



Permanent Mission of Ukraine  
to the United Nations



PERMANENT MISSION OF GEORGIA  
TO THE UNITED NATIONS



**Joint statement of Ukraine, Georgia and the Republic of Moldova  
on agenda item 83**

**Report of the Special Committee on the Charter of the United Nations and  
on the Strengthening of the Role of the Organization  
3 November 2022**

Mr. Chair,

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

The Charter of the United Nations is the main international treaty with a universal character, aimed at guaranteeing international peace and security. We have recently celebrated 75 years since the birth of the Charter and adopted the Declaration of Commemoration by consensus, which reiterated that the common endeavor for humanity is to save succeeding generations from the scourge of war, and reaffirmed that the Charter of the United Nations, being the cornerstone of international law, has declared the principle of sovereign equality of all States and respect of their territorial integrity.

Unlike previous years, unfortunately, this March, despite vigorous efforts by most of the delegations, no substantive Report was adopted by the Special Committee on the Charter, as some delegations failed to uphold their consensual commitments, as well as fulfill their treaty obligation and follow the well-established customary rules of report adoption processes at the level of various UN bodies. In particular, the Russian Federation has abused the consensual practice of report adoption para by para, by excluding all the paragraphs that constituted the vital part of the Report and were essential to our three countries, especially against the backdrop of the war of aggression unfolded by the Russian federation against Ukraine the very next day following the Committee started its work in February of this year. As there remained no time for further negotiations, the Report is as short as currently presented.

In these circumstances it is imperative to also recall the provisions of the UN General Assembly Resolution A/RES/53/101, dated 20 January 1999, entitled *Principles and guidelines for international negotiations*, which states the following: Negotiations should be conducted in good faith; States should adhere to the mutually agreed framework for conducting negotiations; States should endeavor to maintain a constructive atmosphere during negotiations and to refrain from any conduct which might undermine the negotiations and their progress.

The above-mentioned resolution is also frequently violated with respect to the toolbox of Chapter VI, Article 33 of the UN Charter, used by our three countries.

Mr. Chair,

Since the beginning of the Russian aggression in February 2014, Ukraine has done its utmost to solve the conflict by legal means, in particular at the International Court of Justice and ad hoc arbitration. Eight years later, on February 24, Russia is not only ignoring the ICJ order of 19<sup>th</sup> of April 2017, but also started a new wave of full-scale military aggression against Ukraine hypocritically trampling the principles of the UN charter. It is no surprise that the ICJ Order of 16<sup>th</sup> of March 2022 in the case concerning allegations of genocide, which ordered to immediately suspend its so-called “military operations” is also being ignored by the Russian Federation. Russia’s attempted illegal annexation of the Donetsk, Kherson, Luhansk and Zaporizhzhia regions of Ukraine is a serious aggravation of Russia’s war of aggression against Ukraine and one more violation of the UN Charter and international law.

In this regard, we recall GA Emergency Special Session resolutions ES-11/1 “Aggression against Ukraine”, ES-11/2 “Humanitarian consequences of the aggression against Ukraine”, ES-11/3 “Suspension of the rights of membership of the Russian Federation in the Human Rights Council” and ES-11/4 “Territorial integrity of Ukraine: defending the principles of the Charter of the United Nations” adopted during past 8 months which explicitly demonstrated overwhelming support and unity of the UN Member States regarding sovereignty, territorial integrity and political independence of Ukraine, as well as defended the principles of the UN Charter.

Although Ukraine is exercising its inevitable right to self-defense in accordance with Article 51 of the UN Charter to repel Russia's aggression and liberate its territories, it will not change its firm commitment to the rule of law, and will not turn from the path of using all available legal means to hold aggressor state accountable. Today we are finalizing the text of the ESS draft resolution, which will confirm the need for the establishment of an international mechanism for reparation for damage, loss or injury arising from the internationally wrongful acts of the Russian Federation in Ukraine.

Mr. Chair,

It is worth mentioning that what we see in Ukraine today is continuation of the same pattern of aggressive policy started in Georgia in the early 1990s which continued with the full-scale military aggression against Georgia in 2008 and attempts to forcibly change the borders of a sovereign state in Europe and subsequent occupation of Georgian regions of Abkhazia and Tskhinvali region/South Ossetia by Russia.

Against this background, Russia continues to exercise effective control over 20% of Georgia's territory and its illegal military presence in Georgia's occupied regions, in parallel Russia intensifies annexation process of both regions, enhances installation of barbed wire fences and other artificial barriers along the occupation line, as well as continues illegal detentions and kidnappings of Georgian citizens, closure of the occupation line and restriction of freedom of movement that creates dire security, humanitarian and human rights situation on the ground.

In this light, our firm stance and decisive joint efforts of international community, first and foremost of the UN, are essential to ensure that Russia ceases its destructive actions against Georgia and the wider region and implements its international obligations envisaged by the UN Charter as well as EU-mediated 12 August 2008 Ceasefire Agreement.

Nevertheless, Georgia has been adhering to the policy of peaceful resolution of Russia-Georgia conflict 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, underpinned by respect of international law and the UN Charter. Furthermore,

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 negotiation formats, namely the Geneva International Discussions (GID) and Incident Prevention and Response Mechanisms (IPRMs) under the GID.

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 judgment of the European Court of Human Rights of 21 January 2021. In Its landmark ruling the ECHR has confirmed Russia's occupation and effective control over Abkhazia and Tskhinvali regions as well as Russia's responsibility for the mass violations of human rights on the ground and for deprivation of right of IDPs and refugees to return to their homes. Moreover, the decision of International Criminal Court of June 2022 that issued arrest warrants for the war crimes committed during Russia's military aggression in 2008, should be emphasized.

Mr. Chair,

Negotiations, as key means of settling states disputes, have been continuously used by the Republic of Moldova since 1993. For 30 years, the Republic of Moldova has been requesting for a complete and unconditional withdrawal of Russian military troops stationing on its territory, in violation of its constitutional neutrality and in the absence of the host country consent. And our position remains unchanged. The illegal presence of the Russian military troops in the Transnistrian region poses a security and environmental threat to the country and to the region as a whole.

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.

In conclusion Mr. Chair,

The United Nations solid actions and decisions to respond to the threat of international peace and security is as vital as ever for the people of Ukraine, Georgia and the Republic of Moldova, who continue to face the threat and suffer from the use of force against their sovereignty, territorial integrity, and political independence. In this vein, producing a comprehensive Report is key to addressing the violations of the United Nations Charter and upholding the efforts of a peaceful settlement of disputes.

I thank you!