



# General Assembly

Eleventh Emergency Special session

**15<sup>th</sup>** plenary meeting  
Monday, 14 November 2022, 10 a.m.  
New York

Official Records

*President:* Mr. Kőrösi . . . . . (Hungary)

*In the absence of the President, Mr. Wallace (Jamaica), Vice-President, took the Chair.*

*The meeting was called to order at 10 a.m.*

## Agenda item 5 (continued)

### Letter dated 28 February 2014 from the Permanent Representative of Ukraine to the United Nations addressed to the President of the Security Council (S/2014/136)

#### Draft resolution (A/ES-11/L.6)

**The Acting President:** Members will recall that, in paragraph 8 of its resolution ES-11/4 of 12 October 2022, the Assembly decided

“to adjourn the eleventh emergency special session of the General Assembly temporarily and to authorize the President of the General Assembly to resume its meetings upon request from Member States”.

In that regard, I should like to draw the attention of delegations to document A/ES-11/10, which contains a letter dated 7 November 2022 from the Permanent Representatives of Canada, Guatemala, the Netherlands and Ukraine to the United Nations addressed to the President of the General Assembly, requesting the resumption of the eleventh emergency special session of the General Assembly.

I intend to conduct the proceedings of this meeting in accordance with the rules of procedure of the General

Assembly and the past practices of its emergency special sessions.

I now give the floor to the representative of Ukraine to introduce draft resolution A/ES-11/L.6.

**Mr. Kyslytsya (Ukraine):** “What has been, will be again, what has been done will be done again; there is nothing new under the sun” (*The Holy Bible, Ecclesiastes, 1:9*), is written in one ancient script. It is true, is it not, that we have seen all this before? A country choosing to invade another, bringing death and destruction, impacting millions of people and undermining the very core of international security, and the world fighting back and holding the perpetrators accountable.

We have indeed seen this before. Let me quote one official:

“A large part of our country’s territory was occupied by the enemy, which destroyed entire cities and villages, turned enterprises, power plants and railways into ruins. That is why we believe it to be a moral right of countries that have been subjected to occupation to receive compensation.”

That quote does not belong to an Ukrainian official; neither is it recent. The statement belongs to comrade Vyacheslav Molotov, Minister for Foreign Affairs of the Soviet Union. It is striking how closely the statement describes what Ukraine is facing today: a large part of the territory of a sovereign State under enemy occupation; entire cities and villages destroyed; enterprises turned into ruins; power plants destroyed.

This record contains the text of speeches delivered in English and of the translation of speeches delivered in other languages. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room U-0506 (verbatimrecords@un.org). Corrected records will be reissued electronically on the Official Document System of the United Nations (<http://documents.un.org>).



Of course, no material loss compares to the death and suffering of the people of Ukraine.

Seventy-seven years ago, the Soviet Union demanded and received reparations, calling it the moral right of a country that has suffered war and occupation. Today Russia, which claims to be the successor of twentieth-century tyranny, is doing everything it can to avoid paying the price for its own war and occupation and trying to escape accountability for the crimes it is committing. Russia will fail, however, just as it is failing on the battlefield. We have indeed seen all this before. There is nothing new under the sun.

Thirty-two years ago, the Russians once again clearly stated their position on reparations when one State invaded and occupied another. Responding to the consequences of the Iraqi invasion of Kuwait, the Security Council adopted a series of resolutions, including resolution 687 (1991), establishing a commission and a fund mandated to deal with any damage, loss or injury arising out of Iraq's unlawful invasion and occupation of Kuwait. Following his vote in favour of the resolution, Soviet Ambassador Vorontsov stated:

“The requirements of the resolution adopted are aimed not only at restoring justice but at issuing a serious warning to all those who might be inclined to embark on the path of aggression, occupation and annexation.” (*S/PV.2981, p. 101*).

That is exactly what Russia is doing today. The Soviet Ambassador added:

“The adoption of this resolution provides the necessary conditions to restore normal economic relations in the region, the speedy elimination of the consequences of the ecological crisis, and compensation for the damage which has been caused to Kuwait and its people.” (*ibid., p. 103*)

Thus, with 14 votes in favour and 1 measly abstention, the United Nations Compensation Commission (UNCC) was born. A true success story, the UNCC completed its mandate in February this year, having paid out over \$52 billion in reparations to the victims of that war.

Russia has tried its best to destroy Ukraine, in a very literal sense. From day one of the full-scale invasion, Russia has been throwing bombs, missiles and shells of every kind at Ukrainian cities and villages, targeting everything from plants and factories to residential

buildings, schools, hospitals and kindergartens. We have all seen images from Bucha, Irpin, Borodyanka, Mariupol and Izyum. Russia has been destroying Ukrainian roads, bridges and railways. Russia has demolished almost half of Ukraine's power grid and utilities in the past month alone, leaving millions of Ukrainians without power, running water and heating on the eve of winter.

Accounts of atrocities committed by Russians in the occupied territories — murder, rape, torture, forced deportation, looting — all speak for themselves. Millions of Ukrainians have been forced to leave their homes and seek shelter elsewhere. Ukraine will have the daunting task of rebuilding the country and recovering from this war. But that recovery will never be complete without a sense of justice for the victims of the Russian war. It is time to hold Russia accountable. We have seen all this in this very Hall. What has been done, we ask to be done again.

We have seen the General Assembly adopt, by consensus, resolution 60/147, adopting the Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law. Let me quote:

“Adequate, effective and prompt reparation is intended to promote justice by redressing gross violations of international human rights law or serious violations of international humanitarian law.” (*resolution 60/147, annex, para. 15*)

We have seen the General Assembly adopt, by consensus, resolution 56/83, commending the draft articles on responsibility of States for internationally wrongful acts, which stipulate that,

“The responsible State is under an obligation to make full reparation for the injury caused by the internationally wrongful act” (*resolution 56/83, annex, article 31*).

We have indeed seen it all. We are not asking for something we've not seen before. We are meeting here today, in the setting of the eleventh emergency special session of the General Assembly, within the Uniting for Peace framework designed for instances just like this, when a country like Russia abuses its veto power — a veto power that came with the seat of the Soviet Union in the Security Council, which it is occupying illegally.

Russia prefers impunity to accountability, and when it comes to the process in the Security Council, it only knows two things — lies and the veto. And yet, we will hear from Russia very soon that the General Assembly is not competent to address a matter like this. It will be yet another lie; yet another attempt to diminish and subvert this organ of the United Nations; yet another attempt to tell Assembly members that they do not matter. And that, yet again, will be nothing new.

I have recently recalled the words of King Hussein of Jordan, pronounced from this very rostrum in 1960. Let me quote him again:

“It is needless to affirm that the United Nations presents the only hope of peace and freedom to humanity. This is of major significance to all the small nations of the world; yet, almost from birth, the Soviet Union has sought to destroy the United Nations, to hamper its deliberations, to block its decisions and, by rowdy tactics and petulant walk-outs, to damage the reputation of the Security Council and the General Assembly.”  
(*A/PV.882, para. 75*)

That is exactly what Russia is doing now. Having blocked the Security Council, the Soviets’ successors are trying to muzzle the General Assembly. The United Nations should no longer tolerate this. Right now there is yet another opportunity to send a clear signal to Russia and anyone else who may ever consider using force to redraw internationally recognized borders. The Russians and their cohorts will try to make us believe that by this vote we are dividing the world into blocs and returning it to the times of the Cold War. They will claim that we are asking Member States to take sides in the conflict.

We in no way ask members to pick sides today. We are confident that they are all on the side of the Charter of the United Nations, its purposes and principles, and on the side of international law. Instead, it is the Russian Federation itself that, since its very appearance in the United Nations 31 years ago, has been perpetually committing acts of aggression against sovereign States. It is the Russian Federation that is threatening the mechanism of international security and undermining the fragile stability achieved after the Second World War. In fact, it is Russia that is to be blamed for dividing the world.

The proposal before the Assembly today is a proclamation that Russia must be held accountable for

its violations of international law in Ukraine. It is a reaffirmation of the need for a concrete mechanism for reparations that will breathe life into this proclamation. It is a call for Member States to come together and build a legitimate international infrastructure to deal with the consequences of Russian aggression against Ukraine, record evidence of atrocities and preserve hope for justice for millions of those whose lives have been changed forever by the imperial, neocolonial ambitions of a small ruler of a large country.

The proposal is not about Russia alone. It will work for the benefit of all those who are being threatened now or might be threatened later with the use of force. Our response should be appropriate and should avert any aggressor from the temptation of starting a war. That is the issue we are resolving today.

The proposal is built on the principles of multilateralism, as we call on all States that share the values of the United Nations Charter to participate in further steps to establish the mechanism. Ukraine is committed to a transparent, impartial and objective process that will be managed and overseen by the international community in order to avoid even the slightest perception of bias. We have every intention of continuing to cooperate with the United Nations and its bodies in this process. We greatly value and appreciate the invaluable work of the Secretary-General and the Independent International Commission of Inquiry on Ukraine appointed by the Human Rights Council. We hope for cooperation with UNESCO and the United Nations Environment Programme to help assess the damage to the historical and cultural heritage of Ukraine and its environment.

A vote against the proposal will be a vote in favour of impunity and lawlessness. A “yes” vote will mean that there is faith in international law, that the global architecture so painstakingly built after the Second World War will remain, and that the United Nations can stand to watch over international peace and security. It is a signal of hope for justice and an important first step towards accountability — a step towards ensuring that such wars never happen again.

Ukraine is seeking peace. The preconditions for any negotiations outlined by President Zelenskyy are clear: restoration of Ukraine’s territorial integrity, compensation for damage caused by the war, and the prosecution of war criminals. Draft resolution A/ES-11/L.6 will bring us closer to that goal, And we must

take this leap forward without delay. This session is an opportunity to reflect on that and decide in which kind of world we want to live.

**The Acting President:** I now give the floor to the Minister for Foreign Affairs of Guatemala.

**Mr. Búcaro Flores** (Guatemala) (*spoke in Spanish*): I thank you, Sir, for convening us and resuming this eleventh emergency special session, in follow-up to the impact of the aggression of the Russian Federation against Ukraine. Once again, we meet to address one of the biggest crises worldwide, whose impact is unprecedented.

Guatemala did not hesitate to join as co-facilitator and co-sponsor, together with the delegations of Ukraine, Canada and the Kingdom of the Netherlands, to submit draft resolution A/ES-11/L.6, entitled “Furtherance of remedy and reparation for aggression against Ukraine”. We have supported and presented the draft resolution based on our convictions not only as a country with a deep vocation for peace, but also as a State that recognizes that, through dialogue, negotiation, reparations and the peaceful means granted to us under international law, differences among States can be resolved. We are a country whose history is marked by a lengthy internal conflict, and that is why we recognize the importance of peace and respect for human rights.

Likewise, we have submitted the draft resolution for the consideration of the General Assembly in the solid belief that this initiative is a step towards conciliation between the parties. Considering that the resolution of civil claims is an important step towards achieving peace and post-conflict recovery, the recommendation for the establishment of a mechanism to register damage and eventual reparations is essential. As a country that firmly believes in multilateralism, we are convinced that the General Assembly has the mandate and authority to approve the draft resolution, as established in Chapter IV of the Charter of the United Nations.

The language of the draft resolution is carefully drafted so as not to overstep the purview of the General Assembly. The language is based on previous determinations of the General Assembly that the Russian Federation has committed an act of aggression against Ukraine, in violation of Article 2 of the Charter of the United Nations. In that regard, we respectfully ask all Member States to support this initiative, which

is the right thing to do, and to vote in favour of the draft resolution for the sake of peace in the world.

Standing at this rostrum today as a co-sponsor of the draft resolution, I cannot fail to mention the importance of prompt reform of the Security Council, in keeping with current times. Today we are considering this draft resolution because the General Assembly cannot replicate the same paralysis or idleness of the Security Council on this issue and other crises that affect international peace and security. It must consequently recognize that humankind needs all of us united.

**Mr. Nebenzia** (Russian Federation) (*spoke in Russian*): When speaking at this rostrum earlier today, the Permanent Representative of Ukraine cited many quotes, yet he failed to say the most important thing about draft resolution A/ES-11/L.6. Let us now bridge that gap.

The draft resolution that has been submitted to the eleventh emergency special session is a classic example of the “rules-based order”, whereby a small group of States defies international law and seeks to consecrate lawlessness while using the authority of the General Assembly and positioning the Assembly as a judicial body, which by definition it is not. It is obvious that the initiative is flawed. From the legal perspective, the provisions of the draft resolution cannot stand up to any criticism. They are legally null and void — nothing more than an attempt to legalize what cannot be legalized in terms of effective international law. The sponsors cannot fail to realize that the adoption of such a draft resolution would trigger consequences that could boomerang against themselves. Those States boast of their commitment to legality, while at the same time flouting the very appearance of legality.

The draft resolution envisages establishing some sort of an “international mechanism for reparation for damage”. And then, apparently, it is as good as settled. The mechanism is to be created by a certain group of States, and these States will be the ones that will decide how it should work. In other words, the General Assembly is being asked to give carte blanche to the establishment of a body whose functionality most of those present here will not have even the remotest idea about. Those countries will, at their own discretion, determine or rather appoint the perpetrators and establish the amount of damage, the means of its reparations and so on. The United Nations will play no role in that process, because the mechanism is intended



to be created outside the United Nations framework and no one has any plan to report to the General Assembly on its activities. We emphasize that the vast majority of Member States will have absolutely no voice or control in the establishment of the mechanism or during its operation.

