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Provisional

<i>President:</i>	Ms. Dautllari	(Albania)
<i>Members:</i>	Brazil	Mr. Sénéchal de Goffredo Junior
	China	Mr. Geng Shuang
	Ecuador	Mr. Pérez Loose
	France	Mr. De Rivière
	Gabon	Mr. Biang
	Ghana	Ms. Oppong-Ntiri
	Japan	Mrs. Shino
	Malta	Mrs. Frazier
	Mozambique	Mr. Fernandes
	Russian Federation	Mr. Nebenzia
	Switzerland	Mr. Hauri
	United Arab Emirates	Ms. Shaheen
	United Kingdom of Great Britain and Northern Ireland . .	Dame Barbara Woodward
	United States of America	Mr. Wood

Agenda

Threats to international peace and security

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The meeting was called to order at 10.05 a.m.

Expression of sympathy in connection with the earthquake in Morocco and the flooding in Libya

The President: At the outset of this meeting, I should like, on behalf of the members of the Security Council, to express our profound sadness over the devastating earthquake that hit Morocco last Friday and the deadly flooding that has affected Libya over the past days. Those events have led to the loss of thousands of lives. Our thoughts are with all those affected by these heartbreaking disasters.

The Security Council expresses its heartfelt sympathy and condolences to the families of the victims and to the people and the Governments of Libya and Morocco.

I now invite the members of the Council to rise and observe a minute of silence in tribute to the memory of the victims of these tragic events.

The members of the Security Council observed a minute of silence.

Adoption of the agenda

The agenda was adopted.

Threats to international peace and security

The President: In accordance with rule 37 of the Council's provisional rules of procedure, I invite the representative of Ukraine to participate in this meeting.

In accordance with rule 39 of the Council's provisional rules of procedure, I invite the following briefers to participate in this meeting: Mrs. Izumi Nakamitsu, Under-Secretary-General and High Representative for Disarmament Affairs, and Mr. George Szamuely, journalist.

The Security Council will now begin its consideration of the item on its agenda.

I give the floor to Mrs. Nakamitsu.

Mrs. Nakamitsu: Since my most recent briefing to the Security Council on this topic only weeks ago (see S/PV.9399), the provision of defensive military assistance to the armed forces of Ukraine has continued in the context of the full-scale invasion of Ukraine launched by the Russian Federation on 24 February

2022 in violation of the Charter of the United Nations and international law.

Much of the information on transfers of weapons systems and ammunition flows from Governments is available through open sources. These transfers have reportedly included heavy conventional weapons such as battle tanks, armoured combat vehicles, combat aircraft, helicopters, large-calibre artillery systems, missile systems and uncrewed combat aerial vehicles, as well as remotely operated munitions, small arms and light weapons and their ammunition. Over the last months, reported transfers of arms and ammunition to the Ukrainian defence forces have expanded.

There have also been reports of States transferring or planning to transfer weapons, such as uncrewed aerial vehicles and ammunition, to the Russian armed forces, including for possible use in Ukraine.

Needless to say, any transfer of weapons must take place within the applicable international legal and policy frameworks, including relevant Security Council resolutions. Any potential or suspected violations of relevant Security Council resolutions imposing sanctions or restrictive measures, if verified, are very concerning.

Reports related to the transfer and use of cluster munitions throughout the war are also very concerning. The Secretary-General has repeatedly called for an immediate end to the use of cluster munitions. In line with his long-standing position, these weapons must be consigned to history. Most recently, in his policy brief on the New Agenda for Peace, the Secretary-General has encouraged Member States to commit to reducing the human cost of weapons, including by achieving universal participation in treaties banning inhumane and indiscriminate weapons, such as the Convention on Cluster Munitions. We also take note of reports related to the transfer of depleted uranium tank ammunition to the Ukrainian forces.

The supply of weapons and ammunition into any armed conflict situation raises significant concerns about the potential escalation of violence and presents significant risks of diversion and proliferation, even after the conflict has ended. Measures to address the risk of diversion of weapons and ammunition to unauthorized end users and for unauthorized uses are essential for preventing further instability and insecurity in Ukraine, the region and beyond. Such measures include the enforcement of marking practices,

comprehensive pre-transfer diversion risk assessments, end-user certificates, including non-transfer clauses, effective legal and enforcement measures and post-shipment verifications. Requirements for preventing the diversion of weapons include supply-chain transparency and cooperation and information exchange among importing, transit and exporting States, as well as concrete measures such as marking, tracing, effective accounting and comprehensive record-keeping practices, the physical safeguarding of arms and ammunition, customs and border-control measures and diversion monitoring and analysis.

As I have said many times, transparency in arms transfers is a crucial confidence-building measure that can serve to reduce tensions and avoid ambiguities among Member States. The United Nations Register of Conventional Arms (UNROCA) remains a key instrument in that regard. In its 30 years of operation, 178 Member States have submitted a report to UNROCA at least once, and I call on all States to continue to participate in the mechanism. UNROCA captures around 90 per cent of global arms flows and can help track influxes of weapons into conflict zones. Moreover, the Arms Trade Treaty, the Firearms Protocol, the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, and its International Tracing Instrument, are some of the arms-control instruments established by States to prevent the diversion of conventional arms and regulate the international arms trade.

I welcome the conclusion of the work of the Open-ended Working Group on Conventional Ammunition and applaud the successful adoption of its final report (see A/78/111), which contains the text of the new Global Framework for Through-life Conventional Ammunition Management. The Framework is a much-needed instrument to more effectively counter the diversion of conventional ammunition of all types that continue to fuel instability, insecurity and conflict across the world. I reiterate my call on all States to join the relevant treaties and agreements and to fully implement their legal obligations under the conventional arms-control instruments to which they are party, as well as their political commitments, to minimize the risk of the diversion of arms and ammunition.

Beyond addressing arms transfers, all parties to armed conflicts have a duty to protect civilians in armed conflict and to ensure compliance with applicable international law, including international humanitarian

law. From 24 February 2022 to 27 August of this year, the Office of the United Nations High Commissioner for Human Rights recorded 26,717 civilian casualties in Ukraine, with 9,511 killed and 17,206 injured. The actual figures are likely to be considerably higher. The vast majority of civilian casualties have been the result of the use of explosive weapons with wide-area effects, including by shelling from artillery, tanks, multiple-launch rocket systems, cruise and ballistic missiles and by air strikes. The continued use of large numbers of armed uncrewed aerial vehicles against civilians and civilian infrastructure is concerning. Armed uncrewed aerial vehicles must not be used in a manner inconsistent with international humanitarian law.

The Secretary-General has unequivocally urged all sides to avoid the use of explosive weapons in populated areas, as their use is highly likely to result in indiscriminate harm, including in Ukraine. I would like to take this opportunity to call on all Member States to implement in a broad and meaningful manner the Political Declaration adopted in November 2022 on strengthening the protection of civilians from the humanitarian consequences arising from the use of explosive weapons in populated areas. The continued and intensified attacks on civilians and civilian infrastructure and services in Ukraine, including energy infrastructure, health and educational facilities, ports, roads, bridges and grain facilities, remain very alarming.

Under international humanitarian law, parties to an armed conflict are prohibited from targeting civilians and civilian objects, including civilian infrastructure, and have the responsibility to take all feasible precautions in the conduct of military operations in order to avoid, or at least minimize, the incidental loss of civilian life, injury to civilians and damage to civilian objects. The United Nations strongly condemns attacks against civilians and civilian infrastructure and urges for their immediate cessation. Mines and explosive remnants of war have resulted in widespread land contamination, which renders land unusable for agriculture while impeding people's movement. I reiterate my call to all the relevant parties to abide by their obligations under the Convention on Certain Conventional Weapons and not to transfer or use any mines prohibited by its Amended Protocol II.

The past 18 months have seen death, loss, unbearable suffering and devastation in Ukraine. The world cannot

afford for this senseless war to continue. I appeal to all Member States to make every effort for peace. As the Secretary-General has repeatedly emphasized, the United Nations is committed to supporting all meaningful efforts to bring a just and sustainable peace to Ukraine guided by the Charter, international law and the relevant resolutions of the General Assembly.

The President: I thank Mrs. Nakamitsu for her briefing.

I now give the floor to Mr. Szamuely.

Mr. Szamuely: I thank you, Madam President, for giving me the opportunity to address the Security Council.

This is a war that could easily have been avoided. On 17 December 2021, Russia published two draft proposals outlining a new security architecture for Europe — one for the United States and one for NATO. The proposed framework recalled the Helsinki Final Act of 1975, in which the mutually antagonistic parties of the Cold War agreed to recognize one another's security concerns and pledged not to enhance their own security at the expense of their purported adversaries. At the heart of Russia's proposals was a commitment by NATO to no further expansion, and in particular to no NATO membership for Ukraine. There was nothing unreasonable about the demands that could not have been addressed with a little deft diplomacy. There are many countries in the world, even in Europe, that do not join military alliances. Russia was not demanding a military alliance with Ukraine but merely requesting that its neighbour, with which it shared a centuries-long history, not join a hostile military alliance. Neither the United States nor NATO deigned to respond to Russia's proposals.

