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Prevention of armed conflict: prevention of armed conflict

The rule of law at the national and international levels

Crime prevention and criminal justice

**Countering the use of information and communications
technologies for criminal purposes**

Letter dated 29 July 2025 from the Chargé d'affaires a.i. of the Permanent Mission of the Russian Federation to the United Nations addressed to the Secretary-General

I must address you with reference to the notes verbales of the Permanent Mission of the Russian Federation to the United Nations No. 3810/n of 9 September 2024, No. 4996/n of 14 November 2024, No. 273/n of 23 January 2025 and No. 1297/n of 1 April 2025 (published in document [A/79/845-S/2025/203](#)), as well as the note verbale of the Office of Legal Affairs of the United Nations No. 2022-OLC-000126 dated 17 July 2025 (see annex I),* de facto denying cooperation officially requested by the competent authorities of the Russian Federation in the context of criminal case No. 12202007703000274 concerning deliberate misinformation in the mass media and on the Internet about the alleged killing of civilians by the Armed Forces of the Russian Federation in Bucha, Ukraine, in April 2022.

It is regrettable that it took the Secretariat nearly a year to issue a formal and shallow rejection that lacks any real substance. We had hoped for a more appropriate response, particularly when addressing requests concerning most serious allegations levelled against a Member State that originated from information initially provided by the Secretariat.

It is especially concerning that the note verbale offers nothing but baseless, vague and utterly unconvincing justifications for the refusal to cooperate, primarily referring to some “obligations of confidentiality owed by the United Nations to third parties”.

Such references are inappropriate and cannot serve as a basis for denial of cooperation, especially in a situation where the Secretariat itself – namely, the Office of the United Nations High Commissioner for Human Rights (OHCHR) – has played

* Circulated in the language of submission only.



a direct role in formulating and disseminating grave and baseless accusations against a Member State.

Moreover, the High Commissioner for Human Rights, Volker Türk, in his letter dated 25 July 2023 (see annex II)* himself referred to “OHCHR’s established practice to make available relevant investigative material on a voluntary basis without prejudice to the privileges and immunities of the United Nations, upon a formal cooperation request, made in the context of a specific investigation or proceedings, from national law enforcement, prosecutorial or judicial authorities ... directed through the Ministry of Foreign Affairs or Permanent Mission of the Member State concerned to United Nations Headquarters.” We have all the grounds to believe that the High Commissioner is acting in bad faith by first demanding an official request for cooperation and subsequently denying such cooperation.

Furthermore, we cannot accept an approach whereby the “obligations of confidentiality owed by the United Nations to third parties” would not preclude wide dissemination by the Secretariat of unfounded accusations, but at the same time would bar any third-party verification of the alleged evidence supporting such accusations, including by the Member State against which they are levelled.

Such an approach directly contradicts the principles of transparency, accountability, objectivity and impartiality. It interferes with the ongoing efforts of national competent authorities to establish the truth and seeks to shield OHCHR, preventing any objective evaluation of the data it used to support the respective allegations.

We recall that under article V, section 21, of the 1946 Convention on the Privileges and Immunities of the United Nations, the Organization is under a clear obligation “to co-operate at all times with the appropriate authorities of Members to facilitate the proper administration of justice”.

This understanding has been further supported by the well-established practice of the Secretary-General. In the statement by the Under-Secretary-General for Legal Affairs and United Nations Legal Counsel before the International Law Commission on 4 June 2019, it was confirmed that the Office of Legal Affairs responds to requests from national authorities in relation to ongoing investigations and criminal proceedings and that “such cooperation in order to facilitate the proper administration of justice by Member States is required by Section 21 of the General Convention”.

We are aware of multiple cases where the Secretariat provided competent authorities of Western States with access to information in its possession, including of a confidential character, based on respective requests for cooperation. In one notable recent case, the Secretariat promptly cooperated with Italian authorities investigating the death of a United Nations staff member: the Office of Legal Affairs readily responded to Italy’s request for judicial assistance, and the Secretary-General even suspended the immunity of United Nations officials so they could be summoned by Italian prosecutors to testify in the national investigation (as confirmed in the statement by the Undersecretary of State for Foreign Affairs and International Cooperation, Manlio Di Stefano on 8 April 2021, before the Committee on Foreign and European Community Affairs (III) of the Chamber of Deputies, in responding to question No. 5-05685 on the actions of the Italian Government).