We have no doubt as to where the funding for this so-called reparation for damage will be coming from. The West is doing its best to add at least some semblance of legitimacy to its actions, in order to start spending hundreds of billions of dollars of frozen sovereign assets that have in fact been stolen from the Russian Federation. They have long wanted to unfreeze those assets, not in order to return the funds to their rightful owner or spend them on helping Ukraine, but rather to finance their own ever-growing arms supplies to Kyiv and pay off the debts incurred for the weapons that have already been supplied.

In that way, the West wants to prolong and further aggravate the conflict, and plans to use Russian money to that end. A corresponding decision of the General Assembly is only needed to cover up for this barefaced robbery, but that will only increase tensions and instability throughout the world, to the benefit of Western military corporations that have already made billions of dollars on arms deliveries to Ukraine.

We underscore that neither the General Assembly nor any mechanism can annul the sovereign immunity of State assets that is granted by international law. The States that support this decision of the General Assembly will become complicit in the lawless expropriation of a third country's sovereign assets and another act of abuse of the Assembly's powers in the interests of the West.

Do the States of the developing world even want anything to do with that initiative? We believe that most of them think it is not only preposterous but actually insulting that Western countries have come to demand rather reparations than pay them out. The scenario of first stealing and then spending sovereign State assets has been conceived by exactly the same States that have a lengthy track record of robbing the rest of the world. I would point to the centuries of slavery and oppression, colonialism, neocolonial domination, military aggression and interventions, blockades, unilateral sanctions and the shameless extraction of the natural resources of the occupied and subjugated countries. The authors of the initiative are trying to

make everyone forget that, while propagating the Ukrainian story alone.

Western States have never considered reparations as a way of atoning for their own sins. Moreover, they have blocked any relevant discussion of that issue in the Sixth Committee for two decades and impeded the development of any kind of multilateral tool to ensure the accountability of States for internationally wrongful acts. They have recalled this concept only now that they have set their sights on reparations as a handy tool to rob yet another State.

If the draft resolution comes to be adopted, it will have systemic consequences for the United Nations activities. We call on Member States to understand that and to cast their vote against the draft resolution before us.

**The Acting President:** I give the floor to the representative of the European Union, in its capacity as observer.

**Mr. Skoog** (European Union): I have the honour to speak on behalf of the European Union and its Member States.

The candidate countries Montenegro, Albania, Ukraine and the Republic of Moldova, as well Georgia, Liechtenstein, Monaco and San Marino align themselves with this statement.

The General Assembly is called today to take action on draft resolution A/ES-11/L.6, entitled "Furtherance of remedy and reparation for aggression against Ukraine". While the title of the draft resolution explains its purpose and what it intends to achieve, some more background may be useful. I will explain why we believe the draft resolution is necessary, what it does and what it does not, in order to dispel any misconstructions, including some that we have just heard from this rostrum.

First, why do we support this draft resolution? The answer is straightforward. Aggression has occurred. On 2 March, the General Assembly, by an overwhelming majority, confirmed that the Russian Federation committed an aggression against Ukraine in violation of Article 2.4 of the Charter — an internationally wrongful act that hits at the core of the United Nations system. People around the world are watching helplessly as innocent civilians are killed as a result of deliberate targeting and infrastructure, hospitals, schools and homes are destroyed every day.

The destruction is overwhelming. The damage inflicted on Ukraine is huge, and it is only growing bigger with every day the war rages on.

Under international law, the responsible State is under an obligation to make full reparation for the injury caused by its internationally wrongful act. In order to prepare an orderly process, such damage needs to be properly registered in the first place. Accountability means that such costs move from the victims to the aggressor. The question is not whether Russia should pay, but rather when it will pay and what amount.

Secondly, what does the draft resolution do? The draft resolution merely recommends the creation by Member States and Ukraine of a register of damage. That register will serve as a repository of evidence of all types of damage. There are precedents for this, as we all know. The draft also recognizes the need for the establishment, in cooperation with Ukraine, of an international claims mechanism for reparation for damage as a second step. Rather than charging the domestic legal system of Ukraine and other States with a potentially very high number of individual litigations, a centralized and specialized system would be more appropriate. In our view, an international claims mechanism would provide for legal certainty and procedural fairness. Russia must be held to account for its wrongful acts and wanton destruction. That is key if we are to uphold a rules-based international order. This is not about the West against the rest, but about respect for international rules.

Thirdly, what does the draft resolution not do? The draft resolution does not establish the register of damage, nor does it create the reparation mechanism. Those instruments will be created at a later stage by Member States, in cooperation with Ukraine. There are no costs for the United Nations system arising from the draft resolution and no costs for anyone else, apart from Russia itself, which must bear responsibility for its wrongful acts.

We must stay the course in order to shape history. Russia's refusal to take responsibility for destruction and damage adds insult to injury.

Let me conclude by saying that every country, regardless of its size, might or location on the globe, enjoys the right to document crimes committed against its population, territory, environment or cultural property in order to secure their proper investigation. Each State can also work together with other States

or the international community to set up an efficient international mechanism to deal with reparation claims arising of such crimes. Accordingly, the draft resolution essentially supports the path to justice.

Today it is Ukraine; tomorrow, it could be someone else. We therefore call on everyone to vote in favour of the draft resolution.

**Ms. Tesfamariam** (Eritrea): I have the honour to take the floor on behalf of the delegations of Angola, Belarus, Bolivia, Cambodia, China, Cuba, the Democratic People's Republic of Korea, Equatorial Guinea, Eritrea, Iran, the Lao People's Democratic Republic, Nicaragua, the State of Palestine, Saint Vincent and the Grenadines, Syria, Venezuela, Zimbabwe and other likeminded countries.

Allow us to stress from the very beginning that the General Assembly is not a judicial body and that its resolutions shall be initiated, as stipulated in Article 13 of the Charter of the United Nations, for the purpose of

“promoting international cooperation in the political field and encouraging the progressive development of international law and its codification [and of] promoting international cooperation in the economic, social, cultural, educational, and health fields, and assisting in the realization of human rights and fundamental freedoms for all without distinction as to race, sex, language, or religion”.

The resolutions adopted by the General Assembly, therefore, represent the political will of States and can in no way serve as the legal basis for defining internationally wrongful acts, mindful of the fact that such an action would go beyond its mandate and responsibilities.

The draft resolution before us, contained in document A/ES-11/L.6, on the one hand has neither sufficient legal basis, nor is it in line with the established practice of the General Assembly, while, on the other hand, it would only promote a divisive agenda within this organ. In addition, should it be adopted, the draft resolution would set a dangerous precedent that would allow for the blessing of the General Assembly of the establishment of a remedy and reparation mechanism that is neither managed by nor accountable to the very same organ that would be creating it.

In that context, we should not forget that colonial Powers caused enormous damage and suffering to the peoples of present-day developing States. We also recall

detrimental external interference in the internal affairs of sovereign States, including foreign interventions and invasions in Asia, Africa, Latin America and the Caribbean. Those States, having suffered from foreign interference, colonialism, slavery, oppression, unilateral coercive measures, illegal blockades and other internationally wrongful acts, also deserve the right to remedy, reparation and justice, which should be addressed through sound legal processes.

Sovereign States shall not be forced in any way to take specific sides with regards to the ongoing conflict in Ukraine. Their decision respective national positions, including those that may decide to remain impartial, should be respected. We seize this opportunity to stress once again that the conflict around Ukraine must be resolved through diplomatic means and efforts. The General Assembly shall play a positive role towards that end and should spare no effort in favour of its peaceful resolution, while avoiding any initiative that may risk further aggravating the situation on the ground and further escalating tensions around the conflict.

In that context, we cannot overemphasize that any attempt to entrench a Cold War era mentality and bloc politics based on confrontation, the deepening of divisions and the imposition of disparate visions and agendas should be rejected by all responsible members of the international community, as it contributes in no way to addressing, through peaceful means and cooperation, the complex, emerging and common challenges faced nowadays by humankind.

To conclude, we would like to stress that all efforts should be made to facilitate and promote friendly relations, dialogue and cooperation among States, in line with the principles, purposes and values enshrined in both the Charter of the United Nations and the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations, approved by the General Assembly in its resolution 2625 (XXV) of 24 October 1970.

**Mr. Pildegovičs** (Latvia): I have the honour to speak on behalf of the eight Nordic-Baltic countries: Denmark, Estonia, Finland, Iceland, Lithuania, Norway, Sweden and my own country, Latvia.

On 24 February, Russia launched its brutal full-scale invasion of Ukraine, in blatant violation of international law and the Charter of the United Nations. By that war of aggression, aided by Belarus, Russia has

deliberately violated the fundamental right of all States to independence, sovereignty and territorial integrity.

Moreover, that aggression has caused immense suffering to the people of Ukraine. It has triggered the largest humanitarian catastrophe in Europe since the Second World War. More than 17 million people have been displaced. Ukraine has lost more than 40 per cent of its gross domestic product. Today more than 3 million Ukrainians must get by without water, electricity, sanitation and heating. Russia's armed forces have deliberately attacked critical civilian infrastructure, including energy grids, power interconnectors and water stations.

Like other countries, the Nordic-Baltic countries have been delivering considerable financial, humanitarian and military assistance to the people of Ukraine. We strongly believe that all Member States must seek ways to support Ukraine. Draft resolution A/ES-11/L.6, "Furtherance of remedy and reparation for aggression against Ukraine", gives us the possibility to further extend our support for Ukraine and the Ukrainian people. With this draft resolution, the General Assembly recognizes the need to establish an international mechanism to compensate Ukraine for the damage caused by Russia's aggression. The draft resolution recommends the creation of a registry of damages to serve as a record of evidence and claims of damage, loss and injury caused by the aggression of Russia.

We believe that it is important to collect and preserve evidence of Russia's brutal aggression against Ukraine, because Russia must be held accountable for its internationally wrongful acts against Ukraine and Ukrainians. Just a few hours ago, Ukrainian President Volodymyr Zelenskyy told journalists that investigators have uncovered more than 400 war crimes in areas of Kherson abandoned by Russian forces as they retreated. There must be no impunity for those crimes or damages caused, and the perpetrators must be held to account. In order to achieve that goal, evidence must be properly stored; otherwise, it could potentially be lost or damaged. Thus, we support the collection and storage of all evidence in accordance with relevant international norms and standards.

The Nordic-Baltic countries reiterate our firm support for Ukraine. We are convinced that respect for international law, the Charter of the United Nations and the international rules-based order is fundamental to

our common security and multilateral cooperation. We urge Russia to abide by international law and uphold its international commitments. We call on the Secretary-General and the United Nations to continue efforts to restore respect for the territorial integrity, sovereignty and independence of Ukraine.

United Nations Member States must support all mechanisms to restore justice to the victims of Russia's aggression. We therefore call all Member States to vote in favour of the draft resolution.

**Mr. Szczerski** (Poland): The Russian aggression against Ukraine requires an unambiguous and comprehensive response from the international community as a whole and from each of its individual members. Draft resolution A/ES-11/L.6, "Furtherance of remedy and reparation for aggression against Ukraine", gives us an opportunity to respond to the numerous horrific and devastating effects of the ongoing war.

For almost nine months, Russia has been attacking Ukraine's civilian population and non-military infrastructure, including those protected by binding provisions of international humanitarian law. The scale of material damages perpetrated by Russia in Ukraine is horrendous and has not been seen in Europe since the Second World War. It is obvious that Russia has flagrantly and manifestly violated a multitude of its international obligations, first and foremost its obligation to respect the prohibition of aggression. Its disrespect for international law is highlighted by non-compliance with the binding decision of the International Court of Justice of 16 March on provisional measures.

Therefore, accountability for the violations of international law committed in Ukraine by the Russian Federation must remain our priority as the war continues to rage. Russia must bear the consequences of all of its violations, including by making reparation for the injury and damage caused by such a glaring and large-scale violation of its international obligations.

It is a fundamental principle of international law that the breach of an obligation involves a duty to redress, in an adequate form, all wrongs, material and non-material, inflicted upon a State and its citizens. Reparation, therefore, is the indispensable complement of a failure to apply international legal rules. The draft resolution before us today recapitulates what is obvious — Russia is under obligation to make full reparation.

Poland strongly supports the creation of an international register of damages caused by the Russian Federation's aggression against Ukraine. We strongly believe that all damages always need to be appropriately compensated, no matter when and no matter where they are inflicted. That is a universal guiding principle. It is not enough for the perpetrators merely to admit their wrongdoings; it is not enough if they express remorse — and in this case, we are far away even from that. Moral gestures are welcome but never enough. It is material compensation that is needed to rebuild damages caused by wars. We need to create the registry because it is fundamental for the future of Ukraine. Poland knows only too well from its own history what it means when such actions are forsaken.

