



**statement of the Permanent Mission of Ukraine to the United Nations
at the Special Committee on the Charter of the United Nations and on the
Strengthening of the Role of the Organization
on Peaceful settlement of disputes**

Mr. Chair

Ukraine respects article 33 of the UN Charter which provides the obligation to settle international disputes by peaceful means.

And the heart of the judicial settlement of disputes is the International Court of Justice. Being the UN's principal judicial organ, the ICJ is indispensable in the peaceful resolution of disputes between States.

Recognizing the role of ICJ in dispute settlement and the legally binding nature of its decisions Ukraine has done its utmost to solve Russia's aggression by legal means.

On 31 January and 2 February 2024, the ICJ issued judgments in two separate disputes that Ukraine had brought against the Russian Federation.

In its judgment of 31 January 2024, the ICJ ruled that Russia had violated international law in three separate respects: Russia violated the International Convention on the Suppression of the Financing of Terrorism (ICSFT), the Convention on the Elimination of All Forms of Racial Discrimination (CERD) and its obligation to comply with a binding provisional measures order of 17 April 2017. It is the first case since the ICJ's inception in 1945 that has found the Russian Federation in violation of international law. The Court found Russia to be in violation of a specific provisional measure established in the ICJ's order that Russia had to suspend its ban on the Mejlis of the Crimean Tatar People. In addition, the Court ruled that a full-scale invasion, as well as the so-called "recognition" of certain

organized anti-government armed groups by Russia is a violation of the Court's order as it is an aggravation of the dispute.

In its judgment of 2 February 2024, despite Russia's objection, the ICJ concluded that it had jurisdiction over the dispute Ukraine had brought days after Russia launched its full-scale invasion, addressing the false allegations of genocide that were Russia's express pretext for invading Ukraine.

The judgment has tremendous consequences for Russia as the ICJ hears the merits of Ukraine's Allegations of Genocide case. The merits will afford Ukraine an opportunity to debunk the lie at the heart of Russia's aggression.

Russia's use of force remains very much a part of the case as it moves to the merits phase. The reason is the Court's provisional measures order of 16 March 2022 which remains in force. Order of the ICJ is legally binding and obliges Russia to cease hostilities. It is also clear that Russia has acted and continues to act in violation of this Order on a daily basis for nearly two years.

The ICJ reaffirmed that "Orders indicating provisional measures create a legal obligation for the States involved," and linked this point with another one: "it is well established in international law that the breach of an engagement involves an obligation to make reparation in an adequate form." Applying these principles to the Allegations of Genocide case, when the Court issues a merits judgment, it will have to consider whether Russia has complied with its legal obligation to comply with the provisional measures order – and, obviously, Russia has violated that obligation.

Mr. Chair,

Only by abiding the international law we can ensure the fulfillment of the UN's goal to save succeeding generations from the scourge of war.

Despite the need to exercise its inevitable right to self-defense in accordance with Article 51 of the UN Charter to repel Russia's aggression and liberate its territories, Ukraine 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 Russia accountable.

I Thank you.