



# Security Council

Seventy-eighth year

**9245**<sup>th</sup> meeting

Tuesday, 17 January 2023, 3 p.m.

New York

*Provisional*

*President:* Mr. Ishikane . . . . . (Japan)

*Members:*

Albania . . . . .	Mr. Hoxha
Brazil . . . . .	Mr. De Almeida Filho
China . . . . .	Mr. Dai Bing
Ecuador . . . . .	Mr. Pérez Loose
France . . . . .	Mr. De Rivière
Gabon . . . . .	Mr. Biang
Ghana . . . . .	Mrs. Hackman
Malta . . . . .	Mrs. Frazier
Mozambique . . . . .	Mr. Afonso
Russian Federation . . . . .	Mr. Nebenzia
Switzerland . . . . .	Mrs. Baeriswyl
United Arab Emirates . . . . .	Mr. Abushahab
United Kingdom of Great Britain and Northern Ireland . . . . .	Mr. Kariuki
United States of America . . . . .	Mr. Mills

## Agenda

Threats to international peace and security

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*The meeting was called to order at 3 p.m.*

### **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: Ms. Ilze Brands Kehris, Assistant Secretary-General for Human Rights, Office of the United Nations High Commissioner for Human Rights; and Metropolitan Anthony of Volokolamsk, Chairman of the Department of External Church Relations of the Patriarchate of Moscow.

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

I give the floor to Ms. Brands Kehris.

**Ms. Brands Kehris:** I wish to thank the members of the Security Council for the opportunity to brief them on the human rights dimension of the subject of today's open meeting. It is my pleasure to represent the United Nations High Commissioner for Human Rights, Volker Türk, who regrets that he is unable to attend due to travel and related logistical challenges.

The armed attack by the Russian Federation against Ukraine and the ensuing hostilities have brought the most severe forms of human rights and international humanitarian law violations into the everyday lives of people in Ukraine, putting at risk countless lives and causing massive displacement and destruction of civilian infrastructure. To date, the Office of the United Nations High Commissioner for Human Rights (OHCHR) has recorded more than 7,000 civilians killed and more than 11,000 injured since 24 February 2022. The actual figures are considerably higher.

Last Saturday, a missile struck a residential building in a densely populated area of Dnipro. We have verified that the attack, one of the deadliest to date, killed at least 45 civilians, including six children, and injured at least 79. A 1-year-old boy was killed with his father. A 3-year-old girl, her 13-year-old sister and their mother were also killed. A young woman who was injured in the attack lost both her parents, and a 9-year-

old boy and his teenage sister were injured and lost both parents. With two dozen people still missing, including four children, the death toll is expected to rise.

The Russian Federation's strikes targeting Ukrainian critical infrastructure since 10 October 2022 have now killed at least 103 civilians and injured at least 371, as verified by our Office. The strikes have damaged or destroyed half of the energy infrastructure system of Ukraine, resulting in significant electricity and water shortages across the country. By restricting civilians' access to water, electricity, essential communications and heating, the enjoyment of the rights to health, to an adequate standard of living and the right to life is severely compromised.

Civilians in parts of the Donetsk and Luhansk regions occupied by the Russian Federation have also suffered from intense shelling by Ukraine in densely populated areas in recent months. Since 24 February 2022, our Office has recorded 498 civilians killed, including 25 children, and 1,675 injured, including 117 children. In December 2022 alone, we documented five cases of injuries among children caused by multiple-launch rocket systems and shelling in Donetsk.

We urge all parties to ensure full compliance with international humanitarian law principles of distinction, proportionality and precaution, including by refraining from using explosive weapons in populated areas. I wish to add the principle under international humanitarian law of special protection accorded to children, as persons who are particularly vulnerable.

Among the array of human rights concerns and violations that OHCHR has documented since the start of this war, we are concerned about restrictions on the freedom of religion and the freedom of association across Ukraine, in both territory controlled by the Government and territory occupied by the Russian Federation.

While tensions between Orthodox communities in Ukraine existed for decades, they deteriorated following the Russian Federation's armed attack against Ukraine, and there have been some worrisome recent developments. In November and December, the Security Service of Ukraine conducted searches in premises and places of worship of the Ukrainian Orthodox Church. At least three clergy are now facing criminal charges, including for treason and denial of the armed aggression of the Russian Federation against Ukraine. We urge the Ukrainian authorities to ensure that any such searches in premises and places of worship be in full compliance

with international law, that fair trial rights be given to those facing criminal charges and that any criminal sanctions be compatible with the rights of the freedom of opinion, expression and religion.

We are concerned that two draft laws recently introduced in the Parliament — draft law No. 8221 and draft law No. 8262 — could undermine the right to the freedom of religion or belief as enshrined in article 18 of the International Covenant on Civil and Political Rights. We recall that, under international human rights law, any limitations to the right to manifest one's religion or belief must be prescribed by law, necessary and proportionate. We call on both parties to respect and ensure that the rights to the freedoms of opinion and expression, peaceful assembly, association and religion can be exercised without discrimination by all.

As the one-year anniversary of this conflict approaches, we appeal for respect for the sanctity of life, for human dignity and for respect for the principle of humanity. To that end, international human rights law and international humanitarian law must be respected at all times by parties to the conflict, and the principles of the Charter of the United Nations must be upheld.

**The President:** I thank Ms. Brands Kehris for her briefing.

I now give the floor to Metropolitan Anthony of Volokolamsk.

**Metropolitan Anthony** (*spoke in Russian*): I thank members of the Security Council for giving me the opportunity to speak at this important meeting.

The Russian Orthodox Church, both independently and in cooperation with other Orthodox churches, the Roman Catholic Church, Protestant denominations and representatives of world traditional religions, makes every effort to defend the rights of the faithful throughout the world, especially those of Christians. We are currently extremely concerned about flagrant violations of the human and constitutional rights of those of the Orthodox faith in Ukraine. One cannot overstate the peacemaking potential of religion and the Church in inter-State and internal conflicts. For many centuries, Orthodox Christianity has constituted a common spiritual and cultural foundation in the lives of the people of Russia and Ukraine and could help restore mutual understanding in the future. But the very basis of such dialogue is being undermined in Ukraine, even as we speak, given the initiative taken by the leadership

of Ukraine in its attempts to destroy the Ukrainian Orthodox Church. The Ukrainian Orthodox Church is not a political but a religious organization, uniting more than 12,000 parishes and millions of Ukrainian citizens.

On 1 December 2022, the National Security and Defence Council of Ukraine adopted a decision, the true purpose of which is to restrict the rights of parishes of the Ukrainian Orthodox Church. The same State body has taken a number of measures, including instructing the Government to draft a law banning the activities in Ukraine of religious organizations affiliated with centres of influence in Russia. It is essentially a ban on the Ukrainian Orthodox Church, although its governing centre is located in Kyiv, not Moscow, and it is administratively independent of the Russian Orthodox Church. The measures also called for intensifying the counter-intelligence activities of Ukrainian security services vis-à-vis the Ukrainian Orthodox Church; depriving the Ukrainian Orthodox Church of the right to use the chapels of the most important historical monastery in Ukraine, the Kyiv-Pechersk Lavra; and introducing so-called sanctions against the Church's clergy.

The decision was adopted the very same day by President of Zelenskyy of Ukraine, and his subsequent decrees have established the list of bishops of the Ukrainian Orthodox Church who will be subject to sanctions, which means, among other things, they will be deprived, essentially, of the right to manage property on Ukrainian territory. Furthermore, as the Ukrainian media have reported, as a result of a subsequent decree by President Zelenskyy, a number of senior members of the Ukrainian Orthodox Church have been deprived of Ukrainian citizenship, which most likely will be used to justify their forced expulsion from the country.

However, article 25 of the Constitution of Ukraine states that “a citizen of Ukraine shall not be deprived of citizenship and of the right to change citizenship. A citizen of Ukraine shall not be expelled from Ukraine or extradited”.

Article 9 of the Convention on the Reduction of Statelessness, which was drafted under the auspices of the United Nations and to which Ukraine acceded in 2013, states “[a] Contracting State may not deprive any person or group of persons of their nationality on racial, ethnic, religious or political grounds.”