A different stance vis-à-vis the Russian Federation, especially in a case concerning allegations against our country that originate from the Secretariat itself, represents a violation of obligations under not only the above-mentioned Convention but also Article 100 of the Charter of the United Nations, which demands impartiality from the Secretariat. It is difficult to reconcile the Secretariat’s refusal in our case

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with the consistent practice of cooperation with Western States and with the assumption based on the Charter of the United Nations that United Nations staff should act with the highest standards of integrity, independence and impartiality.

The Secretariat's stance is particularly concerning against the backdrop of the extremely poor quality of the so-called "evidence" presented in the respective widely quoted OHCHR report as of December 2022 concerning Bucha. The key allegations of mass killings and numbers of civilian losses are all supported by just three references – weblinks to Facebook posts of the "Main Department of the National Police in Kiev Region", two of which are inaccessible due to deletion by the author, and the remaining one bears no relevance to the alleged events.

I would like to underline: extremely grave accusations against the Russian Federation were levelled by OHCHR based on references that are no longer accessible, all leading to a single, unofficial, biased and unverified source. In such circumstances, denial of cooperation to our competent authorities attempting to establish the truth is not only unsubstantiated and contrary to the applicable legal framework and established practice – it is inconceivable.

We are seriously concerned by the refusal of the Secretariat to cooperate with the competent authorities of a Member State under the pretext of protecting certain "confidentiality obligations owed to third parties". Rather than enabling a thorough and objective examination of the facts, the Secretariat has opted to obstruct a legitimate legal inquiry, thereby contributing to the further dissemination of false allegations based on objectively unverified information of undoubtedly poor quality. Now the OHCHR report is referred to and considered as supporting evidence, despite the fact that the "evidence" used in this very report cannot withstand basic scrutiny. We stress that such a stance represents not only a deliberate evasion of a good-faith cooperation request by a Member State, but also yet another case of double standards – biased, politicized and inconsistent practices.

We thus would like to recall once again Article 100 of the Charter of the United Nations, which requires the Secretary-General and the staff to maintain the highest standards of independence and impartiality. We expect the Secretariat to expeditiously reconsider its position and give due and prompt consideration to the requests submitted in the interest of facilitating the establishment of truth and the proper administration of justice. The Secretary-General's duty to uphold these principles and to ensure equal treatment of all Member States is of paramount importance; it necessitates that the Secretariat avoid any bias or politicization and fully adhere to its cooperation obligations.

Our Permanent Mission, as well as the competent national authorities, stand ready to engage constructively with the Secretariat to identify appropriate modalities for the transfer of relevant information, encompassing those necessary to safeguard legitimate interests, including confidentiality.

We would be grateful if you could circulate the present letter and its annexes as a document of the General Assembly, under agenda items 32 (a), 84, 107 and 108, and of the Security Council.

(Signed) Dmitry **Polyanskiy**
Chargé d'affaires a.i.

**Annex I to the letter dated 29 July 2025 from the Chargé d'affaires
a.i. of the Permanent Mission of the Russian Federation to the
United Nations addressed to the Secretary-General**

2022-OLC-000126

The Office of Legal Affairs of the United Nations presents its compliments to the Permanent Mission of the Russian Federation to the United Nations and has the honour to refer to the Note Verbale of 9 September 2024 from the Permanent Mission, transmitting requests from the Prosecutor General Office and the Investigative Committee for information relevant to the criminal case No. 12202007703000274 concerning deliberate misinformation in mass media and on the Internet about alleged killing of civilians by Armed Forces of the Russian Federation in Bucha, Ukraine in 2022 (the “requests”).

The Office of Legal Affairs notes that the requests relate to the alleged crimes committed by the Armed Forces of the Russian Federation in Bucha, Ukraine in March 2022, documented by the Office of the High Commissioner for Human Rights (“OHCHR”) and described in the OHCHR’s report published in December 2022, and gathered in this connection during OHCHR’s field missions to Bucha. In particular, the Investigative Committee requests the following types of information “on the facts of ill-treatment of civilians in Bucha in March 2022”:

- (a) “complete personal data of eyewitnesses (witnesses) and affected persons (victims)”;
- (b) “copies of investigation materials (protocols recording the testimonies of witnesses and victims, inspections of the scene and corpses as well as expert opinions, photo and video materials)”;
- (c) “information available on persons brought to responsibility, including in absentia, for committing crimes against the Chilian population of Bucha indicating the circumstance of the incriminated unlawful acts”.

In this regard, the Office of Legal Affairs wishes to recall the applicable legal framework.

