## C. Maintenance of peace and security of Ukraine

During the period under review, on 11 April 2022, the Security Council introduced a new item on its agenda entitled "Maintenance of peace and security of Ukraine".<sup>731</sup> In connection with this item, the Council held 18 public meetings in 2022, most of which took the form of briefings. In addition, the Council issued one presidential statement,<sup>732</sup> and failed to adopt a draft resolution,<sup>733</sup> owing to the negative vote of a permanent member. More information on the meetings, including on participants, speakers and outcomes, is provided in the table below. Besides meetings, Council members also held informal consultations of the whole in connection with this item.<sup>734</sup>

At the first meeting under this item, on 11 April 2022, Council members discussed its scope.<sup>735</sup> The representative of the Russian Federation said that his delegation was not against adding the item to the agenda of the Security Council and had concluded that it covered all kinds of aspects of the situation in Ukraine and was, therefore, in essence universal in character. In this regard, he proposed to delete the two other items pertaining to Ukraine from the agenda of the Security Council, namely, the letters from Russia and Ukraine dating from 2014 (S/2022/264 and S/2014/136, respectively), which reflected common sense as well as the current situation. Bearing in mind the foregoing, he called on the presidency of the Council to take the necessary procedural steps to formalize adding the new agenda item and deleting the two older ones. By contrast, the representative of the United States clarified that the meeting had been proposed without prejudice to the agenda items in relation to the 2014 letters. She added that while the scope of the situation in Ukraine had grown far beyond the circumstances in 2014, it was important to recognize its history, and it was possible that Member States would wish to focus on Crimea during future meetings. Against this backdrop, she said that the process for removing

<sup>&</sup>lt;sup>731</sup> For more details, see part II, sect. II.A.

<sup>&</sup>lt;sup>732</sup> See <u>S/PV.9028</u>, <u>S/PRST/2022/3</u>.

<sup>&</sup>lt;sup>733</sup> See <u>S/PV.9143</u>. See also <u>S/2022/720</u>.

<sup>&</sup>lt;sup>734</sup> See A/77/2, part II, chap. 39.A.

<sup>&</sup>lt;sup>735</sup> See <u>S/PV.9013</u>.

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items was normally governed by the Security Council's latest note by the President (S/2017/507) on its working methods and usually took three years. Given the split views heard, she proposed to discuss the issue separately and seek to agree a way forward in the following days.<sup>736</sup>

Briefings and deliberations under this agenda item focused on a broad range of topics, principally the political, security and humanitarian aspects of the conflict in Ukraine, including the political process to end the conflict; the deteriorating humanitarian situation in the country; the reports of attacks on nuclear facilities; the implementation and extension of the Black Sea Grain Initiative and the impact of the war on global food insecurity. Briefings and discussions also covered the mass displacement of population and refugee crisis, the allegations of war crimes, human rights violations, and atrocity crimes. In addition to Council members, Ukraine participated in most of the meetings under this item under rule 37 of the provisional rules of procedure. Also invited under rule 37 of the provisional rules of procedure were the following Member States: Belarus, Czechia, Estonia, Germany, Greece, Italy, Latvia, Lithuania, Poland, Republic of Moldova, Romania, Slovakia, Sweden and Türkiye.

In 2022, the Council heard three briefings by the Secretary-General,<sup>737</sup> eight briefings by the Under-Secretary-General for Political and Peacebuilding Affairs,<sup>738</sup> and two briefings by the Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator.<sup>739</sup> The Council also heard briefings by the Executive Director of UN-Women, the Director of the United Nations International Children's Emergency Fund (UNICEF), Office of Emergency Programmes, the United Nations Deputy High Commissioner for Refugees (UNHCR), the Director General of the International Organization for Migration (IOM), the United Nations High Commissioner for Human Rights (OHCHR), the Assistant Secretary-General for Humanitarian Affairs and Deputy Emergency Relief Coordinator, the Deputy Executive Director for Programmes at United Nations International Children's Emergency Fund (UNICEF), the Special Representative of the Secretary-General on Sexual Violence in Conflict, the Special Adviser on

<sup>&</sup>lt;sup>736</sup> In 2022, all three agenda items remained on the list of matters of which the Council was seized. For more details, see part II, sect. II.

<sup>&</sup>lt;sup>737</sup> See <u>S/PV.9027</u>, <u>S/PV.9115</u> and <u>S/PV.9135</u>.

<sup>&</sup>lt;sup>738</sup> See <u>S/PV.9080</u>, <u>S/PV.9104</u>, <u>S/PV.9115</u>, <u>S/PV.9126</u>, <u>S/PV.9138</u>, <u>S/PV.9161</u>, <u>S/PV.9195</u> and <u>S/PV.9202</u>. <sup>739</sup> See <u>S/PV.9027</u> and <u>S/PV.9208</u>.

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the Prevention of Genocide, the Assistant Secretary-General for Human Rights, the Prosecutor of the International Criminal Court and the United Nations Resident and Humanitarian Coordinator in Ukraine. During the period under review, the Council also heard briefings from six civil society representatives during five of its meetings.<sup>740</sup>

At the first meeting held on 11 April, the Executive Director of UN-Women reported on her recent visit to Moldova and on the impact of the war on civilians, women, and children specifically. She also described the efforts of neighbouring countries and civil society partners in receiving Ukrainian refugees to ensure that the basic needs were met, and services provided. The Executive Director highlighted that women continued to serve and lead their communities and support internally displaced persons, and stressed that it was vital that they were consulted and engaged in all decisions related to the crisis and to peace.<sup>741</sup> At the same meeting, the Director of the Office of Emergency Programmes of the United Nations International Children's Emergency Fund (UNICEF) said with reference to his recent mission to Ukraine that he had rarely seen so much damage caused in so little time adding that the attack on Kramatorsk train station had been particularly horrifying. The station had been a critical route for thousands of families fleeing Donetsk oblast, an area that had seen some of the war's worst violence and destruction. When the station was attacked, it was filled with families desperate to escape, which he denounced as a blatant disregard for civilian lives and international humanitarian law. He said that children, families and communities were under attack, adding that of the 3.2 million children estimated to have remained in their homes, nearly half could be at risk of not having enough food. Attacks on the water-system infrastructure and power outages had left an estimated 1.4 million people without access to water in Ukraine with another 4.6 million people with only limited access. He also reported that hundreds of schools and educational facilities had been attacked or used for military purposes and expressed concern about the widespread presence of explosive remnants of war, which exposed children to the risk of death and horrendous injury.