The proposed future register, the operation and modalities of which will be decided among interested States, will not only assist Ukraine in rebuilding itself after the devastating war, but more importantly, it will bring justice to the victims of Russia's barbaric acts, such as mass killings of men, women and children, torture, sexual violence or forced deportation. It should also not be forgotten, as Poland stressed in the Security Council in May, that apart from the human casualties, the Russian aggression keeps causing destruction to cultural sites in Ukraine. Religious sites, historic buildings, monuments, Holocaust memorials and other artefacts are still being damaged and looted on a daily basis. Addressing the General Assembly in September, President Andrzej Duda stressed Poland's commitment to all accountability efforts by stating:

"From this rostrum, I would like to pledge our support for all existing and new initiatives so that those who deprive millions of people of their right to food and destroy the environment will no longer go unpunished ... In the face of Russia's unlawful actions, we should all learn a lesson for the future." (*A/77/PV.5, p. 29*)

As the international community was unable to prevent the ongoing Russian aggression, it is our duty to advocate for ensuring accountability for atrocities committed against Ukraine. It is therefore imperative to support today's draft resolution, as it will constitute the first step towards reparations for injury and damage caused by Russian aggression and lead us towards achieving peace and post-conflict recovery.

**Mr. Pieris** (Sri Lanka): I thank you, Sir, for granting me the floor to express a few concerns with



regard to the caution we should exercise in acting on a draft resolution that would border on misadventure if we were to act upon it in the way we are being called on to do.

Sri Lanka remains deeply concerned regarding the deteriorating situation in Ukraine resulting from the ongoing hostilities. As a country that suffered a 30-year internal conflict, Sri Lanka affirms the truism that wars no longer end with winners or losers. Wars, as someone has said, are easier to start than to stop. Let us take a look around us. How are wars won in contemporary times? Have they not ended indecisively? Every one of them has ended indecisively. It has today become much more difficult to relate military success to political stability, which is an indispensable ingredient for peace.

Since the eruption of hostilities in Ukraine in February, we have seen hostile rhetoric, strategic manoeuvring and the repeated closure of doors to any possible settlement of the conflict, thereby relegating the humanitarian crisis and resulting suffering to the back burner. We are suicidal in our tendencies, quite frankly. We like to play with fire, to our detriment. The consequences are evident to the whole world, which was already beset by the devastating effects of a pandemic and is now facing a severe energy and food crisis that has devastated economies and livelihoods around the world. Those in the developing world, like Sri Lanka, with vulnerable economies dependent on services such as tourism, have been especially hard-hit. All this is happening amidst multiple other challenges, referred to by the Secretary-General himself as a “five-alarm global fire”.

The vast majority of countries represented in the Assembly have not invaded other countries or colonized them, nor have they engaged in proxy wars in countries far away from their own. However, we in Sri Lanka have been forced to suffer the consequences of an Easter bombing and an unknown pandemic, followed by a war in Ukraine, the cumulative effects of which have dealt our economies, and those of countries similar to us, a body blow, causing our economies to haemorrhage. That is the pligin in which we find ourselves

Sri Lanka is of the view that the most urgent step, therefore, is to continue to engage in talks for a ceasefire, end the conflict and alleviate the humanitarian suffering. That is of paramount importance. The attempt to provide justification through a General Assembly draft resolution for the seizure of sovereign

assets of one party at this juncture is, in our respectful view, misconceived and misplaced and would amount to an overreach of the application of the provisions of the Charter of the United Nations and an engagement in what I would describe as jurisprudential gymnastics, choreographed intrinsically by a misplaced composition of misunderstood sequences — a misadventure that could go terribly wrong. A simple reading of the Charter provisions makes it abundantly clear that such a mechanism was never, ever contemplated by the drafters of the Charter. It could also result in setting a precedent, as observed by the Ambassador of Eritrea, upon which the General Assembly does not have the competency to pronounce itself. What, we ask, are the outer parametres of such a mechanism? Would it also apply to conflicts in other parts of the world that have been lingering for much longer? We must ask ourselves that question. Have those conflicts ended? Have we exhausted our best efforts to bring the conflict to an end by a pacific settlement of the dispute, as envisaged by the provisions of the Charter? Let us think about that.

Moreover, the General Assembly by its very nature is a political body for deliberation and entrusted to make political recommendations to its membership through consensus or otherwise. The General Assembly cannot determine State responsibility or usurp the sovereign immunity of State property under international law. It cannot arrogate to itself the role of an adjudicatory tribunal. This move therefore creates a dangerous precedent that leaves room for any group of countries, based on existing power dynamics, to lay the groundwork to seize sovereign assets without any basis in international law, further aggravating the already existing mistrust and suspicion.

Reparations by their very nature include five key components: cessation/assurance of non-repetition, restitution and repatriation, compensation, satisfaction and rehabilitation. Let us ask ourselves the question: Why do countries pay reparations? War reparations are compensation payments made after a war by one side to the other. They are a levy on a defeated country, forcing it to pay some of the war costs of the winning country. That's what they are for. Is it the case that the war has conclusively ended? Is that not that far from the case? We sincerely wish it were, even indecisively.

We are therefore of the considered view that this initiative will not only exacerbate the conflict but could well result in compelling the parties to resort to a more lethal and sophisticated method of prosecuting the

conflict that none of us would wish to see. We must take every care that we do not reach that point — the point of no return. We must continue our efforts of diplomatic engagement at the highest level and desist from any activity or support to either party of whatever nature that would enable them to sustain military operations further. However, sadly, there seems to be no forward movement in that regard and steps being contemplated, such as today's, would only widen existing fissures that would entail a multiplier effect globally that would have to be borne by all of us, including those Member States that are not even remotely connected to the conflict, and by generations to come.

The greatest glory in living, someone once said, lies not in never falling but in rising every time we fall. It is time that we got together and put an end to the conflict by using our diplomatic means. For those reasons, Sri Lanka respectfully requests that the Assembly not exacerbate the conflict or engage in any activities that are not in conformity with the Charter of the United Nations.

**Mr. Alwasil** (Saudi Arabia) (*spoke in Arabic*): I am pleased to deliver this statement on behalf of the States members of the Gulf Cooperation Council (GCC), namely, the United Arab Emirates, the Kingdom of Bahrain, the Sultanate of Oman, the State of Qatar, the State of Kuwait and my own country, the Kingdom of Saudi Arabia.

The GCC States are following with great concern the situation in the Republic of Ukraine, the ongoing crisis and its resulting humanitarian, economic and political repercussions. The GCC States stress that their positions are consistent with their fundamental principles of respect for international law and the Charter of the United Nations that govern relations among States, and are based on respect for the sovereignty and integrity of States. The GCC States affirm the friendly relations they enjoy with all parties to the crisis.

The GCC States call on all parties to abide by their obligations under international law and are convinced that the best way to avoid the negative repercussions is to settle the crisis through dialogue and diplomatic means in a way that meets the interests of all parties. The GCC States therefore urge all parties to exercise restraint, avoid any further escalation and commit themselves to peaceful means to settle the conflict.

The draft resolution before us today in document A/ES-11/L.6 is based on the Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law, adopted by the General Assembly in resolution 60/147 of 2005. However, the GCC States believe that any mechanism established must be based on procedures and criteria that are internationally agreed, broadly accepted and under United Nations supervision in an effort to provide remedy and reparation in a fair manner that guarantees the achievement of the desired objectives.

In conclusion, the GCC States express their hope that efforts will continue to reach a solution satisfactory to all parties. The GCC States continue to support all humanitarian and political initiatives in order to achieve the desired purpose of bringing peace to the region and sparing the world the negative repercussions of the crisis at the humanitarian, political and economic levels.

**Dame Barbara Woodward** (United Kingdom): Russia's unprovoked and illegal invasion of Ukraine, including its attacks on civilians, schools, hospitals and power supplies, has caused and continues to cause immense damage and loss to Ukraine and its people. In contrast, the scenes of relief and joy we have seen as Ukrainian civilians in Kherson greet the liberating armed forces of Ukraine should leave us in no doubt about the cruel and destructive nature of Russia's invasion of Ukraine.

It will take a broad international effort to support Ukraine's recovery and reconstruction in order to build a safe and prosperous future for the Ukrainian people. But only one country, Russia, is responsible for the damage to Ukraine and it is absolutely right, as draft resolution A/ES-11/L.6 sets out, that Russia pay for that damage. Russia must be held to account for actions that are in clear violation of international law, including the Charter of the United Nations.

The United Kingdom supports Ukraine's ambition to establish a register of damage to ensure that the evidence of the destruction caused by Russia is documented and preserved. That is an important first step in Ukrainian efforts to seek justice in accordance with international law. It is right that we begin that process now.

Putin must end his war of choice, end the lies and distortion, end the global devastation in its wake

and withdraw his troops from Ukraine. We remain steadfast in our support for Ukraine and for justice and compensation for the damage that Russia has done.

**Mr. Ishikane** (Japan): More than eight months after the onset of Russia's aggression against Ukraine, the situation is still extremely dire. We again condemn Russia's aggression. Russia has inflicted tremendous damage on Ukraine, including the killing of innocent civilians and the destruction of civil infrastructure and facilities, such as schools, museums and commercial establishments. Japan has already resumed embassy operations in Kyiv, and we are mindful of such damage on the ground. We recall that indiscriminate attacks on innocent civilian populations constitute a war crime, and responsibility for those actions must be upheld.

Unilateral attempts to change the status quo by force must not occur in any corner of the globe. Draft resolution A/ES-11/L.6 should contribute to reparations for the serious violations of the principles of the Charter of the United Nations. Russia must immediately stop its war of aggression, withdraw all of its troops and military equipment from Ukraine and respect Ukraine's independence, sovereignty and territorial integrity within its internationally recognized borders.

**Ms. Schwalger** (New Zealand): Aotearoa New Zealand welcomes the opportunity to speak on this important matter.

Aotearoa New Zealand continues to be gravely concerned by the loss of life, displacement, destruction and economic calamity caused by the Russian Federation's blatant aggression against Ukraine over the past nine months. Consistent with the Charter of the United Nations and as members of the General Assembly, it is our responsibility to do all we can to avoid the deadly consequences of war. We see accountability and reparation processes as an important element in avoiding and forestalling the further perpetuation of grave atrocities.

Aotearoa New Zealand is strongly committed to supporting international mechanisms that seek accountability for Russia's clear breaches of international law. We continue those efforts through New Zealand's intervention in Ukraine's case against Russia in the International Court of Justice, as well as through the making of significant financial contributions to the International Criminal Court.

In addition to mechanisms that seek accountability, we believe that future reparation processes can play a critical role in the rebuilding of communities. Those that are responsible for causing damage and injury by breaching international law must make full reparations for rebuilding and compensating Ukraine.

Aotearoa New Zealand strongly supports Ukraine's sovereignty and territorial integrity, and unequivocally condemns Russia's aggression. The principles at stake in Ukraine are deeply significant to New Zealand as a small State acting in the world. We continue to call on Russia to commit to dialogue, to act in the interests of peace and the principles of the United Nations, and to act consistently with its responsibilities as a permanent member of the Security Council. We stand shoulder to shoulder with Ukraine.

**Mr. Dang** (Viet Nam): Viet Nam continues to closely follow the situation in Ukraine. We are extremely concerned over recent developments, with few prospects for an early resolution.

Our position has been clear and consistent. The immediate priority now must be an immediate cessation of hostilities, the restoration of peace and protecting the safety and security of civilians and civilian facilities in Ukraine. In that regard, Viet Nam welcomes the efforts of the United Nations and the international community and thanks them for their untiring efforts in helping bring all parties together and for the continued implementation of concluded agreements. We cannot let cooperation and dialogue take the back seat. We continue to call on the concerned parties to resume dialogue and negotiation so as to achieve long-term solutions that take into consideration the interests and concerns of all parties, in accordance with international law and the Charter of the United Nations. Nothing should be more desirable than the regional and international peace, security and stability so awaited by the people.

Wars and violent conflicts across continents continue unabated, posing direct threats to millions of lives. Underdevelopment and poverty are also the consequences of the deep-rooted historical ramifications of wars. After decades of war, struggling for independence and defending our independence, with untold losses, Viet Nam fully understands the utmost importance of resolving war legacies for reconstruction and the maintenance of peace, stability and prosperity, as well as for the livelihoods of the people. At the

same time, we believe that in all conflicts, it is crucial that the concerned parties and international partners make the utmost efforts to contribute practically to alleviating the destruction of war, in accordance with international law.

Pending a final solution for the situation in Ukraine, the immediate task is to respond adequately to the urgent humanitarian needs of those impacted by hostilities in the country. International assistance is critical. To that end, we must continue joining hands to create a conducive and people-centred environment and refrain from actions that may drive the parties further apart and delay the prospects of settlement. Viet Nam commends operations by the United Nations, international partners and regional countries to assist people on the ground, including refugees. We stand ready to constructively contribute to diplomatic efforts and to the reconstruction and restoration in Ukraine.

**Mr. Fifield** (Australia): Let us remember that, on 2 March, under the Uniting for Peace formula, the international community stood together and adopted resolution ES-11/1 by an overwhelming majority. In doing so, we were united in deploring

“in the strongest terms the aggression by the Russian Federation against Ukraine in violation of Article 2 (4) of the Charter” (*resolution ES-11/1, para. 2*).

