

UNITED NATIONS



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THE PRESIDENT OF THE SECURITY COUNCIL
LE PRÉSIDENT DU CONSEIL DE SÉCURITÉ

4 October 2022

Excellency,

Pursuant to General Assembly resolution 76/262 of 26 April 2022 (A/76/262) I hereby submit a special report on the use of the veto at the 9143rd meeting of the Security Council held on 30 September 2022 under the item entitled "Maintenance of peace and security of Ukraine."

Please accept, Excellency, the assurances of my highest consideration.

A blue circular official seal of the Gabonese Permanent Representative to the United Nations. The seal features a central figure and text in French: "REPRESENTANT PERMANENT AUPRES DES NATIONS UNIES", "REPUBLIQUE GABONAISE", and "DIGNITÉ - TRAVAIL - JUSTICE". A black ink signature is written across the seal.

Michel Xavier BIAN
President of the Security Council

His Excellency
Mr. Csaba Kőrösi
President of the General Assembly
United Nations
New York

Special Report of the United Nations Security Council

This Special Report of the United Nations Security Council is submitted upon the invitation of the United Nations General Assembly in operative paragraph 3 of General Assembly Resolution 76/262, and in accordance with Article 24, paragraph 3 of the Charter of the United Nations.

On 30 September 2022, the Security Council held its 9143rd meeting, to take action on a draft resolution contained in document S/2022/720, attached as Annex 1 to this Report. The draft resolution was proposed by Albania and the United States of America. The meeting was held under the agenda item “Maintenance of peace and security of Ukraine.”

At the 9143rd meeting, the result of the voting on the draft resolution contained in document S/2022/720 was as follows:

Ten votes in favor: Albania, Ghana, France, Ireland, Kenya, Mexico, Norway, United Arab Emirates, United Kingdom, United States of America

One vote opposed: Russian Federation

Four abstentions: Brazil, China, Gabon, India,

In accordance with Article 27, paragraph 3 of the Charter of the United Nations, the resolution obtained the required number of votes, but was not adopted due to a negative vote cast by a Permanent Member of the Security Council.

A verbatim transcript of the meeting will be issued as a document of the Security Council and will be available under the document symbol S/PV.9143 and is attached as Annex 2 to this Report.



Security Council

Distr.: General
30 September 2022

Original: English

Albania and United States of America: draft resolution

The Security Council,

Recalling the obligation of all States under Article 2 of the Charter to refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the purposes of the United Nations, and to settle their international disputes by peaceful means in such a manner that international peace and security, and justice, are not endangered,

Recalling its primary responsibility under the United Nations Charter for the maintenance of international peace and security,

Reaffirming that no territorial acquisition resulting from the threat or use of force shall be recognized as legal,

Noting that Ukraine's regions of Luhansk, Donetsk, Kherson, and Zaporizhzhya are areas that, in part, are under the control of the Russian Federation as a result of Russia's full-scale invasion, in violation of the sovereignty, political independence and territorial integrity of Ukraine,

Noting that the 21 February 2022 decision by the Russian Federation related to the status of certain areas of the Donetsk and Luhansk regions of Ukraine is a violation of the territorial integrity and sovereignty of Ukraine and inconsistent with the principles of the Charter,

Further noting that Ukraine has not authorized the so-called referenda held in Ukraine's regions of Luhansk, Donetsk, Kherson, and Zaporizhzhya on 23 to 27 September 2022 and that they are illegal under international law,

Deploring the Russian Federation's unlawful actions with regards to the illegal so-called referenda taken on 23 to 27 September 2022 as attempts to modify Ukraine's internationally recognized borders,

Determining that the Russian Federation's attempts to annex the territory of Ukraine constitute a threat to international peace and security,

1. *Reaffirms* its commitment to the sovereignty, independence, unity and territorial integrity of Ukraine within its internationally recognized borders, extending to its territorial waters;

2. *Condemns* the Russian Federation's organization of illegal so-called referenda in regions within Ukraine's internationally recognized borders;



3. *Declares* that the Russian Federation's unlawful actions with regards to the illegal so-called referenda taken on 23 to 27 September 2022 in parts of Ukraine's regions of Luhansk, Donetsk, Kherson, and Zaporizhzhya that are under the Russian Federation's temporary control can have no validity and cannot form the basis for any alteration of the status of these regions of Ukraine, including any purported annexation of any of these regions by the Russian Federation;

4. *Calls upon* all States, international organizations and specialized agencies not to recognize any alteration of the status of Ukraine's regions of Luhansk, Donetsk, Kherson or Zaporizhzhya on the basis of the Russian Federation's unlawful actions with regards to the illegal so-called referenda taken on 23 to 27 September 2022, and to refrain from any action or dealing that might be interpreted as recognizing any such altered status;

5. *Further calls upon* all States, international organizations and specialized agencies not to recognize any purported acquisition by the Russian Federation of any or all of Ukraine's regions of Luhansk, Donetsk, Kherson or Zaporizhzhya, and to refrain from any action or dealing that might be interpreted as recognizing any such purported acquisition;

