



Statement

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By International Crisis Group

What the UN General Assembly can do for Ukraine

The UN General Assembly begins an Emergency Special Session on the war in Ukraine. UN members, and especially those from Africa, Asia and Latin America, should use this opportunity to condemn Russia's aggression and take steps to contain and de-escalate the conflict.

The United Nations General Assembly will hold an Emergency Special Session on the war in Ukraine this week, beginning today. This is potentially a key moment for all members of the UN to condemn Russia's aggression, call for an immediate cessation of hostilities and reaffirm Ukraine's territorial integrity. The General Assembly must send a clear message in support of Ukraine, and African, Asian and Latin American members in particular should make their voices heard.

This week's General Assembly session follows Russia's predictable decision to block a Security Council resolution deploring its actions last Friday. On Sunday 27 March, the Council passed a procedural resolution – with eleven votes in favour, three abstentions and Russia's no-vote (Russia could not veto the text under UN rules) – requesting the General Assembly to meet in line with the long-established but rarely used "Uniting for Peace" formula. Created in 1950 during the Korean War, this allows the Assembly to make "appropriate recommendations" on collective responses to security crises in cases where the Security Council cannot act "because of a lack of unanimity of the permanent members". Though still not legally binding, these recommendations carry more

symbolic weight than normal General Assembly resolutions.

The U.S. and its European allies have been prominent in calling for a General Assembly meeting. Yet non-Western countries predominate in the Assembly, and it is their votes that will spell the difference between diplomatic success and failure. There is some reason for hope. During last week's Security Council debates, it was representatives from the Global South who offered the most compelling interventions. Non-Western states would do well to refer to the permanent representative of Kenya's statement to the Security Council on Monday 21 February, which drew parallels between Ukraine's plight and the "domination and oppression" faced by African states from colonial powers. The permanent representative of Mexico, another elected Council member, also compared the situation to its own history of invasions by foreign powers.

As Kenya and Mexico made clear – and the other Council members, including Gabon, Ghana and Brazil, have affirmed in speeches over the last week – the war in Ukraine is not solely a European security affair. Russia's actions ride roughshod over two principles at the core of the UN Charter: the sovereign



Russia's Ambassador to the United Nations Vasily Nebenzya looks at papers during the United Nations Security Council meeting at the UN Headquarters in New York City on February 27, 2022. The United Nations Security Council voted Sunday to hold a rare emergency special session of the General Assembly to discuss Russia's attack on Ukraine. ANDREA RENAULT / AFP

equality of its member states and the prohibition on the threat or use of force in international relations. As they have done elsewhere, Russian military operations also appear to have transgressed international humanitarian law, including its requirements for the protection of civilians, and the U.S. has sent the Human Rights Council what Washington says is evidence of Russian plans to imprison or kill Ukrainian leaders.

In a number of crises, many of the Non-Aligned Movement (NAM) at the UN, which comprises some 120 non-Western states, have accused the United States and its allies of using international humanitarian and human rights law to trump the basic norms of sovereignty and non-use of force. In this case, there is no such dichotomy. Russia is in clear breach of its obligations in all these areas, in addition to recklessly raising the spectre of nuclear weapons use in its rhetoric. Members of the NAM, and all members of the UN, should condemn Moscow's actions against the rules and

principles that underpin the organisation. The failure to do so can only weaken those rules and principles, embolden others who might follow in Russia's footsteps elsewhere, and make the UN's efforts to contain such behaviour that much more difficult.

Although the General Assembly lacks the Security Council's power to impose binding sanctions or other coercive measures under Chapter VII of the UN Charter, it nevertheless can and should help to galvanise global pressure to reverse Russian aggression and aid its victims by:

- Encouraging UN Secretary-General António Guterres to offer any forms of diplomatic or technical expertise (potentially including the appointment of a special representative) necessary to advance ceasefire talks and humanitarian access to conflict-affected areas.
- Recommending that UN member states apply temporary and exceptional sanctions against Russia. Many members of the NAM

- are wary of sanctions, but the Assembly can mitigate some of these concerns if the resolution also: (i) proposes the creation of a register for states to record their sanctions against Russia, to boost transparency; and (ii) urges states to commit to ending such sanctions promptly if Russia ceases hostilities and verifiably withdraws its forces from Ukraine.
- Mandating a Commission of Inquiry to collate evidence of war crimes and other atrocities during the fighting, as a deterrent against battlefield atrocities and to counter misinformation and disinformation about the war. The Assembly would be wise, however, to steer clear of any reference to international criminal proceedings against Russian military or civilian leaders, an idea that could lead them to believe their personal stake in the conflict is existential, and make de-escalation more challenging.
 - Requesting the president of the General Assembly to appoint a senior envoy – such as a former head of state – to act as the body’s representative on humanitarian assistance to Ukraine and Ukrainian refugees, in support of the work UN agencies are already undertaking.
 - Calling for the safe, secure and orderly evacuation from Ukraine of foreign nationals, including African and Asian workers and students, seeking to leave. There have been reports of Ukrainian officials discriminating against African residents trying to get on buses and trains to flee.
 - Calling on Russia to lower its nuclear alert level, and reminding all the P5 members of their January 2022 declaration to the UN that “a nuclear war cannot be won and must never be fought”.
 - Reaffirming the basic principles of sovereignty and non-use of force in the UN Charter.
- None of these actions will end the war in its own right. Neither the General Assembly nor the UN system as a whole has the leverage to impose peace on Russia. But the Assembly can, through both its words and resolutions, make it clear that the majority of UN members reject what Moscow has done, will support peacemaking efforts and stand ready to help the victims of this tragic, needless and perilous war.