The lists of members of the Ukrainian episcopate and clergy have been adopted by the National Security

and Defence Council of Ukraine, without legal, judicial or investigative proceedings or the possibility of challenging the decision. The sanctions and revocation of citizenship are being imposed on the clerics of one confession only, while article 24 of the Constitution of Ukraine expressly prohibits privileges or restrictions on the rights citizens of Ukraine based on their religious beliefs. Therefore, depriving Ukrainian religious leaders of their citizenship is undeniably a form of mass political repression, which contravenes the Constitution of Ukraine and international agreements that the country has signed. The violations of those rights and restrictions of those freedoms, even during a state of emergency or in the case of martial law, are expressly prohibited by article 64 of the Constitution of Ukraine.

Since October 2022, under the pretext of so-called counter-intelligence activities, the security service of Ukraine has carried out large-scale searches of the monasteries and parishes of Ukrainian Orthodox churches throughout the country. In the course of those operations, there has been a complete disregard for the honour and dignity of the clergy, while the media have spread slanderous rumours. Under far-fetched pretexts, criminal cases are being brought against the episcopate and clergy of the Ukrainian Orthodox Church. In a situation recalling the years of atheistic persecution in the Soviet Union, they are being groundlessly accused of anti-State activities. Alleged evidence of the latter sometimes comprises of old newspapers, journals or theological and historical books from the accused parties' own personal libraries.

The political repression of the bishops of the Ukrainian Orthodox Church is the culmination of the repressive religious policy of the Ukrainian authorities over recent years, the ultimate goal of which — in contravention of article 35 of the Constitution of Ukraine on the separation between church and State — is total control of the religious life of society by Government agencies.

In 2018, with the active anti-constitutional interference of the State apparatus and security services of Ukraine and with gross violations of Orthodox canonical law, the so-called Orthodox Church of Ukraine was created. Further efforts by the authorities are intended to force the parishes of the Ukrainian Orthodox Church to join this new religious organization, created by the Ukrainian State under its patronage. In 2019, new religious legal norms were adopted to facilitate the raids and seizures of churches

and their property through sham referendums among the residents of the territories concerned, which ignored the opinions of members of the churches' parishes and involved the intervention of external actors, who were sometimes armed. Further measures included the falsification of documents, gross legal violations, large-scale clashes and the beating of Church members and clergy. In 2022 alone, 129 churches of the Ukrainian Orthodox Church were seized. The legal registration of new parishes is being fully blocked.

In 2019, another law was adopted to change the name of the Ukrainian Orthodox Church, with the obvious purpose of severing its link with its property. As that law was not in compliance with the Constitution of Ukraine, upon the request of a group of deputies of the Verkhovna Rada, application of the law was suspended pending its consideration by the Constitutional Court of Ukraine. However, last month, the law went into effect. Currently, in the Verkhovna Rada of Ukraine, seven additional bills have been proposed to restrict the rights of or entirely eliminate the Ukrainian Orthodox Church. Legislators are not hiding the fact that the purpose of their bills is to infringe upon the rights of parishes and members of the Ukrainian Orthodox Church, forcibly confiscate its property, deprive it of its historical and legal name, forbid it from calling itself Orthodox and, lastly, prohibit its activities and completely eliminate its presence in Ukraine.

In violating the principle of separation of church and State under article 35 of the Constitution of Ukraine, the leadership of Ukraine and the local authorities are essentially prohibiting the practice of religious rights based on the Church's own theological and canonical criteria and are officially requiring parishes of the Ukrainian Orthodox Church to join other religious organizations. An unbridled, slanderous campaign is being waged in the Ukrainian media against the Ukrainian Orthodox Church, calling for a complete ban on its activities and the use of pressure and violence against its representatives, which bears clear signs of hate speech. This sort of media background is leading to an increase in violence against parishioners. There have been many cases of arson and vandalism of churches, beatings and even murder attempts of members of the clergy, sometimes even in churches during church services.

In conclusion, I would like to call upon members of the Council to pay attention to the unlawful actions of the Ukrainian State authorities against the largest faith

in the country and the many violations of the rights of the faithful that are guaranteed by the Charter of the United Nations, the Universal Declaration of Human Rights, the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief, the International Covenant on Civil and Political Rights, the International Convention on the Elimination of All Forms of Racial Discrimination and many other international instruments guaranteeing the inalienable right of any person to the free exercise of religion.

**The President:** I thank Metropolitan Anthony 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 listened closely to the briefing of the Assistant Secretary-General for Human Rights, Ilze Brands Kehris, but we would like to underscore that the Russian Federation continues to believe that matters of human rights protection do not fall within the purview of the Security Council and must be discussed within the relevant United Nations organs. On the Council's agenda today is not human rights as a separate subject, but rather the latest provocative steps taken by the Kyiv regime that make the prospect of a peaceful settlement in the country even more remote. We thank the Chairman of the Department of External Church Relations of the Patriarchate of Moscow, Metropolitan Anthony, for his detailed information about the repressive actions of Kyiv against the Ukrainian Orthodox Church.

Many Council members are probably wondering why we have convened today's meeting, whose focus is on the domestic situation in Ukraine. I would like to underscore that we are not talking about interference in church affairs, nor are we even talking about church affairs per se. Rather, we are convinced that the processes taking place in Ukraine are directly related to international peace and security and that they are having a direct impact on the prospects for establishing peace in the country.

As we have already noted during our statement on 13 January (see S/PV.9243), in Ukraine, there has recently been a notable acceleration in the formation of a genuine despotic authoritarian regime. The persecution of dissent is being carried out on all fronts, from the full prohibition of the opposition and the arrest

of public-opinion leaders to the destruction of freedom of speech and even freedom of religion as such.

It is important to understand that this tightening of the screws in the Ukrainian public, political and cultural space did not start today, and neither did it start in February last year. Since coming to power as the result of an anti-constitutional coup d'état in 2014, the Kyiv regime has been steadily destroying everything that would in any way possibly link it to Russia. In a country where the Russian language is the mother tongue of the majority of the population and where for many centuries the country was in cultural unity with Russia, this policy essentially means undermining the foundations that bind society together and imposing an artificial paradigm of Ukraine as an anti-Russia, even though Russians are the second largest ethnic group in the country.

Indeed, under Article 10 of the Constitution of Ukraine,

“the free development, use and protection of Russian, and other languages of national minorities of Ukraine, is guaranteed”,

and under Article 11, Ukraine

“promotes the consolidation and development of the Ukrainian nation, its historical consciousness, traditions and culture, and also the development of the ethnic, cultural, linguistic and religious identity of all indigenous peoples and national minorities of Ukraine”.

Article 24 further provides that

“[t]here shall be no privileges or restrictions based on race, colour of skin, political, religious and other beliefs, sex, ethnic and social origin, property status, place of residence, linguistic or other characteristics.”

Article 53 provides that

“Citizens who belong to national minorities are guaranteed the right to receive instruction in their native language, or to study their native language in state and communal educational establishments and through national cultural societies in accordance with the law.”

The Kyiv regime's measures contradict Ukraine's obligations to protect the rights of all ethnic groups in accordance with a whole host of international documents

that, in particular, prohibit discrimination against national minorities and guarantee ethnic groups' rights to education, to the preservation of their culture and to study their mother tongue. These are all enshrined in such documents as the International Convention on the Elimination of All Forms of Racial Discrimination of 1965, the International Covenant on Civil and Political Rights of 1966, UNESCO's Convention against Discrimination in Education of 1960, the Convention on the Rights of the Child of 1989 and Protocol No. 1 to the Convention on the Protection of Human Rights and Fundamental Freedoms, the Council of Europe's Framework Convention for the Protection of National Minorities, the United Nations Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities of 1992, and the Document of the Copenhagen Meeting of the Conference on the Human Dimension of the Conference on Security and Cooperation in Europe of 1990.

All of the foregoing obligations incumbent on Ukraine under its Constitution and international documents are contradicted by at least 13 laws and decisions adopted by the Ukrainian regime between 2016 and 2022, all of which has led to an unprecedented uptick in Ukraine of Russophobia encouraged at the very top. Back in September 2021, President Zelenskyy called on those residents of Ukraine who consider themselves Russian to leave the country, and Secretary of the National Security and Defence Council Danilov called Russians "rats and swine dogs", also calling for them to be hounded and destroyed by any means possible.

