



**Joint statement by the delegation of Georgia, the Republic of Moldova and Ukraine,
delivered by Mr. Sandro Inashvili, Counsellor of the Permanent Mission of Georgia to the
United Nations.**

**on item 84 - Report of the Special Committee on the Charter of the United Nations and on
the Strengthening of the Role of the Organization**

New York, 3 November 2021

Madam Chair,

I have the honor of speaking on behalf of Ukraine, the Republic of Moldova and my own country Georgia.

Our delegations were actively involved in the work of the Special Committee on the Charter, that took place in February this year, as we believe with dedication in the purpose and capacity of this ad-hoc body to enhance the ability of the United Nations to achieve its purposes – one of which being the maintenance and consolidation of international peace and security in all its aspects.

In this regard we find that being presented with a legal publication (Report) that would be more reflective of the debates that took place in February, under each of its chapter, would contribute to the advancement and the fulfillment of the mandates of the Committee. We believe that a speech delivered on behalf of a group of states cannot be granted no more than a phrase within a paragraph of a 30 pages Report; And even the content of the respective phrase was censored by one of the member states under the pretext of maintaining consensus based approach of adopting the Report. In the light of this, we expect an impartial, balanced and accurate drafting of the Report of the next session of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization.

Madam Chair,

We would like to comment on one of the chapters of the Report of the Special Committee, related to the peaceful settlement of disputes. Ukraine, the Republic of Moldova and Georgia attach great importance to the toolkit for a peaceful settlement of disputes, provided in article 33 of the UN Charter, as countries that share the grim experience of having their sovereignty and territorial integrity violated by the same member state.

Since the beginning of the foreign aggression in 2014, **Ukraine** has urged the Russian Federation – the occupying power – to accept its international legal responsibility.

Ukraine proposed to solve any existing disputes at the International Court of Justice or by an ad hoc arbitration. On the 19th of April 2017, the ICJ issued an Order on provisional measures in the case instituted by Ukraine against the Russian Federation on the interpretation and application of the International Convention for the Suppression of the Financing of Terrorism, and of the International Convention on the Elimination of All Forms of Racial Discrimination. This Order continues to be ignored by the Russian Federation despite its binding nature, according to article 94, par. 1 of the UN Charter. The failure to comply with the 2017 ICJ Order is reflected in the General Assembly resolutions.

The UN Secretary-General in the recent report “Situation of human rights in the Autonomous Republic of Crimea and the city of Sevastopol, Ukraine”, which was submitted pursuant to the UN General Assembly Resolution 75/192 under the same title, called upon the Russian Federation to uphold its obligations in Crimea under international human rights law and international humanitarian law.

In the Joint Declaration of the International Crimea Platform held in Kyiv on 23 August 2021, our countries joined efforts and urged the Russian Federation to bring an immediate end to all violations and abuses of human rights of residents of Crimea and to provide full and unimpeded access to Crimea for established regional and international monitoring mechanisms as well as recommitted to strongly oppose any unilateral attempts to challenge and change an international order based on the rule of law cause by illegal occupation.

Ukraine will not change its firm commitment to the rule of law and peaceful settlement of disputes and will not turn from the path of using all available legal means to bring the occupying power to responsibility.

Negotiations, as key means of settling states disputes, enshrined in article 33 of the UN Charter, have been continuously used by the **Republic of Moldova**, since 1993 as foreign Russian military troops are stationing on its soil, in violation of Moldova’s constitutional neutrality and in the absence of the host country consent.

In this regard, we recall the relevant UNGA resolutions on cooperation between the United Nations and the Organization for Security and Cooperation in Europe, particularly resolutions 54/117 of 15 December 1999, 55/179 of 19 December 2000, 56/216 of December 2001 and 57/298 of 20 December 2002, as well as the UNGA resolution 72/282 of June 2018, and emphasize the commitments undertaken by the Russian Federation at the Organization for Security and Cooperation in Europe Summit held in Istanbul in 1999 on the withdrawal of its military forces and armaments from the territory of the Republic of Moldova.

Georgia has been adhering to the policy of peaceful resolution of the conflict, underpinned by respect of international law and the UN Charter. In this regard, Georgia continues to seek a solution to the protracted illegal occupation and ongoing militarization of its Abkhazia and Tskhinvali regions. Georgia is committed to utilize every peaceful means at its disposal as stipulated in the

article 33 of the UN Charter, including, inter alia, engaging in peaceful dialogue formats, namely the Geneva International Discussions (GID) and Incident Prevention and Response Mechanisms (IPRMs), as well as pursuing the comprehensive conflict resolution policy based on two main pillars – de-occupation of the Georgian regions on the one hand, and reconciliation and confidence building between the communities divided by the occupation lines, on the other.

At the same time resorting to judicial remedies is another peaceful conflict resolution instrument used by Georgia. In this context, I wish to recall the decision of the European Court of Human Rights of 21 January 2021. In its landmark ruling the ECHR has confirmed that Abkhazia and Tskhinvali regions are integral parts of Georgia and are occupied by the Russian Federation. At the same time, the Court ruled that Russia, during the August 2008 war and further period of occupation, exercised effective control over these regions, and therefore, it is responsible for the mass violations committed against the Georgian population, including for killing, torture, ill-treatment, and arbitrary detention of Georgian civilians and military personnel; as well as the deprivation of right of IDPs and refugees to return to their homes in safety and dignity.

In conclusion Madam Chair,

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 Ukraine, the Republic of Moldova and Georgia, who continue to face the threat and suffer from the use of force against their sovereignty, territorial integrity, and political independence. In the same vein, having a more wholesome report is key to addressing the violations of the United Nations Charter and to uphold the efforts of a peaceful settlement of disputes.

I thank you!