At her briefing on 19 April, the United Nations Deputy High Commissioner for Refugees (UNHCR) provided an update on the situation of Ukrainian refugees in receiving countries and

<sup>741</sup> See <u>S/PV.9013</u>.

<sup>&</sup>lt;sup>740</sup> See <u>S/PV.9013</u>, <u>S/PV.9027</u>, <u>S/PV.9056</u>, <u>S/PV.9069</u> and <u>S/PV.9126</u>.

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displaced people within Ukraine. The Deputy High Commissioner further reported that in Ukraine the vast majority of people on the move were women and children and the risk of gender-based violence, trafficking and sexual exploitation and abuse was high.<sup>742</sup> At the same meeting, the Director General of the International Organization for Migration expressed concern about the continued deterioration of the humanitarian situation in Ukraine and appealed to the parties to the conflict to honour all their obligations under international humanitarian law to protect civilians, their homes and civilian infrastructure. He highlighted specific risks for internally, displaced people, refugees and third-country nationals, including a negative psychological impact and mental health problems, and the concerning situation of women and children vulnerable to trafficking, violence, including sexual violence, exploitation and abuse.

At the meeting on 5 May, the Secretary-General addressed the Security Council on his recent visit to the Russian Federation and Ukraine, where he met with President Putin and President Zelenskyy on 26 April and 28 April, respectively. He explained that, as part of his visit, he also held discussions with President Erdoğan in Ankara and President Duda in Rzeszów, Poland stating that he said the same in Moskow, Kyiv and New York, namely that Russia's invasion of Ukraine was a violation of its territorial integrity and the Charter of the United Nations.<sup>743</sup> He emphasized the importance of humanitarian access and evacuations and the establishment of safe corridors, and discussed the global impact of the war on energy markets and financial systems, leading to the establishment of the Global Crisis Response Group on Food, Energy, and Finance to address these challenges. Following the Secretary-General, the Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator focused on the increased threat of gender-based violence and allegations of sexual violence. He also highlighted the efforts of the United Nations and its partners in responding to humanitarian needs, including assisting displaced people, restoring basic services, and negotiating aid delivery and safe evacuations for civilians in active conflict areas. At the same meeting, the United Nations High Commissioner for Human Rights (OHCHR) briefed the Council on the allegations of violations of international human rights law and of international humanitarian law in the

<sup>&</sup>lt;sup>742</sup> See <u>S/PV.9018</u>.

<sup>&</sup>lt;sup>743</sup> See <u>S/PV.9027</u>.

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context of the Russian Federation's armed attack on Ukraine. The High Commissioner also briefed the Council on the arbitrary detention and possible forced disappearances of civilians and ill-treatment and summary execution of prisoners of war committed by both parties and urged the parties to the conflict to investigate all violations of international human rights law and international humanitarian law allegedly committed by their armed forces.

On 12 May, the Assistant Secretary-General for Humanitarian Affairs and Deputy Emergency Relief Coordinator provided an update on the joint efforts by the United Nations to negotiate humanitarian pauses to allow safe passage for civilians trapped in the fighting.<sup>744</sup> She stressed that, under international humanitarian law, the parties must respect all civilians and essential infrastructure and urged to remove any barriers to the movement of humanitarian staff to ensure the continued delivery of life-saving assistance across Ukraine. At the same meeting, the Deputy Executive Director for Programmes at UNICEF said that like all wars, the war in Ukraine was a child-protection and child-rights crisis. In this regard, he informed the Council about the verified cases of child death, injuries, displacement and grave child rights violations and attacks on schools and the critical infrastructure, including hospitals and water and sanitation systems.

At her briefing on 6 June, the Special Representative of the Secretary-General on Sexual Violence in Conflict described the mounting allegations of conflict-related sexual violence, occurring against women, girls, men and boys.<sup>745</sup> In that regard, she acknowledged and commended the leadership of the Ukrainian authorities in their agreement of a framework of cooperation with the United Nations on the prevention and response to conflict-related sexual violence. The framework would serve as the basis for a comprehensive and multifaceted preventive and service response and more effective coordination of all stakeholders, including the United Nations agencies in Ukraine and neighbouring countries. It aimed at strengthening the rule of law and accountability and at the capacity of the security and defence sector to prevent sexual violence. It also focused on ensuring that survivors of the sexual violence and their children had access to comprehensive services and that sexual violence was addressed in the

<sup>&</sup>lt;sup>744</sup> See S/PV.9032.

<sup>&</sup>lt;sup>745</sup> See S/PV.9056.

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framework of a ceasefire agreement and that such crimes were ultimately reflected in the specific provisions of any peace agreement. She further stressed equal and meaningful participation of women in all political processes, including negotiations for peace. Further in connection with other aspects of the framework, she emphasized on the action required to address conflict-related trafficking in person for the purposes of sexual exploitation and prostitution. She drew attention to the human trafficking dimensions of women and children fleeing the conflict, targeted for trafficking and exploitation, and protection challenges to address the pace and volume of displacement. Underlining that the framework of cooperation made women and girls in conflict settings an explicit priority, she called for the solidarity of the Council and the international donor community to support the Ukrainian authorities and relevant United Nations entities to implement the framework.

At the meeting held on 21 June, the Special Adviser on the Prevention of Genocide provided a briefing on the topic of incitement to violence, leading to atrocity crimes. <sup>746</sup> In this regard, she informed Council members about serious allegations, including indications of the possible commission of genocide and war crimes, in Ukraine. She reminded that the prevention of genocide, crimes against humanity and war crimes was a legal obligation for States under international law.