After the start of Russia's special military operation in Ukraine, the formation of the "Zelenskyy dictatorship" in Ukraine rapidly gathered pace. With reference to the need to combat separatism and so-called "Kremlin propaganda", political opponents, along with independent journalists and media companies, as well as members of public organizations that the authorities did not like, were persecuted. In just a few months, all opposition parties that were in favour of developing normal relations between Ukraine and Russia were entirely shut down.

In the territory controlled by the Zelenskyy regime, there have been mass political repressions and arrests of civilian activists and human rights defenders. Any manifestation of disagreement with the official position is extirpated. For example, the Ukrainian human rights defender Elena Berezhnaya, who for eight years studied

and documented the process of the establishment of neo-Nazism in Ukraine and spoke before members of the Security Council as early as March 2022, was arrested by the Ukrainian security services and is still being detained on the absurd accusation of high treason. We have repeatedly drawn the attention of the Secretary-General and members of the Security Council to this glaring case. We call on the United Nations leadership to actively facilitate Ms. Berezhnaya's release.

We also know about hundreds of other examples of people being persecuted and arrested on the basis not only of publications and statements, but also denunciations, or even simply because they listen to Russian music or read Russian language media. They are then subject to proposals that they be exchanged for Ukrainian soldiers who have been taken prisoner, but, given that so many Ukrainian soldiers are being taken prisoner or surrendering, Kyiv is trying to increase the number of people it can swap through blanket arrests from among its own civilian population. Further, under the pretext of this so-called "war with occupiers", the Ukrainian authorities have adopted a number of very draconian laws, including the law on so-called "collaborationism", which allows for the prosecution of people even for receiving humanitarian assistance from Russian authorities or for refusing to evacuate from their homes.

The media space in the country has been fully purged of alternative points of view. In December 2022, Volodymyr Zelenskyy signed the law on the media, which essentially brought the Ukrainian media under the control of the authorities. The National Council of Television and Radio Broadcasting of Ukraine is now able, without any judicial proceedings, to prohibit online media, cancel the registration of print media and demand that Internet providers block access to any publications. The authoritarian and discriminatory nature of the law was even noted by Western media and the International Federation of Journalists.

The latest area of Kyiv's repressive policy is its war against canonical orthodoxy. Ukraine has been brought to the brink of a large-scale interreligious conflict that is unprecedented in the history of modern-day Europe. It should be noted that the Ukrainian authorities, long ago, with the support of their Western backers, decided to undermine the Canonical Orthodox Church in Ukraine. As we heard from Metropolitan Anthony, the people are now having the submissive, schismatic Church of Ukraine, which was artificially created

in 2018, imposed upon them. That Kyiv-American political project has nothing to do with matters of faith.

On the basis of that discriminatory legislation, the seizure of Ukrainian Orthodox churches continues, as does the illegal forced liquidation of their parishes under the guise of supposedly voluntary conversions to other denominations. Such measures are accompanied by widespread clashes and the beating of parishioners and clergy. Meanwhile, the clergy of the Ukrainian Orthodox Church itself, in so-called worship services intended to stir up political unrest, do not shy away from schismatic and hateful rhetoric, speaking of the liberation of holy places from Russian captivity and their purging. We all remember the bloody and tragic consequences of such calls for purges throughout history. Ukraine is now literally a step away from a fratricidal internal religious catastrophe, and the regime in power is only adding fuel to the fire. According to the information available to us, a number of new initiatives are being prepared that will discriminate against the parishes and parishioners of the Ukrainian Orthodox Church, depriving it of its historical and legal name and even erasing it completely.

The intensification of political and administrative pressure on the Ukrainian Orthodox Church is accompanied by a smear campaign in the Ukrainian media that involves politicians and high-ranking officials. For example, on 7 January, the head of the State Service for Ethnic Policy and Freedom of Conscience, Viktor Yelensky, called the existence of the Ukrainian Orthodox Church an anomaly that should not exist in Ukraine. Ruslan Stefanchuk, Speaker of the Verkhovna Rada, said that a new draft law against the Ukrainian Orthodox Church is being prepared in order to decide the course of action against what he claimed to be a religious organization that poses a threat to the national security of Ukraine.

In such circumstances, we understand the statement circulated by the Ukrainian Orthodox Church on social media, clarifying that it did not ask us to convene this meeting and did not authorize us to speak on its behalf at the United Nations. That is indeed the case — no one from Ukraine or the Ukrainian Orthodox Church approached us with such a request, and we do not speak on behalf of the Ukrainian Orthodox Church. That further confirms the fact that the Ukrainian Orthodox Church is not subordinate to Russia, however much the Kyiv regime might try to prove otherwise. We understand that the Church's statement is motivated by

a reluctance to be targeted yet again with delusional accusations of its being a collaborator and to prevent itself falling under the obscurantism and provocations of the Ukrainian authorities.

I would ask Kyiv's Western backers, who continue to pay lip service to human rights and freedom of religion: how long do they plan to ignore the actions of the Kyiv regime to incite an interreligious crisis in Ukraine, and how long, in general, do they plan to ignore the inhumane regime that is being formed in the country? Of course, those are rhetorical questions. They have not merely ignored but encouraged such developments over the past decades, in particular in recent years. But how would they deal with such actions in their own countries, which they claim to be democratic? They cannot continue to turn a blind eye to everything the Kyiv regime is doing by writing it off as self-defence against Russia in a situation of war.

The trends I have mentioned on the rise of authoritarianism and the formation of a dictatorship in Ukraine began long before the special military operation. The Kyiv regime's actions pose a direct threat, with consequences for peace and security. As we have repeatedly underscored, Russia's actions are not and never have been aimed at destroying Ukraine as a State. However, we cannot tolerate the fact that a misanthropic, Russophobic and anti-Christian dictatorship is establishing itself near our borders.

**Mrs. Baeriswyl** (Switzerland) (*spoke in French*): I thank the Assistant Secretary-General for Human Rights, Ms. Ilze Brands Kehris, for her briefing. We fully support the work of the Office of the United Nations High Commissioner for Human Rights and look forward to working with it during our term on the Security Council. The information made available by the Office is essential for the work of the Council. I have also taken note of the remarks by Metropolitan Anthony, Chairman of the Department of External Church Relations of the Patriarchate of Moscow.

Last week, Switzerland, along with many others around this table, called on Russia for an immediate cessation of hostilities (see S/PV.9243). Less than 24 hours later, a new wave of Russian attacks hit Ukraine, in which residential areas and energy infrastructure were affected. In Dnipro, a residential building was largely destroyed. Our thoughts are with the families of the victims, the injured and those who work tirelessly, day and night, as part of the rescue efforts. We are also

dismayed by the bombing of the city of Kherson, during which a Ukrainian Red Cross building, among others, was damaged. That was an attack not only against a humanitarian actor but also against the right of those affected by conflict to receive assistance and protection. Switzerland condemns those attacks. We recall that, under international humanitarian law, making a distinction between military targets and civilians, as well as between military targets and civilian objects, is an obligation. Intentionally directing attacks against civilians or civilian objects constitutes a war crime. The principles of proportionality and precaution must also be respected.

Switzerland also remains concerned about the serious human rights violations and abuses committed in Ukraine during the war. According to a statement made by the United Nations High Commissioner for Human Rights on 7 December, those violations and abuses include summary executions, arbitrary detentions and enforced disappearances, torture and ill-treatment, as well as conflict-related sexual violence.

With regard to the freedom of religion and belief, Switzerland upholds the principle that freedom of religion protects the individual, not religions or religious communities. We remind all States parties of their obligations under the International Covenant on Civil and Political Rights. We oppose the spread and dissemination of hate speech and all other forms and manifestations of defamation and discrimination based on religion. We call on religious institutions and leaders to exercise their influence and responsibility for de-escalation, humanity and the promotion of peace.

The Council must assume its responsibility for international peace and security and devote its full attention to achieving a just peace in accordance with international law. Russia's actions are in serious violation of international law, including the principle of the non-use of force, and of the territorial integrity and sovereignty of Ukraine. Such actions can never be justified. We call on Russia once again to de-escalate the situation and withdraw its troops without further delay.