Let us recall that in its 1990 Declaration of State Sovereignty, Ukraine avowed its intention of becoming "a permanently neutral State that does not participate in military blocs". We should also recall that although at its 2008 Bucharest summit NATO had promised membership for Ukraine and Georgia, there was no desire on the part of the people of Ukraine to join NATO. A May 2009 Gallup poll showed that Ukrainians were more than twice as likely to see NATO as a threat than as a source of protection. A September 2009 Pew Research Center survey found that 51 per cent of Ukrainians opposed NATO membership, with only 28 per cent in favour. In February 2010, Viktor Yanukovich ran for the presidency of Ukraine on a

platform pledging not to join NATO or any military alliance. Following his election victory, Yanukovich submitted a bill to Ukraine's Parliament barring Ukraine's membership in any military bloc. In other words, through the democratic process, Ukraine had declared itself a militarily non-aligned State.

That all changed following the illegal and violent overthrow of the elected Government of Yanukovich on 22 February 2014. The coup d'état was actively supported by the United States and the European Union (EU). That is no conspiracy theory. We need just to recall the leaked phone call between Assistant Secretary of State for European and Eurasian Affairs Victoria Nuland and United States Ambassador to Ukraine Geoffrey Pyatt. During the call, which took place weeks before the coup, the two United States officials happily discussed who would and who would not be part of the post-Yanukovich regime. How did the NATO Powers react to the coup? The very same countries that today vent their fury at those who ousted the legally elected Government of the Niger exulted in the toppling of the legally elected Government of Ukraine.

Within two days, EU Foreign Policy Chief Catherine Ashton was in Kyiv to discuss EU support for a "lasting solution to the political crisis and measures to stabilize the economic situation". A couple of days later, it was the turn of Deputy United States Secretary of State William Burns, who, according to the State Department, went to consult on United States support for Ukraine's efforts to secure a stable, democratic, inclusive, prosperous future.

United States Treasury Secretary Jack Lew encouraged the new leaders to begin discussions with the International Monetary Fund on an assistance package. The United Kingdom's Chancellor of the Exchequer, George Osborne, immediately offered cash, stating

"We are ready to help. Just as soon as there is someone at the end of the telephone, we will be there with a cheque-book to help the people of Ukraine rebuild their country".

The European Commission announced that it was ready to conclude a trade deal with Ukraine and offer aid once a new Government was formed.

In reality, no one was waiting for any elections. On 21 March, one month after the coup and before any elections had been held, the illegally constituted regime in Kyiv and the European Union signed the

EU Association Agreement, the very Agreement that Yanukovich, in accordance with his legally defined powers, had decided to delay signing. One should add that the Association Agreement had a strong security and defence component. Ukraine and the EU agreed to

“promote gradual convergence in the area of foreign and security policy, including the Common Security and Defence Policy”.

The Common Security and Defence Policy, of course, is a backdoor into NATO.

President of the European Council Herman Van Rompuy issued a statement congratulating the people of Ukraine for taking to the streets and using violence to ensure that the Association Agreement was signed.

“The refusal to sign the Association Agreement with the European Union created a popular uprising, a political and cultural shift. We pay tribute to those who gave their life for freedom”.

And he went on to say, without a trace of irony, that the Agreement

“recognizes the aspirations of the people of Ukraine to live in a country governed by values, by democracy and the rule of law”.

The most important consequence of the coup was the disenfranchisement of the people of the east and the south-east of Ukraine — Yanukovich’s base of support. Much like sovereign people anywhere else in the world, they did not appreciate the violent overthrow of the leader for whom they had voted, and they refused to accept the legitimacy of the coup regime.

Today the United States is sending people to prison for decades for calling into question the integrity of the 2020 election. And yet the people of Donbas were supposed to sit quietly and accept an illegal seizure of power, one that was, at least in part, orchestrated from abroad. Let us also not forget that, as its first order of business, the coup regime, in order to demonstrate its respect for diversity and European values, scrapped a minority language law, passed by Ukraine’s Parliament in 2012, that had granted regional language status — meaning that it could be used in courts, schools and Government institutions — to Russian and other minority languages in any region where a minority exceeded 10 per cent of the population. That was obviously a matter of some concern to the Russian-speaking residents of Donbas.

Not surprisingly, the disenfranchised rebelled against Ukraine’s new rulers, who responded to that act of defiance with overwhelming force. NATO responded by going all-in to support the rulers in Kyiv as they waged a war against their own people. Just listen to the words of NATO Secretary General Jens Stoltenberg:

“NATO allies have supported Ukraine since 2014. We did not wake up in February 2022. The Ukrainian armed forces are much better equipped, much better trained, much larger and much better commanded in 2022 than in 2014, not least because of the support, the training and the equipment they have received for many years from the NATO allied countries”.

Note his words. NATO was pouring in weaponry and providing training to the Armed Forces of Ukraine from 2014 onwards.

What was supposed to be happening during those years? Of course, it was the implementation of the Minsk accords. The Minsk accords constituted a step-by-step reconciliation process, signed by the Kyiv Government and the representatives of the breakaway regions, which would have led to their reintegration into Ukraine. The key condition was to be a constitutional amendment granting the breakaway regions special status. France, Germany and Russia served as guarantors. The Security Council endorsed the Minsk accords in 2015, in resolution 2202 (2015).

We now know that neither Kyiv nor France nor Germany took their pledges seriously. Former Ukraine President Petro Poroshenko, who signed the Minsk Agreements on behalf of Ukraine, has admitted that he never had the slightest intention of fulfilling their terms. What is the result of the Minsk agreement? As he boasted a few months ago,

“We win eight years to create an army. We win eight years to restore the economy”.

Former German Chancellor Angela Merkel has also admitted that Minsk was never anything more than a mechanism to buy time for Ukraine. As Merkel told the weekly *Die Zeit* last December,

“The 2014 Minsk Agreement was an attempt to give Ukraine time ... It also used this time to become stronger, as you can see today”.

And she went on,

“It was clear to all of us that this was a frozen conflict, that the problem had not been solved, but that is precisely what gave Ukraine valuable time”.

In other words, she pretended to go along with Minsk even though she had not believed in it for a second.

Former French President François Hollande echoed Merkel. As he told *The Kyiv Independent* last December,

“Since 2014, Ukraine has strengthened its military posture. Indeed, the Ukrainian army was completely different from that of 2014. It was better trained and equipped. It is the merit of the Minsk Agreements to have given the Ukrainian army this opportunity”.

From 2014 onwards, the NATO Powers continued to pour arms into Ukraine, pretending to be interested in implementing Minsk, while in reality encouraging Ukraine to resolve the problem of Donbas by force. The result was some 14,000 deaths in Donbas.

Since February 2022, NATO countries have continued pouring weaponry into Ukraine. The list is mind-blowing — shoulder-fired man-portable air defence systems, anti-ship missiles, anti-aircraft missiles, Stinger missiles, tanks, armoured personnel carriers, fighting vehicles, attack helicopters, howitzers, multiple-launch rocket systems, High Mobility Artillery Rocket Systems, drones, anti-tank missiles, patriot missile systems, long-range cruise missiles, depleted uranium shells and cluster munitions. Ukraine is now promised F-16 fighter aircraft and long-range Army Tactical Missile Systems. In addition, NATO countries, particularly the United States, have provided tactical intelligence to Ukraine, enabling it to target and kill Russians.

What the NATO Powers have notably failed to do is offer a convincing explanation as to what they are trying to achieve. President Biden once suggested that the goal was regime change. Defence Secretary Lloyd Austin said the objective is to degrade Russia’s military capability. United States National Security Adviser Jake Sullivan says that it is all about not “letting Russia run roughshod over Ukraine”, something that would allegedly place the continent of Europe at military risk.

United States Secretary of State Antony Blinken claims that investing in Ukraine’s strength paves the way for diplomacy. Foreign Secretary of the United Kingdom James Cleverly claims that

“giving the Ukrainians the tools they need to finish the job is the swiftest path to peace.”

NATO’s Stoltenberg says,

“the more gains Ukraine makes, the stronger their hand will be at the negotiating table”.

None of that makes the slightest sense. Does anyone seriously believe that, as soon as Ukraine makes serious gains, the NATO Powers will decide to call it a day and demand that Ukraine head towards the negotiating table? Of course not. Any Ukrainian success would immediately be touted as a reason for stepping up military deliveries.

That is why today there is no diplomacy and no negotiating table. Former Israeli Prime Minister Naftali Bennett has disclosed that he came close to reaching a peace agreement within a few days of the start of the war. As Bennett described the agreement, Ukraine would pledge not to join NATO, and Russia would abandon its goal of the so-called demilitarization and de-Nazification of Ukraine. However, according to Bennett, Western leaders — Boris Johnson in particular — blocked the deal. The pattern was to be repeated in Istanbul at the end of March. A peace agreement was in the offing, but then Boris Johnson flew to Kyiv and urged Zelenskyy to drop the idea. Putin was a war criminal, Johnson said. He should be crushed, not negotiated with. Even if Ukraine were ready to sign a deal, Johnson told Zelenskyy, the NATO powers were not. Following the collapse of the talks, Türkiye’s Foreign Minister declared: “There are those within the NATO member States that want the war to continue and Russia to get weaker.” The truth is that key NATO Powers want to keep the war going because Russians are dying, and military contractors and their lobbyists are getting rich. United States politicians are at least honest about admitting this. Just listen to Senator Richard Blumenthal, who said,

“We are getting our money’s worth on our Ukraine investment. For less than 3 per cent of our nation’s military budget, we have enabled Ukraine to degrade Russia’s military strength by half. All without a single American servicewoman or man injured or lost.”

