

**Statement**  
**by the Permanent Representative of Ukraine to the United Nations**  
**H.E. Mr. Sergiy Kyslytsya**  
**on the occasion of commemoration of the signing of the Charter of the United Nations**  
**June 26, 2020**

In the year of the Organization's 75<sup>th</sup> anniversary I am proud to deliver a statement on behalf of Ukraine as a founding nation of the United Nations.

I appreciate the initiative of the UNGA President to convene this commemorative event on the topic. It is highly fitting for the process of taking stock of the Charter's performance and finding ways on how to make its implementation more efficient and relevant for ensuring sustaining peace.

We have to use this timely opportunity to consider measures leading to effecting real change in the prevailing mindset as well as to strengthen the capacity of the United Nations, especially in the area of maintaining international peace and security.

On the date of signing of the United Nations Charter I deem important to recall that back in 1945 the founding member states were determined to save succeeding generations from the scourge of war and to establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law could be maintained.

As a representative of the nation that is amongst those who suffered the most during the greatest tragedy of the 20th century I cannot but recall that 75 years ago a bitter lesson from the horrors of the Second World War and the failure of the League of Nations to prevent it led to the creation of the United Nations based on the shared principles and values. San Francisco has become a turning point for the international community. The future of the mankind was dependent on the right decision whether to follow the path of peace and security, human rights and sustainable development, or expect yet another turmoil of world war, chaos and human sufferings.

For a short while, a hope was alive that with the establishment of the United Nations a more just and peaceful world will emerge, where the use of force against the territorial integrity or political independence of any state would be unimaginable. To this aim, the purposes and principles of the United Nations were carefully crafted and established in San Francisco where Ukraine's delegation proudly chaired the drafting of the Charter's Preamble and Chapter I.

Unfortunately, we have witnessed deviations from principles and norms of the United Nations Charter or their misinterpretation according to convenience. Since the founding of the United Nations, the basic norms of the Charter have been violated on many occasions.

As we prepare to mark the anniversary of the United Nations in September, peace remains as an ever-elusive goal. Despite the universal appeal for peace and declared commitment to uphold it, wars and armed conflicts remain a recurring feature of today's international affairs. Their causes may be different, but consequences are similarly horrible.

With rising number of violent conflicts and with their changing nature, the existing tools and approaches that the United Nations uses to address them are called into question. At the same time, it is undisputable that in today's world, adherence to the Charter's provisions remain the prerequisites to any success of the United Nations.

The time has revealed the real intentions of every single nation, which gathered in San Francisco 75 years ago: those who saw the Organization as a mechanism of sustaining and stable international community based on rules, mutual interests and aims for the good for all and those, who considered and continue to utilize the United Nations as an arena for pursuing only own national interests notwithstanding norms and rules of the international law.

Unfortunately, some members still see a clear complexity of combining totalitarian ideology with the goals and principles of the UN Charter and deem more appropriate to use coercion, opposed to diversity and free choice. Such attitude to this Organization in 75 years has only been defiantly and cynically improved by some states while declaring adherence to the principles of the Charter.

The current developments caused by Russia's illegal temporary occupation of Crimea and its aggression in the Donetsk and Luhansk regions of Ukraine clearly serve to demonstrate that the violation of fundamental principles of international law by a permanent member of the Security Council is a serious threat to peace and security in Europe and the whole world. Any encroachment on the Charter's provisions, any arbitrary or selective interpretation of its Articles or any actions that undermine its authority or incite disregard for the letter and the spirit of its principles represent a clear threat to international peace, with far-reaching repercussions for the wellbeing of all peoples.

The neo-imperialistic ambitions of the Russian Federation and its reckless militaristic adventurism have created the worst security crisis in Europe since the end of the Second World War. In trying to justify its actions by misinterpretation of the provisions of the Charter, Russia has on numerous occasions, in the less than 30 years of its membership in the United Nations and questionable permanent seat in its Council, demonstrated that it did not respect its own obligations under international law and the Charter.

Furthermore, in abusing the right of the veto in the Security Council, the Russian Federation neglects its obligations, as a permanent Council member, to maintain peace and security. It is no surprise also that the authorities in Moscow have never intended to comply with General Assembly resolution 68/262, entitled "Territorial integrity of Ukraine", which calls upon all States to desist from any attempts to modify Ukraine's borders.

The aggressive war launched by the Russian Federation against Ukraine constitutes a grave breach of *jus cogens* and a flagrant disregard for the international obligations and commitments undertaken by Russia under the Charter of the United Nations, the Helsinki Final Act and other international treaties and documents.

According to General Assembly resolution 3314 of 14 December 1974, the actions undertaken by the Russian Federation in Crimea, as well as in the Donetsk and Luhansk regions of Ukraine, fall squarely under the definition of an act of aggression – a crime against international peace. Under Article 2 of the Charter of the United Nations, the use of force against the territorial integrity of another State is illegal; thus, no territorial acquisition can be recognized as lawful or retrospectively legitimized.

The actions of the Russian Federation constitute yet further proof that in practice there can be no isolated violation of a single principle of the Charter, as all principles are inherently connected and interdependent. Encroachment upon any of them essentially entails a breach of the entire corpus of the principles as a whole and of the many legal rules deriving from those principles.

We proceed from the fact that Article 33 of the Charter envisages an obligation to settle any international disputes peacefully and provides a toolkit to do so. We remain committed to a peaceful resolution of this conflict. But striving to achieve that and trying to re-establish lost trust does not, however, mean that a breach of the United Nations principles should be accepted. That would be an erroneous lesson to be drawn from history and would be fatal for European and world security.

Ukraine fully recognizes the key role the United Nations plays in maintaining international peace and security and its capacity to that end to take effective measures to prevent and remove threats to peace. The Charter has withstood dramatic changes in international relations and proved its key place in today's global architecture as the primary international legal instrument for preserving international peace, with far-reaching effects for the well-being of all peoples. Adherence to the principles embodied in the Charter is the best safeguard for the implementation of all other international legal documents and, ultimately, for the international rule of law. We trust that the General Assembly, the Security Council and world leaders will exert every effort and explore every opportunity to restore respect for the United Nations Charter.