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OUTCOME OF PROCEEDINGS

From: General Secretariat of the Council

To: Delegations

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Subject: Declaration of the European Union and its Member States on upholding and promoting respect for international law, including the principles of the Charter of the United Nations

Delegations will find in the Annex the Declaration of the European Union and its Member States on upholding and promoting respect for international law, including the principles of the Charter of the United Nations, as approved by the Council at its meeting held on 20 June 2022.

**DECLARATION OF THE EUROPEAN UNION AND ITS MEMBER STATES ON
UPHOLDING AND PROMOTING RESPECT FOR INTERNATIONAL LAW,
INCLUDING THE PRINCIPLES OF THE CHARTER OF THE UNITED NATIONS**

THE EUROPEAN UNION AND ITS MEMBER STATES,

NOTING that the scourge of war has resurfaced in Europe, even though our predecessors, when setting up the United Nations, had declared their determination to save succeeding generations from this scourge which has brought untold sorrow to mankind,

CONSIDERING that certain conflicts and crises around the world, in particular Russia's aggression against Ukraine, raise immense challenges to international law and pose a serious threat to the international order based on the rule of law,

STRESSING that violations of international law, wherever they occur, are one of the causes of injustice and conflicts,

RECALLING the relevant rules related to the definition, conduct, and implementation of the Common Foreign and Security Policy, in particular Article 24 of the Treaty on European Union and Declarations 13 and 14 annexed to the final Act of the **Intergovernmental Conference** which adopted the Treaty of Lisbon,

SOLEMNLY DECLARE AND REAFFIRM:

1. Their unwavering commitment to international law, the United Nations Charter and a rules-based international order;

2. That Article 2, paragraph 4, of the United Nations Charter, which states that ‘Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the Purposes of the United Nations’, constitutes a fundamental rule of the international legal order and that the prohibition of aggression constitutes a peremptory norm of general international law;
3. That no derogation to the prohibition of aggression is permissible and that, as a consequence, no State shall recognise as lawful the situation created by an act of aggression;
4. That all States must, in all circumstances, settle their disputes by peaceful means, in accordance with Article 2, paragraph 3, of the United Nations Charter, in such a manner that international peace and security, and justice, are not endangered. They must seek a solution through negotiation, mediation, conciliation, arbitration or judicial settlement; resort to regional agencies or arrangements, or other peaceful means of their choice;
5. Their strong support, in this context, to the International Court of Justice (ICJ) as the principal judicial organ of the United Nations and to the obligation to comply with legally binding decisions and orders of international courts;
6. That States must, in all circumstances, respect and ensure respect of the rules and principles of international humanitarian law enshrined in treaty law, namely the Geneva Conventions and their Additional Protocols, and in customary international law, including in the context of the emergence of new technologies;
7. Their strong commitment to international criminal justice and the fight against impunity, and, in particular, their support to the International Criminal Court and the principles contained in the Rome Statute;

8. Their commitment to provide the International Criminal Court with all necessary support, including financial support and active judicial cooperation, to enable it to carry out its tasks with full independence and impartiality;
9. That in accordance with Article 21(1) of the Treaty on European Union, ‘the Union’s action on the international scene shall be guided by the principles which have inspired its creation, development and enlargement, and which it seeks to advance in the wider world: democracy, the rule of law, the universality and indivisibility of human rights and fundamental freedoms, respect for human dignity, the principles of equality and solidarity, and respect for the principles of the United Nations Charter and international law’;
10. That the maintenance of international peace and security is one of the priorities of our action;

THE EUROPEAN UNION AND ITS MEMBER STATES FURTHER CALL FOR:

11. The reinforcement of the international legal framework to strengthen prevention, mutual legal assistance in the prosecution and punishment of serious international crimes including war crimes, crimes against humanity and crimes of genocide;
12. The United Nations Security Council to fulfill, in accordance with Article 24 of the United Nations Charter, its primary responsibility for the maintenance of international peace and security;

THE EUROPEAN UNION AND ITS MEMBER STATES:

13. Express their willingness to work to strengthen compliance with international law, multilateralism and the rule of law, at both national and international levels;

14. Emphasise the universal and unified character of the United Nations Convention on the Law of the Sea which sets out the legal framework within which all activities in the oceans and seas must be carried out;
 15. Stress the paramount importance of ensuring respect of diplomatic law. As stated by the International Court of Justice, ‘there is no more fundamental prerequisite for the conduct of relations between States than the inviolability of diplomatic envoys and embassies’;
 16. Commit to strengthening the international legal order by supporting codification and progressive development of international law to address the multiple challenges faced by the international community, including in the security, climate and technology fields;
 17. Reaffirm the universality of the United Nations Charter and the principles of international law enshrined therein;
 18. Express their determination to continue to stand by those who suffer from violations of international law.
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