**Mr. Abushahab** (United Arab Emirates): I would like to thank Assistant Secretary-General Brands Kehris for her briefing. We also listened carefully to the remarks of Metropolitan of Volokolamsk Anthony.

This topic is of particular importance to the United Arab Emirates, which recognizes interreligious dialogue and understanding as essential to peaceful coexistence.

Creating a culture of religious tolerance is also a core element of sustainable conflict prevention, resolution and reconstruction and is an important consideration for the Security Council. We all have a responsibility to ensure that respect for cultures and religions is a global norm. The United Arab Emirates is firmly committed to the principles of the culture of peace. We are aware of the inherent risks of allowing religion to be misused as a tool for those preaching violence and division. In our own region, we have seen the consequences of extremism or unchecked incitement to violence masquerading as religious faith. Our belief in the moral imperative to ensure that different faith communities can live together peacefully is why we find the recent events in Ukraine particularly distressing. The politicization of religion is another sign of the damage the conflict is inflicting on the country's social fabric.

In times of conflict, we must all work together to protect the sanctity of religious sites. It is imperative that such properties be treated with respect and maintained with care. Resolution 2347 (2017) deplores the unlawful destruction of cultural heritage, including religious sites, while emphasizing that such destruction can exacerbate conflict and hamper post-conflict reconciliation. It also stresses the role of Member States in protecting cultural heritage and safeguarding cultural property in the context of armed conflicts. That is of particular importance because places of worship are a centre of gravity for communities of faith and can serve as important platforms for post-war national healing. As the conflict continues, there are increasingly fewer areas of life in Ukraine that remain unaffected. Religious leaders and communities of faith can play an important role in building peace and providing comfort in times of war.

We are following the terrible news from Dnipro with deep sorrow and concern. We mourn the 45 people reportedly killed in the air strike on Saturday. The horrific human cost of that single attack underscores the scale of the tragedy unfolding in Ukraine. The United Arab Emirates once again urges the parties to abide by international law, including international humanitarian law. We firmly reiterate our call for a cessation of hostilities throughout Ukraine and our readiness to support all efforts at de-escalation and dialogue towards a just, lasting and peaceful resolution of the war.

**Mr. De Rivière** (France) (*spoke in French*): I thank Ms. Brands Kehris and Metropolitan of Volokolamsk Anthony for their briefings.

Russia is once again trying to create a diversion by today exploiting the freedom of religion or belief. It seeks to divert the Security Council's attention from its responsibility for the war of aggression that it has been waging for nearly a year and for the suffering caused to the Ukrainian people.

France strongly condemns the latest Russian strikes of 14 January, which particularly hit the town of Dnipro and caused the deaths of several dozen civilian victims.

This meeting is another example of Russia's disinformation strategy. It called for this meeting under the pretext of defending religious freedom, while it left no respite for the civilian population during the Christian and Orthodox Christian holidays. It blatantly violated a ceasefire that it had unilaterally decided. France of course recalls the importance of ensuring the right to the freedom of religion or belief, in accordance with the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights.

Since the beginning of its aggression against Ukraine, Russia has continued to commit serious human rights violations, namely, forced displacement, which may also involve children, sexual violence committed by the Russian army and violations of the right to the freedom of religion or belief of Ukrainians and the freedom to practise their faith in peace.

Such violations were denounced last September (see S/PV.9126), and again today, by the Assistant Secretary-General for Human Rights. Last Friday, the Under-Secretary-General for Political and Peacebuilding Affairs, Ms. Rosemary DiCarlo, reminded the Council of the number of civilian casualties caused by the war — more than 7,000 people killed and more than 11,000 injured (see S/PV.9243).

France remains determined to support Ukraine in its quest for justice and in the fight against all violations committed against its people. France supports the work of the Independent International Commission of Inquiry on Ukraine of the Human Rights Council and the investigations carried out by the Ukrainian justice system and the International Criminal Court. We thank the Office of the United Nations High Commissioner for Human Rights, which is doing outstanding work in collecting evidence of those violations.

France stands alongside Ukraine. We will never settle for a world in which force takes precedence over the law. We will continue to provide the Ukrainian people with all the humanitarian, economic and military support that they need to exercise their right to legitimate self-defence and preserve their freedom.

**Mrs. Frazier** (Malta): Last Friday, the Security Council once again discussed the consequences of Russia's aggression against Ukraine (see S/PV.9243). We stressed the fact that the war is a violation of the Charter of the United Nations and international law. We emphasize the implications of the war for the region, the continent and the rest of the world. We spoke about the humanitarian catastrophe that the Ukrainian people are experiencing in the middle of a harsh winter. We spoke about the plight of refugees, the internally displaced women who are falling victim to sexual violence and children, who are being deprived of their education and childhood. Today we have been convened for another meeting.

Against that background, we deplore the dissemination of disinformation and misinformation by religious leaders to justify its war against Ukraine, and we condemn the destruction of Ukrainian historical and spiritual heritage sites in Bucha, Irpin, Mariupol and Kharkiv.

Just this past weekend, missile strikes on Ukraine continued unabated, including on Dnipro and the capital. Some of those missile strikes also targeted residential buildings and left tens of civilians dead or injured. Such strikes are coupled with the increasing humanitarian needs brought about by the winter and the attacks on critical civilian infrastructure.

We cannot stress enough that international humanitarian law and international human rights law must be fully respected and upheld. The testimonies and evaluations presented by the International Independent Commission of Inquiry on Ukraine are also of grave concern and put the spotlight on a number of corroborated human rights violations that are taking place in Ukraine.

The only way to protect the rights of all individuals is to stop the war that has been inflicted on Ukraine. We continue to insist that all those responsible for atrocity crimes must be held to account for their actions, in accordance with international law. We call upon the Russian Federation to stop the war, withdraw its military forces from the entire territory of Ukraine

within its internationally recognized borders and turn to dialogue and diplomacy as the tools that can really bring stability to the region.

**Mr. Hoxha** (Albania): I thank Assistant Secretary-General Brands Kehris for her update. I also thank the Office of the United Nations High Commissioner for Human Rights for its work in protecting and promoting human rights worldwide.

For us, there is no doubt that there is a direct link between human rights and security. As we all know, lack of respect for human rights is very often the primary source for tensions, violence and conflicts. I will make two points.

First, three days ago, in yet another massive missile strike on various parts of the country, including the capital, a nine-floor apartment building was reduced to rubble in Dnipro in a matter of seconds. That was again by Russia. That brutal strike, reportedly by a modern missile carrying a one-ton warhead, ended the life of 15-year-old Maria Lebid and some other 43 innocent civilians, now listed among the dreadful number of more than 7,000 civilians killed so far during the war by Russian forces. That should have been the reason to call a meeting of the Security Council, not a race to ratio, and not a meeting to fill a self-imposed quota. When it does not use the veto to block the Security Council with regard to Ukraine, Russia proliferates unnecessary meetings in order to burden the Council. That is not how we see the work of the Council, and that is not how we think its resources should be used.

Secondly, there is an important aspect that has not often been mentioned in our discussions, namely, the severe damage inflicted on the cultural heritage in Ukraine by the war. Since February last year, UNESCO has verified damage to 235 sites, including 104 religious sites, 18 museums, 83 buildings of historical and/or artistic interest, 19 monuments and 11 libraries. The situation has further worsened since last July, when we devoted an Arria Formula meeting to the issue.

We all know — but the perpetrators seem to forget — that the 1949 Geneva Conventions and the 1954 Convention for the Protection of Cultural Property in the Event of Armed Conflict, to which Russia is also a party, sanction respect for, and the safeguarding of, cultural property during conflict, including religious sites. Through its actions, Russia is disregarding those instruments, just as it is disregarding international law, the Charter of the United Nations and all international

obligations and commitments. That is of great concern. That is the real issue, and that deserves, and must have, our attention.

Attempts to divert the attention of the Security Council and the world community from the engineered causes and disastrous consequences of the war in Ukraine will therefore not fool anyone, just like the several meetings that Russia called on the non-existent laboratories for biological weapons could not either. But this time it is religion. We are puzzled and find it odd that at a discussion of developments related to the Ukrainian Orthodox Church in Ukraine, we did not have the chance to listen to its representatives.