Senator Mitt Romney said that the money spent on Ukraine was the best national defence spending the United States had ever done, losing no lives while diminishing and devastating the Russian military.

And of course, it was Senator Lindsey Graham who famously chirped, “Russians are dying.... Best money [we have] ever spent.”

To sum up, the NATO Powers embarked on a deliberately provocative policy back in 2008 when they offered NATO membership to a country that was not interested in it. They doubled down on the policy when they supported the overthrow of an elected Government in 2014, then compounded their errors by pouring in weaponry for eight years, refusing to implement the Minsk agreements and ignoring Russian warnings about red lines. Now they are keeping a war going, even as casualties continue to mount and the dangers of world war — and therefore of nuclear conflict — continue to escalate.

The President: I thank Mr. Szamuely for his briefing.

I shall now give the floor to those members of the Council who wish to make statements.

Mr. Nebenzia (Russian Federation) (*spoke in Russian*): We convened today’s meeting primarily to discuss once again the significance for the prospects for resolving the Ukrainian crisis of the country’s Western sponsors’ unfettered supply of various types of weapons to their underlings in Kyiv. Our briefer, Mr. George Szamuely, has just reminded us very professionally of its true genesis. We have been urging the Council to consider the subject almost every month, and every time we find new issues that support our discussion. For example, we heard directly from Ukrainian and United States officials recently that Kyiv has already received more than \$100 billion in military and other assistance from the United States and its allies, while as a result of last week’s visit to Ukraine by Secretary of State Blinken there was another handout of more than \$1 billion.

The Kyiv regime is begging for new weapons with redoubled pressure and unconcealed insolence, attempting to blame the obvious failure of the so-called counter-offensive that has been under way since the beginning of June on Western countries. All kinds of trickery and shenanigans are at work here. For example, just before Secretary Blinken’s visit last week, the Zelenskyy regime used an old trick to commit a bloody provocation, launching a missile attack on a market in Kostiantynivka that it immediately tried to pin on Russia. Except that the facts were caught on surveillance cameras and showed up online, foiling the

Kyiv provocateurs’ plot. The video clearly shows that the missile came from areas under the control of the Armed Forces of Ukraine. As a result, we are now seeing that the Kyiv regime and its sponsors are trying to shut the story down rather than draw extra attention to it, just as they did after they botched a similar provocation when they shelled the railway station in Kramatorsk in April 2022, when the evidence of witnesses to the crime published on social networks clearly pointed to the Ukrainian forces’ guilt.

In the light of the obvious failures at the front, which can no longer be concealed, it seems that the chiefs of the Kyiv regime have begun to lose their nerve. In a recent interview with *The Economist* magazine, Zelenskyy, the leader of the Kyiv junta, lamenting the fact that Ukraine’s support among Western voters is plummeting, resorted to direct threats, saying that it was impossible to predict how the millions of Ukrainian refugees in European countries would react to their country being abandoned. The Ukrainian Foreign Minister, Kuleba, also gave way to rudeness in his response to Germany’s Foreign Minister, Ms. Baerbock, when she said that her country had not yet made a decision on the delivery of long-range Taurus missiles. He said that Germany would supply them with the missiles anyway and that it was just a matter of time, but that he did not understand why time was being wasted. We are all generally accustomed to Ukraine’s continued contemptuous treatment of Germany, ever since Chancellor Scholz was described as “an offended liver sausage”, but such rudeness in intergovernmental contacts is still quite rare.

And yesterday Mykhailo Podolyak, Ukraine’s presidential adviser, referred to the United Nations as a money-making office that is not fulfilling its original functions. To quote him,

“We will not get them to renounce their own pointlessness. The fact is that United Nations is absent as an organization. I would say that it is a public relations or lobbying office to make money to support the comfortable retirement of the people who occupy various leadership positions. The emotions that the United Nations evokes will always be negative, just like any other international institution — the International Atomic Energy Agency, some international red cross or other, Amnesty International — they are all fictitious organizations that clog our consciousness with absolutely rubbish assessments. If they did not

exist, we would probably have resolved many issues better and quicker.”

In the Ukrainians’ understanding, therefore, Mrs. Nakamitsu and her Secretary-General did not report to the Security Council today, but rather “clogged our consciousness with absolutely rubbish assessments”. That is how, in the face of imminent military and political bankruptcy, the Kyiv regime is beginning to completely lose its self-control.

The nervousness on the part of the Kyiv clique is understandable. Despite the fact that support for Ukraine by its Western sponsors has reached an unprecedented level, the country has been unable to back it up with action. We have already spoken about the so-called counter-offensive, which is a blatant fiasco. The equipment supplied to the Kyiv regime, including the lauded American Bradley armoured personnel carriers and German Leopard and British Challenger tanks, are going up in smoke. Incidentally, we would like to suggest to our British colleagues that they should update the information on their Ministry of Defence website, which still states that not a single Challenger has been destroyed on the battlefield, whereas in fact at least two have already been destroyed in Ukraine, while the other 12 may still be trundling around somewhere but will receive the same fate, just like the American Abrams tanks and F-16 fighter jets. Many leading experts are already warning loudly that pumping the Kyiv regime full of new weapons makes no sense at all, given the insoluble logistical and maintenance problems. And the Western militaries must surely realize that too.

The Western countries’ main priority is therefore not to achieve a military defeat of Russia, which is by definition impossible, but to do as much damage to it as possible along with inflicting the maximum amount of pollution and damage on the territories that have joined our country. Just as the Western colonizers once used scorched-earth tactics in Africa and Asia and sowed vast areas of Indochina, Syria and Afghanistan with mines and unexploded ordnance, so now are they acting in southern and eastern Ukraine.

It is enough here to remind the Council that this year the United Kingdom has supplied the Armed Forces of Ukraine with depleted uranium shells. The United States, which appears to be preparing a base for sending its Abrams tanks to the Ukrainians, may also be supplying Kyiv with similarly dangerous weapons in the near future. We are now seeing active hypocrisy at

work in a campaign in the West claiming that depleted uranium shells are not in the least harmful. They will soon be proving that they are actually good for our health. In that regard, I would like to recall the trial that took place in Italy after more than 7,000 soldiers — 400 of whom died — were poisoned by NATO forces in Yugoslavia due to the use of such munitions. Of course, no one in the West remembers that Serbs, obviously, suffered too.

Another issue deserving special attention is that of the cluster munitions that the United States is supplying to Ukraine in large quantities, partly because there is very little conventional ammunition left in NATO’s stores. It is being presented to the public in such a way as to say that cluster munitions produced in the United States pose no threat to civilians and are high-tech, while the rest are all no good and dangerous because of their high percentages of unexploded submunitions. That of course is contrary to elementary facts. For example, in its *World Report 2023*, Human Rights Watch representatives say that civilians accounted for 95 per cent of the victims of cluster munitions last year, primarily in Iraq, Laos, Lebanon, Myanmar, Syria and Ukraine, with 71 per cent of all victims being children. Among them are the residents of Izyum who died in 2022 as a result of shelling by Ukrainian forces, which we have spoken about in detail at previous meetings. The organization called the United States’ decision to supply cluster bombs to Ukraine as unconscionable. In response, according to reports, the Biden Administration is preparing a decision to supply the Kyiv regime with long-range missiles with cluster munitions. In this case, according to the United States Congressional Research Service, up to one third of the new munitions may fail to explode and remain in the ground as a threat to civilians for decades. And that is despite the fact that, according to the unanimous opinion of military experts, cluster munitions will not give Ukraine an advantage on the battlefield, as they have far less penetration power than conventional weapons.

What are the principles guiding Washington and London in authorizing such obvious crimes? Do our colleagues have any shred of decency left? They clearly did not have a shred of decency when they razed to the ground peaceful cities in Yugoslavia, Libya, Iraq, Syria, Afghanistan and, in the past, Indochina and other regions, so why would they now, when they are waging a proxy war in Ukraine against Russia, to the last Ukrainian?

The fact that the United States is the real puppeteer behind the Kyiv regime was clearly demonstrated yesterday by Mark A. Milley, the Chairman of the Joint Chiefs of Staff of the United States Army, who invited CBS reporters to the situation room, where the situation on the battlefield is monitored in real time by satellites. In doing so, the general did not hide the fact that the Americans are passing to Kyiv all that intelligence, including locations of objects deep behind Russian lines. Washington therefore has no desire to end this war — a war that is, above all, enriching the United States significantly. We have already spoken at previous meetings about the fantastic profits that Western corporations are making and the fact that a significant portion of the funds allocated to Ukraine do not leave the territory of the United States or that of other Western sponsors of the Kyiv regime.

There has recently been much evidence of unprecedented corruption in that context. For example, with regard to the United States' active use of grey schemes to supply arms to Ukraine, there is one more story worth mentioning. Recently, the American media published information about the role played in that process by American arms dealer Marc Morales, who was indicted on money laundering charges in the United States back in 2009. Thanks to his contracts with the Pentagon and his personal ties with the Ukrainian military command, Mr. Morales' company has become a crucial link in the supply of arms and ammunition to Ukraine for the latter's Soviet-era systems. As a result, Mr. Morales has enriched himself by several hundreds of millions of dollars. That means that a businessman is receiving contracts and backing from the United States Government to supply arms to another State. One can only imagine the level of corruption that exists not only in full view of the United States authorities, but also with their direct support. According to information from journalists, the United States began to engage in such shadow cooperation with Ukraine at least a year before the beginning of Russia's special military operation in Ukraine.