6. *Also declares that* the 21 February 2022 decision by the Russian Federation related to the status of certain areas of the Donetsk and Luhansk regions of Ukraine is a violation of the territorial integrity and sovereignty of Ukraine and inconsistent with the principles of the Charter;

7. *Decides* that the Russian Federation shall immediately and unconditionally reverse its decision on 21 February 2022 related to the purported status of certain areas of the Donetsk and Luhansk regions of Ukraine, and refrain from future decisions related to the purported status of the Kherson and Zaporizhzhya regions of Ukraine;

8. *Decides* that the Russian Federation shall desist and refrain from actions aimed at the partial or total disruption of the national unity and territory integrity of Ukraine in all areas within Ukraine's internationally recognized borders, including the regions of Luhansk, Donetsk, Kherson, and Zaporizhzhya;

9. *Decides* that the Russian Federation shall immediately cease its full-scale unlawful invasion of Ukraine and refrain from any further unlawful threat or use of force against any Member State;

10. *Decides* that the Russian Federation shall immediately, completely and unconditionally withdraw all of its military forces from the territory of Ukraine within its internationally recognized borders, which includes those regions addressed by the illegal so-called referenda, to enable a peaceful resolution of the conflict between the Russian Federation and Ukraine through political dialogue, negotiation, mediation or other peaceful means;

11. *Welcomes* the efforts of the United Nations, including of the United Nations Crisis Coordinator for Ukraine, Member States, and humanitarian organizations to respond to the humanitarian and refugee crisis;

12. *Welcomes and expresses its strong support for* the continued efforts by the Secretary-General, and *calls on* Member States and international organizations, including the Organization for Security and Cooperation in Europe and other international and regional organizations to support the de-escalation of the current situation;

13. *Decides* to remain actively seized of this matter.



Security Council

Seventy-seventh year

Provisional

9143rd meeting

Friday, 30 September 2022, 3 p.m.

New York

<i>President:</i>	Mr. De Rivière	(France)
<i>Members:</i>	Albania	Ms. Dautllari
	Brazil	Mr. Costa Filho
	China	Mr. Zhang Jun
	Gabon	Mr. Biang
	Ghana	Ms. Oppong-Ntiri
	India	Mrs. Kamboj
	Ireland	Mr. Mythen
	Kenya	Mr. Kimani
	Mexico	Mr. De la Fuente Ramírez
	Norway	Ms. Juul
	Russian Federation	Mr. Nebenzia
	United Arab Emirates	Mrs. Nusseibeh
	United Kingdom of Great Britain and Northern Ireland . .	Dame Barbara Woodward
	United States of America	Mrs. Thomas-Greenfield

Agenda

Maintenance of peace and security of Ukraine

This record contains the text of speeches delivered in English and of the translation of speeches delivered in other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room U-0506 (verbatimrecords@un.org). Corrected records will be reissued electronically on the Official Document System of the United Nations (<http://documents.un.org>).

22-60738 (E)



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The meeting was called to order at 3 p.m.

Adoption of the agenda

The agenda was adopted.

Maintenance of peace and security of Ukraine

The President (*spoke in French*): In accordance with rule 37 of the Council's provisional rules of procedure, I invite the representative of Ukraine to participate in this meeting.

The Security Council will now begin its consideration of the item on its agenda.

Members of the Council have before them document S/2022/720, which contains the text of a draft resolution submitted by Albania and the United States of America.

The Council is ready to proceed to the vote on the draft resolution before it.

I shall now give the floor to those members of the Council who wish to make statements before the voting.

Mrs. Thomas-Greenfield (United States of America): Yesterday the Secretary-General said,

“The United Nations Charter is clear: any annexation of a State or a territory by another State resulting from the threat or use of force is a violation of the principles of the United Nations Charter and international law”.

That very violation is what we are confronted with today. The United States has proposed a draft resolution (S/2022/720), with Albania, to condemn the illegal so-called referendums held on Ukrainian territory. The draft resolution is straightforward. It condemns those illegal referendums. It calls on all States to not recognize any altered State of Ukraine. And it requires that Russia withdraw its troops from Ukraine immediately.

We have heard from many members over the past few days that they felt the process was rushed. Let me be clear: what was rushed was the Russian illegal act to annex Ukrainian territory. As the Council we had to respond. This is exactly what the Security Council was made to do: defend sovereignty, protect territorial integrity, promote peace and security. The United Nations was built on an idea that never again would one country be allowed to take another's territory by force. That path, we agreed, leads to history's most horrific outcomes. Russia's attempted annexations are, without

a shadow of doubt, exactly that. We are talking about a United Nations State Member, a Security Council member, attempting to annex part of another through force. The outcomes of those sham referendums were predetermined in Moscow — and everybody knows it. They were held behind the barrel of Russian guns.

Time and time again we have seen the Ukrainian people fight for their country and their democracy — the Ukrainian civilian who removed a Russian landmine with his bare hands; the Ukrainians abroad who returned to fight for their country; the soldiers sacrificing their lives to stop Russian advances. Putin miscalculated the resolve of the Ukrainians. The Ukrainian people have demonstrated loud and clear that they will never accept being subjugated to Russian rule. And so the United States will never recognize any territory Russia attempts to seize or allegedly annex as anything other than part of Ukraine. Secretary-General Guterres has said the same. He said yesterday,

“Any decision to proceed with the annexation of the Donetsk, Luhansk, Kherson and Zaporizhzhya regions of Ukraine would have no legal value and deserves to be condemned”.

