerning allegations of genocide

under the Convention on the Prevention and Punishment of the Crime of Genocide against Russia.

The Court ordered Russia to immediately suspend its so-called “military operations”. Predictably, Russia shows complete disregard to this legally binding ruling, as it has done before towards other ICJ orders, the UN Charter, the General Assembly resolutions and international law in general. Responding to Russia’s attempted annexation of the newly occupied parts of Ukraine’s territory, Ukraine has officially informed the ICJ that Russia had blatantly violated its legally binding Order on Provisional measures issued on 16 March.

In our view, the mentioned Secretary-General report in addition to references to the cases should include a follow-up on the implementation of international courts and tribunals decisions to reflect real commitments of states to the rule of law.

While the Ukrainian counteroffensives continue successfully, nearly 1/5 of Ukraine’s territory remains occupied by Russia. In the recently occupied areas Russia reproduces the same patterns it has been using in the temporarily occupied Crimea and parts of Donetsk and Luhansk regions since 2014: appoints occupation administrations, imposes Russian passports and Russian legislation.

Mr. Chair,

Probably you have happened to hear different words from Russia about negotiations – as if they were ready for them. But. They talk about the negotiations but announce military mobilization. They talk about the negotiations but announce sham referenda on the temporarily occupied territories of Ukraine.

Russia’s unlawful attempt to annex the territories is a serious aggravation of Russia’s war of aggression against Ukraine. It has clearly demonstrated that all Kremlin’s signals of readiness for negotiations were only a cover operation for the armed aggression.

With the attempted annexation, Russia has crossed the red line. No negotiations will be held with President Putin. No negotiations will start until the Russian troops leave the sovereign territory of Ukraine within its internationally recognized borders and respect for the UN Charter is restored.

We are grateful to Secretary-General who was very clear and explicit in his remarks to press on 29 September. Let me remind just several of his messages. “Any decision to proceed with the annexation would have no legal value and deserves to be condemned. It cannot be reconciled with the international legal framework. It stands against everything the international community is meant to stand for. It flouts the Purposes and Principles of the UN. It must not be accepted”.

After another veto of Russia in the seat of the USSR on the draft resolution aimed at condemning the attempted illegal annexation of parts of Ukrainian territories, we called for the resumption of the 11th Emergency Special session next week to consider draft resolution. We count on your support for the ESS resolution which will be the support of the UN Charter and the international peace and security.

As if the invasion is not enough atrocious itself, Russian troops continue to systematically violate the norms of international humanitarian law and international human rights law in Ukraine: deliberate and indiscriminate attacks on civilians; their use

as hostages and human shield; execution and rapes; forceful conscription and kidnapping; attacks on medical personnel and facilities; use of banned weapons etc.

Russia continues the practice of illegal mobilization and conscription of residents of the temporarily occupied territories of Ukraine into the Russian Armed Forces who are actively used in the Russia's offensive military actions against Ukraine. In the Autonomous Republic of Crimea and the city of Sevastopol, this mobilization campaign disproportionately targets Crimean Tatars, who are disloyal to the Putin's regime and openly call for its overthrow and the de-occupation.

We recall the Vienna Declaration that reaffirms the importance of effective international measures to guarantee and monitor the implementation of human rights standards in respect of people under foreign occupation, and effective legal protection against the violation of their human rights, in accordance with human rights norms and international law, particularly the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 14 August 1949, and other applicable norms of humanitarian law.

Eventually, all Russian perpetrators committing war crimes and crimes against humanity will be held accountable.

This is a matter of principle!

This is a matter of the rule of law!

War crimes and crimes against humanity committed during Russia's war against Ukraine are being investigated by Ukraine and a number of other States, as well as by the International Criminal Court (ICC). The referral of the situation in Ukraine made by 43 States and the previously given Ukraine's consent to the ICC's jurisdiction over all crimes committed during the armed conflict since 2014 provide a solid basis for the work of the Office of the Prosecutor of the ICC. Ukraine is strongly committed to cooperating with him in his efforts. But ICC as well as any other existing Court or tribunal could not judge Russia's top political and military leadership for committing the crime of aggression against Ukraine.

For this reason Ukraine is working on the establishment of the Special Tribunal for the Crime of Aggression against Ukraine.

But justice for the victims of any offense is not only in holding a perpetrator accountable but also in compensating for the suffering. And to cope with this issue Ukraine is working on the establishment of a comprehensive international mechanism for compensation of damages stemming from Russia's invasion of Ukraine. We also foresee, as the first step, the establishment of a register of damage that would aggregate information about claims for damages on a preliminary basis and serve as a repository of contemporaneous evidence of damage caused to Ukraine and Ukrainians.

Implementation of the rule of law for its citizens, as well as on the international level is of utmost importance for Ukraine and that is why we are looking for support for our initiatives by all States, which unequivocally stand for the rule of law and the UN Charter.

I thank you.