Can we really expect our greedy American colleagues to give up that extremely profitable business project in the name of peace? There are big doubts about that, as the thirst for profit runs through the veins of all segments of the American political and business elite. According to an article by *The New York Times*, a new factory is being built in the town of Mesquite, Texas, United States, to produce artillery shells for the

Ukrainian army. It is worth noting that when voices of common sense in the area began to speak up to call for an end to the insane pumping of weapons to the Kyiv regime, they immediately came under harsh criticism from a number of local lawmakers. Do Council members know why? One of the opinions cited in the article was that:

“This will create manufacturing jobs in the United States. [The lawmakers who oppose it are] saying no to the people they are representing”.

Even the newspaper itself shares that view and believes that the effort to arm Ukraine, combined with Kyiv's seemingly insatiable need for weapons and ammunition, has prompted a defence-production bonanza in the United States. This situation represents the ugly truth of the American position in support of Ukraine: in addition to enabling the pursuit of dubious geopolitical goals, it is also an opportunity to make money — good money — off the pain and suffering of others.

Against that backdrop, Ukraine itself continues to slip into the abyss of totalitarian dictatorship, in which any alternative or inconvenience to the ruling regime's point of view is denied. At the same time, the current authorities in Kyiv are basing their policies on the glorification of Nazi ideology and elevating Hitler's henchmen to the rank of heroes. In addition to that, there is rampant corruption throughout Ukraine's echelons of power, which is only gaining momentum in view of the impressive amounts of financial and other material aid coming from the West. Even Kyiv's most ardent allies recognize the alarming scale of such corruption. One of the ugliest ways it manifests is in the Kyiv regime's attitude towards its own citizens, both in the form of accepting bribes for excuses from military service — from which the children of Ukraine's elite are of course already safe — and in the way it uses Ukrainian refugees as pawns.

In fact, only in Russia do those refugees feel protected by the law. According to information from the Office of the United Nations High Commissioner for Refugees, since February of last year, 2,852,000 people have left the territory of Ukraine for Russia. If we add to them the 3 million residents of Donbas who left for Russia after the civil war unleashed by the Kyiv regime in 2014, our country can rightfully be considered one of the main host States for Ukrainians in distress. We see a completely different attitude towards

Ukrainian refugees in Europe. Despite the European Union's thundering statements about the provision of assistance, the rights of Ukrainian refugees are not guaranteed or protected. The most vulnerable categories of citizens — women and children — are particularly at risk, namely, of separation from their families, involvement in criminal activities and exploitation. Such unpleasant facts are becoming increasingly difficult to conceal.

Ukrainians are also becoming victims of organ trafficking. There is growing evidence of a flourishing black market for organs for transplant in the country. To that end, the country passed the necessary legislation. For example, a law was recently created to regulate the transplanting of human anatomical materials, according to which it is no longer required to notarize the written consent of a living donor or his or her relatives for transplantation — the authentication of signatures is not required. Essentially, it has been authorized to extract organs from children as well. The procedure for the removal of organs from deceased persons who, while still alive, did not give their consent to donate their organs after death has been simplified. Permission to extract bio- or anatomical materials from the body of a deceased person can be obtained from the person in charge who is obliged to bury the deceased person — for example, from the head doctor of a hospital or the head of a military unit. The right to perform transplants has been granted to not only public but also private clinics.

Thanks to another law, organ transplant operations are exempt from value added tax. That policy, in a most favourable environment, is actively being used by criminals. Organs are being traded on the dark web — and not only there. For example, in June, a man — an employee of a certain charitable organization — was detained on the Ukraine-Slovakia border for engaging in the trafficking of Ukrainian children abroad, including for organ transplants. Tellingly, the bail set by the court for the criminal amounted to only 1 million hryvnia. After the bail was paid, that man accused of committing a serious crime was released, and now he is gone without a trace. Apparently, the Ukrainian Government is covering up this gruesome business. Are our former Western partners going to ring the alarm bells? I highly doubt it.

In that context, it is worth recalling the crimes that were committed by the Kosovo militants, with the complicity of their Albanian accomplices and with the connivance of the occupying NATO contingents,

during the aggression against the Federal Republic of Yugoslavia. In particular, there is documented evidence that from 1998 to 2000, the fighters of the Kosovo Liberation Army (KLA) kidnapped some 300 Serbs, Roma and disloyal Albanians in the province. Those people were transported to makeshift prisons in Albania, after which the prisoners were filtered out for health reasons and their kidneys and other organs were taken at transit points for further transport to Europe and sale on the black market. The so-called donors were detained near the Albanian town of Fushe-Kruje. Upon receipt of the order, they were shot in the back of the head, and the organs were taken abroad through Tirana International Airport. Those inhumane crimes were described in a book by Carla Del Ponte, former Prosecutor for the International Tribunal for the Former Yugoslavia (ICTY), entitled *The Hunt: Me and the War Criminals*, published in 2008, and in a report on KLA atrocities dated 7 January 2011 by the Parliamentary Assembly of the Council of Europe, authored by Swiss lawyer Dick Marty. A confidential contribution on that topic was also prepared on 30 October 2003 by the United Nations Interim Administration Mission in Kosovo (UNMIK).

In April 2004, a delegation from the ICTY and UNMIK travelled to the vicinity of Burrel in Albania, where, according to eyewitnesses, organ removal operations had taken place. The delegation visited a so-called “lunatic asylum” in the village of Ripa, where traces of illegal organ removal operations were found in one of the rooms. But in 2005, the ICTY Prosecutor's Office destroyed all the evidence collected. Characteristically, Albania in 2008 refused Serbia's proposal for a joint investigation and for many years has been avoiding the admission of Serbian and international experts into its territory. That makes it impossible to locate and identify the alleged burials of the KLA's victims. So, indeed, without a body, there is no crime. At the same time, it is known that, even after 2000, those in Kosovo conducting organ transplants continued their criminal business in cooperation with organized criminal groups, in the Medicus clinic in Pristina. The victims of those crimes were people from Eastern Europe and Central Asia.

Since the NATO countries that served as cover for that inhuman business are the same countries that have now taken Ukraine under their wing, it is obvious that not only Ukrainian citizens on the territory controlled by the Kyiv regime but also Ukrainian refugees in the

European Union face a serious danger. It is first and foremost Ukrainian women and their children who ended up in Europe who are at great risk. We call on international non-governmental organizations and others to pay particular attention to their protection from those unscrupulous characters.

Mr. Wood (United States of America): I thank High Representative Nakamitsu for her latest briefing on this issue today. Her leadership and the continuing efforts of the United Nations Office for Disarmament Affairs in the global effort to counter weapons diversion remain essential.

This is the fifth meeting Russia has requested on this subject in six months. This latest request is yet a further signal — as though we needed it — of the depth of Russia's cynicism and willingness to waste the Security Council's time, attention and resources. Russian officials seem to continue to think that they can distract us from the Kremlin's actions undermining international peace and security, including through Russia's irresponsible nuclear rhetoric; through its ongoing efforts to unlawfully procure arms from the Democratic People's Republic of Korea, in violation of the Council's own resolutions; through procuring armed drones from Iran, used to attack Ukrainian civilian infrastructure; and through endangering cargo vessels in the Black Sea.

However, Russia should disabuse itself of the illusion that we will be distracted from the darker reality we face; we will not be. We last met on this topic not even four weeks ago (see S/PV.9399). Since then, Russia's daily rocket and drone attacks have continued to hit Ukraine's civilian infrastructure and kill innocent people. Just recently, on 6 September, a Russian missile tore through the Ukrainian city of Kostiantynivka, killing 17 people. Russia's illegal invasion of Ukraine is the true and undeniable cause aggravating the crisis and undermining efforts to find a peaceful solution.

After the United States exposed the November 2022 transfer of infantry rockets and missiles from the Democratic People's Republic of Korea to Russia's Wagner Group, we have warned that Russia is actively seeking to acquire additional munitions, including through leader-level discussions, from the Democratic People's Republic of Korea. Security Council resolutions prohibit all Member States from procuring arms or related materiel from the Democratic People's Republic of Korea. By continuing that relationship,

Russia would receive significant quantities and multiple types of munitions for the Russian military to use against Ukraine. Those potential deals could also include the provision of raw materials that would assist Russia's defence industrial base. In tandem, any revenue that the Democratic People's Republic of Korea receives from such transfers could be channelled by Pyongyang to further develop its unlawful weapons of mass destruction and ballistic missile programmes.

We will continue to identify, expose and counter Russia's attempts to acquire military equipment from the Democratic People's Republic of Korea or any other State that is prepared to support Russia's war against Ukraine. We urge the Democratic People's Republic of Korea to cease its efforts to transfer arms to Russia. We also urge all Member States to remind Russia of its Security Council obligations and to remind Russia that any transfer of arms between the two countries would violate the United Nations arms embargo on the Democratic People's Republic of Korea, which Russia itself voted to adopt.