I repeat: deserves to be condemned.

The Secretary-General then said that it went against

“the purposes and principles of United Nations. It is a dangerous escalation. It has no place in the modern world.”

It has no place in the modern world.

We all have an interest in defending the sacred principles of sovereignty and territorial integrity — in defending peace in our modern world. All of us understand the implications for our own borders, our own economies and our own countries if those principles are tossed aside. This is also bigger than any one nation, large or small. It is about our collective security — our collective responsibility to maintain international peace and security, not just for ourselves but for the world. That is what this body is here to do.

We are the first line of defence for the United Nations Charter, and we must demonstrate that we take that defence seriously. We must show that the Council can work despite the actions of one permanent member. This is not a moment to stand on the sidelines. This is a moment to stand up for the United Nations Charter, for

its values, for its principles and for its purposes. And if Russia chooses to shield itself from accountability, then we will take further steps in the General Assembly to send an unmistakable message to Moscow that the world is still on the side of defending sovereignty and protecting territorial integrity.

Earlier today, we saw Putin celebrate this clear violation of international law. He threw a party on Red Square to pat himself on the back for these illegal referendums. He is gloating and reminiscing about the Soviet empire and stated that this was just the beginning. As we all sit in this Chamber and solemnly consider this draft resolution, Putin is instead boastfully shoving our shared values in our faces. It is time we stand up to defend our collective beliefs together.

In defence of these principles that we hold dear, the United States is putting forward this draft resolution with Albania. In defence of all countries to have the right to be safe from invasion and annexation, we are voting in favour. And in defence of the world's collective peace and security, we urge all other members to vote in favour as well. Let us show Putin the resolve of the Security Council.

Dame Barbara Woodward (United Kingdom): Russia's annexations further jeopardize the prospects for peace and fundamentally undermine the purposes and principles of the United Nations. The area Russia is claiming to annex is more than 90,000 square kilometres. This is the largest forcible annexation of territory since the Second World War.

There is no middle ground on this. It is, in the end, a very simple question of principle, as the Secretary-General has said. As members of the Security Council with the responsibility of maintaining international peace and security and upholding the United Nations Charter, we must condemn Russia's actions and vote in favour of draft resolution S/2022/720.

Mr. Nebenzia (Russian Federation) (*spoke in Russian*): We are forced to note that some of our colleagues in the Security Council have reached a new low. Even the few vestiges of decorum that, it seemed to us, remained in this Chamber have been violated. I do not know of any other examples of the Security Council adopting a draft resolution that directly condemns one of the members of the Council.

Tell me: does the Council seriously expect Russia to consider and support such a draft? And if not, then

it turns out that the Council is intentionally pushing us to use the right of the veto in order to then wax lyrical about the fact that Russia abuses this right. Such openly hostile actions on the part of the West are a refusal to engage and cooperate within the Council.

It is a refusal of practices and experience gained over many years. It is nothing more than a low-grade provocation with a goal that is clear to all.

On 27 September, we already spoke in detail of the reasons and the purposes for carrying out referendums in the Donetsk and Luhansk Republics, as well as in the Kherson and Zaporizhzhya regions (see S/PV.9138). On 28 September, the final votes were tallied. The overwhelming majority of those who voted — 99 per cent in the Donetsk People's Republic, 98 per cent in the Luhansk People's Republic, 93 per cent in Zaporizhzhya and 87 per cent in the Kherson region — supported the integration of these regions into Russia. Despite the challenging security situation and the provocations of the Kyiv regime, the overwhelming majority of voters decided to vote in favour, ranging from 76 per cent in the Kherson region to 97 per cent in the Donetsk People's Republic.

The results of the referendum speak for themselves. The residents of these regions do not want to return to Ukraine. They have made an informed and free choice in favour of our country. The referendums were carried out in full conformity with the norms and principles of international law, no matter how our Western opponents, or even the Secretary-General — who, suddenly, without having a mandate to do so, decided to speak on behalf of the entire United Nations — may try to prove otherwise. More than 100 international observers — from Italy, Germany, Venezuela and Latvia — who observed the referendum also recognized its outcome as legitimate.

Washington, which today is the loudest to criticize us and to speak of the territorial integrity of Ukraine, recently declared that they were willing to use force to protect Taiwan, which is an integral part of the People's Republic of China. This is just another glaring example of double standards.

Today treaties were signed on the accession of these new regions into the Russian Federation. After their endorsement by the Russian parliament and the signing of the presidential decrees, the will of the residents of Donbas, Zaporizhzhya and Kherson to reunite with Russia will be fulfilled. There will be no

turning back, as today's draft resolution (S/2022/720) would try to impose.

The regime in Kyiv, which has put the interests of its Western sponsors above the interests of its own people, pushed these regions away from itself, and it is to blame for this outcome. The Maidan authorities seem not to have drawn any conclusions so far.