It is now more than eight months on. Every day, Russia’s invasion of Ukraine unleashes further suffering, causing death, injury and destruction in Ukraine. When this illegal and immoral war ends, Ukraine will face the monumental task of rebuilding all that has been destroyed by Russia in the context of or during its invasion. The injuries suffered by Ukraine as a result of Russia’s violations of international law require full reparation by Russia, in accordance with the international law of State responsibility.

Article 31 of the International Law Commission’s articles on the responsibility of states for internationally wrongful acts makes it abundantly clear that

“[t]he responsible State is under an obligation to make full reparation for the injury caused by the internationally wrongful act” (*resolution 56/83, annex, p.8*).

That fundamental principle of international law is not controversial; far from it. In fact, in a decision handed down in February, the International Court of Justice

once again explicitly reaffirmed that article 31 and that principle represent customary international law.

So let us be clear. The international community has overwhelmingly spoken to condemn Russia’s illegal invasion of Ukraine as a violation of the Charter of the United Nations. There is no doubt that Russia has an obligation under international law to make full reparation for the injury caused by that egregious and legally wrongful act. Draft resolution A/ES-11/L.6, which we are debating today and which Australia is proud to co-sponsor, recognizes those basic facts and that Russia must be held to account for its illegal and immoral invasion of Ukraine. We will not be fooled by Russia’s misinformation and obfuscation.

The draft resolution does not overstep the powers of the General Assembly in any way. It simply recognizes fundamental principles of international law by which Russia and all of us must abide. A register of damage and a reparations mechanism, appropriately constructed, would be important components of a fair, impartial and just framework for reaching a view of the reparations Russia must make to ensure lasting peace.

The international community must work together to start laying the foundations now. We must first accurately record the damage caused by Russia, with a view to achieving peace and post-conflict recovery. We urge all Member States to continue to support the draft resolution and every effort to ensure that Russia complies with its obligations under international law, including to end its war of aggression against Ukraine and make reparations for the injury and damage it has already caused.

**Mr. Hoxha** (Albania): For nine long months, the unprovoked and unjustified military aggression of Russia in Ukraine, an otherwise avoidable disaster imposed by the Kremlin, has caused devastating consequences. Thousands of innocent people have been killed, millions have been displaced and vast parts of the country have been destroyed. Nothing has been spared. Russian bombs and missiles, lately with help from Iran and North Korea, have, in blatant disregard for international law, targeted Ukraine’s economy, its infrastructure, its education and health care, and its cultural, religious, historical and archaeological sites.

The Russian footprint of destruction is everywhere. Every time Russia has been pushed back, and this has been happening continuously for months now, we have seen relentless punishing bombardments seeking to



wreck Ukraine's infrastructure, provoke a power-grid collapse, halt water and sewage services and make life impossible in the hope of freezing the country into submission.

This is appalling but it is not news in this war of aggression. The news is that Russian cruelty has not sapped Ukraine's will to fight. The retreat from Kherson is just the latest act of the Russian humiliation saga in Ukraine. Yes, there is no electricity in Kherson; there is no water, there is no light, there is no heating and there is no internet there; but most importantly, there is no Russia there anymore. Only its terrible footprint remains.

The United Nations and other organizations have reported continuously on the significant and widespread damage caused by this aggression. But there is need to have a detailed map of what has happened and the full picture of that man-made catastrophe. What we know already is staggering. According to serious and credible reports, over 7 per cent of Ukraine's entire housing stock has been destroyed. The damage inflicted on transportation infrastructure, roads and railroads amounts to close to one-third of the entire country. More than 300 bridges have been deliberately destroyed by Russia since February. Some 1,270 schools have been damaged or destroyed, along with close to 1,000 health-care facilities. Business and industrial properties have sustained close to \$10 billion in damage. But that is far from the full picture.

Actions have consequences, and Russia must be held accountable, including for reparations. It is one of the core principles of international law that the aggressor has an obligation to make full reparation for the damage it has caused. That is why Albania fully supports draft resolution A/ES-11/L.6, entitled "Furtherance of remedy and reparation for aggression against Ukraine", and calls on all the members of the General Assembly to vote in its favour as an act of justice and dignity. It is very straightforward. An aggression has happened; extensive damage has been inflicted; it needs to be documented for the purpose of reparation and accountability. That is all the text is about.

This war, just like any other war, will stop one day. It must stop now, since with every further day the toll will be heavier for all, including for Russia, which, let us not forget, has become the first Group of 20 economy decoupled completely from Europe, with a very bleak,

downward-spiralling outlook. It is a self-inflicted pain. That is why, it is time for Russia to silence the guns, withdraw completely and unconditionally from Ukraine and engage in negotiations.

Ukraine is the home of the Ukrainians. It does not have to become the graveyard of Russian soldiers.

**Mr. Rae** (Canada) (*spoke in French*): It is honour to represent my country, Canada, and to clearly note that some things have been said concerning draft resolution A/ES-11/L.6 that, quite frankly, have nothing to do with it. I therefore believe that it is important to insist on the principles and words contained in the draft resolution, because they are crystal clear and have nothing whatsoever to do with what some representatives have said in that regard.

(*spoke in English*)

I think it is important that we recall the words of a wise philosopher who said that there is a difference between saying something and proving something. Thus, when someone says that the draft resolution is about the forcible seizure of assets and the destruction of the powers of sovereign States, it is not true. That is not what the draft resolution says. That is not what the draft resolution does. The draft resolution is very brief. It is only a page and a half. Anyone can read it. Everyone can read it for themselves and see that the words "seizure of sovereign assets" occur nowhere in its provisions. This is nothing about the seizure of sovereign assets.

The country that is making those allegations is making them because it does not want to admit what the draft resolution actually says. It is very simple. After all of the preambular parts referring to previous resolutions and decisions that the Assembly has made, the draft resolution simply says that we

"recognize the need for the establishment, in cooperation with Ukraine, of an international mechanism for reparation for damage loss or injury" (*A/ES-11/L.6, para.3*)

and that we recommend

"the creation by Member States, in cooperation with Ukraine, of an international register of damage to serve as a record, in documentary form, of evidence and claims information on damage, loss or injury to all natural and legal persons concerned" (*ibid., para. 4*).

That is what it says. Those are two operative paragraphs of the draft resolution. Some representatives who have spoken have been talking about something completely different. Some of what I hear today is a cry, and the cry is “We are hurting. We are hurting because of the cascade of crises and calamities that have occurred in the world in the past several years. And we do not want there to be any distractions from our calamities.” I think that any caring, empathetic, compassionate person who heard these words would say, “I understand. I hear you.”

There have been pleas from many representatives that we should be paying attention to the humanitarian concerns and the humanitarian issues on the ground, and that we should be striving for peace. Who can disagree with that? Canada has been spending hundreds of millions of dollars on the humanitarian situation in Ukraine, and I say that not to claim that we are better than anyone else, but because we are, of course, responding to the humanitarian situation.

But let us not be distracted from what is actually in the draft resolution. It is not in any way in excess of the powers of the General Assembly. The only reason the General Assembly is dealing with the situation in Ukraine is because the Russian Federation has vetoed each and every attempt in the Security Council to deal with the crisis. The Russian Federation is the party that is committing the aggression. We have said on numerous occasions in the Assembly that there has been an aggression and that it is an attack on the territorial integrity of Ukraine. We have said that twice in clear and emphatic resolutions, and we have gone further and said that the annexations, too, were illegal.

Now, all we are asking is that the General Assembly recommend that Ukraine be allowed to set up a registry and that other countries can join in supporting the registry, which is not about seizing assets or dealing with State sovereignty in any way, shape or form. It is about saying that there has to be a registry in order for there to be an eventual reckoning for the damage and destruction that have been caused.

Sometimes we are too gentle in describing this situation. One of my colleagues today described from this rostrum the events of 24 February as an eruption of hostilities, as if a volcano had gone off. This was not a volcano. This was an attack by one country on another country, And under our rules here — they are in the

Charter — when one country attacks another country, it is a breach of the law. It is against the rules.

One would have thought that the Security Council would have been able to say that, but it could not, because the Russian Federation, which is the party that perpetrated the attack, prevented the Security Council from functioning and has tried to tie up the Assembly and the Security Council in knots because it cannot bring itself to admit that its so-called special military operation is not a special military operation. It is a systematic attack on Ukraine, the Ukrainian people and Ukrainian infrastructure. Why did the Russian Federation wait until the autumn to begin its massive bombing of the civilian infrastructure of Ukraine? It did so because winter follows the autumn. That is why. It was an attempt to freeze and to starve the people of Ukraine.

People talk anxiously here about the need to find peace. Of course we need to find peace. The one country that can create peace is the country that refuses to allow the Security Council to do its job, refuses to allow the Assembly to do its job, and refuses to accept responsibility for its own act of aggression. This is a permanent member of the Security Council that is supposed to be acting as a steward and guardian of the Charter.

There is nothing excessive in the draft resolution. In fact, the draft resolution is modest in the extreme. The Assembly is not being asked to perform a function as a judge or jury. It is not being asked to exceed its jurisdiction. It is not being asked to go too far. It is simply saying that there should be a registry and that Ukraine and other countries that are willing to support it should be allowed to support a registry. Why and how this is an excess of jurisdiction cannot be explained, and all of the things that have been said in the letter from the Russian Ambassador to all of us and all that has been said today from this rostrum about how this is some systematic Western plot to steal the assets of sovereign States is just complete balderdash. It is nonsense, and we have to have the courage to say so.

This is not some magical event that occurred out of the air, that has no explanation and that has no cause and no effect. It has a cause, and that cause is called aggression. It has an effect, and that effect is the destruction of life, liberty and property in a country called Ukraine, which is a real place and a real country. And like all countries and all members of the Assembly,

it deserves support. We are not doing this for Ukraine alone. There are representatives here who have said that this is all very far away and has nothing to do with us. Well, I am sorry. The crimes that are committed against the least of us are crimes that are committed against all of us.

**Mr. Mlynár** (Slovakia): Slovakia fully aligns itself with the statement made earlier by the observer of the European Union, and I wish to add just a few remarks in my national capacity.

The context of today's debate is indeed self-explanatory. Slovakia considers draft resolution A/ES-11/L.6 before us to be another important step towards ensuring the accountability of Russia for its continuing, unfortunate, unprovoked and unjustified military aggression against Ukraine, in violation of all the fundamental values and principles of the Charter of the United Nations and international law upon which the Organization is built, upon which we work and which we believe in.

Under customary international law, the State responsible for an internationally wrongful act is under obligation to cease that act, if continuing, and to offer appropriate assurances and guarantees of non-repetition if circumstances so require. Importantly, the responsible State is further obliged to make full reparation for the injury caused by the internationally wrongful act. That is just a reminder to all of us of the important international legal context. The General Assembly has already confirmed in its resolution ES-11/1 of 2 March that the Russian aggression against Ukraine is indeed in violation of paragraph 4 of Article 2 of the Charter of the United Nations. That resolution also demanded that Russia cease this internationally wrongful act by

“immediately, completely and unconditionally withdrawing all of its military forces from the territory of Ukraine within its internationally recognized borders” (*resolution ES-11/1, para. 4*).

Today we have an opportunity to address the second obligation of Russia arising from its continuing violations of international law. We have already heard what the draft resolution before us seeks and does not seek. I will therefore not repeat it, but rather appeal to all delegations in the Hall with one simple question. I would ask them to imagine that their neighbour had launched and relentlessly continued a brutal and illegitimate military aggression, acting

in contravention of their right to sovereignty, independence and territorial integrity. What is more, that neighbour has caused enormous — and I have to underline “enormous” — and unbelievable material and moral damage to their country and, what is more, to their people. We see this taking place daily in Ukraine. In such a situation, would the affected State not want the international community to recognize that the aggressor State must be held to account and that it has the obligation to make full reparation?

I believe that the answer is clear, and Slovakia strongly encourages all States to vote in line with not only the legal, but also the moral imperative today. That is indeed our collective responsibility. We will do so on our end.

**Mr. Massari** (Italy): Italy aligns itself with the statement delivered by the observer of the European Union and wishes to add some remarks in its national capacity.

Despite the many strong condemnations of Russia's war of aggression against Ukraine, overwhelmingly voiced by the General Assembly, Russia's violent actions continue to cause suffering and destruction on a large scale.

Russia must be held accountable for such suffering and destruction. Since the beginning, Russia's war of aggression has deliberately targeted civilians and civilian infrastructure in order to cause great harm to the people of Ukraine. The picture that is emerging after Russia's recent withdrawal from Kherson is once again one of destruction and pain inflicted on the local population.

Draft resolution A/ES-11/L.6 does not establish any standing United Nations reparation or compensation mechanism. It is instead aimed at providing global legitimacy by recommending to Member States the creation of an international register of damage. Such a register of damages would coordinate and organize evidence-gathering efforts, including those carried out in the context of various investigations by United Nations bodies. Such a register would make sure that the collected evidence is properly organized, recorded and properly used in legal proceedings.

Reparation for civil claims, as well as for Russia's internationally wrongful acts, is not only a fundamental obligation under international law, but it is also an essential step towards achieving peace and post-conflict

recovery, as well as for the future reintegration of the aggressor State into the community of peace-loving nations, as laid down in Article 4 of the Charter of the United Nations. Reparations are meant to bring justice to the victims for death, injury, torture, deportation and forced displacement.