Not only as a country in which religious communities live in harmony and demonstrate full respect for each other, but also bearing in mind the crucial importance of the enjoyment of human rights by everyone, everywhere, Albania fully supports the freedom of religion and belief anywhere. It is our profound conviction that religious leaders should work for peace. They should not support an aggression, justify crimes, condone the ill-treatment of others or support discrimination and hate speech, and they should avoid the improper use, instrumentalization and weaponization of religion. Such actions will not serve the Church or society. On the contrary, the open support for the war in Ukraine expressed by religious leaders only exacerbates religious tensions along nationalist lines and serves an extremely narrow domestic agenda that has a huge need to justify an unjustifiable and illegal war. If anything, history has taught us that mixing religion and politics — and even more so religion and war — has always proved wrong and dangerous, just like everything that Russia is deliberately doing today in Ukraine.

**Mr. Pérez Loose** (Ecuador) (*spoke in Spanish*): I listened closely to the briefings.

I wish to praise the work of the Office of the United Nations High Commissioner for Human Rights. I congratulate the Assistant Secretary-General for Human Rights, Ms. Ilze Marianne Brands Kehris, who has undertaken her work for the past three years, and through her I extend my praise to High Commissioner Volker Türk, who today completed his first three months in office.

I reiterate Ecuador's commitment to continue promoting and protecting human rights and fundamental freedoms in all the organs of the United

Nations system, including the Security Council. I also reiterate everything that was said at the briefing last Friday, 13 January, when I urged Council members to be the first to respect and defend the Charter of the United Nations (see S/PV.9243).

Of course, my delegation recognizes the freedom of thought, conscience and religion, in accordance with article 18 of the International Covenant on Civil and Political Rights and article 18 of the Universal Declaration of Human Rights. But we are concerned about the exploitation of religion to fuel conflicts, wherever they occur. We are also alarmed that the military aggression against Ukraine has resulted in the destruction of more than 270 religious sites, of which at least 104 have been verified by UNESCO in its preliminary assessment of damage caused to cultural sites. In that regard, I must recall the Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts, whose article 53 prohibits acts of hostility directed against places of worship, which constitute the cultural or spiritual heritage of peoples.

I deplore the fact that, despite the announced possible cessation of hostilities during Orthodox Christmas, attacks continued during that period, according to the briefing to the Council made by the Under-Secretary-General for Political and Peacebuilding Affairs, Ms. Rosemary Anne DiCarlo, just four days ago (see S/PV.9243). I cannot fail to condemn the attacks committed over the weekend on Dnipro, which took the lives of dozens of civilians, including children, increasing the toll of destruction and death that this conflict has left in its wake. We are also alarmed by the attack on the Red Cross facilities in Kherson. As with any military aggression, the greatest impact is not only on the civilian population, in particular the most vulnerable, but also on fundamental rights and freedoms. I therefore reiterate the call for an end to the invasion, which has lasted for almost a year.

**Mr. Dai Bing** (China) (*spoke in Chinese*): I listened carefully to the briefings by Metropolitan Anthony of Volokolamsk, Chairman of the Department of External Church Relations of the Patriarchate of Moscow, and Ms. Ilze Brands Kehris, Assistant Secretary-General for Human Rights.

Religious issues in conflict situations are complex and sensitive. We have seen that in some conflict areas religious issues, if not handled properly, tend

to intensify and exacerbate conflicts and are not conducive to resolving hatred or resolving conflicts. China has always maintained that the freedom of religion and belief should be fully protected and respected, dialogue between religions and sects should be strengthened, mutual respect fostered and a culture of peace advocated in order to inject a positive energy into the political settlement of potential issues.

Since the outbreak of the crisis in Ukraine, problems have emerged on all fronts and the confrontations and conflicts among religions, cultures and societies have been deepening. The prolongation, expansion and complication of the conflict are too much for either side to bear. There is no winner in conflict and confrontation. Dialogue and negotiation is the only realistic and feasible way to resolve the crisis. China hopes that all the parties concerned will exercise rationality and restraint, engage in dialogue and commit to resolving common security concerns by political means. The international community should focus on promoting peace and dialogue, encouraging Russia and Ukraine to return to negotiations and generating the conditions for an early ceasefire and cessation of hostilities. Any incitement of hatred and inflammation of tensions should be rejected.

In this process, religion should become a positive force for advocating peace, promoting unity and building a shield in the minds of the local people for building and defending peace. At the first meeting of the year on Ukraine held in the Council last week (see S/PV.9243), many countries stressed that 2023 should be the year of peace. That is also China's fervent wish. China will continue to uphold an objective and impartial position and work with all peace-loving countries to build synergy in the international community in order to play a constructive role in the peaceful resolution of the crisis in Ukraine.

**Mr. Mills** (United States of America): I thank Assistant Secretary-General Brands Kehris and Metropolitan Anthony for their briefings today.

Let me start by being clear. The United States takes seriously any allegations of violations of human rights, including the freedom of religion or belief. We expect all countries to respect human rights and fundamental freedoms, and we call out those — friend or foe — who fail to meet them, including ourselves when that happens. But really, can any informed person take seriously Russia's purported commitment to religious

freedom in Ukraine? Let me echo the comments of our French and Albanian counterparts. The subject of this meeting is another cynical attempt by the Russian Federation to invent justifications — justifications for a senseless, unholy war.

Over the past several months, Russia has thrown a variety of flimsy excuses at the wall in an attempt to justify the unjustifiable. We have heard that Russia seeks to de-nazify and demilitarize Ukraine. We have heard that it seeks to protect Russian speakers, that it is fighting drug traffickers and addicts, that it is fighting Satanists. Russia has also sought to justify its war through cynical attempts to distort the history of the Holocaust. That disinformation detracts from serious, critically important worldwide efforts to combat anti-Semitism, including Holocaust distortion.

The Security Council has heard no shortage of excuses from the Russian delegation on why its brutal invasion is supposedly righteous, and why its attacks that have killed and injured civilians are a necessary price. As we meet, we are seeing the price Moscow is inflicting on innocent civilians in Ukraine. Emergency personnel are still digging through the debris of an apartment building in Dnipro that Russia attacked, killing dozens, including children.

And today we have heard another phony justification for the war in Ukraine: Russia's concern about religious freedom in Ukraine. Let us consider, as others have noted, Russia's appalling damage to religious sites and places of worship in Ukraine, despite its concern about religious freedom. UNESCO has verified the damage of 104 religious sites since Russia's brutal invasion of Ukraine last year. In areas of Ukraine under Russia's control or occupation, there is pervasive and continuous evidence of abuses by Russia against peaceful members of religious groups that Russia considers undesirable or has summarily deemed extremist.

We are concerned about the safety of members of all religious communities in Ukraine, particularly the safety of those living in areas under Russia's control or occupation, including members of the independent Orthodox Church of Ukraine, Crimean Tatar Muslims, Jehovah's Witnesses, evangelicals and Baptists. Last week, Russia sentenced five Crimean Tatars to 13 years, and one Crimean Tatar religious leader to a heartbreaking 17 years in prison for participating in a religious group outlawed by Moscow. Since 2014, Russian authorities have prosecuted dozens of Crimean Tatars on charges

that independent observers characterize as baseless. We urge the Kremlin to respect the human rights of all and the safety of the civilian population of Ukraine, including of members of all religious communities.

We must also note Russia's flagrant violations and abuses of human rights and fundamental freedoms, including freedom of religion or belief, in Russia and in Russian-controlled areas of Ukraine. There are numerous reports — we have all seen them — of Russia's authorities detaining, physically abusing, torturing and imprisoning individuals on the basis of their religious beliefs or affiliations, and then wrongfully labelling them as "extremist," "terrorists," or "undesirable".

In conclusion, the Kremlin's objective — the violent conquest and subjugation of a sovereign country — has not deviated since Putin began his war against Ukraine. Russia now hopes to force Ukraine into a frozen conflict, lock in its gains, rest and refit its forces and then attack again until Putin's revanchist goals are met. We have all witnessed Russia's playbook: to wreak death and destruction in Ukraine; freeze and starve its people; force them from their homes; drive them across Europe and around the world; then drive up energy, food, and other household costs; and then distract the international community with disinformation, such as today's wasteful briefing.