The Under-Secretary-General for Political and Peacebuilding Affairs did not address the Council until June and during her eight briefings she focused on the ongoing political, security and humanitarian challenges facing Ukraine and on the multi-dimensional threats beyond its borders. She also provided updates in connection with the attacks on civilians and critical civilian infrastructure and the mass displacement of the population.

During her briefing on 28 June, the Under-Secretary-General emphasized that the work of the Independent International Commission of Inquiry on Ukraine established by the Human Rights Council, the Prosecutor of the International Criminal Court and other fact-finding efforts were essential to establishing accountability for the crimes and atrocities committed during the

<sup>&</sup>lt;sup>746</sup> See <u>S/PV.9069</u>.

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war and to prevent such violations in the future.<sup>747</sup> On 29 July, the Under-Secretary-General focused, among other topics, on the developments relating to the Black Sea Grain Initiative, noting that it was a sign of possible dialogue between the parties. She also underlined that despite the encouraging developments on grain and fertilizer, the lack of prospects for a shift towards a meaningful resumption of diplomatic efforts to end the war remained concerning and the escalatory rhetoric from any side was not consistent with the constructive spirit demonstrated at the signing of the agreement in Istanbul.<sup>748</sup>

At the meeting on 24 August, the Secretary-General provided an update on the progress of the Black Sea Grain Initiative, commending Ukraine, Russia and the Government of Türkiye for their constructive approach and efforts and calling on for a significant increase in support for developing countries to capitalize on the opportunities of the Initiative. <sup>749</sup> He also expressed concern about the ongoing fighting in Ukraine and the situation surrounding the Zaporizhzhya nuclear power plant and highlighted allegations of violations of international humanitarian law and violations of abuses of human rights related to armed conflict. Following the Secretary-General, the Under-Secretary-General for Political and Peacebuilding Affairs said that the war was weakening the foundations of the international system and voiced concern at the reports of human rights violations and the arbitrary detention and forced disappearances of civilians, including local authorities, journalists, civil society activists.

On 7 September, the Under-Secretary-General for Political and Peacebuilding Affairs focused during her briefing on the large-scale displacement of population, highlighting that Ukrainian women, who constituted half of those refugees, continued to face significantly increased security risks, including sexual and gender-based violence, trafficking, exploitation and abuse.<sup>750</sup> At the same meeting, the Under-Secretary-General expressed concern at the reports of attacks in the vicinity of the Zaporizhzhya nuclear power plant and urged all concerned to provide maximum cooperation with the International Atomic Energy Agency. Following the Under-Secretary-General for Human Rights reported that armed

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<sup>&</sup>lt;sup>747</sup> See <u>S/PV.9080</u>.

<sup>&</sup>lt;sup>748</sup> See <u>S/PV.9104</u>.

<sup>&</sup>lt;sup>749</sup> See <u>S/PV.9115</u>.

<sup>&</sup>lt;sup>750</sup> See <u>S/PV.9126</u>.

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attacks by the Russian Federation in Ukraine, along with human rights violations in territories occupied by Russian or controlled by affiliated armed force groups, had led to people fleeing to various regions, including territories under Russian control and to Russia itself. Her briefing highlighted credible allegations of forced transfers of unaccompanied children to Russian occupied areas and concerns about granting Russian citizenship to such children without parental consent, in violation of the Fourth Geneva Convention. Civilians were subjected to so called filtration, a system of security checks and personal data collection, resulting in numerous human rights violations, including arbitrary detention, torture, ill-treatment and enforced disappearance. She urged the Russian Federation to provide unimpeded access to international monitors for all places of detention under their control and to allow representatives of human rights and humanitarian organizations to safely access conflict-affected individuals in the Russian Federation and occupied areas in Ukraine.

During a meeting on 22 September, the Secretary-General expressed concern at the reports of plans to organize so-called referendums in areas of Ukraine that were not under Government control at that time.<sup>751</sup> He underlined that any annexation of a State's territory by another State resulting from the threat or use of force was a violation of the Charter of the United Nations and international law. Following the Secretary-General, the Prosecutor of the International Criminal Court briefed the Council on the ongoing investigations in Ukraine. He underlined the fact that 43 State parties to the Rome Statute, one third of the Assembly, referred the matter to the Court signifying not only the nature of the crisis and the concern expressed but also an understanding that the law had an important role to play.

During her briefing on 27 September, the Under-Secretary-General reported on the socalled referendums conducted by de facto authorities in the Donetsk, Luhansk, Kherson, and Zaporizhzhya regions, underlining that given that those exercises had been held during active armed conflict they could not be called a genuine expression of the popular will and could not be regarded as legal under international law.<sup>752</sup> She also noted the alarming rhetoric regarding the

<sup>&</sup>lt;sup>751</sup> See <u>S/PV.9135</u>.

<sup>&</sup>lt;sup>752</sup> See <u>S/PV.9138</u>.

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use of nuclear weapons, which she deemed inconsistent with the joint statement of the leaders of the five-nuclear weapon States on preventing nuclear war and avoiding arms race.

On 21 October, the Under-Secretary-General for Political and Peacebuilding Affairs informed the Council that the Russian Federation launched a series of attacks on cities and towns across the country and expressed grave concern about the destruction of critical energy infrastructure.<sup>753</sup> She also reported that, based on the report to the General Assembly submitted by the Independent International Commission of Inquiry on Ukraine, there were grounds to conclude that war crimes and violations of human rights and international humanitarian law had been committed in Ukraine since 24 February 2022. She also expressed concern about the announcements of the Russian Federation to introduce martial law in the regions of Ukraine under its temporary military control and about the evacuation in Kherson amid intensified fighting on the ground. On the Black Sea Grain Initiative, she noted that the agreement had helped to lower and stabilize global food prices and to move grain from one of the world's breadbaskets to those in need and emphasized the critical nature of its extension for the maintenance of food security worldwide. Following the Under-Secretary-General, the United Nations Resident and Humanitarian Coordinator in Ukraine provided a briefing about the human toll of the war, the new dimensions of the humanitarian crisis and the challenge of access to non-Government controlled areas. With particular emphasis on the urgent need for humanitarian assistance and greater access to deliver aid, he underlined that, despite the challenges, humanitarian efforts had been made to provide assistance, but more support was needed to alleviate the suffering of the affected population.

