

Concept Note

High-Level Side Event:

Ensuring Accountability for Ukraine

Hosted by Albania, Denmark, the Kingdom of the Netherlands, and Marshall Islands as co- chairs of The Group of Friends of Accountability following the Aggression against Ukraine, as well as Ukraine and Estonia,

24 September 2025, 4:00 – 5:30 PM
UN-Headquarters, Conference Room 6

I. Introduction

Russia's war of aggression against Ukraine has led to widespread violence, displacement, and human suffering. There are continuous reports of war crimes, including attacks on civilians, unlawful detention, torture, and other severe violations of international humanitarian law, and human rights abuses. Perpetrators need to be held accountable for violations of international law. This is essential for the many victims. Delaying accountability risks impunity and erosion of the global rule-based order. Peace, when achieved, will need to rest on justice.

The UNGA reaffirmed in its Resolution ES-11/7 'Advancing a comprehensive, just and lasting peace in Ukraine' of 24 February 2025, its commitment to the sovereignty, independence, unity and territorial integrity of Ukraine within its internationally recognized borders, extending to its territorial waters.

In this resolution the UNGA also urged for a swift end to the conflict and an urgent need to achieve a comprehensive, just and lasting peace in Ukraine, in line with the Charter of the United Nations and its principles of sovereign equality and territorial integrity of States.

The resolution also emphasizes the need to end Russia's aggression and ensure accountability for the most serious crimes under international law committed on the territory of Ukraine through appropriate, fair and independent investigations and prosecutions at the national or international level, and ensure justice for all victims and the prevention of future crimes.

The text, moreover, calls upon the parties to the armed conflict to fully comply with international law, including international humanitarian law, notably with regard to the protection of civilians, especially women and children, and persons hors de combat, as well as civilian objects, and to ensure safe and unhindered humanitarian access to those in need.

This **fourth annual High Level Side Event on Accountability for Ukraine** will highlight the importance of keeping the momentum in securing progress on accountability and justice for Ukraine, as the devastating war of aggression of Russia against Ukraine continues.

Russia's full-scale invasion of, and aggression in Ukraine has caused not only immense human suffering, but also enormous destruction of the Ukrainian cultural heritage, as well as vast damage to educational, cultural and scientific institutions. The event will therefore also look at accountability for the ongoing and willful destruction of cultural identity.

2. Objective

A. Keeping momentum in ensuring progress on accountability for Ukraine

Since the identification of 'Restoring Justice' as a key issue in President Zelensky's Peace Formula, end of 2022, important progress has been made within the framework of 'Restoring Justice for Ukraine'. 1) Ukrainian

national investigation and prosecution of international crimes registered more than 160.000 cases; 2) international investigations by the International Criminal Court resulted in the first arrest warrants regarding the Russian deportation of children; 3) Ukraine and the Council of Europe signed on 25 June 2025 a bilateral agreement for the establishment of a Special Tribunal for the Crime of Aggression by Russia against Ukraine, 4) international negotiations on the establishment of a claims commission for the compensation of damage are expected to be resulting in a treaty by the end of 2025; 5) a Ministerial Dialogue Group/ United for Justice event on 9 May 2025 marked the enhanced international dialogue and coordination in support for accountability for Ukraine.

As the devastating war of aggression of Russia against Ukraine continues and as there can be no lasting peace without justice, such momentum needs be maintained, rallying continued support for all of these endeavours.

B. Willful erasure of cultural identity by Russia

The Human Rights Monitoring Mission in Ukraine reports systematic sanctioning of Ukrainian cultural expressions, languages, etc., as well as Russification, in particular in the Ukrainian occupied territories.

Since Russia's full-scale invasion of Ukraine, an estimated amount of 1,7 million Ukrainian artifacts have been plundered and trafficked, amongst which museum collections and archives (information Ukrainian authorities, Spring 2025). Furthermore, according to UNESCO, approximately 500 cultural heritage sites have been attacked, destroyed or damaged since then. This destruction by Russia seems to willfully destroy and erase cultural identity, in order to break the backbone and morale of the Ukrainian people and/or make their identity disappear.

Both Ukraine and the Russian Federation are Party to the 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict. Also, some of these provisions are meanwhile considered customary international law (ref. ICRC Study).

To address the destruction of cultural heritage as part of the broader efforts to ensure accountability, the Ukrainian Prosecutor General decided to set up a special unit to investigate these crimes. Efforts to include the willful destruction of cultural identity (including cultural heritage) as part of the broader 'accountability-agenda' is also supported by the Ukrainian Ministry of Culture.

The focus of this **fourth annual High Level Side Event on Accountability for Ukraine**, will be:

- 1) To build on our collective commitment to a comprehensive, just and lasting peace in Ukraine in line with the UN Charter as most recently expressed in UNGA Resolution 'Advancing a comprehensive, just and lasting peace in Ukraine' of 24 February 2025.
- 2) To take stock of the progress made within the 'Restoring Justice for Ukraine' and express commitment for its continuation and look forward to the related milestones.
- 3) To underline the importance to address accountability for the erasure of Ukrainian cultural identity, including tangible cultural heritage/property and intangible aspects of culture, language, symbols, etc. of Ukraine.

II. Structure

The High-Level Side Event will be co-hosted by Ukraine and the co-chairs of the Group of Friends of Accountability following the Aggression against Ukraine (Albania, Denmark, the Kingdom of the Netherlands, and Marshall Islands) on behalf of the Group of Friends of Accountability following the Aggression against Ukraine.

If member states wish to make interventions, we ask for contributions no longer than two minutes. There will be limited time for interventions from the floor. The two-minute time slots will be allocated on a first-come-first-serve base, while considering the level of speakers as well as geographical balance.

We kindly ask you to register for the event and indicate possible interest to make an intervention during the meeting via NYV@minbuza.nl. The deadline for registration is Wednesday, 17 September COB.

Considering the capacity in the room, the participation will be limited to 1+1.

The Event will take place on Wednesday 24th of September 2025 from 4:00 PM to 5:30 PM at UNHQ – CR6.

III. Format:

Moderator/ welcome words:

Mr. Mark Zellenrath, Director for Multilateral Organisations and Human Rights, Ministry of Foreign Affairs of the Kingdom of the Netherlands

Opening remarks:

H.E. Mr. Andrii Sybiha, Minister of Foreign Affairs of Ukraine

H.E. Mr. David van Weel, Minister of Foreign Affairs of the Kingdom of the Netherlands.

Interventions by the co-hosts

Keynote speakers / panelists:

Ms. Iryna Mudra, Deputy Head of the Office of the President of Ukraine

Dr. Andrea Matačić Cayley, Executive Director Center for Law and Global Affairs, Arizona State University

Ms. Oleksandra Matvichuk, Center for Civil Liberties, winner of the Nobel Peace Prize.

Interventions from the floor.

Closing remarks by moderator