



Statement on behalf of the European Union and its Member States

by

at the

UN General Assembly on agenda item:

The situation in the temporarily occupied territories of Ukraine:

United Nations

New York

23 February 2022

Mr. President,

I have the honour to speak on behalf of the EU and its Member States.

[Alignments]

(1. general messages)

Mr. President,

The European Union recalls its unwavering support to the sovereignty, territorial integrity, and independence of Ukraine within its internationally recognised borders.

The EU strongly condemns the decision by President Putin to recognise the non-government controlled areas of Donetsk and Luhansk oblasts of Ukraine as independent entities and the ensuing decision to send Russian troops into these areas. We call on Russia to reverse these decisions. The UNSG also stated on Monday this week that *"the decision of the Russian Federation is a violation of the territorial integrity and sovereignty of Ukraine and inconsistent with the principles of the Charter of the United Nations"*. The illegal acts further undermine Ukraine's sovereignty and independence and are a severe breach of international law and international agreements, including the UN Charter, Helsinki Final Act, Paris Charter and Budapest Memorandum.

The European Union strongly condemns Russia's continued aggressive actions and threats against Ukraine, including through the unprecedented military build-up near the border with Ukraine and in the Black Sea and through the deployment of combat forces in, and the joint drills with, Belarus, and calls on Russia to de-escalate, to abide by international law and to engage constructively in dialogue through the established international mechanisms.

The EU is responding to these latest violations with additional restrictive measures, including on all economic relations with the non-governmental controlled areas, as well as designations against individuals and entities responsible for undermining the territorial integrity of Ukraine, in coordination with our partners.

Russia's past and present actions against Ukraine are not a matter just for Ukraine or for Europe. They have severe global implications. Non-compliance with the fundamental principles of international law, the UN Charter and basic principles of international relations directed towards another state is of serious concern. These rules apply to all. And permanent member of the Security Council have particular responsibility in upholding the Charter. The lessons learned from disastrous conflicts of the 20th century, which the international community was not able to prevent, are clear in this regard.

The EU fully subscribes to and, for its part, reaffirms its full commitment to the core principles European security is built on, enshrined in the UN Charter and the commitments Russia itself subscribed to in the OSCE, including the Helsinki Final Act and the Charter of Paris or the International Covenant on Civil and Political Rights. This includes notably the sovereign

equality and territorial integrity of States; the inviolability of frontiers; refraining from the threat or use of force; and the freedom of States to choose or change their own security arrangements. These principles are neither negotiable nor subject to revision or re-interpretation. Their violation by Russia is an obstacle to a common security space in Europe and threatens the peace and stability in Europe and worldwide. What is happening in Ukraine affects the security of each and every UN member state. We therefore call on Russia to respect the principles of the UN Charter, to de-escalate and to engage in meaningful diplomacy. The UN Secretary General emphasized last week *"There is no alternative to diplomacy. All issues can and must be addressed and resolved through diplomatic frameworks."*

(2. Eastern Ukraine)

Mr. President,

We call on Russia to constructively engage in the Normandy Format and the Trilateral Contact Group, to achieve the full implementation of the Minsk Agreements, endorsed by the UN Security Council resolution 2202.

The EU therefore stresses the urgent need for Russia to de-escalate tensions caused by the military build-up along its border with Ukraine and on Crimea and its aggressive rhetoric. We call on Russia to constructively contribute in the negotiation in the Normandy Format and the Trilateral Contact Group in line with what was agreed in recent N4 meeting in Paris and Berlin. We welcome the OSCE Special Representative's attempts to convene extraordinary sessions of the Trilateral Contact Group to defuse tensions. We expect Russia to accept the invitation to such a meeting in the future. We also call on Russia to immediately stop fuelling the conflict and to remove Russian troops and hardware illegally deployed in areas currently not under the control of the Government of Ukraine. The European Union strongly condemns the recent increase of ceasefire violations as well as orders for mobilization issued by the de facto authorities in areas currently not under the control of the Government of Ukraine. The EU condemns the use of heavy weaponry and recalls that the shelling of civilian infrastructures is totally unacceptable and represents a clear violation of the ceasefire, the Minsk agreements and international humanitarian law. The EU commends Ukraine's posture of restraint in the face of continued provocations and efforts at destabilisation.

