



General Assembly

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Agenda item 5

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 7 November 2022 from the Permanent Representatives of Canada, Guatemala, the Netherlands and Ukraine to the United Nations addressed to the President of the General Assembly

Pursuant to paragraph 8 of General Assembly resolution [ES-11/4](#), adopted at its eleventh emergency special session on 12 October 2022, we request the resumption of the eleventh emergency special session to take action on the draft resolution entitled “Furtherance of remedy and reparation for aggression against Ukraine” (see annex).

We would be grateful for your consideration of this request and for the facilitation of the convening of the General Assembly to address this serious matter.

We would be grateful if you would arrange to have the text of the present letter distributed as a document of the eleventh emergency special session of the General Assembly, under agenda item 5.

(Signed) Robert Keith **Rae**
Permanent Representative of Canada

(Signed) Carla Maria **Rodríguez Mancia**
Permanent Representative of Guatemala

(Signed) Yoka **Brandt**
Permanent Representative of the Netherlands

(Signed) Sergiy **Kyslytsya**
Permanent Representative of Ukraine



Annex to the letter dated 7 November 2022 from the Permanent Representatives of Canada, Guatemala, the Netherlands and Ukraine to the United Nations addressed to the President of the General Assembly

Furtherance of remedy and reparation for aggression against Ukraine

The General Assembly,

Reaffirming the paramount importance of the Charter of the United Nations in the promotion of the rule of law among nations,

Recalling the obligations of all States under Article 2 of the Charter, including the obligation to 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, and to settle their international disputes by peaceful means,

Recalling also the obligation under Article 33 (1) of the Charter that Members which are parties to any dispute shall, first of all, seek a solution by negotiation, inquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements, or other peaceful means of their own choice,

Taking note of Security Council resolution [2623 \(2022\)](#) of 27 February 2022,

Recalling its right under Article 14 of the Charter to recommend measures for the peaceful adjustment of any situation which it deems likely to impair the general welfare or friendly relations among nations, including situations resulting from a violation of the provisions of the Charter,

Recalling also its resolutions [ES-11/1](#) of 2 March 2022, entitled “Aggression against Ukraine”, [ES-11/2](#) of 24 March 2022, entitled “Humanitarian consequences of the aggression against Ukraine”, and [ES-11/4](#) of 12 October 2022, entitled “Territorial integrity of Ukraine: defending the principles of the Charter of the United Nations”, in which, among other things, it reaffirmed its commitment to the sovereignty, independence, unity and territorial integrity of Ukraine,

Recalling further the order of the International Court of Justice of 16 March 2022 on the indication of provisional measures in the case concerning *Allegations of Genocide under the Convention on the Prevention and Punishment of the Crime of Genocide (Ukraine v. Russian Federation)*,¹

Bearing in mind the importance of maintaining and strengthening international peace founded upon freedom, equality, justice and respect for human rights, and of developing friendly relations among nations irrespective of their political, economic and social systems or the levels of their development,

Expressing grave concern at the loss of life, civilian displacement, destruction of infrastructure and natural resources, loss of public and private property, and economic calamity caused by the aggression by the Russian Federation against Ukraine,

Recalling its resolution [60/147](#) of 16 December 2005, the annex to which contains the Basic Principles and Guidelines on the Right to a Remedy and Reparation

¹ See *Official Records of the General Assembly, Seventy-seventh Session, Supplement No. 4 (A/77/4)*, paras. 189–197.

for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law,

1. *Reaffirms* its commitment to the sovereignty, independence, unity and territorial integrity of Ukraine and its demand that the Russian Federation immediately cease its use of force against Ukraine and that the Russian Federation immediately, completely and unconditionally withdraw all of its military forces from the territory of Ukraine within its internationally recognized borders, extending to its territorial waters;

2. *Recognizes* that the Russian Federation must be held to account for any violations of international law in or against Ukraine, including its aggression in violation of the Charter of the United Nations, as well as any violations of international humanitarian law and international human rights law, and that it must bear the legal consequences of all of its internationally wrongful acts, including making reparation for the injury, including any damage, caused by such acts;

3. *Recognizes also* the need for the establishment, in cooperation with Ukraine, of an international mechanism for reparation for damage, loss or injury, and arising from the internationally wrongful acts of the Russian Federation in or against Ukraine;

4. *Recommends* the creation by Member States, in cooperation with Ukraine, of an international register of damage to serve as a record, in documentary form, of evidence and claims information on damage, loss or injury to all natural and legal persons concerned, as well as the State of Ukraine, caused by internationally wrongful acts of the Russian Federation in or against Ukraine, as well as to promote and coordinate evidence-gathering;

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