Italy is a proud co-sponsor and a strong supporter of the draft resolution. I call on all Member States to support justice, reconstruction and reconciliation by voting in favour of the draft resolution.

**Mr. Mythen** (Ireland): Ireland aligns itself with the statement delivered on behalf of the European Union and makes the following additional remarks in its national capacity.

Once again, Ireland strongly condemns the Russian Federation's unprovoked, unjustified and illegal further invasion of Ukraine. It is in flagrant violation of the Charter of the United Nations, as confirmed by the General Assembly. Once again, the General Assembly meets while civilians in Ukraine bear the consequences of Russia's actions. Those include attacks against residential buildings and the deliberate destruction of critical civilian infrastructure, including some 40 per cent of Ukraine's electricity supply capacity. In addition, incidents of enforced disappearances, torture and conflict-related sexual violence committed by Russian soldiers continue to be documented.

Ireland once again urges the Russian Federation to comply with its obligations under international law, including international humanitarian law and international human rights law. We repeat our call on Russia to immediately end its invasion of Ukraine, to withdraw its forces from the entire territory of Ukraine and to turn to the path of dialogue and diplomacy before any more of Ukraine's people are forced to pay the terrible price of this appalling war.

Notwithstanding the previous resolutions of this organ, and in complete disregard of the provisions of the United Nations Charter, Russia persists in its unashamed and unlawful aggression against Ukraine. There are legal consequences for the Russian Federation arising from its continued breaches of international law. Russia is under obligation to cease its internationally wrongful acts and to make reparations for the injury caused by those acts. Draft resolution A/ES-11/L.6, before us today, recognizes and affirms those clear obligations.

Ireland therefore supports the recommendation for the establishment of an international register of damage. Such a register of damage would preserve evidence of the damage, loss and injury that have been inflicted on Ukraine and its people by Russia, creating an essential resource for future and ongoing accountability efforts. A register is also important for the historical record, to shed light on the atrocities, international crimes and human rights violations committed against the people of Ukraine.

The proposed register would be an important first step towards accountability in order to provide justice for victims and survivors. The establishment of a register would represent the beginning of a process that could ultimately lead to the payment of reparations, in accordance with international law. Reparations would alleviate some of the devastating long-term physical and financial consequences of this horrific war.

We urge all members of the General Assembly to vote in favour of the draft resolution submitted today.

**Mr. Sabbagh** (Syrian Arab Republic) (*spoke in Arabic*): At the outset, my delegation associates itself with the statement delivered by the Permanent Representative of Eritrea on behalf of the group of like-minded States, and would like to make the following remarks in its national capacity.

It has become clear that Western countries are insisting on promoting the state of political polarization within the United Nations and deepening the divide among its Member States by repeatedly calling for meetings like today's, which are aimed only at serving the hostile agenda of Western countries against the Russian Federation.

The Syrian Arab Republic affirms that regional and international disputes and crises cannot be resolved through the practice of misinformation, through policies of isolation, exclusion and imposition of sanctions, or through the establishment of politicized mechanisms. Rather, they must be resolved through diplomacy and dialogue. We also stress that the General Assembly should avoid any initiatives that may exacerbate the conflict and prevent its peaceful resolution.

The conflict between Russia and Ukraine has been escalated by Western countries stoking extreme Ukrainian nationalism and continuing to incite neo-Nazis and supplying them with unlimited weapons and



various equipment, which has become a threat to the security and safety of the countries of the region.

Draft resolution A/ES-11/L.6, which is before the General Assembly today, comes in the context of a series of unbalanced, biased and provocative resolutions pushed by the United States of America and its Western allies to target the Russian Federation. It represents a dangerous state of hostility with the intention of seizing sovereign Russian funds and assets that they have previously frozen, setting a precedent by establishing an illegitimate compensation mechanism that clearly exceeds the mandate of the General Assembly.

The failure of all previous attempts by those countries to break the will of the Russian Federation has prompted them to resort to yet another blackmailing tactic against the Russian Federation by looting its frozen funds within the framework of what they call the reparation mechanism to redress damages, compensate for the losses and help the Ukrainian people. However, their real objective is to pay for Ukraine's increasing purchases of Western arms.

Exploiting the General Assembly and manipulating the United Nations rules of procedure by imposing new, illegal and unprecedented mechanisms through pressure and blackmail have become a consistent practice of Western countries to target Member States that do not follow their political agenda.

The policy of double standards followed by Western countries has led them to focus on certain issues that serve their agendas, while at the same time they shirk their responsibilities for the unlawful actions they have committed in past decades against a number of Member States in Asia, Africa and Latin America in an attempt to avoid accountability for the grave damage they have inflicted on those countries, including my own, the Syrian Arab Republic. Therefore, the draft resolution that those countries have put before us today for the establishment of such a mechanism is yet further clear evidence of the extent of their political hypocrisy.

I would like to ask: Who will compensate my country for the destruction of Syrian infrastructure by the so-called international coalition forces, led by the United States and its Western allies? Who will compensate the Syrian people for the theft of their national wealth and the losses resulting from unilateral sanctions, along with the unilateral, inhumane and coercive measures imposed on the Syrian people for the past decade? No one is asking those questions.

Proceeding from my country's steadfast and firm position in rejecting all attempts to politicize and manipulate the work of the United Nations, my delegation will vote against the draft resolution before us and urges delegations of Member States to be aware of the danger of being dragged into attempts to establish illegal and illegitimate mechanisms that are inconsistent with the prerogatives of the General Assembly and the provisions of the United Nations Charter, which will only create more chaos in international relations.

**Mr. Jiménez** (Nicaragua) (*spoke in Spanish*): We associate ourselves with the statement made by the Ambassador of Eritrea on behalf of the group of like-minded countries.

We find ourselves in the General Assembly once again faced with the hypocrisy and double standards of some countries, presenting initiatives that correspond only to their selfish, exclusive agendas and do not benefit or contribute to multilateralism or to the inclusiveness of the United Nations membership.

Nicaragua advocates building a robust multilateralism for the promotion of a culture of peace and a new international order with profound transformations in relations among countries and new centres of development and hope that represent the majority of humankind. It is important to take the final step towards a multipolar world that reinforces sovereignty, international law and the right to independent development and puts an end to double standards.

Nicaragua reiterates its commitment to respect for the sovereignty, territorial integrity and security of all countries. Member States must emphatically comply with the purposes and principles of the Charter of the United Nations.

The draft resolution contained in document A/ES-11/L.6 shamelessly seeks to manipulate and politicize our Organization by recommending the establishment of an international reparation mechanism that would not be administered by the body that would create it. The submission of this selective draft resolution by specific countries highlights the interests and double standards that Western countries want to impose on us, creating a reparation mechanism for a specific case while totally ignoring the legacy of the painful history of their imperialist, colonialist occupations, with their crimes, conquest, extermination and looting of hundreds of nations of indigenous peoples.

The slavery and genocide of our indigenous peoples were and continue to be a crime against humanity without comparison in the history of this world, while the reparations to which the indigenous, African and Afro-descendant victims of such barbarism have a full right remain a pending debt that the European countries and the United States refuse to make good. Western countries do not recognize the greatest genocide committed against our native peoples, destroying entire cultures. We join and fully support the demands of our sister Caribbean and African States for the reparations they have demanded and that Westerners continue to ignore.

The imposition of sanctions and unilateral coercive measures are direct aggressions against peoples, and in times of pandemic they become crimes against humanity that, in this case too, must be the object of reparations for all peoples who are victims of the damage caused by those aggressions on the part of Western countries. We cannot fail to recall one instance of the double standards typical of Westerners. On 27 June 1986, an historic ruling of the International Court of Justice in The Hague condemned the United States for military and paramilitary activities in and against Nicaragua, and ordered it to indemnify Nicaragua to the tune of \$17 billion, a mandate that the United States has not complied with, thereby obviating the United Nations and the highest international court.

The twenty-seventh Conference of the Parties to the United Nations Framework Convention on Climate Change (COP27) is currently taking place in Sharma el-Sheikh. For decades, our developing countries have demanded a reparation mechanism in compensation for our losses and damages caused by the negative impacts of climate change. What is happening at COP27 is that once again the Western countries that apply and expand destructive capitalist models of production and consumption, destroying our Mother Earth, and those who bear those historical responsibilities refuse to establish a reparation mechanism for the climate crisis that we have not caused, but that we suffer with greater intensity and frequency every day.

In conclusion, draft resolution A/ES-11/L.6 is a divisive action in the General Assembly. It does not promote dialogue or create conditions for a diplomatic solution; it is a dangerous precedent that would have unimaginable repercussions for international peace and security, since such a mechanism would not be under the administration or jurisdiction of our General Assembly,

which is incongruous and does not contribute at all to peace or a solution to the conflict in Ukraine.

Therefore, Nicaragua will vote against draft resolution A/ES-11/L.6.

**Mr. Feruță** (Romania): Romania aligns itself with the statement delivered on behalf of the European Union and I would like to add a few comments in my national capacity.

We are all well aware of the context of this new debate under the eleventh emergency special session. Despite the repeated calls of this United Nations organ, the Russian Federation continues unabated its unjustified and unprovoked illegal military aggression against Ukraine.

Draft resolution A/ES-11/L.6 before us is an additional step towards ensuring accountability for the blatant violations of international law committed by the Russian Federation in Ukraine. Its provisions seek to complement existing international efforts related to individual criminal responsibility by adding the missing dimension — the dimensions of a State's responsibility for its internationally wrongful acts. It is well established that the legal consequences of an internationally wrongful act entail the obligation of the responsible State to cease the wrongful conduct and to make full reparation for the injury caused. That is the basic premise upon which the text before us is built.

The case for reparations for Ukraine should benefit from the legitimacy of the most representative organ of the United Nations, not only because it represents a moral and legal imperative, but also because it constitutes an important deterrent to the benefit of the entire international community. We have said it before and we will say it again — if the aggressor is left unsanctioned, that could lead to an irreversible decay of the international order many generations have strived to build in the aftermath of the devastating world wars to ensure the lasting reign of peace.

The Assembly knows from legitimate and credible sources that the extent of damage and suffering caused by the aggression against Ukraine is immense. Recognizing that there is a need for an international mechanism for reparation and recommending the creation of an international register of damage is a modest and principled step. The provisions of the draft resolution do not establish any new entities.

In the full agreement that time is of the essence and that evidence of the damage should be documented, we have trust that the future steps of this process will take into account the need for inclusivity and transparency and that the future register of damage and potential reparations mechanism will be impartial and firmly rooted in the principles of independence and non-discrimination and that they will complement the existing national and international evidence-gathering efforts.

Romania will vote in favour of the draft resolution and hopes that the result will prove our collective commitment to all international accountability efforts in support of Ukraine.

**Mr. Song Kim** (Democratic People's Republic of Korea): The root cause of the crisis in Ukraine totally lies in the hegemonic policy of the United States and the West, which have systematically undermined the security environment in Europe by ignoring the reasonable and just demand of the Russian Federation for security guarantees and promoting the eastward expansion of NATO.

Draft resolution A/ES-11/L.6, entitled "Furtherance of remedy and reparation for aggression against Ukraine", is nothing more than a politically motivated document to shift all responsibilities for the crisis in Ukraine onto the Russian Federation. Furthermore, the draft resolution is inconsistent with the purposes and principles of the Charter of the United Nations for the settlement of international disputes by peaceful means and in accordance with the principles of justice and international law.

The General Assembly is not a judicial organ and thus has no mandate to judge internationally wrongful acts and to provide the legal ground for remedy and reparation for certain countries. The General Assembly must play a constructive role in preventing the further escalation of geopolitical confrontation and tensions and addressing the security concerns of the parties to the conflict in a reasonable and balanced manner.

The Democratic People's Republic of Korea delegation expresses its deep concern over the possibility that the draft resolution may be abused as a legal basis to illegally seize property and assets of a sovereign State. With regard to that issue, I would refer to resolution 59/38, entitled "United Nation Convention on Jurisdictional Immunity of States and

Their Property", which was adopted at the fifty-ninth session of the General Assembly in 2004.

Although that United Nations Convention has not yet come into force due to the lack of sufficient deposit of instrument of ratification, all United Nations Member States share the consensus opinion that any State enjoys immunity in respect of its property, removed from the jurisdiction of the courts of other States. The text of the Convention originated in the deliberations of the International Law Commission and was elaborated by the Ad Hoc Committee on Jurisdictional Immunities of States and Their Property, reporting to the Sixth Committee. That means that jurisdictional immunity of States and their property is internationally recognized customary law and that no one can violate that immunity.

From that point of view, the delegation of the Democratic People's Republic of Korea opposes the draft resolution submitted to the 15th plenary meeting of the eleventh emergency special session as a product of a unilateral and double standard practice that infringes upon the interests of a sovereign State.

**Mr. Geng Shuang** (China) (*spoke in Chinese*): China associates itself with the statement made by the representative of Eritrea on behalf of a group of like-minded countries.