The EU underlines the role of the OSCE as the appropriate forum to address security concerns of all interested parties. EU Member States are ready to engage in strengthening the existing mechanisms to ensure military transparency and predictability, and to support efforts regarding arms control, in particular within the OSCE framework. In this regard, we urge Russia to abide by its commitments under the Vienna Document and notably to provide full transparency on its military activities in the region, to host visits to the areas which are the cause of concern, to take significant and verifiable steps to de-escalate the situation and to provide information on the reported redeployment of Russian units from the locations of military exercises.

We also express our support for the valuable engagement of the OSCE Special Monitoring Mission (SMM) and its impartial monitoring. Its work is of crucial importance to get objective information from the ground, and its observers play a key role in de-escalation efforts, in particular in the current situation. We are therefore deeply concerned by Russia's continued actions to obstruct the presence of the SMM in the non-government controlled areas of Ukraine. The SMM is mandated to monitor the entire territory of Ukraine within its internationally recognized borders, including in the Autonomous Republic of Crimea and City of Sevastopol. We urge Russia to respect the SMM's mandate as agreed by all participating States and ensure that all restrictions affecting the SMM's work are lifted immediately. We once again deplore the targeting of SMM assets.

We also call on Russia to stop its policy of issuing Russian passports in large numbers to Ukrainian citizens residing in the non-government controlled areas of the Luhansk and Donetsk regions. This practice directly contradicts the spirit and objectives of the Minsk agreements and is further undermining Ukraine's independence, sovereignty and territorial integrity.

The EU further condemns the continuous deterioration of the respect for human rights and international humanitarian law in the non-government controlled areas of the Donetsk and Luhansk regions. The volatile security situation in eastern Ukraine has an immense impact on the civilian population, in particular persons in the most vulnerable situations living in the non-government controlled areas and along both sides of the contact line, where people are under continuous threat of shelling. We share a profound concern for their sufferings. Adequate social benefits and pensions to the entire conflict affected population, regardless of their place of residence and in accordance with the Ukrainian Constitution should be provided. Protection of the supply of water, energy and other utilities across the Line of Contact and mitigation of environmental risk are key to avoid worsening of the situation. Prompt implementation of the mine action law and setting up a national mine action centre to effectively address the contamination by mines and unexploded ordnances in conflict affected areas is also crucial.

As a result of the conflict, 2,9 million Ukrainians are still in need of humanitarian assistance. We call on the sides to respect international humanitarian law and guarantee unhindered and sustained access for humanitarian actors, including UNHCR and other UN agencies, as well as national and international NGOs, to all people in need. The decreasing level of humanitarian funding reduces the ability to deliver humanitarian assistance. The European Union, together with its 27 Member States, is the biggest donor of humanitarian aid to Ukraine with over 193,7 million EUR since the beginning of the conflict. The EU will continue to support humanitarian organisations in their important work to alleviate suffering and promote resilience of affected populations, particularly along the contact line.

(3. Crimea)

Mr. President

Let me turn to the situation in Crimea. These days we commemorate eight years since the beginning of the hostile Russian political and military actions against the sovereignty and

territorial integrity of Ukraine, leading to the illegal annexation of the Autonomous Republic of Crimea and the City of Sevastopol by the Russian Federation. This illegal annexation and Russia's subsequent actions on the peninsula and in surrounding waters are in blatant breach of international law and of key principles of the rules based international order. They remain a direct challenge to international security, with grave implications for the international law that protects the sovereignty, territorial integrity and unity of all States. In line with the UN General Assembly resolutions 68/262 and 76/70, the EU reconfirms its condemnation of this violation of international law and continues to implement its consistent non-recognition policy of the illegal annexation, including through restrictive measures, together with its transatlantic partners. We work in all international organizations – the OSCE, the Council of Europe, and the United Nations – to ensure, by diplomatic means, the respect and restoration of Ukraine's sovereignty and territorial integrity in line with General Assembly resolutions 68/262, 76/70 and 76/179. We also recall our support for the International Crimea Platform, as stated in the Joint Declaration of Participants in the International Crimea Platform, adopted at the ICP Summit held in Kyiv, on 23 August 2021.

