



**Joint statement of Georgia, the Republic of Moldova and Ukraine  
at the Special Committee on the Charter of the United Nations and on the  
Strengthening of the Role of the Organization  
16 February 2021**

**Mr. Chair,**

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

We would like to express our gratitude to the Secretariat for the preparation of the meetings of the current session of the Special Committee on the Charter and join other delegations in welcoming you and the members of the Bureau.

Last year, the United Nations celebrated the 75th anniversary since the Charter adoption. Against all odds, the UN Charter has withstood dramatic changes in international relations and proved its centrality in today's global architecture as the primary international legal instrument for preserving international peace and security.

Today, in the times of a global pandemic that threatens our capacities to respond to security challenges, undermines social cohesion and fuels conflict and disinformation, we need to reinvigorate our efforts to support multilateralism and the principles of the UN Charter. Thus, the instrumental role of the Special Committee in strengthening the role of the UN is being firmly reestablished.

**Mr. Chair,**

We would like to underline the particular importance, for our countries, of the toolkit for a *peaceful settlement of disputes*, provided in article 33 of the UN Charter, which does not have any viable alternative, and voice our concerns regarding the good faith of a certain state in applying them.

Since the start of the foreign aggression in 2008 in Georgia and in 2014 in Ukraine, the respective countries have urged the Russian Federation 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 19<sup>th</sup> 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 ICJ decisively rejected Russia's jurisdictional objections. Ukraine will continue to take forward legal actions that seek to hold Russia accountable for its violations of international law.

Nevertheless, during the last year's session of the Special Committee, the Russian delegation tried to block the adoption of its report by opposing the inclusion of any reference to the ICJ case between Ukraine and the Russian Federation despite it being an already agreed language from previous report of the Special Committee.

Russia's responsibility has been also clearly attested with the recent landmark Judgment of the European Court of Human Rights in the inter-State case concerning August 2008 Russia-Georgia War. The ECHR Judgment unequivocally confirmed Russia's occupation and effective control over the Georgian territories, and Russia's responsibility during the August 2008 war and the further period for killing, torture, ill-treatment, and arbitrary detention of Georgian civilians and military personnel, looting and burning of houses of Georgians, and inhuman treatment of Georgians "targeted as an ethnic group" (i.e. ethnic cleansing); deprivation of right of IDPs and refugees to return to their homes.

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.

Any disregard of the outcomes of the toolkit offered by article 33 of the UN Charter represents a disregard of the Charter itself and its fundamental principles. Peaceful settlement of disputes can be achieved only when both parties act in good faith.

The Russian Federation does not recognize itself as a party to the conflicts with Georgia and Ukraine, and its military forces and armaments, in violation of the UN Charter, continue to be illegally stationed on the territories of Georgia, Republic of Moldova and Ukraine.

**Mr. Chair,**

Referring to *maintenance of international peace and security*, we share the views that sanctions are powerful non-military response to the threats to global peace and security. They continue to be an important tool for countering terrorism, preventing conflicts, consolidating peace agreements, protecting civilians and curbing the proliferation of weapons of mass destruction.

The existing practice of introducing more precise, targeted sanctions seeks to strike a balance between sought results and possible unintended or adverse socio-economic and humanitarian consequences in a specific state or third states.

With that in mind, our position remains clear and precise – only through ensuring a thorough implementation of the UN Charter and complete halting of continuous violations of international law, including armed aggression, occupation and human rights abuses, sanctions can and should be lifted.

We reject the attempts to equate the lifting sanctions, imposed to halt illegal activities, with the efforts aimed at countering the COVID-19. It is both hypocritical and dangerous to use the pandemic crisis as a pretext to leave the systematic and brutal violations of international law unabated.

**In conclusion, Mr. Chair,**

Although the current pandemic circumstances, the commitment of member-states to the UN Charter must rest unwavering. Regretfully, when certain member states apply the provisions of the UN Charter in bad faith, the protracted conflicts are being prolonged, causing old

and new security challenges to evolve in the region, such as: terrorism, aggressive separatism, organized crime, trafficking in human beings, drug-smuggling, and proliferation of small arms and light and heavy weapons, mercenaries on the territories that remained beyond the control of the central legitimate authorities.

Therefore, 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, thus affecting the processes of pacific settlement of disputes and continuing the violations of the sovereignty and territorial integrity of other states.

I thank you!