Today we have witnessed yet another atrocity carried out by the Kyiv regime. The Ukrainian Nazis have fired on a column of people who were waiting for permits to enter territory under our control in Zaporizhzhya, and there have been dozens of deaths.

I want to note that the Council did have the opportunity to adopt a truly balanced and useful document. We constructively proposed amendments that many of those present in the Chamber today would have supported — amendments on the fact that it is necessary to respect both the territorial integrity of all Member States and the principle of the self-determination of peoples, in accordance with the Charter and the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations of 1970; and about the fact that, pursuant to documents of the Organization for Security and Cooperation in Europe, which, by the way, all Western States have signed, the security of States is indivisible, and no one State must strengthen its own security at the expense of the security of others'.

We propose noting the objective fact that members of the Council have different assessments of the outcome of the referendums. And who can argue with the fact that the free expression of the will of the people is an essential element of a democratic society? Perhaps those for whom, in the case of Kosovo, no referendum was necessary, can.

Finally, we proposed having the draft reflect the Council's call to all parties to intensify the search for a diplomatic solution to the conflict. Should this not be the goal of our joint efforts? It seems that our former partners from the West have once again demonstrated that, in reality, they do not want peace in Ukraine. They dream of Russia's defeat, and, in the light of the rabid animosity of the West, they put other goals before us.

The logic of the authors of this document becomes clear if we look at the non-transparent method that they have chosen to negotiate it through bilateral

consultations where certain members of the Council were unable to see what their colleagues were thinking and proposing. We are all well aware of the goal of this draft and its fate. Its authors are prepared to devalue the efforts of the Council as the principal organ for the maintenance of peace and security and brazenly use this forum as a dress rehearsal before their main performance in the General Assembly. There, the West is going to use its familiar scheme to mobilize resources, exert pressure and twist the arms of all the Member States that they can reach. Some will falter, but we hope that many will be able to withstand this pressure: those who are prepared to hold and protect their own opinion; those who are prepared to pursue an independent policy and uphold the principle of the sovereign equality of States and freedom of action; and those who oppose the hegemony of one State and its satellites that do not see other States as equal partners.

We hope that the States Members of the United Nations will be able to form their own unbiased view of this emerging situation and make the right choice.

The President (*spoke in French*): I shall put the draft resolution to the vote now.

A vote was taken by a show of hands.

In favour:

Albania, France, Ghana, Ireland, Kenya, Mexico, Norway, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America

Against:

Russian Federation

Abstaining:

Brazil, China, Gabon, India

The President (*spoke in French*): The draft resolution received 10 votes in favour, 1 against and 4 abstentions. The draft resolution has not been adopted, owing to the negative vote of a permanent member of the Council.

I shall now give the floor to those members of the Council who wish to make statements after the voting.

Ms. Dautllari (Albania): This is another dark day for the Security Council, the United Nations and the world. The Security Council was again taken hostage on the same issue and by the same country and was prevented from acting on one of the most important

issues on its agenda. Once again, Russia misused a unique privilege that the Charter of the United Nations — the Charter that Russia is shattering in pieces with its actions — grants permanent members in order to help them to maintain peace and security and uphold international law, not to block the Council when the world needs it.

Draft resolution S/2022/720, proposed today, was about the most fundamental issues and principles that bind us together in the United Nations and in the multilateral world — the preservation of the territorial integrity, sovereignty and independence of a Member State. As it has done since 24 February, Russia chose to stand in total opposition to international law, to its own commitments and to the repeated appeals from every corner of the world for it to stop its actions, change course and work for peace. Today's vote showed once more that Russia is and will remain isolated in its actions and with its positions. Today's vote showed that Russia never wanted peace, never wanted dialogue. What it wanted was part of the territory of Ukraine, which it now claims as its own. We will not accept that, and we will not recognize any consequences of Russia's actions that will be to the detriment of Ukraine.

What is happening now in Ukraine should be an alarm bell for the entire world. We should not accept the illegal annexation of the territory of other countries. We reiterate the call to all States and international organizations not to recognize any acquisition by the Russian Federation of any part of the territory of Ukraine and to refrain from any action or dealing that might be interpreted as recognizing any such acquisition. We must be united and firmly condemn this unacceptable behaviour and stand in defence and support of Ukraine, because in that way we are defending the rules-based international order, international law and the Charter. We will continue our fight in the General Assembly, and we will call on the Assembly to defend the Charter of the United Nations.

As to Russia's mantra, which draws artificial parallels with other situations that have nothing to do with Russia's aggression, we have expressed ourselves clearly about it more than once and we are not going to dignify such claims, which are of the same nature as "There is no war in Ukraine", "We have committed no crimes there" and "We do not want its territory". We trust that today everyone's eyes are more wide open than ever.

Mrs. Kamboj (India): India is deeply disturbed by the recent developments in Ukraine. We have always advocated that no solution can ever be reached at the cost of human lives. We urge that all efforts be made by the parties concerned for an immediate cessation of violence and hostilities. Dialogue is the only answer in settling differences and disputes, however daunting that may appear at the moment. The path to peace requires us to keep all channels of diplomacy open. India's Prime Minister has unequivocally conveyed that in his discussions with world leaders, including the Presidents of the Russian Federation and Ukraine. So has our External Affairs Minister in his recent engagements at the General Assembly last week. India's Prime Minister has also emphasized that this cannot be an era of war. We therefore sincerely hope for a speedy resumption of peace talks to bring about an immediate ceasefire and resolution of the conflict.