On 16 November, the Under-Secretary-General for Political and Peacebuilding Affairs said that Ukrainians had suffered some of the most intense bombardments of the war noting that Russian missiles and drones had rained down on Kyiv, Mykolayiv, Chernihiv, Cherkasy, Zhytomyr, Sumy, Kharkiv, Lviv, Poltava and elsewhere, destroying or damaging homes and severely disrupting critical services.<sup>754</sup> She added that the military dynamics on the ground continued to evolve with no end in sight to the war. She also said that allegations of atrocities

<sup>&</sup>lt;sup>753</sup> See S/PV.9161.

<sup>&</sup>lt;sup>754</sup> See S/PV.9195.

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and human rights violations in Ukraine during the war were extensive and highlighted grave concerns about the rights, safety and security of the youngest Ukrainians including reports of forced transfers of children, including of some under institutionalized care, to Russian-occupied territory or to the Russian Federation. She also expressed concern at the conditions of prisoners of war and affirmed that the extension of the Black Sea Grain Initiative remained critical in order to avoid a food crisis for millions of people. She also added that the risk of a nuclear incident in the context of the open hostilities in Ukraine remained an unacceptable danger, and echoed the serious concerns expressed by numerous Member States in that regard.

During her briefing on 23 November, the Under-Secretary-General reported on a new wave of missile and drone strikes in Ukraine.<sup>755</sup> She said that attacks targeting civilians and civilian infrastructure were prohibited under international humanitarian law as well as attacks on military objectives that might be expected to cause harm to civilians that would be excessive in relation to the concrete and direct military advantage anticipated. In this regard, she said that the United Nations strongly condemned those attacks and demanded that the Russian Federation immediately ceased those actions. She also expressed the remaining deep concern about the situation at the Zaporizhzhya nuclear power plant and said that the reported shelling at the plant over the weekend had been reckless and deplorable. Amid the dark news, she mentioned a positive development, namely that the parties had reported yet another prisoner exchange. At the last meeting under this item in 2022, held on 6 December, the Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator focused on the widespread death, destruction, displacement and suffering caused by the war, the ongoing humanitarian operations and the challenges that the humanitarian community continued to face amid winter temperatures. Gender-based violence targeting women and girls continued to be pervasive and underreported.<sup>756</sup> While there had been improvement in humanitarian access in eastern and southern oblasts, the biggest challenge remained the impediments to reaching areas in Donetsk, Luhansk, Kherson and Zaporizhzhya.

<sup>&</sup>lt;sup>755</sup> See <u>S/PV.9202</u>.

<sup>&</sup>lt;sup>756</sup> See <u>S/PV.9208.</u>

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In 2022, the deliberations in the Council under this item focused principally on the political, security and humanitarian developments in the context of the armed conflict in Ukraine as well as on the possible accountability concerning the alleged war crimes and violations and abuses of human rights and violations of international humanitarian law committed in Ukraine.

Insofar as it concerns the political situation, Council members called for de-escalation and peaceful resolution of the conflict by returning to diplomacy and political dialogue. On May 6, the Council held a meeting to issue a presidential statement in which it expressed deep concern regarding the maintenance of peace and security of Ukraine, recalled that all Member States had undertaken, under the Charter of the United Nations, the obligation to settle their international disputes by peaceful means and expressed strong support for the efforts of the Secretary-General in the search for a peaceful solution.<sup>757</sup> In addition, Council members addressed the so-called referendums conducted by the Russian Federation in eastern and southern Ukraine. In this connection, on 30 September, the Council voted on a draft resolution submitted by Albania and the United States.<sup>758</sup> The text of the draft resolution condemned the illegal referendums, called on all States not to recognize any alteration of the status of Ukraine's regions of Luhansk, Donetsk, Kherson or Zaporizhzhya and decided that Russia should immediately withdraw its troops from Ukraine. The draft resolution was not adopted owing to the negative vote of a permanent member of the Council.<sup>759</sup> Speaking prior to the vote as the penholder of the draft resolution together with Albania, the representative of the United States underlined that this was exactly what the Security Council was made to do: defend sovereignty, protect territorial integrity, and promote peace and security and urged all members to vote in favour.<sup>760</sup> The representative of the United Kingdom also spoke before the vote urging to condemn Russia's actions and vote in favour of the draft resolution as members of the Security Council, with the responsibility of maintaining international peace and security. In reference to

<sup>&</sup>lt;sup>757</sup> See <u>S/PRST/2022/3</u>. For more information concerning the decisions of the Council relating to Chapter VI of the Charter in 2022, see part VI, sect. IV.

<sup>&</sup>lt;sup>758</sup> See <u>S/2022/720.</u>

<sup>&</sup>lt;sup>759</sup> For: Albania, France, Ghana, Ireland, Kenya, Mexico, Norway, United Arab Emirates, United Kingdom, United States; *against:* Russian Federation; *abstaining*: Brazil, China, Gabon, India. Further to the veto cast at the meeting, pursuant to GA resolution  $\frac{76}{262}$ , the Security Council transmitted a special report to the Assembly ( $\frac{A}{77}$ ). For further details, see part IV, sect. I. F.

