



**Joint statement of Ukraine, the Republic of Moldova and Georgia
at the Special Committee on the Charter of the United Nations and on the
Strengthening of the Role of the Organization
22 February 2022**

Mr. Chair,

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

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. We are looking forward to a productive session, and to advancing the work of the Special Committee.

Mr. Chair,

One of the biggest accomplishments of this august Committee is the negotiation of the Manila Declaration on the Peaceful Settlement of International Disputes, approved by the General Assembly in 1982. We shall be marking its 40th anniversary this year, yet it is listed amongst many other UN commitments which is not fully applied. It is stated in the Declaration itself that its adoption contributes to the elimination of the danger of recourse to force or to the threat of force, to the relaxation of international tensions, to the promotion of a policy of co-operation, peace and respect for the independence and sovereignty of all States. Although prohibited by the UN Charter, by the Helsinki Final Act, and a number of other relevant instruments, recently one of the members of our Group experienced the threat of force coming from the movement of troops and weapons of another UN member towards its borders. Over 150.000 troops deliberately deployed to intimidate the sovereignty of Ukraine, to challenge the European Security Order and the international security architecture based on the UN Charter, as the Russian Federation continues its military build-up in the areas adjacent to the border with Ukraine, as well as in the temporarily occupied territories.

Our Group of States strongly emphasizes that applying international instruments – such as treaties, resolutions, and declarations - fully and in good faith, is key to maintaining international peace and security. For the purpose of maintenance, our Group also considers that the implementation of ICJ decisions (such as orders or judgements) should be subject to a careful monitoring by the Security Council and analytical reflection in its annual Report.

Mr. Chair,

I shall further refer, in particularly, to the Chapter number III of the Secretary-General's Report A/76/33, entitled "Peaceful Settlement of Disputes", as well as to the paragraph 6 a) of the UNGA Resolution A/RES/76/115 regarding the use of judicial settlement. Georgia, the Republic of Moldova and Ukraine have been continuously applying the rich toolkit for a peaceful settlement of disputes, provided in article 33 of the UN Charter, since 2008, 1993 and 2014 respectively to their very similar cases. Yet, despite the numerous judgements and judicial orders, as well as countless mediation and negotiation efforts, Russian military troops are still deployed illegally on the territories of our countries. We are constantly facing Moscow's ongoing provocations and hybrid war that undermines the European and Euro-Atlantic security and the rule-based international order.

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.

Russia's responsibility has been also attested with the 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. At the same time, Russia continues violation of the EU-mediated 12 August 2008 Ceasefire Agreement and illegally maintains two military bases and FSB troops in Georgia's occupied regions.

In the same vein, Russia still disregards its commitments undertaken at the Organization for Security and Cooperation in Europe Summit, held in Istanbul in 1999, on the complete withdrawal of its military forces and ammunition from the territory of the Republic of Moldova.

Following our line of experience, in contradiction to the article 2 of the UN Charter the cornerstone principle of territorial integrity continues to be violated, including by attempts of some countries to alter the status of parts of territories of some UN member states. We call upon all UN member states to condemn the recent recognition of the temporarily occupied parts of Donetsk and Luhansk regions of Ukraine by the Russian Federation.

Mr. Chair,

The peaceful settlement of international disputes is a fundamental principle of international law of a preemptory character, no state being excepted from applying it in good faith.

It is formulated as such in the UN Charter (Article 2, paragraph 3 and article 33) and developed in UNGA Resolution 2625 (XXV) on Principles of International Law concerning Friendly Relations and Co-operation among States. Therefore, in order to fulfill this fundamental principle, it is utterly important to implement the decisions of international adjudicative bodies and the results of mediation conferences, in a fully and timely manner.

Mr. Chair,

Delaying or ignoring the implementation of the decisions or outcomes of any conflict resolution mechanisms indicated in article 33 of the UN Charter, leads to the further deterioration of the security environment both on a regional and international level, as also observed in the recent Security Council Open Meeting from the 31st of January 2022 on Threats to International Peace and Security. Thus, the international community holds a collective responsibility to act when violations of international law are being committed, and to not legitimize an illicit conduct of another member State.

Having the proper records of the meetings where matters of peaceful settlement of disputes are being discussed is also key to upholding this desideratum. Therefore, we expect that the Report of this year's session will reflect in a wholesome spirit the current debates.

I thank you!