Unfortunately, as we know, this is not the only time Russia has violated a Security Council resolution to procure arms. There is extensive documentation of Russia receiving hundreds of uncrewed aerial vehicles from Iran for use against Ukraine. The documentation includes recently downgraded information provided by the United States Defense Intelligence Agency and shared with the Council. Such transfers are violations of resolution 2231 (2015), and we know those weapons have been used in attacks on Ukrainian civilian infrastructure. The United States, along with other Member States, have called on the Secretary-General to authorize an investigation into the serious violations of resolution 2231 (2015). We are still waiting for a substantive response to that request. Moreover, Russia has refused to allow the examination of evidence of Iranian transfers of those uncrewed aerial vehicles and has instead worked actively to prevent an investigation by the Secretariat. Those acts only further demonstrate Russia's continued attempts to undermine the credibility of the Council.

The United States will continue to demonstrate its enduring commitment to supporting Ukraine's self-defence, including through the provision of arms and equipment that enable Ukraine to defend its territory and protect its people from Russia's unprovoked and unjustified war of aggression. Let me be clear — this support for Ukraine is being carried out responsibly. By

helping Ukraine and neighbouring States account for and safeguard arms and ammunition during transfer, in storage and when deployed, by strengthening border management and security in Ukraine and neighbouring States and by building the capacity of relevant government agencies to deter, detect and interdict illicit trafficking of certain weapons, we are taking concrete steps to address threats posed by the potential diversion of weapons.

In fact, as we work closely with Ukraine and other partners to ensure our military assistance is properly safeguarded and used appropriately by Ukraine in its self-defence, Russia remains at this stage the only known vector of diversion of advanced conventional weapons. If Russia were concerned about reducing conflict and mitigating the potential diversion of illicit weapons, it would choose to end the war it started and withdraw its forces, rather than escalate with nuclear rhetoric, barrages of missiles, human rights abuses and war crimes, crimes against humanity and violation of various Security Council resolutions and the Charter of the United Nations. We once again renew our calls for Russia to end its war and to do so immediately.

I would like to make a few points on cluster munitions. Let me be clear — when used appropriately against military targets, cluster munitions are an effective battleground tool for the defeat of dismounted infantry, including entrenched positions, and against lightly armoured mobile forces, which reflects the situation on the ground in Ukraine. The cluster munitions that the United States is providing Ukraine are tested and designed to maximize effect and limit rates of failure. In contrast, since the start of the full-scale war in Ukraine, Russia has employed high-failure-rate cluster munitions across the country.

Mr. De Rivière (France) (*spoke in French*): I thank High Representative Nakamitsu for her briefing.

Once again, by calling for a meeting on Western arms deliveries to Ukraine, Russia would like to shift onto others the responsibility for an illegal war that it itself started. No one is fooled by this attempt at disinformation. Let us not forget: it was Russia that started a war of aggression contrary to the principles of the Charter of the United Nations. It was Russia that decided to undermine Ukraine's sovereignty and territorial integrity. This aggression and Russia's illegal attempt to annex Ukrainian territories were condemned by the General Assembly by a very large majority.

Let us also recall that it is up to Russia to put an end to this war, without prejudice to its own security. All it would have to do is cease its aggression and withdraw its troops from Ukrainian territory, as requested by the International Court of Justice as early as 16 March 2022. Russia denounces the military support given by Western countries to Ukraine, a State it is attacking. However, to support its war of aggression, Russia is obtaining combat drones from Iran and missiles and ammunition from North Korea. In doing so, Russia is violating resolutions and sanctions unanimously adopted by the Council.

Ever since Russia started the war, France, along with its partners, has chosen to support the Ukrainian people in the exercise of its right to self-defence, in accordance with Article 51 of the Charter of the United Nations. We are legally supplying Ukraine with equipment to bolster its defence system. In particular, we have transferred air-defence capabilities to Ukraine, helping it to defend itself from indiscriminate Russian strikes against its civilian infrastructure. The sole aim of that military aid is to enable the Ukrainians to defend themselves, so that credible negotiations can take place when Ukraine decides to do so. Our aim in doing that is to create the conditions for a fair and lasting diplomatic settlement in line with international law. France will maintain its support for as long as necessary, as it has committed to do with its partners, to help the Ukrainian people preserve their sovereignty and territorial integrity.

For more than a year and a half, the war has caused immense suffering for the Ukrainian people and catastrophic repercussions for the whole world, in particular for populations in vulnerable countries, especially in terms of food security.

We reiterate our commitment to a just and lasting peace. That can be based only on respect for international law and Ukraine's territorial integrity.

Dame Barbara Woodward (United Kingdom): Let me start by thanking High Representative Nakamitsu for her clear and expert briefing.

This weekend, a Russian missile struck a car carrying humanitarian aid workers on the road to Bahkmut, killing two and leaving others badly injured — one of many attacks on those trying to deliver essential humanitarian assistance.

Newly declassified United Kingdom intelligence reveals that Russia fired multiple missiles at a Liberian-

flagged cargo ship in the Black Sea on 24 August. It is thanks only to Ukraine's air defences, which shot down the missiles, that Russia's attacks on that civilian ship failed.

Russia's bombardment of Ukrainian ports and grain infrastructure has destroyed 280,000 tons of grain. That is enough to feed 1 million people for a whole year. In short, Russia is employing the tactics of a bankrupt aggressor that knows its military cannot win on the battlefield and instead seeks desperate ways to inflict pain on civilians and put pressure on the international community. Therefore, let us call this meeting out for the farce that it is. Russia is once again misusing the Council in an attempt to obfuscate its responsibility for atrocities in Ukraine.

Russia has convened the Council at the same time as North Korea's leader, Kim Jong Un, crosses the Democratic People's Republic of Korea/Russia border for a meeting with President Putin. There is incontrovertible evidence that Russia is negotiating potential deals for significant quantities and multiple types of munitions from the Democratic People's Republic of Korea to be used against Ukraine. That epitomizes the bare-faced hypocrisy that has come to characterize Russia's conduct on the international stage. And in its pursuit of those weapons, Russia will violate Security Council resolutions, including resolutions that Russia itself voted for.

Ukraine and the whole international community want a just and sustainable peace in line with the Charter of the United Nations, as Group of 20 leaders reiterated over the weekend. But the only peace that is just, lasting and compatible with the Charter of the United Nations is one that sees the full withdrawal of all Russian forces.

Until then, we will continue to ensure that Ukraine has the support it needs to exercise its right to self-defence, in line with international law and the Charter of the United Nations. We are proud to support Ukraine.

Mr. Biang (Gabon) (*spoke in French*): I would like to thank Under-Secretary-General Izumi Nakamitsu for her edifying briefing. I listened carefully to the statement of Mr. Szamuely.

The issue that brings us together today is a recurrent one on the Security Council's agenda. Arms deliveries continue to increase, and new military alliances are announced, amplifying the risks of escalating

violence in a war that has already claimed thousands of innocent civilian victims and untold destruction to vital civilian infrastructure.

We are deeply concerned by the intensification of hostilities, at a time when many voices around the world are calling for de-escalation, a cessation of combat and a focus on constructive dialogue to find a peaceful and lasting solution to the conflict. It goes without saying that more weapons for belligerents means more death and destruction and undoubtedly greater risks of proliferation and insecurity in the medium term for the entire region and beyond.

Massive rearmament of belligerents in Ukraine undermines the considerable efforts made by the international community in favour of disarmament and the non-proliferation of weapons of all kinds. The increase in the flow of weapons to the region — whether for offensive or counter-offensive reasons — clearly carries the risk of aggravating the situation. The uncontrolled flow of arms and munitions will undoubtedly fuel belligerence and frustrate mediation efforts, making it even more difficult to find a negotiated solution. Of course, the first victims will continue to be innocent civilians.

It is an illusion on both sides to envisage peace on the basis of a military victory. The acquisition of new stockpiles of weapons risks further shattering the peace and prolonging the conflict, with more serious humanitarian consequences.

I take this opportunity to underscore and recall our common commitment, which is the spirit of the Charter of the United Nations, that is, to protect the peoples of the world from the scourge of war. In saying that, I reiterate my country's opposition to war. We remain convinced that the most effective way to limit the circulation of arms is to put an end to war. To prolong this conflict is to condemn the region to long-term insecurity. The belligerents must step up their efforts to prevent the risk of diversion of conventional weapons by using existing regional and international instruments and mechanisms, in particular the Arms Trade Treaty and the International Tracing Instrument.

We call on all parties to prioritize dialogue and to engage in negotiations in good faith, in order to silence the weapons and lay the foundations for lasting peace and peaceful coexistence.

Ms. Shaheen (United Arab Emirate): I thank High Representative Nakamitsu for her informative briefing, and I welcome Ukraine's participation in today's meeting.

All Members States of the United Nations have the right to self-defence and to manage their national security and defence systems, in line with the Charter of the United Nations. It is also vital that risks associated with the transfer, storage and deployment of weapons are carefully managed. As we have seen in other contexts, the threat of weapons ending up in the hands of terrorist groups and other malign actors, which may target civilians and negatively impact security and stability, is significant. Preventing the diversion of weapons to such groups is of particular consequence.

Given the interconnected nature of such challenges, it is critical that competent national authorities protect against the risk of weapons diversion and that international actors cooperate, as appropriate, to bolster those efforts.

The Council has recognized the need to address such risks in different situations around the world, including in December with the adoption of presidential statement 2022/7 condemning the flow of weapons, military equipment, unmanned aerial systems and improvised explosive device components to terrorist groups.