<sup>&</sup>lt;sup>760</sup> See <u>S/PV.9143.</u>

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the draft resolution, the representative of the Russian Federation argued instead that such openly hostile actions on the part of the West were a refusal to engage and cooperate within the Council. He noted that the Council had had the opportunity to adopt a truly balanced and useful document. He also stated that the authors of the draft resolution were prepared to devalue the efforts of the Council as the principal organ for the maintenance of peace and security and brazenly used the forum as a dress rehearsal before their main performance in the General Assembly. After the vote, some members expressed rejection at the veto by the Russian Federation,<sup>761</sup> while most members expressed support and commitment to the sovereignty and territorial integrity of Ukraine. In explaining their abstentions, the representatives of India, China, Brazil and Gabon expressed support for a diplomatic and negotiated solution to the conflict. The representative of China also recalled his country's position on the conflict, including that the legitimate security concerns of all parties should be taken seriously. He added that any action taken by the Security Council should be truly conducive to easing the situation and resolving the crisis, rather than intensifying conflict and exacerbating confrontation. He also expressed the view that facts had shown that political isolation, sanctions and pressure, stoking tensions and bloc confrontation would not bring about peace. The representative of Brazil further explained that the scope and language of the draft resolution did not favour an environment conducive to a solution to the conflict in Ukraine. Having voted in favor, the representative if Kenya acknowledged that the draft resolution, whether in the Council or in the General Assembly, would not solve the crisis adding that his country's affirmative vote was based on Kenya's principled defence of the Charter of the United Nations and, in particular, its protection of the principle of the sovereignty and territorial integrity of all Member States. Council members also deliberated on the implications of the war vis-à-vis the Charter of the United Nations during other meetings. Some delegations underlined that the situation in Ukraine was a violation of Article 2 of the Charter of the United Nations<sup>762</sup> and stressed the role of the Security Council in conflict resolution<sup>763</sup> and its responsibility to maintain international peace and

<sup>&</sup>lt;sup>761</sup> Ibid., Norway, United Kingdom, Ireland, Ghana and France.

<sup>&</sup>lt;sup>762</sup> See <u>S/PV.9104</u>, Albania, United States, Norway, Mexico and Latvia; <u>S/PV.9115</u>, Mexico; <u>S/PV.9135</u>, Mexico and Ireland; <u>S/PV.9138</u>, Mexico and Norway. For more information details on the discussions concerning Article 2(4) of the Charter, see part III, sect II.

<sup>&</sup>lt;sup>763</sup> See <u>S/PV.9018</u>, Ukraine; <u>S/PV.9135</u>, Ghana; <u>S/PV.9138</u>, United Arab Emirates; <u>S/PV.9143</u>, China.

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security.<sup>764</sup> Several delegations also drew attention to the situation in Ukraine as a threat to international peace and security<sup>765</sup> and to the right of Ukraine to self-defense, under Article 51 of the Charter.<sup>766</sup> Several Council members also recognized the negotiation efforts of the United Nations and its partners with the parties to the conflict, particularly the Secretary-General's visits to Moscow and Kyiv, to create conditions for a solution to the ongoing security and humanitarian situation.<sup>767</sup>

Regarding the security and humanitarian situation, Council members discussed during the year the protection of civilians and critical infrastructure and human rights in the context of the war in Ukraine. Members underlined that attacks against civilians and critical infrastructure were in violation of international law,<sup>768</sup> and those responsible for the committed war atrocities must be held accountable.<sup>769</sup> On 16 November, after the latest launch of air and missile and bombardments against critical civilian infrastructure in Ukrainian cities, some delegations emphasized the responsibility of the Russian Federation in creating the current humanitarian and displacement crisis and called on Russia for a cessation of hostilities.<sup>770</sup> Focusing attention on the deepening humanitarian catastrophe in Ukraine, speakers urged the parties to guarantee access to humanitarian aid for the people in need and to essential services which had been disrupted by the conflict.<sup>771</sup> Council members also focused on addressing and preventing

<sup>&</sup>lt;sup>764</sup> See <u>S/PV.9018</u>, Kenya and Ukraine; <u>S/PV.9032</u>, Kenya; <u>S/PV.9080</u>, Ukraine and Poland; <u>S/PV.9104</u>, United Arab Emirates and Ghana; <u>S/PV.9115</u>, United Kingdom and United Arab Emirates ; <u>S/PV.9135</u>, Norway, Mexico, United States, Ireland, Brazil, Czechia and Poland; <u>S/PV.9143</u>, United States, United Kingdom and Ukraine; <u>S/PV.9161</u>, Ireland. For more information on the functions and powers of the Council, see part V.

<sup>&</sup>lt;sup>765</sup> See <u>S/PV.9056</u>, Ukraine; <u>S/PV.9104</u>, Kenya; <u>S/PV.9115</u>, Russian Federation; <u>S/PV.9126</u>, Kenya; <u>S/PV.9135</u> Ukraine; <u>S/PV.9143</u>, Norway. For information on threats to international peace and security considered by the Council in 2022, see part VII, sect. I.

<sup>&</sup>lt;sup>766</sup> See <u>S/PV.9135</u>, Norway, United States, Ghana and Ukraine; <u>S/PV.9138</u>, France; <u>S/PV.9161</u>, France; <u>S/PV.9080</u>, United Kingdom; <u>S/PV. 9195</u>, United States, France, United Kingdom and Estonia. For more details on Article 51 of the Charter, see part VII, sect. X.A.

<sup>&</sup>lt;sup>767</sup> See <u>S/PV.9027</u>, Albania, Mexico, Ghana, China, Kenya, Brazil, Ireland, United Arab Emirates, Gabon, Norway and India; <u>S/PV.9115</u>, Albania, Norway, United Kingdom, Brazil, Kenya, United Arab Emirates, Ghana, Mexico and China; <u>S/PV.9135</u>, Norway, Mexico, United States, China, Ireland.

<sup>&</sup>lt;sup>768</sup> See <u>S/PV. 9161</u>, Mexico, France, Kenya, United States, Ireland, Ghana and Norway; <u>S/PV.9208</u>, France, Brazil, Norway, Ghana and Albania.