Remedy and reparation are important ways to deliver justice, offer consolation and promote reconstruction after wars and conflicts. Victimized by numerous foreign aggressions in modern history, China has endured immense losses. We empathize with the heartbreak of war victims and sympathize with their misery. China believes that all remedy and reparation should be achieved through correct political means and legal proceedings and embody international will, fairness, justice and the humanitarian spirit. The useful practices of the Security Council and the General Assembly in that regard can provide important reference points for similar actions by the international community.

Regrettably, draft resolution A/ES-11/L.6, "Furtherance of remedy and reparation for aggression against Ukraine", submitted for action at this emergency special session, has obvious flaws and loopholes and does not conform to China's position and proposition. I wish to share the following three observations.

First, the draft resolution seeks to address the issue of international legal responsibility directly

through the General Assembly, thereby overstepping the Assembly's authority. The Charter of the United Nations clearly stipulates the mandates of the principal organs of the United Nations. The General Assembly is not an international judicial body and therefore has no right to legally define or assign accountability for internationally wrongful acts. The resolutions previously adopted at the eleventh emergency special session of the General Assembly do not constitute solid legal basis for remedy and reparation.

Secondly, the draft resolution invokes the articles on responsibility of States for internationally wrongful acts to pursue accountability, thus lacking legal basis. The articles are only a research product of the International Law Commission, an expert body. They are not an intergovernmental treaty and not legally binding; neither do they set out legal norms to define an internationally wrongful act or determine whether such an act exists. It is therefore inappropriate to cite the articles to make a legal determination or pursue accountability.

Thirdly, the draft resolution is intended to bless the creation by some countries of a mechanism for reparation and a register of damage outside the United Nations framework, which would be a deviation from the normal practice. The mechanisms proposed by some countries are not in the framework of the United Nations or overseen by the United Nations and do not report to the United Nations. Nevertheless, the General Assembly is requested to adopt a draft resolution specifically for their creation. That approach makes no sense and has no precedent in practice.

It should also be pointed out that the issue of remedy and reparation is of great importance and has far-reaching implications. It concerns peace and security, on the one hand, and justice and conscience on the other. It concerns not only political correctness, but also the international rule of law. It concerns both the current situation and historical injustices. Countries throughout the world that have been victimized by such internationally wrongful acts as colonialism, external interference, unilateral sanctions and economic blockade have the right to seek remedy and reparation. The action taken by the General Assembly today should help to provide correct guidance for the settlement of possible future claims by relevant countries for remedy and reparation. It should help to maintain the impartial image of the United Nations as treating all Member States equally. It should help to ensure that various

United Nations bodies can work according to their respective mandates.

Such an important draft resolution should be subject to full discussion and extensive consultation by Member States so as to build consensus and bridge differences as much as possible and ensure that it can stand the test of history politically, legally and procedurally. Regrettably, the sponsor States did not organize consultations in earnest or substantively respond to the concerns of Member States, and instead insisted on pushing the General Assembly to take a hasty action that is totally unconstructive.

Based on all this, in order to uphold the authority of the United Nations Charter and the credibility of the General Assembly, safeguard true multilateralism and the spirit of solidarity and cooperation, and maintain the international rule of law, fairness and justice, China will vote against the draft resolution.

The Ukrainian crisis has lasted nearly nine months. It has sent shockwaves throughout the world and brought more uncertainty and instability to our already turbulent world. If the conflict goes longer, gets bigger and becomes more complicated than it is already, that will serve no parties' interests and developing countries will bear the brunt. China once again calls on all parties concerned to return to dialogue and negotiation as soon as possible and restore the situation to the right track of political settlement. The international community, including the General Assembly, should work actively to that end instead of intensifying tensions, provoking confrontation and aggravating divides.

Finally, I wish to reiterate that China's position on the Ukraine issue is clear and consistent. We have always maintained that the sovereignty and territorial integrity of all countries must be respected, the purposes and principles of the United Nations Charter fully observed, the legitimate security concerns of all countries taken seriously, and all efforts conducive to the peaceful settlement of the crisis supported. China is willing to continue to work with the international community and play a constructive role in promoting the early realization of a ceasefire and cessation of hostilities, the easing of the situation and the political settlement of the crisis.

**Mrs. Broadhurst Estival** (France) (*spoke in French*): France associates itself with the statement delivered on behalf of the European Union, and wishes to add the following points in its national capacity.



France is resolutely committed alongside Ukraine and the Ukrainian people to ensure that justice is done for all the victims of the illegal war being waged by Russia against Ukraine. The dignity and rights of the victims must be respected. It is in that spirit that France actively supports the Ukrainian authorities in the context of the legal actions they have undertaken. Alongside 43 other States, we have seized the International Criminal Court of the matter and support it financially and politically in the context of its ongoing investigations in Ukraine.

France supports the collection of evidence carried out by investigation mechanisms and national and international courts. On 4 March, the Human Rights Council created the Independent International Commission of Inquiry on Ukraine to collect and analyse evidence. On 23 September, the President of the Commission submitted his report at the fifty-first regular session of the Human Rights Council, which concluded unambiguously that war crimes had been committed in Ukraine. It is on that basis that France supports and co-sponsors draft resolution A/ES-11/L.6, recommending the establishment of a register to inventory information and evidence so as to ensure that claims concerning damages, losses or injuries suffered by all Ukrainian victims of the war provoked by Russia are taken into account.

Impunity is unacceptable anywhere, including Ukraine. Russia will be held responsible and will have to answer for all its crimes and flagrant violations of international law and to bear the legal consequences of all internationally wrongful acts committed in Ukraine. We call on the members of the Assembly, in defence of the Charter of the United Nations, to give their full support to the draft resolution.

**Ms. Joyini** (South Africa): South Africa continues to express its deep regret that the war in Ukraine persists despite its devastating impact and negative humanitarian effects on the people of Ukraine, including women and children.

This is a war whose impact is also felt in countries all over the world, as it contributes to the current debilitating global food, fuel and financial crises. The war no doubt is contributing to slowing down the momentum of the implementation of the 2030 Agenda for Sustainable Development. South Africa therefore reiterates its call for an immediate cessation of hostilities and the establishment of a diplomatic process to end the war. We further reiterate that the territorial integrity

of States, including that of Ukraine, must be respected and we reject all actions that undermine the purposes and principles of the Charter of the United Nations and international law.

Article 1 of the Charter of the United Nations provides that the purpose of our Organization is to

“maintain international peace and security, and to that end: to take effective collective measures for the prevention and removal of threats to the peace, and for the suppression of acts of aggression or other breaches of the peace, and to bring about by peaceful means, and in conformity with the principles of justice and international law, adjustment or settlement of international disputes or situations which might lead to a breach of the peace”.

That is what we should be endeavouring to do. We should be asking ourselves: Are our words and actions focused on the maintenance of peace or on creating further divisions that make the attainment of immediate peace less likely?

South Africa believes that the Security Council should play a constructive role in the resolution of this conflict, in line with its Charter mandate for the maintenance of international peace and security. We regret that, in the case of the war in Ukraine, the Security Council continues to abdicate that mandated responsibility. The Security Council has thus far failed the people of Ukraine. However, it is not too late for the Council to play a constructive role in the resolution of the conflict.

Should the Council fail to act, the General Assembly should focus on efforts to stop the war and consider resolutions that contain concrete proposals towards that end. The General Assembly should create conditions conducive to dialogue, mediation and diplomacy as the only path that will lead to a peaceful resolution of the conflict. That is a role that the General Assembly has played before and there is no reason it cannot do so now.

Furthermore, the Secretary-General should directly engage the parties to the conflict towards an immediate cessation of hostilities. This is a process that should contain clear deliverables and timelines. The Secretary-General has already illustrated the constructive role that he can play by facilitating the agreement on the Black Sea Grain Initiative. As we have stated before, that important example could be the basis

for an agreement leading to a diplomatic resolution of the conflict. Additionally, the General Assembly and the Secretary-General could consider creating a group of eminent persons to assist with mediation between the parties to the conflict. Constructive actions such as those are urgently required to ensure that we move towards peace.

Today we meet to consider yet another divisive resolution on the war in Ukraine. We reiterate our question: Would draft resolution A/ES-11/L.6 assist in supporting Article 1 of the Charter? Have the resolutions we adopted in the past few months contributed to achieving that? Clearly, they have not. We must therefore find an alternative, constructive action that brings us towards peace. Secretary-General Guterres reminded us recently that more than 2 billion people — a quarter of humankind — live in areas affected by conflict. It is vital that the United Nations devote equal time to the resolution of all conflict situations that threaten international peace and security.

During the past seven decades, the Assembly has heard clarion calls for reparations for slavery, colonialism, apartheid and many other contemporary conflicts. Regrettably, in all those instances we have not been able to find agreement on reparations due to the opposition of many that are co-sponsoring today's draft resolution. We are clearly sending a message of exceptionalism and that reparations matter in some cases and do not matter in others. The United Nations loses its credibility when it is seen to be partisan and exercising double standards in its work. As Member States, we should refrain from perpetuating such practices.

Beyond matters of principle, the draft resolution we are considering today places the United Nations in uncharted waters. The General Assembly is being asked to grant its authority to a process that would lead to the setting-up of a mechanism for reparations by interested countries. There is no clarity on what the eventual mechanism would look like, its functions or how it would relate to the General Assembly. We also do not know what its eventual legal status would be. We are therefore uncomfortable that the sanctity of the General Assembly will be used to give legitimacy to an unknown process. Moreover, once that is done, it will be deemed that the mechanism was created by the General Assembly, undermining its crucial role and negatively affecting its credibility, which will create a problematic precedent.

For all these reasons, South Africa is unable to vote in favour of the draft resolution and will abstain.

**Ms. Brandt** (Netherlands): The Kingdom of the Netherlands aligns itself with the statement made earlier by the observer of the European Union and would like to offer some brief remarks in our national capacity.

It is an established principle of international law that the aggressor has an obligation to cease its aggression and to make full reparation for the injury and damages it has caused. Today the sheer magnitude, extent and nature of the damage caused by Russian attacks are evident for all to see. But that evidence might over time disappear or be lost in the fog of war. That is why we need to register evidence of damages caused so that later, when we eventually do move to conciliation, we have a clear picture of what needs to be settled.

That is the essence of draft resolution A/ES-11/L.6, before us today. It establishes that aggression has occurred, that damages have resulted from this aggression, that the aggressor is liable for those damages and that, in order to allow compensation for those damages, they must be documented in a register. And yes, also in response to some of the previous speakers, we do firmly believe that such a register would be an essential element of any eventual peace and conciliation initiatives. Since the General Assembly has established a register of damages in the past, it is certainly within its competence to recommend the establishment of another.

We therefore call on all Member States to vote in favour of the draft resolution, to vote to uphold the law of State responsibility, and to vote for justice for all those who have suffered damages in this unprovoked conflict.

**Mr. Rybakov** (Belarus) (*spoke in Russian*): At the outset, the Republic of Belarus fully supports the statement delivered by the representative of Eritrea on behalf of the group of like-minded States.

We categorically object to the procedure for introducing draft resolution A/ES-11/L.6. The complete lack of inclusiveness and transparency, without consultations of any kind, once again convinces us that the Western States have completely abandoned the principles of multilateralism, good faith and cooperation in the United Nations.

As we all know very well, the Republic of Belarus was at the origins of both the Minsk agreements and the package of measures for their implementation.

Throughout the conflict, Belarus has done everything possible to organize negotiations between Russia and Ukraine and ensured that they were held at the highest levels, including within the framework of the Trilateral Contact Group.

Did the Western States, the so-called guarantors of the aforementioned Minsk agreements, really want a settlement of the situation? The answer today, unfortunately, is quite obvious. The approval of the coup d'état in 2014, provoking the escalation of the conflict in Donbas for eight long years, supporting Ukraine in its refusal to comply with the Minsk agreements, making Ukraine anti-Russian and flooding it with weapons in fact created all the prerequisites for both countries to begin to pose an existential threat to each other. The collective West has never tried to convince Ukraine to comply with the Minsk agreements. The Western countries, the guarantors of the agreements, have not fulfilled their obligations. If they had, we would not be in this Hall today, discussing this problem. The main task of the Western States has been to weaken Russia as much as possible and to create conditions in which Russia would no longer be able not to react.

The draft resolution does not hold up under any criticism from the international legal perspective. It is merely an attempt to legalize the theft of other people's assets. It is also a very good and clear object lesson for all of us, for those who still believe that private property is sacred in the West. The draft resolution does not mention the crimes committed by the colonial Powers over the centuries, the consequences of slavery or the destruction of entire peoples living in occupied territories. No one has ever paid or will ever pay reparations or compensation to countries and peoples for damage that, by the way, cannot be assessed and for the suffering inflicted upon them. There is not a word in the draft about the current economic terrorism — illegal blockades and sanctions or attempts to economically strangle entire countries and peoples.

As recently noted by the United Nations leadership, the war in Ukraine is today only one of almost 30 armed conflicts in the world. The General Assembly should not make an exception for one conflict, no matter how thorny, or place it above the interests of developing countries, which are bearing the most severe consequences of wars, including those that continue today, foreign intervention, slavery, colonialism and genocide. The draft resolution before us will not bring us one step closer to peace, but will only polarize us

even further. The Republic of Belarus will vote against the draft resolution.