Last year, the Counter-Terrorism Committee Executive Directorate, the Counter-Terrorism Centre of the United Nations Office of Counter-Terrorism and the United Nations Institute for Disarmament Research released the technical guidelines to facilitate the implementation of resolution 2370 (2017) and related international standards and good practices on preventing terrorists from acquiring weapons. The technical guidelines provide practical tools that can support the development and implementation of national policies and facilitate international coordination. We encourage all Member States to consult it, as appropriate.

The most effective way to mitigate the risks associated with weapons transfers during wartime is to end the war. We therefore repeat our call for de-escalation and dialogue. The diplomatic path towards peace remains fraught, but it is the only path that offers hope in bringing about a just and sustainable end to this devastating conflict, in line with the United Nations Charter. The United Arab Emirates stands ready to support all genuine efforts to that end.

Mr. Pérez Loose (Ecuador) (*spoke in Spanish*): I welcome the briefing by the High Representative for Disarmament Affairs, Mrs. Izumi Nakamitsu.

I reiterate once again Ecuador's position of rejection of armed violence, militarization and weapons build-up.

I regret once again that the protracted invasion against Ukraine continues to exacerbate global military spending, which in 2022 already exceeded \$2 trillion.

With regard to our concern about the threat to peace, security and stability posed by the large-scale flow of arms and munitions into any conflict situation, we reiterate our call for the observance of current standards and the setting of stricter standards for marking, record-keeping and traceability of weapons and ammunition. All weapons transfers must be accompanied by measures aimed at preventing the diversion, spread and escalation of the conflict. Such efforts are also key to post-conflict recovery.

Furthermore, any supply of arms or ammunition must be accompanied by assurances of respect for the principles of distinction, proportionality and precaution at the time of use. For that reason, we cannot support the transfer or the use of cluster munitions.

An occupying Power — in this case, the Russian Federation — cannot expect the invaded country to not to defend its population and territory, which would constitute a negation on various levels of the Charter of the United Nations.

First, it would contravene Article 2, paragraph 4, which stipulates:

“All Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the Purposes of the United Nations.”

Secondly, it would contravene Article 51, which states:

“Nothing in the present Charter shall impair the inherent right of individual or collective self-defence if an armed attack occurs against a Member of the United Nations”.

Thirdly, as inscribed in the Preamble of the Charter, in San Francisco,

“We the peoples of the United Nations determined to save succeeding generations from

the scourge of war” and for that end “to practice tolerance and to live together in peace with one another as good neighbours”.

Today this scourge continues to be inflicted on the present generations of Ukrainians and Russians, with incalculable global consequences. That is why we insist that the Russian Federation definitively stop its neocolonial military aggression, to silence the guns and to give way to a peaceful solution framed in respect for the principles of the Charter of the United Nations.

Mrs. Frazier (Malta): I thank High Representative Nakamitsu for her informative briefing and take note of Mr. Szamuely’s statement.

It is regrettable that the Russian Federation has once again called for a meeting to discuss the transfer of weapons from the West to Ukraine. This meeting, which is turning into a recurring item, is solely intended to push Russia’s narrative to depict the aggressor as the victim, and the victim as the aggressor. It is nothing more than another blatant attempt by the Russian Federation to justify the unjustifiable.

It goes without saying that this alternative version of events conveniently leaves out the fact that on 24 February 2022, the Russian Federation chose to violate the fundamental principles of international law that bind us all and proceeded to launch an unprovoked war of aggression against its sovereign neighbour. Those actions are even more serious and worrisome when we consider Russia’s role and responsibility as a permanent member of the Council, which is entrusted with the maintenance of international peace and security.

Our response also remains unchanged. We once again strongly condemn Russia’s senseless and illegitimate war against Ukraine. We reiterate our full support for Ukraine’s sovereignty and territorial integrity within its internationally recognized borders. Equally, we underline Ukraine’s right to self-defence, as enshrined in Article 51 of the Charter of the United Nations.

Russia’s continued escalation through the use of missile and drone attacks all over Ukraine has killed and wounded more than 410 civilians over the past two weeks alone and damaged civilian infrastructure. The recent missile attack perpetrated by Russia on a market area in Kostiantynivka, in the Donetsk region, is the latest shocking development in a long string of atrocities since the unprovoked war of aggression. That is unacceptable.

According to the High Commissioner for Human Rights, since February 2022 there have been at least 6,717 civilian casualties in Ukraine. Those are mostly a result of the use of explosive weapons with wide-area effects, including shelling from artillery, tanks, multiple-launch rocket systems, cruise and ballistic missiles and air strikes.

Malta echoes the Secretary-General’s call to avoid the use of explosive weapons in populated areas. They cause indiscriminate harm and immense suffering. We stress once again that civilians and civilian infrastructure are not a target and urge Russia to cease such attacks. Attacks against civilians constitute war crimes. All efforts will be made for the perpetrators to be held accountable. Those reprehensible actions are the real obstacle to peace. Malta calls once again for constructive dialogue and diplomacy to establish lasting peace, stability and security.

In conclusion, we urge the Russian Federation to end its hostilities and withdraw its military forces and proxies from the entire internationally recognized territory of Ukraine.

Mrs. Shino (Japan): I thank Under-Secretary-General Nakamitsu and the other briefer for their presentation.

It is noteworthy that Russia has called for this meeting on the same topic, yet again, in such a short timespan. Throughout this period, member States that are committed to upholding the principles of the Charter of the United Nations have continued to support Ukraine in exercising its right of self-defence to ensure its sovereignty and territorial integrity in accordance with the Charter and international law.

At the same time, we are observing flagrant violations of the Charter by Russia, which is relentlessly perpetuating its aggression. Nor can we overlook some Member States’ intensified cooperation with Russia, which is enabling such behaviour. We must not lose sight of the overall picture. It is also troubling that Russia’s attempts to repeatedly convene the Security Council on the issue of Ukraine merely in order to retaliate are squandering the Council’s valuable resources. Russia should use its rich diplomatic experience and influence to foster peace and stability rather than undermine them. The path forward is unequivocal. Russia should withdraw all its troops and military equipment from Ukraine and focus its diplomatic skill on genuine constructive efforts that uphold international law and the principles enshrined in the Charter.

Mrs. Opong-Ntiri (Ghana): At the outset, I would like to thank Under-Secretary-General Nakamitsu for her informative briefing. I also thank the civil-society briefer, Mr. George Szamuely, for sharing his views.

Ghana continues to be deeply concerned about the Russian Federation's sustained aggression against Ukraine and its implications for international peace and security. We reiterate Ghana's continuing commitment to the sovereignty, political independence and territorial integrity of Ukraine within its internationally recognized borders, and reaffirm Ukraine's inherent right to self-defence afforded by the rules of international law and the Charter of the United Nations. As the Security Council once again addresses the subject of the supply of weapons to Ukraine, our view is that there is no alternative to winning the peace in Ukraine. We continue to be mindful of the growing numbers of civilian casualties and the threats posed to international peace and security by the proliferation of arms. Nothing is normal about the current security and humanitarian situation in Ukraine, as ordinary and innocent citizens continue to pay the price of the war with their lives and livelihoods.

We reiterate our calls to all sides to endeavour to uphold the obligations imposed by international humanitarian law for protecting civilian lives during war and preserving life-supporting infrastructure. We also re-emphasize the necessity for strict compliance by all concerned States with their obligations under the Arms Trade Treaty and other international arrangements in order to safeguard against the diversion or illicit transfer of conventional weapons to unintended recipients.

Ghana strongly believes in the importance of seeking an immediate end to the intensifying military conflict, which we believe should be the focus of the Security Council and the international community's attention while efforts are also made to facilitate constructive dialogue between the warring parties. As we have said in previous statements in the Council, the security interests and concerns of the parties can best be addressed by peaceful means, not through the barrel of a gun. We therefore encourage the drawing of lessons from past United Nations-mediated conflicts to support a peaceful, comprehensive and lasting resolution of the conflict between the Russian Federation and its neighbour Ukraine.

In conclusion, we call once again on the Russian Federation to immediately and unconditionally

withdraw its troops from the internationally recognized borders of Ukraine, in compliance with the rules of international law and the core values of the Charter of the United Nations.

Mr. Sénéchal de Goffredo Junior (Brazil): I thank Under-Secretary-General Nakamitsu and Mr. Szamuely for their briefings, and I welcome the representative of Ukraine to this meeting.

Our position has not changed since our previous meeting on this issue last month (see S/PV.9399). Brazil fully recognizes and upholds the right of all States to self-defence under Article 51 of the Charter of the United Nations. Without prejudice to that right, we believe that the growing flow of weapons to any conflict will not help to resolve it and bring about lasting peace. In particular, the addition of increasingly destructive weapons accelerates the spiral of armaments and makes peace even more elusive, with consequences well beyond the battlefield. Another factor of instability brought about by the transfer of weapons and ammunition to conflict zones is the constant risk of diversion to non-State actors, including criminals and terrorist groups. Brazil urges all Member States to adhere to the Arms Trade Treaty and other instruments with a view to preventing diversion.

