

**Statement by H.E. Ms. Yevheniia Filipenko,
Permanent Representative of Ukraine in Geneva,
on a.i. 4 (a) “International Protection” of the 74th session
of the UNHCR Executive Committee
(12 October 2023, Geneva)**

Madam Chair,

The delegation of Ukraine appreciates important work undertaken by UNHCR to address growing protection challenges amid the record-high numbers of refugees and displaced people in the world.

We commend the progress made in the implementation of UNHCR’s response plan in support of Ukrainians displaced or affected by the Russia’s war. It is a welcome fact that in 2023 more than 1 million of them have been reached with various protection services through UNHCR and partners.

We particularly note the work of the UNHCR Regional Contact Center that provided critical information to displaced Ukrainians as well as the network of 36 “blue dot” protection and support hubs established across seven countries neighboring Ukraine.

Almost 20 months into Russia’s full-scale invasion of Ukraine, the displacement crisis it caused is becoming increasingly protracted. More than 11 million Ukrainians remain displaced, including 5 million within Ukraine and a further 6,2 million who have been seeking safety abroad.

We rely on UNHCR’s active engagement in continued humanitarian response in 2024.

Ukraine reiterates its sincere gratitude to all countries that provided temporary protection or similar national protection schemes to temporarily displaced Ukrainians, enabling them to access protection and rights.

According to UNHCR’s intentions surveys, the overwhelming majority of them hope to return to Ukraine in the future. For its part, Ukraine would be ready to foster conditions that enable such permanent returns, safety and security situation permitting.

Going forward, it is important to ensure that those people are fully able to travel to Ukraine for short periods which can help pave the way for more durable and well-informed returns in the future.

In this regard, we would like to draw attention to the recommendations contained in the UNHCR report of August 2023 entitled “The impact of travel to Ukraine on refugee`s legal status and access to rights in host countries” and call on all host countries concerned to maintain a flexible approach to short term-visits to Ukraine.

We cannot but mention that the Note on International Protection, contained in the document 74/3, erroneously refers to “the conflict in Ukraine”, instead of the international armed conflict between Russia and Ukraine.

It should be noted here that the legal classification of armed conflict under international humanitarian law, whether it is international or non-international one, determines the choice of applicable legal framework, including the status and protections offered to affected population by international law.

Starting from 2014, the UN General Assembly in its numerous resolutions condemned the armed aggression by Russia against Ukraine, organization by Russia of illegal so-called referendums in regions within the internationally recognized borders of Ukraine, as well as their attempted illegal annexation. Moreover, the Grand Chamber of the European Court of Human Rights in its relevant decision concluded that Russia had effective control over all areas in the hands of the illegal armed groups in parts of Donetsk and Luhansk regions of Ukraine back from 11 May 2014.

Therefore, it is the law of international armed conflict, including the law of occupation, that applies to the international armed conflict between Russia and Ukraine. The law of occupation prohibits deportations of civilian population from occupied territory to the territory of occupying power, regardless of their motive.

We are deeply alarmed at the dire situation of hundreds of thousands of Ukrainians, including children, who have been unlawfully deported from the temporarily occupied territories of Ukraine to Russia under the pretext of evacuation.

We reiterate our demand to Russia to provide UNHCR and other established humanitarian and human rights mechanisms with full and unhindered access to those people, including children, to facilitate their safe and dignified return to Ukraine in accordance with international law.

I thank you.