**Mr. Pedroso Cuesta (Cuba)** (*spoke in Spanish*): Cuba defends the sovereignty, independence and territorial integrity of all States and strict respect for the Charter of the United Nations and international law in all circumstances. We will always uphold peace and the peaceful resolution of conflicts, and oppose the use or threat of use of force. In that context, we will continue to advocate for a serious, constructive and realistic diplomatic solution to the current crisis in Ukraine by peaceful means and with unrestricted adherence to the norms of international law, which guarantee the security and sovereignty of all, as well as peace and regional and international security.

Our country is firmly committed to international humanitarian law and calls on all parties to protect civilians, their assets and civilian infrastructure in Ukraine. We deeply regret the loss of innocent lives in that country. We support efforts to alleviate the humanitarian situation and minimize the suffering of the population in conflict zones. In that context, we acknowledge the contribution of the humanitarian entities of the United Nations system. At the same time, we reject the double standards, partiality, selectivity and discriminatory and opportunistic approaches that some seek to impose on the Assembly. Draft resolution A/ES-11/L.6 before us is an example of that.

There are numerous cases at the global level of legitimate demands for compensation for damages and reparations presented over many years by Member States, without any progress. It is at the very least ironic to observe that some of those who are strongly opposed to considering those cases are among the main promoters of the draft resolution that we are discussing today. Cuba defends the legitimate right to fair compensation, but we should start by listing and addressing claims that have accumulated and been totally ignored throughout history. We firmly support the just demand that the States members of the Caribbean Community present year after year to the Assembly to be financially compensated for the damages and horrors of the trans-Atlantic slave trade and the genocide of their native peoples, caused by the former colonizers.

Seventy million indigenous persons were massacred as a result of European conquest and colonization, and tens of millions of Africans were sent

across the Atlantic to work as slaves. However, nothing has been done. On the contrary, we are witnesses to the opulent selfishness and impunity enjoyed by those responsible for the crimes against humanity associated with the historical development of capitalism. The same silence and reluctance to act are evident with respect to the legitimate demands of the brotherly African and indigenous peoples for the historical errors caused by colonialism over the course of 500 years of plunder and ignominy to be corrected.

We demand compensation for the inhumane exploitation of three continents that forces more than 6.2 billion people to endure the challenges of underdevelopment. Poverty is not divine punishment. Its origins date from the beginning and growth of colonization. The technical and financial resources exist if there is a genuine will to start paying for the damages.

It is ironic that several of the proponents of the draft resolution under consideration today have prevented the inclusion of an item on the negotiating agenda of the twenty-seventh Conference of the Parties to the United Nations Framework Convention on Climate Change for the discussion of a financial mechanism for compensation for losses and damages caused by climate change. We demand urgent attention to the claim of developing countries for the creation of such a compensation mechanism, mainly for the small island developing States.

The General Assembly has never established a mechanism for compensation of damages and reparations to the Member States that suffer the terrible consequences of unilateral coercive measures contrary to the Charter and international law, including genocidal economic, commercial and financial blockades. Would Cuba be compensated for the damages accumulated during six decades of application of the economic, commercial and financial blockade that the United States has imposed on us? Would the Government of the United States meet the just demand of the people of Cuba for compensation for the lives of the 3,478 Cubans who have died and the 2,099 who have been disabled as a result of terrorist acts? Or will the United States compensate Cuba for the illegal occupation of part of our national territory in the province of Guantánamo?

Would the General Assembly demand that the United States compensate Mexico for the annexation of half its territory? Would it support the United States

compensating the Vietnamese people for the lives lost, the diseases that still affect many today, and the economic damage caused by the use of chemical Agent Orange during the imperialist intervention in Vietnam?

Why do the just claims for compensation and reparation of the Pacific Islands, victims of radiation and contamination caused by many of the more than 2,000 nuclear weapons tests carried out since 1947, continue to be ignored?

When will the families of the hundreds of thousands of civilians murdered, joining the list of so-called collateral damage, and the millions of persons displaced be compensated for the aggressions carried out against Iraq, Libya or Afghanistan?

At what amount and how is compensation for the life of a Palestinian child and the murder and imprisonment of the Palestinian civilian population being considered?

Will Syria be compensated for the damage to its heritage, economy and population as a result of the war that has been imposed on that nation?

Limiting and speeding up the creation of a redress mechanism in a given conflict, while continuing to ignore many other legitimate, well-documented, and historical claims, is not only unfair and morally unacceptable, but does serious damage to the credibility of the General Assembly.

**Mr. Jalil Iravani** (Islamic Republic of Iran): I align myself with the statement delivered by the representative of Eritrea on behalf of the group of like-minded countries, and I wish to add the following in my national capacity.

The Islamic Republic of Iran has, on a number of occasions, expressed its clear, consistent and unwavering position with regard to the ongoing conflict in Ukraine. As a founding Member of the United Nations, the Islamic Republic of Iran strongly supports the fundamental principles of international law and the purposes and principles of the United Nations, as enshrined in its Charter.

In the same vein, Iran has long advocated the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations and reaffirmed the basic principles contained therein, particularly underlining that all States shall refrain in their international relations from military,



political, economic or any other form of coercion aimed against the political independence or territorial integrity of any State.

Regrettably, the same countries that emphasize the importance of maintaining and strengthening international peace founded upon freedom, equality, justice and respect for human rights, and of developing friendly relations among nations irrespective of their political, economic and social systems or the levels of their development have been and continued to be at the forefront of violating those very principles elsewhere.

The Islamic Republic of Iran supports the United Nations ongoing efforts to find a peaceful solution to the Ukraine conflict. The United Nations should maintain objectivity and impartiality in order to play a responsible and constructive role in the political settlement of this conflict.

Draft resolution A/ES-11/L.6 contains language that fall outside the purview of the General Assembly, as according to Article 39 of the Charter of the United Nations, the General Assembly has no authority to determine the existence of an act of aggression. Furthermore, resolution 3314 (XXIX) of 14 December 1974, based on the same Article of the Charter, calls on the Security Council to determine the existence of an act of aggression.

We must not tolerate abuse of the General Assembly to further the narrow interests of a group of States by shrinking the role of this organ to a rubber stamp, as that would result in further undermining multilateralism and the rule of law at the international level. If agreed upon, the proposed mechanism would make no actual contribution to the peaceful resolution of the conflict; rather, it would serve only as a political tool in the hand of a group of States. The problem here is that the main sponsors of the draft resolution, in a blatant use of double standards, apply different criteria in other conflicts around the world, such as in Syria, Palestine, Afghanistan, Yemen and so on.

We share this view that if an international mechanism is to be established to investigate violations of international law caused by State wrongdoing and assess reparations, it should have a broad mandate to address any instance of international wrongdoing committed by any State and all incidents and demands for reparations, including those arising from international responsibility for military aggression, looting, blockade, unilateral sanctions and occupations,

as well as the provision of weapons of mass destruction, including chemical weapons, to brutal regimes like that of Saddam Hussein.

The Islamic Republic of Iran emphasizes the inviolability of the jurisdictional immunities of States and their property, which are generally accepted as a principle of customary international law. The Islamic Republic of Iran hereby registers its strong objection to any mechanism that could undermine that well-established principle of international law. We would like to record that, any acts or decisions that may be derived from the mechanism referred to in paragraphs 3 and 4 of the draft resolution will have no legal status and will thus be null and void.

**Mr. Mills** (United States of America): Together with more than 50 sponsors of draft resolution A/ES-11/L.6, the United States reaffirms our commitment to international law, including the Charter of the United Nations, and to its principles on the sovereignty and territorial integrity of States. We have heard a lot during this debate, but I think it is clear what the issue is before this organ.

The international community must hold Russia to account for its violations of Ukraine's sovereignty and territorial integrity and for the resulting damages and abuses committed against the people of Ukraine. The draft resolution represents a critical step towards accountability. It highlights the importance of gathering evidence to support eventual claims for compensation from Russia on a non-criminal track for the injuries, the deaths and the extensive damage to public and private property caused by Russia's internationally wrongful acts in Ukraine.

The mounting costs, including the appalling human toll, of Russia's unprovoked and unlawful invasion of its neighbour and fellow United Nations Member State are tremendous. To date, there have been thousands killed, millions more displaced and an untold number disappeared. Reports are multiplying of atrocities and other abuses, including of forced deportation, the deliberate separation and kidnapping of children from their families and forced adoptions in Russia, torture and the bombing of maternity hospitals. Russia's devastating strikes have been hitting cities and towns across Ukraine, with shells damaging or destroying residential areas and medical facilities around the country and causing significant major destruction to critical energy infrastructure as winter fast approaches.

It is well within the authority of the General Assembly to adopt the draft resolution. Chapter IV of the Charter of the United Nations gives the General Assembly broad recommendatory authority on a vast array of issues. The recommendation to create a damages register is an important initial step towards the eventual establishment of a claims adjudication mechanism to assess the full scope of the huge toll this needless war is taking on Ukraine and its people.

My delegation wishes to reiterate that this is again a matter of justice, not of geopolitical competition. The adoption of the draft resolution would underscore the United Nations strong message to would-be aggressors around the world that breaching international law, including the United Nations Charter, will have consequences and that the international community—all of us—will hold violators to account.

Compensation for the victims of aggression would serve then as a deterrent—a deterrent against future breaches of international peace and security. Secretary-General Guterres was clear when he said that Russia's actions are "a violation of the principles of the United Nations Charter and international law". Today's voting, therefore, will be a vote for accountability and for the defence of the Charter.

It is understandable and right for Ukraine to want a cataloguing of the mounting consequences, including the appalling human toll, of Russia's unprovoked and unlawful invasion. Ukraine will one day rebuild; that is not at question here. The point is the imperative—the imperative for us, the international community—to hold the perpetrator to account for the needless devastation. Accountability is an important component of any eventual settlement of this war. The adoption of the draft resolution would also serve as a deterrent against future breaches of international peace and security, as well as help reach reconciliation.

In conclusion, Member States cannot sit on the sidelines when such fundamental principles of international law undergirding the international system are at stake. We all made a commitment to uphold the Charter when we joined the United Nations. Now, today's voting is an opportunity to demonstrate that commitment.

**The Acting President:** I now give the floor to the observer of the International Institute for Democracy and Electoral Assistance.

**Ms. Silva-Leander** (International Institute for Democracy and Electoral Assistance): The resilience of its democracy has been a remarkable achievement of Ukraine in the face of the war of aggression waged by the Russian Federation since February. A key dimension of Ukraine's reaction, alongside its military response, has been the impressive engagement of a wide range of social actors from all segments of Ukrainian society in the fight to defend democratic freedoms and rights at a time when it has been attacked by overwhelming forces of invasion.

The magnitude of the physical destruction is huge as the human and social costs of the aggression grow every day. Human rights abuses and violations are being documented in the territories occupied by Russia and recovered by Ukraine. The impact of Russian tactics of systematic destruction of critical infrastructures in Ukraine will have long-lasting consequences.

The responsibility of the Russian Federation should be addressed with reference to resolution 60/147. For its recovery and the reconstruction of its infrastructure and economy, Ukraine will have to face exceptionally difficult challenges. To cope with them, it will certainly need the extensive and prolonged support of the international community. It will also require assistance in further strengthening its democratic institutions. They will be essential for successfully countering corruption and achieving the ambitious results of what will likely be a multi-billion-dollar reconstruction investment plan.

In fact, Russia has targeted not only strategic military infrastructure, but also civilian targets, public services, supply networks and centres. Among such critical infrastructure, we should also include political and civil society institutions and actors at the local level whose past engagement in Ukrainian democracy was seen as a threat to Russia's strategic interests and to its illegal and illegitimate claim to retain control of captured areas, despite the sovereignty, independence, unity and territorial integrity of Ukraine.

Let us never forget that this conflict is not only about sovereignty, but also about democracy. Russia's war of aggression is an attack on a political system—democracy—that securely places the destiny of the country in the hands of Ukrainians and out of the reach of Russia. The coming process of reconstitution and recovery from the devastation wrought by the

invasion therefore needs to place democracy at the centre.

In recent analyses, the International Institute for Democracy and Electoral Assistance has stressed some of the critical issues that the post-war economic, social and political recovery in Ukraine should consider regarding the future of its democracy. That daunting task of addressing the consequences of the aggression, rebuilding physical infrastructure and restoring basic services should place such issues at the core of the reconstruction effort. In that perspective, it will be vital to allocate resources to support the reconstruction and improvement of democratic institutions in Ukraine.

**The Acting President:** We have heard the last speaker in the debate on this item.

We shall now proceed to consider draft resolution A/ES-11/L.6.

Before giving the floor for explanations of vote before the voting, may I remind delegations that explanations of vote are limited to 10 minutes and should be made by delegations from their seats.

**Mr. Smith (Bahamas):** I have the honour to make this statement on behalf of the 14 States members of the Caribbean Community (CARICOM) in explanation of vote on draft resolution A/ES-11/L.6.

CARICOM strongly condemns the unilateral military incursion into Ukraine by the Russian Federation. We maintain the view that the military action of Russia in Ukraine is a flagrant violation of the principles enshrined in the Charter of the United Nations, both in word and in spirit. It undermines the core principles of respect for sovereignty and territorial integrity, non-interference in the internal affairs of sovereign States and the obligation to refrain from the threat or use of force in international relations. CARICOM considers those principles to be non-negotiable obligations to which all of us, as States Member of the United Nations, have freely consented to be bound.

