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Statement by Ms. Alice Wairimu Nderitu, Special Adviser on the Prevention of Genocide, on the Order of the International Court of Justice of 16 March 2022, indicating provisional measures in the case concerning *Allegations of Genocide under the Convention on the Prevention and Punishment of the Crime of Genocide (Ukraine v. Russian Federation)*

(18 March 2022) The Special Adviser on the Prevention of Genocide, Alice Wairimu Nderitu, takes note of the Order of the International Court of Justice (ICJ) of 16 March 2022 indicating provisional measures in the case concerning *Allegations of Genocide under the Convention on the Prevention and Punishment of the Crime of Genocide (Ukraine v. Russian Federation)*. The Court indicated, amongst others, that “the Russian Federation shall immediately suspend the military operations that it commenced on 24 February 2022 in the territory of Ukraine”, and that “both Parties shall refrain from any action which might aggravate or extend the dispute before the Court or make it more difficult to resolve.”

Noting that her Office supported inter-communal dialogue efforts in Ukraine in the past, the Special Adviser expressed her commitment to supporting reconciliation efforts in the country and encouraged the prioritization of such efforts in the hope that ongoing dialogue initiatives to put an end to the conflict succeed. “While we must strive for the conclusion of an agreement between the parties as soon as possible, peace does not come automatically once weapons fall silent,” said the Special Adviser. “Building trust and bringing communities together requires hard and sustained work at all levels – regional, national, and international. Ensuring that this happens must constitute a priority for all of us.”

Notwithstanding the intensification of diplomatic efforts aimed at putting an end to the current armed conflict, Special Adviser Wairimu Nderitu expressed her strong concern that “three weeks on, we are witnessing a steady escalation with increased attacks against urban areas, serious allegations of international humanitarian law violations, continuation of violence affecting terrified innocent citizens, and increasing numbers of displaced populations. This is unacceptable. Even the sacred grounds of Babyn Yar, where thousands of Jews, Roma, and members of other ethnic communities and other innocent citizens were killed in 1941, have been reportedly hit by artillery. Civilians must be protected, humanitarian corridors must be maintained and secured, and violence must stop as a matter of utmost urgency.” The Special Adviser also echoed concerns by other senior United Nations officials at the heightened risks of sexual violence, especially trafficking in persons, which is significantly impacting women and children fleeing the conflict in Ukraine and forcibly displaced.

Special Adviser Wairimu Nderitu also acknowledged the important regional and international efforts to address the ongoing humanitarian crisis, however expressed disappointment on cases of discrimination. “In this entirely avoidable humanitarian crisis, it is important that all States abide by their international human rights and international humanitarian law obligations to open their borders to refugee populations without discrimination. It is also imperative that minority

communities in their respective home or host countries, especially those particularly vulnerable, are fully respected and that their rights are always preserved.”

The Special Adviser also emphasized that “cessation of the armed conflict is necessary to prevent further loss of life and to mitigate the suffering of so many innocent civilians, who bear absolutely no responsibility over the tragic circumstances they continue to endure.”

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