<sup>&</sup>lt;sup>769</sup> See <u>S/PV. 9161</u>, France, Ireland, Ghana and Norway; <u>S/PV.9069</u>, United States, United Kingdom, Norway, Kenya, Ireland, Mexico, United Arab Emirates, Gabon and Ghana; <u>S/PV.9208</u>, Mexico, Norway, Ireland and Albania.

<sup>&</sup>lt;sup>770</sup> See <u>S/PV.9195</u>, Albania, United Kingdom, Ireland, Ghana, Ukraine and European Union.

<sup>&</sup>lt;sup>771</sup> Ibid., Mexico, Ireland, Ghana, Norway, Gabon, Ukraine, Estonia and European Union.

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national, racial or religious hatred as potential triggers for the commission of atrocity crimes in a debate on disinformation campaigns, propaganda and hate speech online and in the mainstream media.772

In their discussions concerning the alleged war crimes and violations and abuses of human rights and violations of international humanitarian law committed in Ukraine, in 2022, Council members stressed the importance of establishing facts and ensuring accountability. They expressed support for the investigation launched by national authorities and the International Criminal Court,<sup>773</sup> and for the establishment by the Human Rights Council of the Independent International Commission of Inquiry and by the Secretary-General of the Fact-Finding Mission to Olenivka.<sup>774</sup> On May 12, Council members pointed out severe conflict-related effects on education and expressed concern about the risks of human trafficking, sexual exploitation and abuse faced by unaccompanied children seeking refuge.<sup>775</sup> Many speakers condemned attacks against schools,<sup>776</sup> and called on the Secretary-General and his Special Representative for Children in Armed Conflict to record the situation in Ukraine in the upcoming report on children and armed conflict listing those responsible for violations against children.<sup>777</sup> On 6 June, during a discussion focused on conflict-related sexual violence and human trafficking, most Council members expressed support for the new framework of cooperation on preventing and responding to conflict-related sexual violence, signed by the United Nations and the Government of Ukraine.<sup>778</sup> In their remarks on forced displacement and deportations of Ukrainian civilians and "filtration" operations by the Russian and Russian-affiliated forces on 7 September, most members called to enable access for the United Nations agencies to the so-called filtration centres and to the places of forced deportation and relocation for an investigation to ensure accountability and to provide humanitarian assistance.779

<sup>&</sup>lt;sup>772</sup> See <u>S/PV.9069</u>, United Kingdom, Norway, France, Kenya, Ireland, Mexico and Ghana.

<sup>&</sup>lt;sup>773</sup> See S/PV.9027, Mexico, France, Ireland, Norway and United States.

<sup>&</sup>lt;sup>774</sup> See S/PV.9069, United States, Mexico and United Arab Emirates. For more details on the discussion, please see part VI, sect. II. <sup>775</sup> See <u>S/PV.9032</u>, Mexico, Norway, Brazil and China.

<sup>&</sup>lt;sup>776</sup> Ibid, France, Ghana, Kenya, Russian Federation, Poland and Slovakia.

<sup>&</sup>lt;sup>777</sup> Ibid, Mexico, France, Albania, Ireland, United States and Ukraine.

<sup>&</sup>lt;sup>778</sup> See S/PV.9056, Mexico, United States, China, Norway, Gabon, Kenya, United Arab Emirates and Ireland.

<sup>&</sup>lt;sup>779</sup> See S/PV.9126, Albania, United States, United Kingdom, Ghana, Kenya, Mexico, Ireland, Gabon and France.

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In addition to the deliberations in the Council on the political, security and humanitarian situation in Ukraine, in 2022, Council members also focused on the effect of the conflict beyond the borders of Ukraine in light of the mass displacement of population and the impact on global food supply. Against the backdrop of mass displacement in Ukraine, the influx of refugees in the neighboring countries and Ukrainians returning home, on 19 April, most delegations commended the neighboring countries and the efforts of the United Nations and its partners for their assistance to the affected people,<sup>780</sup> and expressed support for the Secretary-General's call for an urgent humanitarian pause to enable humanitarian corridors.<sup>781</sup> Some Council members stressed the need for the host countries to ensure protection for third-country nationals and avoid discrimination on the basis of race and ethnicity.<sup>782</sup> Concerning the global food insecurity resulting from the conflict, most Council members highlighted the signing of the Black Sea Grain Agreement as an initiative encouraging the parties in support of its renewal and implementation and expressing hope for continuing dialogue and negotiations.<sup>783</sup> During a meeting on 19 April, members also exchanged views about the implications of unilateral sanctions imposed on the Russian Federation on food insecurity and on the energy crisis worldwide, bringing attention to the negative impact on the countries of the developing world.<sup>784</sup> Referring to the findings of the United Nations Global Crisis Response Group established by the Secretary-General to mobilize United Nations agencies, multilateral development banks and other international institutions to help countries faced with those challenges, the representative of India welcomed the recommendations of the Group for exempting purchases of food for humanitarian assistance by the World Food Programme from export restrictions, while the representative Kenya stated that States should resist export restrictions and make reserves

<sup>782</sup> Ibid., Ireland, Mexico, France, Gabon, Norway, United States, Brazil and Ghana.

 <sup>&</sup>lt;sup>780</sup> See <u>S/PV.9018</u>, Mexico, Gabon, Norway, Ghana, Albania, Kenya, United Arab Emirates, Ukraine and Estonia.
<sup>781</sup> Ibid., Mexico, France, Norway, China, United States, Albania, Ghana , United Arab Emirates, United Kingdom, Ukraine, Sweden, Estonia and Slovakia.

<sup>&</sup>lt;sup>783</sup> See <u>S/PV 9104</u>, Ireland and Gabon; <u>S/PV.9115</u>, Norway, Brazil, Gabon, Kenya, Ghana, Mexico and China; <u>S/PV. 9135</u>, Norway, Mexico and Ghana; <u>S/PV. 9138</u>, China and Kenya; <u>S/PV.9161</u>, Mexico, France, China, United States, United Kingdom, Norway; <u>S/PV.9195</u>, United States, Albania, France, Unite Kingdom, United Arab Emirates, Mexico, Kenya, India, Ireland, Brazil, China, Norway and Ghana; <u>S/PV. 9202</u> Norway, United Arab Emirates, Mexico, Kenya, China and Ghana; <u>S/PV. 9208</u> Mexico, Gabon, China, Norway and United Arab Emirates.

