



**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 agenda
item 82 “Report of the Special Committee on the Charter of the United Nations and on
the Strengthening of the Role of the Organization”**

(October 18, 2019)

Mr. Chair,

In addition to the statement delivered by the European Union, I have the honour of speaking on behalf of Georgia, the Republic of Moldova and my own country, Ukraine.

We would like to comment on one of the important for our delegations chapters of the Report of the Special Committee on the Charter of the United Nations and the Strengthening of the Role of the Organization related to the peaceful settlement of disputes.

In February, we had a productive discussion on this topic, but its outcome was reflected in the Report only in general terms. We believe that preparation of the report would benefit from paying more attention to and taking into proper consideration of relevant details and nuances as reflected in the positions of member-states. We expect that this approach will be used in drafting the next report.

Nevertheless, we would like to reiterate the particular importance of the topic of the peaceful settlement of disputes for our countries and share practical concerns and suggestions regarding the use of mediation.

We are staunch believers in the notion of a peaceful resolution of conflicts. Our delegations proceed from the fact that Article 2(3) and its detailed elaboration in Article 33 of the UN Charter envisage an obligation to settle any international dispute peacefully.

We are also convinced that aspirations to achieve peace should not be taken as readiness to accept the breach of the UN principles. The latter path is detrimental for both regional and global security.

In addressing the issue of mediation, one aspect particularly deserves mentioning. That is the only genuinely neutral actors can be constructive and efficient mediators.

Our countries know from our own experience all difficulties for peaceful settlement when a party to a conflict tries to cast itself into a mediator's role thus attempting to avoid responsibility. An ongoing or protracted armed conflict does not entail a suspension of the general obligations existing under the Charter, including an obligation to settle any international disputes peacefully.

For instance, the Russian Federation as aggressor state does not recognize itself as a party to the conflicts with Georgia and Ukraine, and instead where possible, attempts to portray itself as a mediating side. In Moldova, it continues stationing of its military forces and armaments without consent in violation of sovereignty and territorial integrity of the country.

Mr. Chair,

Let me reiterate the following important aspects to keep in mind:

1) the party that started a conflict does not seek its just and fair resolution; on the contrary, it aims at consolidating its political, territorial or other gains. In violation of principle of international law that no territorial acquisition resulting from the threat or use of force shall be recognized as legal.

2) allowing a party to a conflict to play a mediator's role essentially undermines legitimacy of the overall mediation efforts, and leads to de facto protracting the conflict in question;

3) such a stance does not discharge the state in concern from the other responsibilities and obligations arising under international law, including human rights and international humanitarian law, which remain applicable to that state's actions irrespective of its potential roles in and/or claims to mediation;

It is rather obvious that any mediation model wrought with such glaring shortcomings cannot be relied on for delivering a sustainable solution.

In this context, we would like to emphasize the necessity to strengthen the role of the United Nations in responding to ongoing or protracted conflicts. The United Nations concrete actions and decisions remain as relevant as ever for the people of Georgia, Moldova and Ukraine, who continue to face the threat and use of force against their sovereignty, territorial integrity and political independence.

In conclusion, we deem it urgent for the UN family to take measures to limit the ability of a party to conflict to influence decisions within the United Nations, especially in the Security Council, which are aimed at peaceful settlement and resolution – especially considering that the UN Charter already contains respective provisions, which simply require unconditional and proper implementation and full compliance with.

Thank you.