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On Secretary-General's remarks regarding the results of the referenda held in the Donbas Peoples' Republics, Kherson and Zaporozhye regions

5-7 minutes

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We regret to have heard the statement by the UN Secretary-General with regard to the results of the referenda held in the Donbas peoples' Republics, as well as in Kherson and Zaporozhye regions.

If the UN charter is indeed “clear” to Antonio Guterres, he then should be aware of the content of Article 97 thereof, identifying the Secretary-General as the “Chief administrative officer the Organization”.

Administrative functions do not give the Secretary-General the right to make political statements on behalf of the UN as a whole – as it belongs to its Member States – let alone to single-handedly deliver interpretation of the norms of the Charter and the documents of the General Assembly, including 1970 Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of

the United Nations.

All that unambiguously represents ultra vires acts on the part of the highest UN official.

The nature and the content of the claims made leave no doubt that another fundamental rule of the UN Charter has been violated – article 100, stipulating that Secretary-General and the Secretariat “shall refrain from any action which might reflect on their position as international officials responsible only to the Organization”, in other words, that they shall always act in an unbiased manner.

Regarding the situation around Ukraine the UN Secretary-General has been consistently demonstrating the same selective approach as the countries of the collective West, literally putting himself in the lineup with them.

Recent claims are among the most clear examples of such attitude. In particular, he recalled the principle of non-use of force in international relations. At the same time he decided to ignore another principle enshrined in the same document, namely, “of equal rights and self-determination of peoples”. The latter directly specifies that “the establishment of a sovereign and independent State, the free association or integration with an independent State or the emergence into any other political status freely determined by a people constitute modes of implementing the right of self-determination by that people”. Decision by the peoples of DPR, LPR, Kherson and Zaporozhye regions taken at referenda represent their free will fully in accordance with 1970 Declaration.

At the same time we never heard a word of condemnation from the UN Secretary-General of the Kiev regime which for more than 8 years following illegal coup d'etat, financed and organized by the

West, has been waging war against their own citizens and everything Russian, including culture, language and the Russian identity. The Kiev regime for all these years has been bombing, killing, maiming, abducting and torturing people of Donbas. While the UN Secretary-General fails to comment on other relevant provisions in the 1970 Declaration, they are clear: the territorial integrity is guaranteed to the States possessing “a government representing the whole people belonging to the territory without distinction as to race, creed or colour”. It is obvious that Kiev authorities, persecuting for years large part of the population on the basis of ethnicity, creed, language and cultural affiliation do not satisfy that criterion. Moreover, under that Declaration “every State has the duty to refrain from any forcible action which deprives peoples...of their right to self-determination, freedom and independence”.

Ukraine has been grossly violating not only this provision but also Minsk Agreements endorsed by the UN Security Council with full complicity on the part of Western States. The UN Secretary-General remained silent on that. Similar silence is demonstrated by the Secretary-General with regard to continuing invasion by US and NATO into Syria with ongoing occupation of the part of its territory. No action has been taken and no condemnation has ever been voiced with regard to ongoing shameful colonial and neo-colonial practices, including situations around the island of Mayotte (Comoros) and Malvinas islands (Argentina) remaining under French and British dominance respectively. The UN leadership was silent during the so-called Kosovo “independence” trick played by the collective West in the aftermath of its illegal intervention in Yugoslavia in violation of the UN Charter (no referendum was

deemed necessary – unilateral declaration of independence, adopted ultra vires by provisional self-government body, was considered enough by the Western countries since as it was declared by so many of them in their written submissions to the International Court of Justice that “international law did not prohibit declarations of independence”).

Against this backdrop such a direct assault by Antonio Guterres on the fundamental right of self-determination expressed by the population of DPR, LPR, Kherson and Zaporozhye regions represents yet another example of double standards.

We regret that instead of acting as foreseen by the UN Charter, the Secretary General chose to be instrumental in influencing the position of UN Member States ahead of the anticipated initiation by the Western countries of the discussion of the issue of referenda in the GA.