<sup>&</sup>lt;sup>784</sup> See <u>S/PV. 9018</u>, Russian Federation, China, Brazil and Kenya.

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available to countries with serious food insecurity.<sup>785</sup> On 29 July, the representative of Kenya underlined that the recommendations and solutions of the Group should receive sufficient financial and operational support and be a bridge to longer-term ambitious reforms and initiatives.<sup>786</sup>

In 2022, Council members also deliberated on the military and security situation in and around Ukrainian nuclear sites, particularly the Zaporizhzhya and Chernobyl nuclear power plants, and the work of the International Atomic Energy Agency in preventing the risks of nuclear accidents.<sup>787</sup> On 24 August, the representatives of France and Ireland called on the Russian Federation to withdraw its forces from the Zaporizhzhya power plant and the representative of Gabon called on the parties to comply with nuclear security rules and cooperate with the International Atomic Energy Agency.<sup>788</sup> On 23 November, several members expressed support for the establishment of a security zone in and around the Zaporizhzhya power plant recommended by the Agency,<sup>789</sup> while the representative of the United States underlined that Russia's attacks on infrastructure supporting the safety of Ukraine's nuclear power plants cast doubts on the seriousness with which it was engaging on the prospects of a protection zone around the Zaporizhzhya nuclear power plant.

Developments in Ukraine were also considered under the items "Letter dated 28 February 2014 from the Permanent Representative of Ukraine to the United Nations addressed to the President of the Security Council (S/2014/136)", "Letter dated 13 April 2014 from the Permanent Representative of the Russian Federation to the United Nations addressed to the President of the Security Council (S/2014/264)", and "Threats to international peace and security".<sup>790</sup>

<sup>&</sup>lt;sup>785</sup> See <u>S/PV.9018</u>, India; <u>S/PV.9027</u>, India; <u>S/PV.9080</u> India; <u>S.PV. 9032</u>, Kenya.

<sup>&</sup>lt;sup>786</sup> See <u>S/PV. 9104</u>.

 <sup>&</sup>lt;sup>787</sup> See S/PV. 9115, France, Ireland, Brazil and Gabon; S/PV. 9126, China; S/PV. 9135, Russian Federation;
S/PV.9195, France and Mexico and S/PV. 9102, China, Russian Federation and Ghana.
<sup>788</sup> See S/PV.9115, France, Ireland and Gabon.

<sup>&</sup>lt;sup>789</sup> See S/PV.9202, Albania, Norway, Mexico and Ghana.

<sup>&</sup>lt;sup>790</sup> See part I, sects. 19.A, 19.B. and 34.

See part 1, sects. 19.A, 19.B. and 34.

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Meeting and date	Sub-item	Other documents	Rule 37 invitations	Rule 39 and other invitations	Speakers	Decision and vote (for-against- abstaining)
<u>S/PV.9013</u> 11 April 2022			Germany, Poland, Romania, Ukraine	Executive Director of UN-Women, Director of the United Nations International Children's Emergency Fund (UNICEF), Office of Emergency Programmes; President of La Strada- Ukraine <sup>a</sup>	invitees	
<u>S/PV.9018</u> 19 April 2022			Estonia, Italy, Poland, Slovakia, Sweden, Ukraine	, United Nations Deputy High Commissioner for Refugees, Director General of the International Organization for Migration <sup>c</sup>	All Council members, <sup>d</sup> all invitees <sup>e</sup>	
<u>S/PV.9027</u> 5 May 2022			Germany, Greece, Italy, Latvia, Poland, <sup>f</sup> Slovakia, Ukraine	Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, United Nations High Commissioner for Humar Rights, Advocacy Coordinator at Right to Protection <sup>g</sup>	General, all Council members, all invitees <sup>h</sup>	
<u>S/PV.9028</u> 6 May 2022						<u>S/PRST/2022/3</u>
<u>S/PV.9032</u> 12 May 2022			Estonia, Poland, Slovakia, Ukraine	Assistant Secretary- General for Humanitarian Affairs and Deputy Emergency Relief Coordinator, Deputy Executive Director for Programmes at UNICEF	All Council members, all invitees <sup>e</sup>	
<u>S/PV.9056</u> 6 June 2022			Germany, Italy, Latvia, Poland, Slovakia, Ukraine	Special Representative of the Secretary-General on Sexual Violence in Conflict, Co-founder and Director on Strategic Development of the Ukrainian Women's Fund, President of Sesame Workshop, President of the European Council <sup>i</sup>	members, all invitees <sup>h</sup>	