India's position has been clear and consistent from the very beginning of the conflict. The global order is anchored in the principles of the Charter of the United Nations, international law and respect for the sovereignty and the territorial integrity of all States. The escalation of rhetoric or tension is in no one's interests. It is important that pathways be found for a return to the negotiating table. Keeping in view the totality of the evolving situation, India decided to abstain in the voting on draft resolution S/2022/720.

Ms. Juul (Norway): We voted in favour of draft resolution S/2022/720. The Security Council has a responsibility to act to prevent and end acts of aggression and atrocities, and certainly where breaches of territorial integrity are concerned. We deeply regret that the draft resolution was not adopted owing to a veto cast by a single member. It is wrong that Russia, an invading force, can also prevent Council action aimed at ending its aggression.

Moscow has launched an illegal process of annexation of the Ukrainian regions of Donetsk, Luhansk, Kherson and Zaporizhzhya. The Secretary-General was very clear yesterday when he affirmed that any annexation of a State's territory by another State resulting from the use or threat of use of force is a violation of the principles of the Charter of the United Nations and international law. We fully concur. Whatever outcome Russia announces in Moscow today is contrary to international law, has no legal effect and in no way changes Ukraine's sovereignty within its internationally recognized borders. The Russian

Federation, one of the five permanent members of the Security Council, has a clear responsibility to respect the Charter of the United Nations. Yet its actions related to Ukraine cut against everything that United Nations membership is supposed to stand for. With its actions, Russia is isolating itself from the global community, rejecting multilateralism, international law and the purposes and principles of the Charter. It also continues to ignore the global effects it is causing.

It is unacceptable that the Security Council has again been blocked from taking action on a significant threat to international peace and security. We are however assured that the General Assembly will now have an opportunity to take up this grave and important issue, and we urge the speedy production of a special report on this use of the veto.

The position of Norway is clear. We are fully committed to the sovereignty, unity, independence and territorial integrity of Ukraine within its internationally recognized borders.

Mr. Zhang Jun (China) (*spoke in Chinese*): China abstained in the voting on draft resolution S/2002/720, just now put to the vote. I would like to make the following statement in relation to the Chinese vote.

First, China's position on the issue of Ukraine is consistent and clear. The sovereignty and territorial integrity of all countries should be safeguarded. The purposes and principles of the Charter of the United Nations should be upheld. The legitimate security concerns of all parties should be taken seriously. All efforts conducive to the peaceful resolution of the crisis should be supported.

Secondly, over seven months into the Ukraine crisis, the crisis and its spillover effects have had a wide range of negative impacts. The prospect of a prolonged and expanded crisis is also worrisome. China is deeply concerned about that prospect. We believe that the pressing priority is to make every effort to de-escalate the situation and guide the parties to restart diplomatic negotiations as soon as possible in order to open the door to a political settlement, with legitimate concerns brought into the negotiations and viable options on the table, in an effort to achieve an early ceasefire.

Thirdly, as the core of the international collective security mechanism, the Security Council should maintain objectivity and impartiality and prioritize the use of the good offices and mediation tools conferred by

the United Nations Charter in order to play a responsible and constructive role in the political settlement of the Ukraine issue. Any action taken by the Security Council should be truly conducive to easing the situation and resolving the crisis, rather than intensifying conflict and exacerbating confrontation.

Fourthly, the current crisis in Ukraine is the result of the accumulation and interplay of various conflicts and tensions over a long period of time. Facts have shown that political isolation, sanctions and pressure, stoking tensions and bloc confrontation will not bring about peace. Instead, they will only worsen the situation and make the issue more complicated and intractable.

China calls on all parties concerned to exercise restraint, refrain from actions that exacerbate tensions and leave space for a solution through diplomatic negotiations. As a responsible country, China has always stood on the side of peace. We will continue to play a constructive role in easing the situation and resolving the crisis.

Dame Barbara Woodward (United Kingdom): Yet again, Russia has abused its veto to defend its illegal actions. Security Council members have voted in different ways, but one thing is clear — not a single other member of the Council recognizes Russia's attempted illegal annexation of Ukrainian territory. Russia's veto does not change that fact.

The announcement by President Putin today of the accession of the Ukrainian regions of Kherson, Zaporizhzhya, Luhansk and Donetsk into the Russian Federation has no legal effect. It is fantasy. Russia invasion needs to end.

The world has made that clear for seven months. Yet Russia's response has been further escalation, further mobilization, nuclear threats and, today, another callous attack on a civilian convoy in Zaporizhzhya.

The sovereignty and territorial integrity of Ukraine is under attack. The international system is being assaulted in front of our eyes. Russia will not succeed in this illegal imperialist war. The only question is how much damage it does and how many lives it wastes before it realizes that.

Mr. Mythen (Ireland): Ireland voted in favour of draft resolution S/2022/720. We did so because we believe that there must be a robust response from the Security Council to yet another blatant breach of the

Charter of the United Nations by the Russian Federation in its war of aggression against Ukraine.