Pursuant to paragraph 1 of Article 105 of the Charter of the United Nations (the “Charter”), “[t]he Organization shall enjoy in the territory of each of its Members such privileges and immunities as are necessary for the fulfilment of its purposes”.

In order to give effect to Article 105 of the Charter, the General Assembly of the United Nations adopted, on 13 February 1946, the Convention on the Privileges and Immunities of the United Nations (the “General Convention”) to which the Russian Federation acceded, with certain reservations, on 22 September 1953.

Article II, Section 2 of the General Convention provides that “[t]he United Nations, its property and assets wherever located and by whomsoever held, shall enjoy immunity from every form of legal process except insofar as in any particular case it has expressly waived its immunity”. Pursuant to Article II, Section 3 of the General Convention, “[t]he property and assets of the United Nations, wherever located and by whomsoever held, shall be immune from search, requisition, confiscation, expropriation and any other form of interference, whether by executive, administrative, judicial or legislative action”. Moreover, Article II, Section 4 of the General Convention stipulates that “[t]he archives of the United Nations, and in general all documents belonging to it or held by it, shall be inviolable wherever located”.

On the receipt of the request for information, the United Nations wishes to cooperate with the authorities, on a strictly voluntary basis and without prejudice to its privileges and immunities, to facilitate the proper administration of justice pursuant to Article V, Section 21 of the General Convention.

Moreover, the applicable framework requires the Organization, among other things, to determine whether the criteria for the disclosure of sensitive information, including any obligations of confidentiality owed by the United Nations to third parties, as applicable, are fully met.

Based on the foregoing, the Office of Legal Affairs wishes to convey that OHCHR has conducted a review of its archives related to its inquiries into the killings in question, in response to the requests from the authorities of the Russian Federation. Following consultations with OHCHR, the Office wishes to inform the Permanent Mission that the Organization is not in a position to disclose the requested information as their disclosure would violate obligations of confidentiality owed by the United Nations to third parties and/or would prejudice the security or proper conduct of any operation or activity of the United Nations.

The Office of Legal Affairs would be grateful if the Permanent Mission of the Russian Federation to the United Nations would forward this Note Verbale to the relevant authorities of the Russian Federation.

The Office of Legal Affairs of the United Nations avails itself of this opportunity to renew to the Permanent Mission of the Russian Federation to the United Nations the assurances of its highest consideration.

17 July 2025

**Annex II to the letter dated 29 July 2025 from the Chargé
d'affaires a.i. of the Permanent Mission of the Russian Federation
to the United Nations addressed to the Secretary-General**

25 July 2023

Sir,

I wish to acknowledge receipt of your letter dated 18 May 2023.

The work of my Office, including through the Human Rights Monitoring Mission in Ukraine (HRMMU), is guided by the mandate given to me pursuant to United Nations General Assembly resolution [48/141](#) and principles of impartiality, objectivity and non-selectivity.

I note the allegations raised in your letter regarding violations of human rights and international humanitarian law in the occupied territory of Ukraine. As I observed in our meeting on 9 November 2022, my Office takes all allegations of such violations very seriously, but is also required to undertake diligent assessment and verification. Access to the relevant territory would substantially facilitate that work of my Office.

I note your request for official data held by OHCHR regarding the situation in Bucha – notably, identification of bodies, dates of death and forensic conclusions. OHCHR's established practice is to make available relevant investigative material on a voluntary basis without prejudice to the privileges and immunities of the United Nations, upon a formal cooperation request, made in the context of a specific investigation or proceedings, from national law enforcement, prosecutorial or judicial authorities. Such requests should be directed through the Ministry of Foreign Affairs or Permanent Mission of the Member State concerned to United Nations Headquarters. This is undertaken following review by OHCHR of responsive material, in conjunction with the United Nations Office of Legal Affairs, to ensure that information which is determined not to be disclosable, including within the meaning of the Secretary-General's Bulletin on "Information sensitivity, classification and handling" ([ST/SGB/2007/6](#)), and consistent with other United Nations policy standards, is withheld, or, as appropriate, redacted. In particular, with respect to material provided to OHCHR by victims, witnesses or other information providers, OHCHR, for its part, is bound by obligations of confidentiality unless the source has provided relevant consent to provision of the material to a specific external requester.

I reiterate my appeal to the Russian Federation to immediately cease its hostilities against Ukraine, to ensure victims' right to truth and justice, and to respect and ensure respect for international humanitarian law and international human rights law. It is in the interests of all parties to uphold shared principles of peace, justice, and respect for human rights.

Please accept, Sir, the assurances of my highest consideration.

Volker Türk