We urge those here and those watching to reject Russia's attempts to create false equivalencies, and we once again, as others have done, call on Russia to end its brutal, unprovoked war against Ukraine and cease its violations of international law, including the Charter of the United Nations.

**Mr. Kariuki** (United Kingdom): I thank Assistant Secretary-General Brands Kehris for her briefing and the work of Office of the United Nations High Commissioner for Human Rights (OHCHR).

The United Kingdom is committed to defending freedom of religion or belief around the world, a commitment we share with Ukraine, whose democracy is well-known for its pluralism. We condemn the persecution of any group based on religion or belief. That is why we hosted a conference in London last year to urge increased global action to prevent violations and abuses of freedom of religion or belief. And that is why we condemn Russia's campaign of persecution against communities in Ukraine and Russia based on their religion or belief. That includes the detention and oppression of Crimean Tatars, Jehovah's Witnesses and

clergy belonging to the Orthodox Church of Ukraine, the Ukrainian Greek Catholic Church, and Protestant churches in areas of Ukraine controlled by Russia since 2014. That includes Russia's ban against Jehovah's Witnesses in Russia, which the European Court of Human Rights ruled was unlawful and in violation of fundamental human rights. And it includes the damage and destruction of more than 100 religious sites caused by Russia's war in Ukraine, as verified by UNESCO.

It is clear from Russia's track record that they did not request today's meeting out of a concern for any human right. If Russia cared about human rights, it would not have launched its illegal invasion of Ukraine — an invasion which Russian Orthodox leader, Patriarch Kirill, has supported and which he recently suggested would leave no trace of the Orthodox Church of Ukraine. The reason Russia requested this meeting was to once again distract from its own actions.

This is an invasion which, as the United Nations, OHCHR and the Independent International Commission of Inquiry on Ukraine have confirmed, continues to be marked by grave violations of international human rights law and international humanitarian law; the death, injury and displacement of thousands; the arbitrary detention, enforced disappearance, sexual violence, torture and summary execution of Ukrainians by Russian forces; the mass disruption of education and forced deportations of children; and, of course, the attacks on civilian infrastructure and objects, including the devastating attacks on residential buildings in Dnipro just this weekend, which Ukrainian officials have said killed at least 40 people. That is the real story of human rights in Ukraine. Russia is the aggressor State. Russia is committing heinous crimes and pointing in the other direction to try to pull the wool over our eyes.

Russia should stop this propaganda and instead do what the overwhelming majority of the United Nations membership has urged it to since last February: end its invasion of Ukraine, withdraw its forces from Ukraine's internationally recognized borders and uphold its commits under international law, including the Charter of the United Nations.

**Mr. Biang** (Gabon) (*spoke in French*): We would like to thank the Assistant Secretary-General for Human Rights for the information that she has brought to our attention. We listened carefully to the briefing delivered by Metropolitan Anthony.

For the past eleven months, the eyes of the world have been focused on Ukraine, and every day they see the scale of destruction and the shelling of civilian infrastructures, along with the attendant distress it has brought to the daily lives of men, women and children, who must choose between dying in the rubble and ruins or fleeing their home, city or country. What purpose would it serve to recall the appalling humanitarian consequences of the daily fighting that is taking place in Ukraine? My country amply highlighted them in its statement in the Security Council on Friday (see S/PV.9243), as we have been doing since the beginning of the war.

Clergy are also affected in the now-total war being waged by the parties to the conflict, and churches must make decisions in areas beyond those that are strictly religious or belief-based. That is reminiscent of the darkest episodes of history, in which religion was used to support a political or geopolitical ideology, enabling the warring parties to justify the unjustifiable and to fuel the deadliest of wars. Several States in the world owe their geography and the limits of their territories to those episodes, drawn in the ink of the blood of many innocent victims. History has shown us in a brutal and cruel way to what extent hatred and rejection of the other can lead humankind into the abyss of violence, exacerbated by the instrumentalization of the sacred and the religious.

I would like to stress that freedom of religion or belief is guaranteed by the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights, as well as by the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief. All parties must respect the relevant provisions of international instruments, both in times of peace and in times of war.

My country is very concerned about the lack of prospects for negotiations to end the conflict. Neither side seems ready to sit down around the table to consider an end to the belligerence. On the contrary, each side is sharpening its weapons, honing its tactics and hardening its rhetoric.

All the military projections concerning the state of the forces present on the battlefield, all the strategic calculations seem to boil down to a war of attrition and ignore the human cost of the war. How many more deaths are needed? How many more public buildings, bridges, hospitals, schools — how many more innocent

victims and how many more refugees will have to be pushed into the destitution of displacement camps and onto the icy roads of exodus? How much distress and bloodshed will it take before the parties decide to negotiate?

Eleven months after the outbreak of war, the Council can neither remain silent nor indulge in the logic of war. We must find the means to put an end to this war. As long as it lasts, it will continue to unravel the prospects for coexistence in the region and beyond and will make post-conflict reconstruction even more difficult.

We urge the various actors to seriously consider silencing the guns and giving diplomacy a chance. The latest agreements on cereals and contacts on prisoner exchanges are encouraging signals that should serve as a basis for a constructive dialogue that can lead to a cessation of hostilities.

I would like to conclude by reiterating my country's constant appeal for de-escalation and the lowering of tensions in order to create favourable conditions for negotiating an end to the war. Weapons can in no way bring about a solution. There can be no other possible outcome than a peace agreement allowing for peaceful coexistence. The Council must immediately commit to finding a solution that brings the deadly war in Ukraine to an end.

**Mrs. Hackman** (Ghana): I thank the Assistant Secretary-General for Human Rights, Ms. Brands Kehris, for her briefing. We have also taken note of the information shared by the Chairman of the Department of External Church Relations of the Patriarchate of Moscow.

As the war in Ukraine evolves, worrisome accounts of human rights violations and breaches of international humanitarian law continue to emerge.

We are concerned by the attack, on 14 January, of a residential facility in Dnipro in a wave of missile attacks on several cities of Ukraine. Reports indicate that some 45 people, including children, have been killed and many others have suffered life-threatening injuries. We express our sincere condolences to the people of Ukraine, in particular to the families of those who died unjustly from such a heinous act. We continue to emphasize that attacks against civilians are unacceptable, and therefore expressly prohibited under international law by the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time

of War. We urge international support to ensure accountability for this and the many other humanitarian and human rights violations that have occurred as a result of the war.

The relations between the Russian Federation and Ukraine have for a long time been marked by religious tensions that have intensified since February of last year, when the Russian Federation launched a full-scale attack on Ukraine. The war has deepened existing religious schisms that have struck at the very core of the belief systems of many Ukrainians.

We note that recent developments in connection with the activities of the Ukrainian Orthodox Church, which is part of the Russian Orthodox Church, have been a concern for the Ukrainian authorities and have necessitated regulations aimed at combating suspected acts of subversion by some clerics and members of the Church. We hope that those measures will be temporary, in accordance with international law and related only to the war efforts, in order to ensure public order. We have also heard reports of restrictions being imposed on some religious sects, especially in Russian-controlled areas in eastern Ukraine.

Apart from those tensions, UNESCO has reported that more than 100 religious sites have been damaged or completely destroyed as a result of the war. We remind the parties of the international obligations to safeguard cultural heritage, including religious sites and monuments. The freedom of religion, thought and conscience are fundamental rights guaranteed under international law. The exercise of such freedom, however, may be regulated in order to protect public safety, public order and the exercise of other fundamental rights and freedoms.

Historically and in contemporary times, some of the worst forms of crimes have been committed against people on the basis of religion. That is more the case when the lines between religion and politics appeared to be blurred. Although religion is not of itself violent, religious excesses, misguided interpretations of beliefs and religious intolerance have precipitated gross violations of human rights in many parts of the world.

We therefore urge all actors to exercise tolerance and mutual respect of other faiths, beliefs or religious preferences. We believe that religion must not only bring hope in these times of suffering and disarray, but should be an enabler of peace and peaceful coexistence.

All claims of human rights and religious violations should be submitted to appropriate international channels, such as the United Nations Human Rights Council and the Council of the Europe, for redress.

We are of the view that the sooner the war ends, the better the chances that religious freedoms will not further deteriorate for all religious groups.