CARICOM subscribes to the principle that for every wrong there is a remedy. That is a fundamental principle of law and equity, and we believe it to be an equally fundamental principle of international law. Indeed, wherever there are wrongs committed, the victim should be entitled to appropriate remedy, including compensation for injury, loss and damage caused by that wrong.

It is a fact that the nation of Ukraine has experienced the injury, suffering and death of many of its people — both military and civilian — as well as damage to critical infrastructure. The world has seen images of the destruction of homes, schools, hospitals and other institutions and buildings, causing mass displacement of individuals, businesses, families and communities. We understand that the cost of repairing that damage will be extensive and that, consistent with principles of law and equity, the burden of such compensation should be imposed upon the perpetrator.

CARICOM also gives due recognition to the global community that views — correctly — the United Nations as vital to resolving matters of international consequence, including to promote peaceful coexistence in cases where resolution proves elusive.

At the same time, while CARICOM supports, in principle, Ukraine's legitimate claim for reparations for the wrongs committed against it by Russia, we believe that such a process must be pursued through an appropriate mechanism. What is being proposed in the draft resolution contemplates that the General Assembly should endorse a process over which it will have no control, no oversight and, indeed, no role to play whatsoever. The draft resolution, as drafted, asks Member States, having thus given their approval, to then trust that the process will be conducted fairly and objectively, with integrity and transparency and in accordance with the relevant principles of international law.

CARICOM notes in paragraph 3 of the text,

“the need for the establishment, in cooperation with Ukraine, of an international mechanism for reparation for damage, loss or injury, and arising from the internationally wrongful acts of the Russian Federation in or against Ukraine” (*A/ES-11/L.6, para. 3*).

We also note the recommendation in paragraph 4 for

“the creation by Member States, in cooperation with Ukraine, of an international register of damage to serve as a record of evidence and claims information on damage, loss or injury to all natural and legal persons concerned” (*ibid., para. 4*).

In CARICOM's analysis of that call to action by the General Assembly, we offer the following observations on certain aspects of the draft.

First, the draft resolution does not provide any guiding principles on how the future mechanism would operate or how the register of damage is to be created or managed. In addition, Member States are being asked to act on those initiatives in the context of an ongoing war with no real ability to predict any future developments or outcomes.

Secondly, noting that while there are ongoing judicial processes addressing the situation in Ukraine, there is as yet no established jurisdictional basis for the proposed mechanism or the register of damage. Neither are pursuant to a Security Council resolution or an order of the International Court of Justice. Furthermore, it is not within the power of the General Assembly, under the Charter of the United Nations, to create those initiatives.

For those reasons, Member States of CARICOM will abstain in the voting on the draft resolution. Nevertheless, CARICOM recognizes that the Russian Federation must bear the legal consequences of all its wrongful acts for any violations of international law and/or for any violations of international humanitarian law in or against Ukraine. Indeed, CARICOM reiterates its strong support for the principle that Member States have a legitimate right to claim reparations and compensation for injury, loss and damage caused by the wrongful actions of other Member States. That principle is to be applied in the present case, as well as in other similar cases worldwide. We have sought to make that broader point with regard to a range of issues before the international community, including climate action and, indeed, reparations in connection with the transatlantic slave trade and native genocide.

Mass atrocity crimes and gross violations of international law demand scrutiny and justice, without exception for whenever in time they occurred, wherever in the world they occurred, and by whomever they were perpetrated. There will always exist a moral and/or legal obligation to correct injustice, including the legacy of past injustice.

In closing, CARICOM reaffirms its strong opposition to any and all actions that instigate the disruption of a peaceful multilateral order. We therefore reiterate the call for an end to hostilities; the immediate, complete and unconditional withdrawal of Russian military forces from the territory of Ukraine; and the return to dialogue and diplomacy in good faith to resolve differences in a peaceful and constructive manner.

**Mr. Gómez Robledo Verduzco** (Mexico) (*spoke in Spanish*): Mexico's position has been clear and consistent since the beginning of this terrible war. Mexico defends the sovereignty, national unity, independence and territorial integrity of Ukraine within its internationally recognized borders.

Without a doubt, any damage caused as a consequence of the armed conflict must be repaired in accordance with international law. Accountability is an inescapable part of the rule of law. In that regard, we note that there are judicial processes under way that may lead to the establishment of mechanisms to repair damages and, of course, to punish those responsible for them.

Despite the fact that it is an active and changing conflict, in which the reparations stage is still distant, taking into account that draft resolution A/ES-11/L.6 under consideration is limited to recommending the creation of a register of damage, my delegation will vote in favour of it.

**Mr. Pérez Ayestarán** (Bolivarian Republic of Venezuela) (*spoke in Spanish*): The Bolivarian Republic of Venezuela endorses the statement made by the representative of the State of Eritrea on behalf of the group of like-minded countries.

Regarding the matter of procedure, allow us to reiterate our grave concern at the attempts of a group of States to impose on the General Assembly a practice that is contrary to the spirit of transparency, inclusion and good faith that should prevail within the framework of a truly revitalized multilateralism so that we can address together the great and pressing challenges, many of them shared, that lie ahead for humankind.

We categorically reject the attempt to impose on the membership of this organ a draft resolution (A/ES-11/L.6) regarding which consultations were never convened and efforts never made to take into account the views of all States or to accommodate their legitimate concerns concerning a text relating to an issue that continues to polarize the international community. We insist that this methodology of work and the continued refusal to forge consensus will hardly bring us closer to the objective that should summon us all equally in the current international situation — that of achieving peace.

In relation to the substance of the issue that brings us together today, we regret that its promoters insist



on trying to instrumentalize the General Assembly by consolidating a new Cold War mentality, with its policy of clashing blocs, to advance their national agendas and their interests of geostrategic domination, to the detriment of the supreme interest of world peace, security and stability.

We must say it clearly. The potential adoption of this draft resolution would only add to the already long list of unfortunate events — and, unfortunately, endorsed by this organ — that have only ended up generating greater confrontation, greater tensions and greater divisions, diverting us from a political horizon and, instead, deliberately moving us ever closer to a point of no return that has the serious potential to compromise the survival of present and future generations.

The draft resolution is loaded with double standards and great selectivity, through which what is really sought is not to reach a peaceful solution through diplomacy, dialogue or political negotiation, but to use the General Assembly to confiscate the sovereign goods, assets and resources of other States and to advance ends of a dubious nature — all as a result of the application of a series of unilateral coercive measures that violate all norms of international law and the postulates enshrined in the founding Charter of our Organization.

Venezuela knows first-hand the outcome of the confiscation of goods and assets, as well as the looting of sovereign resources, and how the resources that have been stolen from us are used to finance heinous and criminal projects. Hence, it does not surprise us that those who continue to attack my country today, stealing billions of dollars, including tons of our national gold reserves, are the very ones promoting the establishment of this type of dark mechanism, which, moreover, has serious deficiencies, both conceptual and operational, and seems to fit within the logic of the perpetual war being waged of the United States.

Now, the General Assembly is being asked to establish that mechanism, but in no way should it also be accountable to this same organ. There are also no details on its terms of reference or how it would work, who would run it, and so on. That is precisely the so-called rules-based order that the West so often touts — rules that are unknown but which are discursively useful to invoke so long as they serve to advance its interests.

On the other hand, it underscores the fact that the proponents of the draft resolution seek to ignore the just struggles of various peoples in Africa, Asia, Latin

America and the Caribbean, who demand appropriate reparations for the crimes committed and the damages caused by the colonial Powers, including in their most recent military adventures, and which are now, as their absence from the text before us confirms, shamelessly ignored.

That, however, is hardly surprising, since it also goes hand-in-hand with the double standards to which the entire West and its allies have already accustomed us. It is inconceivable that, when it comes to reparations to benefit European citizens, the so-called international community not only reacts en masse, but also demands and rapidly prepares novel solutions and pseudo-legal mechanisms to respond to such claims. When it comes to reparations for the peoples of our developing world, however, that same international community, led by those who present this draft resolution to us today and whose Governments retain their colonialist and supremacist mentality, openly ignores their fight for truth, justice and reparation and finds itself stricken with a grotesque moral amnesia.

We also regret the fact that the promoters and sponsors of the text submitted to us today include Governments of countries that, like Venezuela, have been subjected to occupation, domination and the oppression of the colonial yoke, and whose brother peoples claim today, like so many others around the world, just reparations for the crimes committed, be it in the form of genocide, extermination, slavery, human trafficking, apartheid or many other atrocities.

It is for all those reasons that we believe that the draft resolution contained in document A/ES-11/L.6 will in no way contribute to the objective of achieving lasting peace through political dialogue and diplomatic negotiation, which is why we call on the responsible members of the international community to vote against it. We reiterate that, quite to the contrary, our Organization must play the central role that falls to it at this historic and decisive moment for the preservation of humankind, through the facilitation of a constructive and good-faith environment that favours dialogue, negotiation and the achievement of a peaceful solution. If this new draft resolution is adopted, we cannot fail to emphasize that a serious precedent would be set that would have serious implications for the work and credibility of the United Nations and the General Assembly.

To conclude, from this rostrum we once again reiterate our call for a reduction in tensions and an end to the propaganda of war, as well as the discourse of intolerance guided by hateful ideologies, while emphasizing that it is only through diplomacy, dialogue and restraint, without pressure or sanctions, that can we avoid being shepherded like sleepwalkers into a more acute phase of the conflict — one that will be longer and more difficult to resolve and that will only prolong the crisis and generate consequences that will take generations to overcome.

**The Acting President:** Before proceeding to take a decision on draft resolution A/ES-11/L.6, I wish to address the question concerning the majority required for the adoption of the draft resolution.

In the light of Article 18, paragraphs 2 and 3, of the Charter of the United Nations, is there any objection to taking action on draft resolution A/ES-11/L.6 by a two-thirds majority of the members present and voting?

I see no objection.

A two-thirds majority of members present and voting is therefore required for the adoption of draft resolution A/ES-11/L.6.

The Assembly will now take a decision on draft resolution A/ES-11/L.6, entitled “Furtherance of remedy and reparation for aggression against Ukraine”.

I now give the floor to the representative of the Secretariat.

**Mr. Nakano** (Department for General Assembly and Conference Management): I should like to announce that, since the submission of draft resolution A/ES-11/L.6 and in addition to the delegations listed in the document, the following countries have become sponsors of the draft resolution: Andorra, Costa Rica, the Dominican Republic, Liberia, Monaco, Myanmar, North Macedonia, Palau, the Republic of Korea, San Marino and Switzerland.

**The Acting President:** A recorded vote has been requested.

*A recorded vote was taken.*

*In favour:*

Afghanistan, Albania, Andorra, Argentina, Australia, Austria, Belgium, Benin, Bosnia and Herzegovina, Bulgaria, Cabo Verde, Canada, Chad, Chile, Colombia, Comoros, Costa Rica,

Côte d’Ivoire, Croatia, Cyprus, Czechia, Denmark, Djibouti, Dominican Republic, Ecuador, Estonia, Fiji, Finland, France, Georgia, Germany, Ghana, Greece, Guatemala, Hungary, Iceland, Ireland, Italy, Japan, Kenya, Kiribati, Kuwait, Latvia, Liberia, Liechtenstein, Lithuania, Luxembourg, Malawi, Maldives, Malta, Marshall Islands, Mexico, Micronesia (Federated States of), Monaco, Montenegro, Myanmar, Nauru, Netherlands, New Zealand, Niger, North Macedonia, Norway, Palau, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Samoa, San Marino, Seychelles, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, Spain, Sweden, Switzerland, Togo, Türkiye, Tuvalu, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Vanuatu, Zambia

*Against:*

Bahamas, Belarus, Central African Republic, China, Cuba, Democratic People’s Republic of Korea, Eritrea, Ethiopia, Iran (Islamic Republic of), Mali, Nicaragua, Russian Federation, Syrian Arab Republic, Zimbabwe

*Abstaining:*

Algeria, Angola, Antigua and Barbuda, Armenia, Bahrain, Bangladesh, Barbados, Belize, Bhutan, Bolivia (Plurinational State of), Botswana, Brazil, Brunei Darussalam, Burundi, Cambodia, Congo, Egypt, El Salvador, Equatorial Guinea, Eswatini, Gabon, Gambia, Grenada, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iraq, Israel, Jamaica, Jordan, Kazakhstan, Kyrgyzstan, Lao People’s Democratic Republic, Lebanon, Lesotho, Libya, Madagascar, Malaysia, Mauritania, Mauritius, Mongolia, Mozambique, Namibia, Nepal, Nigeria, Oman, Pakistan, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, Serbia, Sierra Leone, South Africa, South Sudan, Sri Lanka, Sudan, Suriname, Tajikistan, Thailand, Timor-Leste, Trinidad and Tobago, Tunisia, Uganda, United Arab Emirates, Uzbekistan, Viet Nam, Yemen

*Draft resolution A/ES-11/L.6 was adopted by 94 votes to 14, with 73 abstentions (resolution ES-11/5).*

*The meeting rose at 1.20 pm.*