Ireland remains fully committed to the sovereignty and territorial integrity of Ukraine within its internationally recognized borders. Earlier this week, Ireland condemned the sham referendums conducted in occupied Ukrainian territory by Russia or its proxies. Today we categorically reject the so-called results of those illegal and illegitimate referendums, an announcement purporting to annex Ukrainian territory. They have no legal effect.

As I said at our meeting on Tuesday (see S/PV.9138), this is nothing more than a blatant land grab by the Russian Federation. Let me be clear — Ukraine's borders have not changed. The sham referendums did not reflect the popular or freely expressed will of the Ukrainian people. They are illegal, they violate the United Nations Charter, they violate Russia's obligations under international law, and they violate the law of occupation.

Once again, the Russian Federation has shamefully used a veto in a flagrant attempt to excuse its own military aggression against Ukraine, a fellow Member of our United Nations. The shocking images of civilians killed or injured near Zaporizhzhya this morning are a stark reminder that it is civilians who are paying the highest price for Russia's senseless war.

The use of this anachronistic veto in these terrible and tragic circumstances is simply reprehensible and undermines the legitimacy of the Council in the eyes of the watching world. However, this veto will not prevent the international community from responding to Russia's blatant breaches of international law. This veto will not deter us from holding Russia accountable for its actions.

In accordance with General Assembly resolution 76/262, Ireland now calls on the Council to submit a special report on the use of the veto in this instance to the General Assembly.

Ms. Oppong-Ntiri (Ghana): Ghana voted in support of draft resolution S/2022/720, as we firmly believe in its objective — to uphold the rules of international law and the principles and values of the Charter of the United Nations.

We regret the unsurprising outcome of the vote and the fact that, once again, the use of the veto by the offending State has stood in the way of the Security

Council's exercise of its mandate to promote and maintain international peace and security.

The conduct of the referendums and the subsequent steps taken by the Russian Federation to annex the occupied territories within the internationally recognized borders of Ukraine, in our view, are illegal and constitute serious violations of the sovereignty, political independence and territorial independence of Ukraine. They are void and of no legal effect, in our view, as well as that of many in the international community.

As we have repeatedly stated in the Chamber, it remains our principled position not to recognize the acquisition of territory by any State through the threat or use of force. We believe that any attempt to unilaterally delineate borders and, for that matter, State territory, is an attempt to unravel the settled and accepted norms of behavior that have ensured the relative stability of our international system since this Organization was established in order to draw the curtains on the era of conquest of territory by wars. We call on the Russian Federation to end its aggression against Ukraine, refrain from any further escalatory action and embrace a new chapter of peace, cooperation and friendly relations, which are required of all Member States.

As I conclude my remarks, I reaffirm Ghana's firm commitment to respect the sovereignty, political independence and territorial integrity of Ukraine within its internationally recognized borders. In that regard, I reiterate our continued support for efforts to help bring an end to the war through peaceful means.

Mr. De la Fuente Ramírez (Mexico) (*spoke in Spanish*): Having suffered the loss of its own territory by annexation throughout its history as a result of foreign invasion, Mexico cannot consent to another country falling victim to such acts of aggression.

Mexico's position has always been clear on unnegotiable respect for international law, in particular the prohibition of territorial expansion through the use of force or other means that contravene the Charter of the United Nations. That rule of international law, explicitly provided for in the Charter of our Organization and endorsed by the General Assembly, the Security Council and the jurisprudence of the International Court of Justice, means that the referendums held in occupied territories in Ukraine, in the context of an invasion, have no legal validity.

Mexico supports the sovereignty, unity, independence and territorial integrity of Ukraine within its internationally recognized borders. We reiterate our support for the efforts of the Secretary-General and other potential actors to promote dialogue and diplomacy to find a political path out of the war.

Against that backdrop, Mexico voted in favour of the draft resolution contained in document S/2022/720.

Mr. Costa Filho (Brazil): Brazil abstained in the voting on the draft resolution presented by Albania and the United States (S/2022/720).

Brazil expressed its views on the referendums in Ukraine at the meeting on 27 September (see S/PV.9138). It is unreasonable to assume that populations in areas of conflict are able to freely express their will. The results of such referendums, under the current circumstances, do not constitute a valid or genuine expression of the will of the local populations and cannot be perceived as legitimate.

Brazil stands by the principle of the territorial integrity of sovereign States.

We acknowledge the drafters' efforts to amend the text to make it more focused and streamlined.

On the draft resolution itself, we believe that its scope and language do not favour an environment conducive to a solution to the conflict in Ukraine. It is a repetition of the same dynamics of the past months in which the Council cannot agree on any constructive action concerning the conflict in Ukraine. Besides, the document presented to Council members does not contribute to the immediate goals of de-escalating tensions, negotiating a ceasefire and starting peace negotiations.

We also have a few observations on the process. To circulate a draft resolution at such short notice for consultations with our capitals did not allow Member States the time to express their views and concerns. We missed a valuable opportunity to engage collectively in a transparent manner, making full use of our consultation spaces in the Security Council.