I end by reiterating Ghana's call for the cessation of hostilities and urge the immediate and unconditional withdrawal of Russian forces from the internationally recognized borders of Ukraine.

We remain deeply concerned by the trend of the war and the deepening mistrust that it is fuelling between the parties and other relevant international actors. In that regard, we urge the continuing support of the Council and the international community to assist the parties to resolve the conflict through dialogue and diplomacy.

**Mr. De Almeida Filho** (Brazil): Let me start by thanking our briefers for their participation and for their detailed and informative interventions.

Freedom of religion is a fundamental human right enshrined in the Universal Declaration of Human Rights and in numerous multilateral instruments, such as the International Covenant on Civil and Political Rights and the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief, adopted by the General Assembly in 1981. Religion is part of the development of the individual and of the cultural identity of peoples.

The Brazilian Constitution guarantees respect for the freedom of worship for nationals and foreigners alike, regardless of their origin. We are proud of our religious diversity and the respect and tolerance that characterize the relationships among our communities. Religious differences must not be exploited to fuel intercommunal tensions. It is not clear, at this stage, that that is the case in Ukraine. Brazil expects that the Ukrainian State will act with moderation and discernment, while refraining from attitudes that could be characterized, in any way, as religious persecution. In March 2020, leaders of the three Abrahamic faiths gathered in Jerusalem to pray together for an end to the coronavirus disease pandemic. In our view, that scene illustrated the potential of religion to unite peoples, overcome differences and promote peace. We support the efforts of religious leaders to facilitate dialogue and

encourage the parties to heed the pleas of the majority of the Members of the Organization in favour of a diplomatic solution to the conflict.

At last Friday's meeting (see S/PV. 9243), the representative of the United Arab Emirates recalled that, since February 2022, the Council has met more than 40 times to discuss the conflict in Ukraine. Nevertheless, as Under-Secretary-General Rosemary DiCarlo noted in her briefing at that meeting, there does not appear to be willingness on either side for a ceasefire in the near future. That regrettable conclusion should in itself encourage reflection on our collective response to the crisis. On many occasions, the General Assembly has expressed its firm condemnation of the violation of Ukraine's territorial integrity. It is necessary to go further. The Council must live up to the responsibilities assigned to it by Article 33 of the Charter of the United Nations and explore, with both parties, ways to end the conflict without delay.

**Mr. Afonso** (Mozambique): Mozambique wishes to thank Assistant Secretary-General Brands Kehris and Metropolitan of Volokolamsk Anthony for their valuable insights.

As the conflict drags on, we know that we are faced with the rapid deterioration of, and disregard for, hard-won human rights and fundamental freedoms, thereby compounding an already fraught situation. That is taking place at a time when faithful and God-fearing peoples should devote themselves to reflection, healing and reconciliation. Indeed, the first and most visible casualties of war anywhere in the world are human decency and respect for the sense of our common humanity. As one twentieth century philosopher famously put it, we are confronted with the banality of evil. The instrumentalization of religion and the lack of respect for other people's beliefs and their places of worship can only further entrench hatred.

Let us be reminded that the freedom of religion or belief is guaranteed by article 18 of the Universal Declaration of Human Rights. It is also an important value of present-day civilization. Attacks on that tenet of the Universal Declaration undermine the peaceful coexistence among peoples and nations, which is anchored in respect for differences and pluralism. We urge political leaders and citizens to exercise the utmost restraint and to abstain from weaponizing this highly sensitive issue, which can only undermine the possibility of any future reconciliation.

We remain deeply concerned about the retreat from any possibility of a negotiated settlement to the conflict. We are also concerned about the radicalization of supporters on both sides of the dispute — the parties to the conflict. In that context, we wish to reiterate the call we made a few days ago in the Chamber (see S/PV.9243) for an immediate cessation of hostilities and a return to direct negotiations between the parties.

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

I thank the briefers for their views and thoughts.

Russia must immediately stop its war of aggression, withdraw all its troops and military equipment from Ukraine and respect Ukraine's independence, sovereignty and territorial integrity within its internationally recognized borders. No argument can justify the flagrant violation of international law and the hideous acts we are currently witnessing, including the recent missile strike on a residential building in Dnipro. Japan once again urges Russia, a permanent member of the Security Council, the organ with the primary responsibility for the maintenance of peace and security, to stop the war of aggression immediately.

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*): I shall refrain from commenting on the usual mantra of some members that everything that we bring to the Security Council on the subject of Ukraine is disinformation.

Many representatives in the Chamber today mentioned the tragedy in Dnipropetrovsk, where a missile destroyed the entrance to a residential building. Western colleagues even attempted to use that incident to cancel the topic we had proposed for today's meeting, saying that it was false and did not merit discussion. And yet no member has mentioned the real context of what happened — a concern that was voiced even by Ukrainian officials.

A Russian missile that was launched at an infrastructure facility in the city was shot down by Ukrainian air defence systems. Since those systems were located in a residential district — in violation of the norms of international law, which Council members

so strongly advocate — the remnants of the missile landed on a residential building. The Council knows what occurred thereafter. Had the Ukrainian authorities followed the rules of international humanitarian law, that tragedy would not have occurred.

Equally, it would not have been necessary for us to conduct strikes on an infrastructure facility where Ukrainian forces were stationed, had the Ukrainian leadership demonstrated a willingness to negotiate realistically, which would have allowed us to address the causes that led to the beginning of the special military operation. We also deplore the fact that no members found anything to say in condemnation of the almost daily uninterrupted strikes launched by Ukrainian armed forces on Donetsk, where civilians are also dying. The Kyiv regime intentionally targets residential districts in which there are no military targets. The residents of Donetsk will tell us what is happening. We will hear more about that at the Arria Formula meeting to be held on Friday.

**The President:** I now give the floor to the representative of Ukraine.

**Mr. Kyslytsya** (Ukraine): There is a place called Church House in Westminster that today is the headquarters of the Church of England. The building's assembly hall was directly hit during the Blitz and yet suffered little damage. Let me recall that the Blitz was a German bombing campaign against the United Kingdom in 1940 and 1941. Casualties and losses included more than 40,000 civilians killed and thousands upon thousands injured. Two million houses were damaged or destroyed. It sounds almost like what Russia is doing today in Ukraine. Members might ask why I mention Church House. It is not because we are talking about religion today, but because the very first meeting of the Security Council (see S/PV.1) took place in Church House, Westminster, London. Were Russia to be a peaceful nation and not one bombing Ukraine today, as Nazi Germany bombed the United Kingdom then, it would be precisely today when they would be celebrating the seventy-seventh anniversary of the Security Council, which took place on 17 January 1946. Unfortunately, we are not here to celebrate this important anniversary. Unfortunately, we are here because of the nonsense that the Russian Federation made us listen to. But as we use taxpayers' money, it is our duty to make sense of that nonsense — or rather, to make use of that nonsense.

The freedom of religion is a human right, as set out in article 18 of the Universal Declaration of Human Rights and other important documents. No matter the nonsense the Russian Federation says today in the Chamber, this discussion is about human rights. Let me therefore recall what I said in this very Chamber on 18 April 2017, when the members of the Security Council — including Japan, by the way, as it was a member of the Council at the time — assembled to discuss the role and place of human rights on the Council's agenda:

“In the 1970s, human rights issues were removed from the agenda of New York and transferred to nice, cosy, sleepy Geneva. It was not only a physical move but, it appears, an ideological divorce of United Nations Headquarters from something that was then perceived as irreconcilably different from the security agenda of New York. It is time to reconcile these differences and to restore the integrity of the entire United Nations system as designed by its founders.

“The Council has no right to repeat its failures in Rwanda, to continue to fail in Syria, or to remain paralysed by the Russian position in the case of Crimea and Donbas.” (*S/PV.7926, p. 7*)

I concluded by stressing how we sincerely believed that the Secretary-General could skilfully manage all of the tools given to him by the Charter of the United Nations and that he would not hesitate to use them whenever necessary to achieve the implementation of the Charter's goals and objectives.

