

## **Conseil de Sécurité des Nations Unies**

### **Débat ouvert - Promotion et renforcement de l'état de droit dans le cadre du maintien de la paix et de la sécurité internationales**

**New York, le 12 janvier 2023**

#### **Déclaration de S.E. M. Olivier Maes Ambassadeur, Représentant permanent du Luxembourg au nom des pays du Benelux (Belgique - Pays-Bas – Luxembourg)**

##### **Texte :**

Mr. President,

I deliver this statement on behalf of the Benelux countries: Belgium, Luxembourg and my own country, the Kingdom of the Netherlands.

We subscribe to the EU-statement and thank Minister Hayashi for convening this debate.

Mr. President,

At the outset of the Modern Age, the Dutch jurist Grotius argued that to end war and create peace, States are required to submit to common rules, restrain their use of force and take responsibility for humanity as a whole.

This rule of law was at the very core of the foundation of the Benelux: a group of small countries surrounded by bigger neighbors in a region historically subject to war.

When all of us adhere to it, it is our best guarantee for common security and prosperity – and the best conflict prevention tool available, too.

Mr. President,

There is a fragility to the rule of law, however, all over the world.

Amongst others, this is exemplified by Russia's war of aggression against Ukraine.

A war that started in 2014 with Russia's illegal annexation of Crimea, the attacks in Eastern Ukraine and the downing of flight MH17, and that culminated in a full scale invasion of Ukraine last year – facilitated by Belarus.

It has caused immense suffering in Ukraine but also made the entire world less safe, less food secure and less prosperous.

Mr. President,

For decades, the international community has worked to develop legal frameworks aimed at securing peace, justice and human rights.

With political will we can collectively enforce these frameworks and save the rule of law.

Allow me to highlight three avenues of action for all situations where the rule of law is breached.

First,

The international community must continue to speak out against all grave violations of the UN Charter wherever they occur.

Last year, the General Assembly took unprecedented action.

It condemned Russia's war of aggression,

It underlined that Russia's attempted illegal annexation of four regions of Ukraine has no validity under international law,

And it called for Russia to pay war reparations to Ukraine.

When it comes to the Security Council, it is unacceptable that a Permanent Member exercises its veto to defend its own acts of aggression.

This is why the Benelux countries strongly support the resolution establishing a standing mandate for a General Assembly debate when a Council member casts a veto.

Second,

We need to pursue justice and accountability and use all legal instruments we have at our disposal.

This includes the peaceful settlement of disputes and the use of courts.

Clear examples are the CAR Special Criminal Court and the "triple I M" (IIIM) for Syria.

We also fully support the work of the Commission of Inquiry and the investigations of the International Criminal Court into possible war crimes, crimes against humanity and genocide in Ukraine.

We support calls for the establishment of an international tribunal to prosecute the leaders responsible for the crime of aggression against Ukraine.

And we call on Russia to comply with the order of the International Court of Justice on provisional measures, which is legally binding.

Third,

History taught us there will be no lasting peace if aggression is rewarded and the rule by force wins over the rule of law.

Supporting Ukraine means supporting the international rule of law.

That is why the Benelux countries will continue to support Ukraine to help it defend itself and overcome the Russian aggression - for as long as needed.

We call on the international community to do the same.

Mr. President, in conclusion.

A dependable, rule-based legal order is a prerequisite for security, stability, economic growth and lastly, peace. In Europe and in all regions of the world.

I thank you.