All States must abide by their responsibility under international humanitarian law. We reiterate our call on all the parties to honour and respect international humanitarian law and the fundamental principles that distinguish combatants from civilians. There should be no acceptable collateral damage when the stakes are the welfare of civilians. We strongly urge the parties to prevent harm to residential areas, energy and transport infrastructure and port facilities. Nuclear civilian installations are of particular concern and should be carefully protected against any damage. The only truly effective way to protect civilians, vital infrastructure and economic activity is by ending the war. Only a political solution that takes into account the purposes and principles of the Charter and the legitimate security concerns of all parties will bring about lasting peace. Brazil once again renews its call for a de-escalation of hostilities and for the establishment of negotiations, either directly or through the other peaceful means outlined in Article 33 of the Charter, which have brought just and lasting solutions to so many other conflicts.

Mr. Hauri (Switzerland) (*spoke in French*): I thank Mrs. Izumi Nakamitsu, Under-Secretary-

General and High Representative for Disarmament Affairs, for her briefing. I have also taken note of Mr. Szamuely's remarks.

While more than 500 days have gone by since Russia began its military aggression against Ukraine, the suffering and damage that have been inflicted have only worsened. Switzerland firmly condemns the attacks by Russia that target civilians and civilian infrastructure in Ukraine or that affect them disproportionately. They are destroying lives and livelihoods, forcing people to leave their homes and creating enormous humanitarian needs. Access to essential services, including education, has also been affected. Only one third of children in Ukraine are able to access full-time, in-person education.

Besides that, the attacks on ports and grain infrastructure continue. In addition to Russia's decision to discontinue its participation in the Black Sea initiative, those attacks are affecting global food security. The contamination of agricultural land by mines and other explosive devices serves only to exacerbate the difficulties associated with exporting products from Ukraine. Switzerland reiterates its concern about the effects of the war on the civilian population in Ukraine and beyond. They are a direct consequence of Russia's military aggression, in flagrant disregard of Ukraine's sovereignty and territorial integrity and in violation of the Charter of the United Nations. We reject any attempt to justify such action or to lay the blame on others for its consequences. We reiterate our call on Russia to immediately take steps to de-escalate the situation, cease all combat operations and withdraw its troops from Ukrainian territory without delay. We would also like to remind everyone that Ukraine, like all States, has the right to self-defence and to defend its territorial integrity and ensure its security.

International humanitarian law must be strictly respected. The parties to conflicts have an obligation to ensure that military operations safeguard the civilian population and infrastructure at all times. In view of the sad news that two humanitarian volunteers were killed and two others wounded in the Donetsk region this past weekend, I want to point out that they too are protected by international humanitarian law. That is one more incident added to the more than 100 others that have already hampered aid operations in 2023. Humanitarian action is particularly difficult in the areas that are under Russian military control. It is deeply worrisome that

eastern Ukraine has become increasingly dangerous for humanitarian workers.

Switzerland reaffirms its solidarity with all Ukrainians. By redoubling our humanitarian and peacebuilding efforts, we are putting their needs and demands at the centre. We support an inclusive and participatory reconstruction process as well as justice for all victims and the fight against impunity.

Lastly, Switzerland welcomes and supports diplomatic efforts to achieve a comprehensive, just and lasting peace in Ukraine, in accordance with the principles of the Charter of the United Nations.

Mr. Geng Shuang (China) (*spoke in Chinese*): I thank High Representative Nakamitsu and Mr. Szamuely for their briefings.

As the crisis in Ukraine drags on, the international community hopes for a ceasefire as soon as possible. A number of countries have put forward peace initiatives, but weapons are still flowing onto the battlefield in increasing quantities and with more variety and lethality, leading to an escalation of fighting on the ground and more civilian casualties and turning the situation into a vicious cycle. China has repeatedly expressed its apprehension and concern about this at previous Council meetings. Military confrontation is not the way out of the Ukrainian crisis. Dialogue and negotiations are key to restoring peace. We hope that the parties concerned will respond positively to the expectations and calls of the international community to maintain calm, show restraint, meet each other halfway, seek consensus and avoid aggravating the tensions.

The recently concluded Group of 20 Leaders' Summit issued a joint statement that sent a unanimous message on Ukraine. It was a result of joint efforts and compromise by all the parties concerned and a positive sign that the international community welcomed. We hope that the Security Council will draw on its wisdom and experience, refrain from deepening existing divisions, stimulate more positive interaction, effectively leverage the core role of the international collective security mechanism, make good use of the tools of the Charter of the United Nations for the peaceful settlement of disputes, promote the implementation of various peace initiatives and enable the situation to progress towards peace and stability.

Lastly, I would like to reiterate that, with regard to the issue of Ukraine, China has always maintained that

the sovereignty and territorial integrity of all countries should be safeguarded, and the purposes and principles of the Charter should be respected. The legitimate security concerns of all parties should be taken seriously and all efforts conducive to a peaceful resolution of the crisis should be supported. We are ready to continue to strengthen dialogue and communication with all the parties and to play a constructive role in promoting a political settlement of the Ukrainian crisis.

Mr. Fernandes (Mozambique): I thank the presidency of Albania for convening today's briefing. I also thank the High Representative for Disarmament Affairs, Mrs. Izumi Nakamitsu, for her briefing, and Mr. George Szamuely for his perspective on the ongoing conflict.

The persistent conflict between Russia and Ukraine, exacerbated by the surge in transfers of weapons, poses a grave and imminent threat to global peace and security. Now, as the military hostilities mark a 565th day without any visible prospects for a settlement, we must brace ourselves for the grim reality of a prolonged war characterized by devastation, attrition, an increasing toll on innocent civilians and a consequent dire humanitarian situation. Mozambique has consistently voiced its concerns, and we again urgently call for an immediate cessation of hostilities. That, we maintain, remains the best hope for a peaceful resolution of the armed conflict.

Regrettably, any eagerness to find common ground or compromise seems conspicuously missing between the warring parties. Instead, there seems to be an inclination to await a favourable outcome determined by sheer military might. With every passing day of conflict and the swelling stockpiles of weaponry, the fear of a misjudgment or an oversight that could lead to a further and more wide-ranging confrontation only grows. Mozambique is concerned about the possibility that a relentless escalation in both military posturing and arms accumulation may inevitably push us closer to a precipice. Over the years, the Security Council has adopted resolutions defending peace and international security. It is in that vein that the Security Council must persist as a pivotal advocate for respect for those binding decisions, continually reminding every faction embroiled in the conflict of their obligations as members of the United Nations. That includes strict adherence to the laws of war and the inviolable sanctity of civilian lives.

As we approach the zenith of our annual United Nations multilateral calendar, Mozambique once again calls emphatically for a renewed commitment to diplomacy, an immediate cessation of hostilities and a swift return to face-to-face negotiations between the parties involved.

The President: I shall now make a statement in my capacity as the representative of Albania.

I thank Under-Secretary-General Nakamitsu for her briefing.

No matter how hard anyone tries to shift the attention of the Council and the United Nations by convening meetings such as this, nothing will change the fundamental issue at hand. An unjust and deadly war is going on and a country is being deliberately destroyed because in the minds of the perpetrators it must be punished for bad behaviour.

We have brought the issue of crimes committed in Ukraine to the Council many times and for good reason. After the Independent International Commission of Inquiry in Ukraine, the Moscow Mechanism and the Special Representative of the Secretary-General on Sexual Violence in Conflict, it is now the turn of the United Nations Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, Alice Jill Edwards, who visited Ukraine from 4 to 10 September. Referring to the findings on the atrocities by the Russian troops in Ukraine, her preliminary report states among other things that their grievous acts appear neither random nor incidental, but rather orchestrated as part of a State policy to intimidate, instil fear, punish or extract information and confessions. That should have been our focus today rather than another attempt to artificially overload the work of the Security Council with topics of convenience.

The core issue is, and for as long as the war goes on will continue to be, that Russia has initiated an unprovoked and unjustified military aggression against Ukraine, representing a threat to European security, with an economic and humanitarian impact that is felt worldwide. The General Assembly, the International Court of Justice and other international bodies have clearly condemned the aggression as a violation of the Charter of the United Nations and international law. The international community remains committed to supporting Ukraine politically, diplomatically, economically and militarily to defend its country, the Charter, peace and security in Europe

and the international rules-based order. Article 51 of the Charter of the United Nations provides a clear legal basis for individual States to offer whatever assistance to a country exercising its inherent right to self-defence in defence of its sovereignty and territorial integrity.

We reiterate that the arms transfer to Ukraine has been conducted in accordance with national legislation, the Arms Trade Treaty, the obligations arising from that act and the assessment of the risk of diversion. An ad hoc commission established by the Ukrainian Parliament is responsible for monitoring the entire process, so that the weapons are used for defence purposes and do not fall into the wrong hands.

While the Kremlin seems concerned that the supply of arms to Ukraine is prolonging the conflict, it is desperately looking for weapons in the Democratic People's Republic of Korea and Iran. That is another violation of the Security Council resolutions that place clear restrictions on such activities with those States. According to that logic, the so-called Western arms supply to Ukraine is prolonging the war, whereas the arms supply from the Democratic People's Republic of Korea and Iran to Russia, it seems, contributes to peace. We are talking here about a permanent member of the Security Council.

We have heard the same tale yet again today as Russia attempts to establish similarities between its military aggression in Ukraine and the situation in the Republic of Kosovo. It is and remains a desperate attempt, which we refute. What is even more ridiculous is the recycling of the most absurd complot theories ever: the so-called organ trafficking in Kosovo and Albania. No one, including the International Criminal Tribunal for the former Yugoslavia, which investigated for several years, has ever found any evidence of such claims, and this for the simple reason that there is none.