The Council should now explore new courses of action. In the past seven months, the refusal to consider alternatives has done nothing to bring about a political solution to the conflict. On the contrary, it has brought about further escalation and fuelled counterproductive narratives in our midst. It is time to do what is expected

of us, namely, to find solutions based on straightforward dialogue and constructive diplomacy, with a willingness to fully address the concerns of all parties.

Mr. Kimani (Kenya): Since the start of the war in Ukraine, Kenya has consistently called for the cessation of hostilities to allow for dialogue leading to a stable European security order. Whether that is established now or following a protracted war that can escalate to an extreme danger to international peace and security, negotiation is inevitable. It is critical to the world, and especially to developing countries suffering from increased food insecurity and damaging economic turmoil, that it be undertaken now in a way that addresses the security concerns of all parties.

The draft resolution (S/2022/720), whether here in the Council or in the General Assembly, will not solve the crisis. Our affirmative vote is based on Kenya's principled defence of the Charter of the United Nations and, in particular, its protection of the principle of the sovereignty and territorial integrity of all Member States.

Our affirmative vote today is necessary on principle, but insufficient in practically ensuring that the Security Council carry out its mandate. We urge all members to do more to find a path to dialogue and diplomacy, rather than turning the Council into an arena for the continuation of the conflict by diplomatic means instead of its resolution.

With its vote, Kenya reaffirms its recognition of Ukraine's sovereignty and territorial integrity within its internationally recognized borders.

Mrs. Nusseibeh (United Arab Emirates): The referendums held over the past week amid the ongoing armed conflict and the announcement made earlier today regarding the incorporation of four regions into the Russian Federation are serious developments in the conflict. They make finding a peaceful resolution more difficult and implicate the territorial integrity, sovereignty and independence of a United Nations State Member. Those are core principles of the Charter of the United Nations that are central to peaceful, cooperative and productive relations between States and essential for the security and stability of all. Those principles protect all States, large and small, powerful and weak, and that has informed our vote today.

The principle of self-determination is also a fundamental principle enshrined in the Charter we

all ratified, but any tensions between that principle and the principles of territorial integrity, sovereignty and independence need not amount to a zero-sum game. The developments in recent days warrant a clear statement from the Council underlining the importance of the fundamental principles of the Charter. We voted in favour of the draft resolution (S/2022/720) for that reason, although we would also have liked more time to engage in further edits to the text and on the substance.

As we have continuously stressed in this Chamber, the pathway towards a peaceful resolution of the conflict lies in solutions that involve both sides coming to the table quickly, without preconditions and with the support of trusted interlocutors. We urge both Russia and Ukraine to do so, and I know that many around this table today — and beyond it — share that view.

The war has gone on too long and destroyed too many lives. Resolving the conflict is important not only for Ukraine and Russia and both their peoples, but also for global peace and security. We all need to stop the escalation and help create the conditions for peace. We stand ready to work with all members of the Council to find ways to effectively address the root causes of the conflict and support a diplomatic pathway forward.

Mr. Biang (Gabon) (*spoke in French*): Gabon abstained in the voting on draft resolution S/2022/720, submitted for consideration by the Security Council.

My country's position is clear. We are opposed to the war. We support a diplomatic solution to the war. Since the start of the crisis, we have hammered home the point, here in the Council Chamber, that we support respect for the principles of the Charter of the United Nations. We have continued to call for the cessation of hostilities and for good-faith negotiations between the parties. We will continue to call for dialogue and good-faith negotiations between the parties to put an end to the war and promote peaceful coexistence between them.

Because we want to stand on the side of the solution to the crisis, we reiterate our support for all initiatives for a diplomatic and negotiated solution to it.

The President (*spoke in French*): I shall now make a statement in my capacity as the representative of France.

France most firmly condemns the illegal annexation by the Russian Federation of the Ukrainian regions Donetsk, Luhansk and parts of Kherson and

Zaporizhzhya. That is why we voted in favour of draft resolution S/2022/720. France calls upon all countries that are committed to respecting international law to join us in our condemnation.

Like Crimea, those regions are an integral part of Ukraine within its internationally recognized borders. France will never recognize those illegal annexations or the results of the sham referendums that preceded them. It is a flagrant violation of the sovereignty and territorial integrity of Ukraine, as well as of the Charter of the United Nations. The Secretary-General said it — all decisions that would lead to the annexation of those territories have no legal validity and should be condemned.

France welcomes the mobilization on the part of all members of the Council who voted in favour of the draft resolution and expressed their commitment to international law and to upholding the United Nations Charter. France applauds the open-mindedness and spirit of compromise demonstrated by the authors of the draft resolution.

France condemns the veto cast by the Russian Federation, which again shows its irresponsibility in carrying out its duties as a permanent member of the Security Council. The result of today's voting is indisputable. Russia stands alone more than ever before. We regret that the fact that the Council was unable to vote unanimously to uphold the principles of sovereignty and territorial integrity, which are, after all, the very basis of international law.

Ukraine is fighting to protect its right of legitimate defence. As the President of the French Republic, Emmanuel Macron, said very clearly, France will continue to stand with Ukraine against the Russian aggression and help it to regain its full sovereignty over its entire territory.