As stated in resolution 68/262, the so-called referendum organised by Russia on the Crimean peninsula in March 2014 has no legal validity, as it was a breach of Ukraine's constitution and thus cannot form a basis for alteration of the status of Crimea and the city of Sevastopol. The EU recalls the obligation of all states not to recognize as lawful any territorial acquisition or special advantage resulting from aggression, and calls on all UN Member States to remain steadfast in their policy of non-recognition of Russia's illegal annexation, in line with UN General Assembly Resolution 68/262.

We welcome Ukraine's efforts to continue to seek justice using international legal instruments and courts, including in the European Court of Human Rights, in arbitration courts, the International Court of Justice etc. We underline in this regard the importance of respect for judicial decisions and their timely implementation, and recall the decision given by the European Court of Human Rights imposing on Russia clear human rights obligations given its effective control over the Crimean peninsula since 27/02/2014.

On top of this, the ongoing Russian militarization of the Crimean peninsula has a negative impact on the security situation in the Black Sea region and beyond. We call on Russia to refrain from impeding the lawful exercise of navigational rights and freedoms to and from the Sea of Azov in accordance with international law. Russia's unjustified use of force on 25 November 2018 near the Kerch Strait, the construction of the Kerch Bridge without Ukraine's consent and the subsequent arbitrary inspection regime at the Kerch Strait limiting the navigation to and from Ukrainian ports are violations of Ukraine's sovereignty and territorial integrity, which we have repeatedly condemned. We reaffirm the universal and unified character of the United Nations Convention on the Law of the Sea, which sets out the legal framework within which all activities in the oceans and seas must be carried out.

The EU remains seriously concerned about transfers by the Russian Federation of sophisticated weapons systems and military personnel to the peninsula since March 2014. Multiple military exercises of Russian armed forces have been held in Crimea, which undermine regional security and entail considerable long-term negative environmental consequences in the region. As documented in the reports by the UN High Commissioner

for Human Rights, Russian citizenship and conscription in the armed forces of the Russian Federation have been imposed on Crimean residents in violation of international humanitarian law. Russian legislative elections have been illegally held in the illegally annexed Crimea and a population census conducted in an attempt to legitimise the illegal annexation of the peninsula. All these developments are extremely worrying and hostile.

The EU also remains deeply concerned about the severe deterioration of the human rights situation in the [Crimean peninsula](#) since its illegal annexation by the Russian Federation

Residents of the peninsula face systematic violations of human rights and fundamental freedoms, such as the rights to freedom of expression, religion or belief and association and the right to peaceful assembly. Arbitrary detentions and convictions remain systemic. In particular, the human rights of the Crimean Tatars have been targeted. In this regard we emphasize our calls for the immediate release of all illegally detained and imprisoned human rights defenders in the [Crimean peninsula](#) and in Russia.

In accordance with UN General Assembly resolution 76/179 adopted last December, it is crucial that regional and international human rights monitoring mechanisms as well as non-governmental human rights organisations are granted proper and unimpeded access to the Autonomous Republic of Crimea and the city of Sevastopol illegally annexed by the Russian Federation. Journalists, media workers, human rights defenders and defence lawyers should be able to work independently and without undue interference and intimidation. We welcome the work of Ukrainian human rights organisations and the Crimean prosecutor who, temporarily from mainland Ukraine, record human rights violations and abuses. Violations and abuses of human rights and of international humanitarian law must be investigated and perpetrators brought to justice. We reiterate our call for the immediate release of all those Ukrainian citizens who have been illegally detained by Russia and sentenced in breach of international law. In this regard, we call on the Russian Federation to stop changing the demographic structure in Crimea by the resettlement of its own civilian population to the peninsula.

We also expect Russia to take measures to improve the environmental situation in Crimea, which has considerably worsened.

(4. EU – UA cooperation)

Mr. President,

The EU reaffirms its commitment to further support Ukraine's resilience, including in countering cyber and hybrid threats and tackling disinformation. The EU underlines the importance of Ukraine's reform agenda, based on our shared values of democracy, rule of law, respect for international law and human rights, as reiterated in the 23rd EU-Ukraine Summit Joint statement, as a vehicle for enhancing Ukraine's external and internal resilience. The EU reaffirms its long-standing and steadfast support to this end.

(5. Conclusion)

In conclusion, Mr. President, let me reiterate once again our firm believe that tensions and disagreements must be resolved through dialogue and diplomacy and that this issue is not only a matter of regional concern, but of global one. Threats and violations of international law, including the UN Charter, affect all MS of the UN.