Now Russia is trying to use the same tale and the same arguments against Ukraine. No one is surprised by that propaganda, but it is unfortunate that the Security Council is used for such international distorted narratives to hide Russia's crimes, which in turn have been verified and documented and will one day be presented in a court of law. The problem is not Kosovo. The issue here is the Russian aggression and its consequences.

In conclusion, the arms supply to Ukraine is a consequence of the Russian military aggression. Therefore, only Russia can bring it to an end by

withdrawing its troops from the internationally recognized borders of Ukraine and giving peace efforts a real chance.

I now resume my functions as President of the Council.

The representative of the Russian Federation has asked for the floor to make a further statement.

Mr. Nebenzia (Russian Federation) (*spoke in Russian*): First of all, I would like to say that today we have not heard anything new in response to our specific ideas regarding the supply of Western weapons to Ukraine, which does not align at all international obligations, as you just said, Madam President. We have already spoken about the many and repeated violations of a whole range of international treaties on the arms trade that pertain to the supply of those weapons to Ukraine. I will not list them now, as we have already addressed this subject, but if necessary we can certainly address the issue again at a later date.

The fact that our Western colleagues have nothing substantive to say is evidenced by the fact that there is no long line forming here from among European and other delegations to sign up for today's meeting's list of speakers on Ukraine — quite unlike those convened by our Western colleagues, in which we hear an endless litany of carbon-copy statements about the same things.

However, I would like to now respond to the last remarks you made, Madam President, in your capacity as the representative of Albania, when, despite the facts, you tried to protect the Kosovo militants and murderers. In that regard, I wish to cite a video testimony that came to us yesterday from a former judge of the court of the city of Peć, in the Metohija region, and of the Supreme Court of Serbia. Mr. Goran Petronijević, a lawyer and President of the non-governmental organization Center for the Restoration of International Law, said the following:

“The victims [of transplantology] were mainly police officers and military personnel of the Socialist Federal Republic of Yugoslavia. Later on, even Albanian citizens who collaborated with the Kosovo Liberation Army and civilians fell victim to such practices. Foreign investigators speak of hundreds of victims. Data on missing persons in Kosovo during the specified period confirms that the number of victims exceeded 1,000 people. That

criminal activity reached a particularly intensive scale from 1998 to 2000.

“During the NATO aggression against Yugoslavia from March 1998 to June 1999, the number of crimes was relatively low. After NATO troops arrived in Kosovo, the number of abductions increased noticeably. Events occurred in the following way.

“First, victims were abducted on the territory of Kosovo and sent to places for a medical assessment of their condition. Victims were then transported to Albania to specially created camps, where organ harvesting operations awaited them. There were more than 10 such camps in Albania.

“The main perpetrators of those crimes were members of the Kosovo Liberation Army, who received information from the Albanian special services. On the territory of Kosovo, NATO representatives assisted the Kosovo Liberation Army militants. Without the help of NATO representatives, the number of victims would not have been so high.

“The main issue with the investigations in Albania and Kosovo was that the NATO leadership concealed all traces of such crimes. There were witnesses, including drivers who transported victims from Kosovo to Albanian territory and camp guards, who saw the crimes with their own eyes and were ready to testify to the investigators. But as soon as information about them became known, those witnesses disappeared. There is also evidence that the hospitals in which organ harvesting operations took place received relevant information. One of those hospitals is located in Tirana and one was even located on board a ship off the coast of Albania.

“The location of the operation depended on the organ being removed for transplantation and the amount of time necessary to maintain the viability of the harvested organ, taking into account the distance from the site of harvest to the site of transplantation. Depending on the financial status of the client — and, naturally, the clients were mostly wealthy people from Western Europe — the collected organs reached a value of more than \$1 million.”

I do not believe any further comments on the matter are necessary. Given the course of our discussion today,

we intend to post the cited material on our information platform so that the international community may access it.

The President: I shall now make a further statement in my capacity as the representative of Albania.

I will not continue with the tale of organ trafficking, but I want to stress that NATO’s operations in Kosovo in 1999 followed more than a year of intense diplomatic efforts by the United Nations and the Contact Group — of which Russia was a member — to the end of the conflict. The Security Council repeatedly branded the ethnic cleansing in Kosovo and the mounting number of refugees as a threat to international peace and security. NATO’s mission helped to end large-scale and sustained violations of human rights and the killing of civilians. The Kosovo Force — NATO’s ongoing peacekeeping mission in Kosovo — has a Security Council mandate and is supported by both Kosovo and Serbia. I will conclude there.

I resume my functions as President of the Council.

I now give the floor to the representative of Ukraine.

Ms. Hayovyshyn (Ukraine): I too would like to thank Under-Secretary-General Nakamitsu for her comprehensive briefing, which has once again proved the groundlessness of Russia’s allegations.

I recognize the representative of the Kremlin’s regime in the permanent seat of the Soviet Union. What a pathetic, tiresome performance that delegation arranges regularly in the Chamber, to persuade the Security Council that it is wrong to help a State under a Russian terrorist attack to survive, and blaming whomever for its own crimes. It would not have been such a mockery of the Council’s mandate had his delegation attended an event organized yesterday in the nearby Economic and Social Council Chamber, the screening of the film *20 Days in Mariupol*. The film was made by journalists trapped in the besieged city of Mariupol at the very beginning of the invasion and shows horrendous scenes of the once-prosperous, peaceful city that was reduced, in the blink of an eye, to complete ruins.

The tragedy of Mariupol is probably one of the most powerful examples of the fate that Russian strategists assigned to Ukraine — seizure, destruction and extermination — everywhere, in residential buildings, maternity hospitals, theatres and streets. The most crucial prerequisites for that strategy to be implemented were Russia’s overwhelming advantage in weapons and

the absence of Ukrainians' will to resist. While Russia still benefits from the former — although to a lesser extent than it did at the initial period of the full-fledged war — the latter has not been the case from the very beginning. Ukrainian courage and bravery in the face of the existential threat to our statehood and our nation have been underpinned by the utmost solidarity from across the globe. It has contributed to our resilience in defending what any United Nations Member State is supposed to defend: people, sovereignty, independence and territorial integrity — our future.

This is not only about weapons, although weapons remain a critical prerequisite for deterring the aggressor State and making it withdraw from the territory of another country. Ukraine reiterates its gratitude to our friends and partners, who in practical terms support us in exercising our inherent right to self-defence under Article 51 of the Charter of the United Nations. I would like to reiterate that, as long as the Security Council remains immobilized in its attempts to punish the evil, let us and the responsible nations complete that task, including by supplying the necessary weapons to, and thereby strengthening the defensive capabilities of, the State fighting the aggression.

Along with weapons supplies, international solidarity is also about moral support, clear statements, humanitarian assistance and fair reporting from the ground. Finally, it is about people coming from across the globe as volunteers to help the affected civilians to cope with the scourge of war. Unfortunately, those noble people are also among the targets of the Russian army. Just yesterday, near the city of Chasiv Yar, in the Donetsk region, Russian terrorists attacked, with an anti-tank missile system, a vehicle of a volunteer team that delivered humanitarian aid to local residents. A male volunteer from Canada and a female volunteer from Spain were killed on the spot. Two others — citizens of Germany and Sweden — were wounded. That attack by Russia has again testified that the war against Ukraine is too close to everyone in the world who truly values human life and believes it is humankind's common moral duty to stop terror and defeat evil.

That was not the only deadly strike by Russia that day. On Monday alone, Russia also shelled the cities of

Kryvyi Rih and Nikopol in the Dnipro region; Ochakiv in the Mykolayiv region; Kherson and nearby villages in the Kherson region; Polohy district in the Zaporizhzhya region; Pokrovsk, Bahmut and Volnovakha districts in the Donetsk region; and villages in the Kharkiv, Chernihiv and Sumy regions.

Moscow tries to actively militarize its industry. It continues to strike the port and grain infrastructure of Ukraine. It does not conceal its plans to repeat its wanton missile terror against Ukraine's energy infrastructure.

Finally, it appears that Moscow is attempting to seek foreign sources to replenish its military arsenals. We closely follow the current contacts between Russia and North Korea, which may focus, as reported, on the supply of North Korean weapons and munitions to Russia for the purpose of intensifying its war against Ukraine. We underline that if that is the case, it will constitute another grave violation by Russia of the Security Council's decisions, as has already happened with the supply of military unmanned aerial vehicles to Russia by Iran. Such a purchase from North Korea would violate the relevant provisions of resolution 1718 (2006), which require Member States to prohibit the procurement of arms and related materiel from the Democratic People's Republic of Korea, as well as any items would enhance the operational capabilities of armed forces of another Member State outside the Democratic People's Republic of Korea. We encourage the Security Council to closely monitor that issue and take the necessary steps to protect its own decisions, if the violations of the sanctions regimes are confirmed.

Meanwhile, Ukraine will continue to de-occupy its sovereign territory. We will do it at a pace that enables us to save as many of the lives of our soldiers as possible. Following the defeat of Russia and the end of the war, the demilitarization and denuclearization of Russia should, by definition, take place. It will prevent the threat of the repetition of aggression, thereby laying a solid foundation for a comprehensive, just and lasting peace in line with the principles of the Charter of the United Nations.

The meeting rose at 11.55 a.m.