Let me also recall what the Secretary-General said on that day in the Chamber:

“Systematic monitoring and reporting of human rights violations has given a voice to victims and advanced the fight against impunity. Moreover, these efforts offer important warning signals to societies that also highlight the Council's determination to prevent further abuses. To advance this work, I encourage close cooperation with my Special Adviser on the Prevention of Genocide.” (*ibid., p. 3*)

The Russian statement at the Security Council's meeting on that April day in 2017 was pretty clear and straightforward:

“... the Security Council is not intended to fulfil the tasks of ensuring the observance of human

rights and is not adapted to a substantive analysis of the situation in this sphere”;

“We do not share the approach of considering human rights violations as the main precondition for armed conflict or human rights protection as a key instrument for preventing them or as a panacea. Practice demonstrates otherwise. The goal of conflict prevention is completely contrary to interfering in the domestic affairs of countries and undermining their sovereignty, often under the pretext of protecting human rights.” (*ibid., pp. 12-13*)

If the Russian Federation is so interested in discussing the issue of human rights in the Security Council — and once again, the freedom of religion is a human right— perhaps the time has come to return human rights to the Council's agenda and thoroughly address the Secretary-General's reports on the human rights situation in occupied Crimea, Ukraine, and the report of the Independent International Commission of Inquiry on Ukraine, established by the Human Rights Council.

Perhaps it would also be useful to invite the High Commissioner for Human Rights to brief the Council on his recent visit to Ukraine, as well as the Head of the Human Rights Monitoring Mission in Ukraine, which has been operating in my country at the invitation of the Government of Ukraine for almost nine years. In particular, the Council could receive an update on Russian war crimes based on the recent thematic report by the Office of United Nations High Commissioner for Human Rights entitled “Killings of civilians: summary executions and attacks on individual civilians in Kyiv, Chernihiv, and Sumy regions in the context of the Russian Federation's armed attack against Ukraine”. The delegation of Ukraine would strongly support such a development. In fact, we propose organizing a special meeting of the Security Council to address the implications of the Russian war of aggression on the human rights situation in Ukraine.

It is a matter of regret that the representative of Putin's regime is still capable of misusing the permanent seat of a defunct country and making the Council listen to its disinformation narratives. Russia still attempts to divert the attention of this organ from the real security threats flowing from its aggression and to create a smokescreen to hide its crimes behind tons of fakes. We have already heard the insane statements about “combat mosquitos”, Ukrainian dirty bombs, chemical

weapons, secret labs et cetera. Today the Russian representative went even further. It is a real mockery of the Council when an accomplice to crimes against humanity dresses up in the mantle of preacher and explains to the Security Council which denomination in Ukraine should be recognized as a canonical institution and which should be labelled a heretical one.

We have just heard from the briefer invited by the Russian delegation, who represents the Russian Orthodox Church. Frankly speaking, it is baffling when a foreign national and a member of a foreign religious organization is invited to brief about the religious situation in another country. In that regard, let me draw members' attention to the official comment issued by the Ukrainian Orthodox Church yesterday on the intention by the Russian Federation to raise at the United Nations the issue of the situation regarding the Ukrainian Orthodox Church. The comment was made by the very church that the person invited by the Russian delegation just pretended to protect.

“The Ukrainian Orthodox Church has not appealed to any State for assistance in protecting its rights, [much less] to the State that has perpetrated a treacherous armed attack on our country. Also, we have not authorized anyone from the Russian Orthodox Church of the Moscow Patriarchate to speak on our behalf at the United Nations. We are concerned that the issue of the Ukrainian Orthodox Church is being raised by structures that have no relation to us. We call on the authorities of Russia not to speak on behalf of our Church at international platforms and not to use the religious factor for their own political purposes.”

Today a number of Ukraine's religious leaders — representing Orthodox, Greek, Roman Catholic, Protestant and Evangelical churches, as well as Muslim religious unions — issued an address to the members of the Security Council, which is publicly available, that I would also like to bring to their attention:

“We, representatives of religious organizations of Ukraine, appeal to you on behalf of millions of our faithful who, under Russian missiles and shells, pray, work and protect the most valuable gift of God — life on our land, people's rights and their dignity. The war has brought enormous suffering to these people, with the people's freedom [and]

their religious beliefs having effectively become the initial target of the Russian occupiers.

“In 11 months, they destroyed or ransacked more than 270 churches and sacred buildings, killed and tortured to death dozens of clergymen. Wherever Russia comes, religious freedom ends. Where Russia is, they torture “wrong” Orthodox Christians, mock Catholics, imprison Muslims for religious beliefs for terms unthinkable even in Soviet times, force Protestants to flee abroad from inevitable repression and persecute Jehovah's Witnesses.

“That is why our faithful are fighting at the front, among other things, to ensure that Ukraine continues to be a country where not a single house of worship has been closed in the entire history of its independent existence; where everyone has the right to believe in what he or she considers worthy of belief; where religious minorities feel as comfortable as the churches that unite millions of believers; where, after all, religiously persecuted people from many countries have always found refuge, and Ukraine's achievements in the field of freedom of conscience are recognized all over the world.

“We take this opportunity to appeal to the international community to hear our call: the most that peoples can do for the sake of establishing freedom of conscience in Ukraine is to help Ukrainians resist the Russian invasion, which brings death, slavery, darkness and religious oppression.”

The appeal is signed by the Primate of the Orthodox Church of Ukraine and Metropolitan of Kyiv and All Ukraine; the Head of the Ukrainian Greek Catholic Church, Supreme Archbishop of Kyiv-Halych; the Head of the All-Ukrainian Union of the Churches of Evangelical Christians-Baptists; the Mufti of the Spiritual Administration of the Muslims of Crimea; the Mufti of the Spiritual Administration of the Muslims of Ukraine; the Ruling Bishop of the Diocese of Kyiv-Zhytomyr of the Roman Catholic Church in Ukraine; and the President of the Ukrainian Union Conference of the Seventh-Day Adventist Church in Ukraine.

The deadly nature of the Kremlin regime was again manifested last Saturday with a new round of Russian missiles launched to kill Ukrainians and destroy our critical infrastructure — by the way, despite the important Orthodox holiday that many Ukrainians

marked that day. The most horrendous part of that strike — against a multi-story residential building in Dnipro — killed at least 45 people, including six children, and wounded 79. We applaud the courage and commitment of the professional rescue teams and numerous volunteers who worked onsite 24/7 to save everyone still alive under the debris.

Members might see the heartbreaking pictures of a young female victim, Kateryna, who was saved after 20 hours under the rubble in freezing-cold temperatures. As recounted by her relatives, she was not even able to cry out for help because she has been deaf since childhood. We kept a little hope at the moment of her rescue that her husband and 1-year-old son could also be found alive. Unfortunately, the Russian missile left no room for a miracle.

According to the Ukrainian Air Force, it was a Kh-22 missile fired from a Tu-22M3 long-range bomber. This type of powerful missile, with a 950-kilogramme warhead, was designed to hit aircraft carrier groups at sea. They are less accurate than most modern missiles, and their use against densely populated residential areas is a clear war crime. A missile of the same type was used by the Russian army to strike the city of Kremenchuk on 27 June 2022, hitting a shopping mall and killing at least 20 people. Unfortunately, so far, Ukraine does not have in its possession any means capable of shooting down such types of missiles.

It speaks volumes that today, on the second day of mourning in Dnipro, Putin has submitted a draft to the Russian Parliament to denounce a number of European conventions, including the Convention for the Protection of Human Rights and Fundamental Freedoms as well as the European Convention on the Suppression of Terrorism — today, on the anniversary of the first meeting of the Security Council. Indeed, if they have opted for being a terrorist who kills innocent people in their homes, why should they care about maintaining any link, even a symbolic one, with international democratic instruments.

I would like to thank all members who expressed their sympathy for the victims of the deadly Russian attack in Dnipro and pointed out the need to use the Security Council to address real threats to regional and international peace and security — threats that take the lives of innocent people every day and night across the whole of Ukraine and in many other parts of the world. Their human rights, starting with the right to life, must be protected. In that regard, I reiterate the call to return to the practice of discussing human rights issues in the Security Council and to organize, in the coming months if not weeks, a full-fledged Council meeting to address the implications of the Russian war of aggression on the human rights situation in Ukraine and the place and role of human rights in the work of the Council.

*The meeting rose at 4.50 p.m.*