## Meetings: Maintenance of peace and security of Ukraine

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<u>S/PV.9069</u> 21 June 2022		Lithuania, Slovakia, Ukraine	Special Adviser on the Prevention of Genocide, Head of the Centre for Strategic Communication and Information Security, <sup>j</sup> Chief Executive Officer of Jigsaw and Adjunct Senior Fellow at the Council on Foreign Relations	:	
<u>S/PV.9080</u> 28 June 2022		Estonia, Poland, Ukraine <sup>l</sup>	Under-Secretary-General for Political and Peacebuilding Affairs	All Council members, all invitees <sup>e,m</sup>	
<u>S/PV.9104</u> 29 July 2022		Germany, Italy, Latvia, Poland, Romania, Slovakia, Ukraine	Under-Secretary-General for Political and Peacebuilding Affairs, Chargé d'affaires a.i. of the Delegation of the European Union	All Council members, all invitees <sup>h</sup>	
<u>S/PV.9115</u> 24 August 2022		Ukraine <sup>k</sup>	Under-Secretary-General for Political and Peacebuilding Affairs, Chargé d'affaires a.i. of the Delegation of the European Union	Secretary- General, all Council members, all invitees <sup>1</sup>	Procedural vote (Rule 37) 13-1-1 <sup>n</sup>
<u>S/PV.9126</u> 7 September 2022		Italy, Latvia, Poland, Slovakia, Ukraine	Under-Secretary-General for Political and Peacebuilding Affairs, Assistant Secretary- General for Human Rights, Coordinator for international cooperation at the Center for Civil Liberties <sup>o</sup>	All Council members, all invitees <sup>h</sup>	
<u>S/PV.9135</u> 22 September 2022		Belarus, Czechia, Germany, Lithuania, Poland, Türkiye, Ukraine	Prosecutor of the International Criminal Court, High Representative of the European Union for Foreign Affairs and Security Policy	Secretary- General, all Council members, <sup>p</sup> nine invitees <sup>k,q,r</sup>	
<u>S/PV.9138</u> 27 September 2022		Ukraine	Under-Secretary-General for Political and Peacebuilding Affairs	All Council members, all invitees <sup>s</sup>	
<u>S/PV.9143</u> 30 September 2022	Draft resolution submitted by Albania and United States (S/2022/720)	Ukraine a		All Council members, invitee	Draft resolution $\frac{S/2022/720}{adopted}$ not $10-1-4^t$

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<u>S/PV.9161</u> 21 October 2022	Germany, Greece, Poland, Slovakia, Ukraine	Under-Secretary-General for Political and Peacebuilding Affairs, United Nations Resident and Humanitarian Coordinator in Ukraine, Head of the Delegation o the European Union to the United Nations	members, all invitees <sup>u</sup>
<u>S/PV.9195</u> 16 November	Estonia, Poland, Slovakia, Ukraine	Under-Secretary-General for Political and Peacebuilding Affairs, Head of the Delegation o the European Union to the United Nations	members, invitees <sup>e</sup>
S/PV.9202 23 November	Republic of Moldova, Romania, Ukraine <sup>v</sup>	Under-Secretary-General for Political and Peacebuilding Affairs	All Council members, invitees <sup>w</sup>
S/PV.9208 6 December	Germany, Latvia, Poland, Ukraine	Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, Head of the Delegation of the European Union to the United Nations	members, invitees <sup>h</sup>

<sup>a</sup> The President of La Strada-Ukraine participated in the meeting by videoconference.

<sup>b</sup> The United Kingdom was represented by its Minister of State for South and Central Asia, North Africa, UN and the

Commonwealth, and the Prime Minister's Special Representative on Preventing Sexual Violence in Conflict.

<sup>c</sup> The United Nations Deputy High Commissioner for Refugees and the Director General of the International Organization for Migration participated in the meeting by videoconference.

<sup>d</sup> Ireland was represented by its Minister for Foreign Affairs and Defence.

<sup>e</sup> The representative of Estonia made a statement on behalf of the three Baltic states – Estonia, Latvia and Lithuania. The representative of Sweden spoke on behalf of the Nordic countries.

<sup>f</sup> Poland was represented by its Deputy Prime Minister and Minister of Culture and National Heritage of Poland.

<sup>g</sup> The Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator and the United Nations High Commissioner for Human Rights and Advocacy Coordinator at Right to Protection participated in the meeting by videoconference.

<sup>h</sup> The representative of Latvia made a statement on behalf of the three Baltic states.

<sup>i</sup> The Special Representative of the Secretary-General on Sexual Violence in Conflict and the Co-founder and Director on Strategic Development of the Ukrainian Women's Fund participated in the meeting by videoconference.

<sup>j</sup> The Head of the Centre for Strategic Communication and Information Security participated in the meeting by videoconference.

<sup>k</sup> The representative of Lithuania made a statement on behalf of the three Baltic states.

<sup>1</sup>Ukraine was represented by its President.

<sup>m</sup> The President of Ukraine participated in the meeting by videoconference.

<sup>n</sup> For: Albania, Brazil, France, Gabon, Ghana, India, Ireland, Kenya, Mexico, Norway, United Arab Emirates, United Kingdom, United States; *against:* Russian Federation; *abstaining:* China.

<sup>o</sup> The Assistant Secretary-General for Human Rights and the Coordinator for international cooperation at the Center for Civil Liberties participated in the meeting by videoconference.

<sup>p</sup> Albania was represented by its Minister for Europe and Foreign Affairs. Brazil, Gabon, Kenya and the Russian Federation were represented by their Ministers for Foreign Affairs. China was represented by its State Councilor and Minister of Foreign Affairs. France was represented by its Minister for Europe and Foreign Affairs. Ghana was represented by its Minister for Foreign Affairs and Regional Integrations. Ireland was represented by its Minister for Foreign Affairs. Solve and Defence. India was represented by its Minister for Europe and by its Secretary of Foreign Affairs. Norway was represented by its Prime Minister. United Arab Emirates was represented by its Minister of State for International Cooperation in the Ministry of Foreign affairs and International Cooperation. The United Kingdom was represented by its Secretary of State for Foreign, Commonwealth and Development Affairs. The United States was represented by its Secretary of State.

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<sup>q</sup> The representative of **Türkiye** did not make a statement.

<sup>s</sup> Ukraine was represented by its President, who participated in the meeting by videoconference.

<sup>t</sup> For: Albania, France, Ghana, Ireland, Kenya, Mexico, Norway, United Arab Emirates, United Kingdom, United States; *against:* Russian Federation; *abstaining*: Brazil, China, Gabon, India.

"The President of Ukraine participated in the meeting by videoconference.

<sup>&</sup>lt;sup>r</sup> Belarus, Czechia, Germany, Lithuania, Poland and Ukraine were represented by their Ministers for Foreign Affairs.

<sup>&</sup>lt;sup>u</sup> The Under-Secretary-General participated in the meeting b videoconference.

<sup>&</sup>lt;sup>v</sup> Ukraine was represented by its President.