I now resume my functions as President of the Council.

I give the floor to the representative of Ukraine.

Mr. Kyslytsya (Ukraine): I recognize the representative of Russia in the permanent seat of the Soviet Union. His lonely hand, raised in opposition to draft resolution S/2022/720, has again attested to Russia's isolation and his desperate attempts to deny reality and our common commitments, starting with the Charter of the United Nations.

Putin's envoy has followed in the footsteps of his master in Moscow, where a puppet show was organized today in an attempt to deny the obvious — that the aggressive and adventurist regime in Russia is heading towards its imminent defeat. I will not elaborate on lies that have nothing in common with reality, because the reality is quite different.

In reality, Putin has tried to grab territories that he does not even physically control on the ground. In reality, Ukrainian forces continue their operations to liberate our sovereign territories. In reality, at least 30 civilians have been killed and 88 wounded, following Russia's shelling of Zaporizhzhya earlier today.

Russia persists in its genocidal practices of killing Ukrainians, torturing and oppressing them, in the occupied territories. Therefore, the only way to make all Ukrainians throughout the sovereign territory of Ukraine feel safe and under the protection of their State is to again hoist Ukrainian flags throughout occupied Donbas, southern Ukraine and Crimea. Ukraine has every right to liberate its territories and people and will continue to do that, regardless of Russia's words or deeds. Sham referendums are elements of aggression against a sovereign State, and anyone involved in organizing or conducting that farce will be held accountable.

The draft resolution was not adopted because of one negative vote — Russia's vote. We are tired of repeating it time and again: allowing Russia to avail itself of the right of the Soviet Union to veto decisions of the Security Council effectively prevents this organ from exercising its primary responsibility under the United Nations Charter — the maintenance of international peace and security. At this very moment, millions of people around the world see on their screens the devastating impact of the Russian presence in the Security Council and the Council's failure to effectively respond to a most pressing global security threat.

That failure undermines the image and authority of the United Nations as a whole, which is unjust and unfortunate, as the Security Council is only one pillar of the Organization, but it a broken one. Luckily, the Organization can still rely on its other pillars, which increasingly demonstrate their determination to step in and use their potential to the maximum amid the situation in the Security Council.

I avail myself of this opportunity to again convey words of appreciation from my President to the Secretary-General for the clear position and strong

statement that he delivered yesterday. It was a statement of integrity. It was a statement of commitment to the United Nations Charter and a beacon of hope for the Members of the United Nations. The Secretary-General said,

“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 United Nations. It is a dangerous escalation. It has no place in the modern world. It must not be accepted.”

But let me pose a question here. What if the Secretary-General were not a person of the highest moral standards and not so dedicated to the cause of defending the Charter? That question is not rhetorical one. We have seen Secretaries-General of different calibres and backgrounds. We all remember Dag Hammarskjöld, who defended the purposes and principles of the United Nations and was never intimidated by Moscow's direct threats against him. Yet there were Secretaries-General who hesitated too long to act to prevent major crises.

Today many of us called on the Russian representative to respect the Charter of the United Nations. But let me ask once again: Why should the Russian Federation respect the Charter, which was not followed when the Russian Federation was allowed to occupy the permanent seat of the Soviet Union? Most Council members have already heard on many occasions the Ukrainian position on the illegal occupation by Russia of the Soviet seat in the Security Council. But I should like to read out Russia's confession of bypassing the rules of admission for membership, which is posted on the United Nations official website. Yuli Vorontsov, the Permanent Representative of the Soviet Union to the United Nations, said right in our face in 1991:

“In fact, the whole process outwardly looked like a simple change of the country name plate at the table of delegations in the General Assembly and in the Security Council, Instead of the Soviet Union name plate, the Russian Federation appeared”.

There was neither a single vote nor a formal decision in the Security Council or the General Assembly, but just a notification by President Yeltsin, addressed to the then Secretary-General, delivered to the addressee by Soviet Ambassador Vorontsov, as the Permanent Representative of a new Member State — the Russian Federation. I hope that the Organization will never again have Secretaries-General who execute the wishes

of Russian Presidents and admit new Members behind closed doors without the action of the Security Council or the General Assembly.

One may ask, “What is next?” Will it be attempts by Russia to manipulate the rules of procedure of the General Assembly to redraw the political map of the world, which we may see soon in the coming weeks? We should no longer tolerate such legal nihilism or the aggressors’ presence in the seat of a permanent member of the Security Council. The absence of the necessary treatment has turned Russia into a cancerous tumour in the body of the Security Council. It has to be removed before it metastasizes within the entire body of the United Nations system.

It is time to act. If the Council is incapable of acting on Russia, it is members’ duty to act without it. Let me thank all the members that demonstrated during the vote today their readiness to act as responsible and committed members of the Security Council. I thank Albania, France, Ghana, Ireland, Kenya, Mexico, Norway, the United Arab Emirates, the United Kingdom and the United States. I thank everyone that rejected Russia’s negative vote against draft resolution S/2022/720 — to the benefit of the Security Council, the benefit of the entire Organization and the benefit of international peace and security.

The meeting rose at 4.05 p.m.