



## UNGA Resolution on Russia-Ukraine

**For Prelims:** United Nations General Assembly (UNGA), UN Security Council (UNSC), International Court of Justice, Nature of UN resolutions.

**For Mains:** Russia's war over Ukraine, Effect of Policies & Politics of Countries on India's Interests.

### Why in News?

Recently, **India has abstained** at the **United Nations General Assembly (UNGA)** to condemn Russia's invasion of Ukraine. The **emergency special session** was convened by UNGA for discussing a resolution **that called for Russia to unconditionally withdraw its troops.**

- The resolution was discussed under the rubric of the **“Uniting for Peace” resolution.**
- The General Assembly session was convened after a similar resolution had failed to pass the **[U.N. Security Council \(UNSC\) when Russia exercised its veto.](#)**

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# How much of Ukraine does Russia control?



## What is Uniting for Peace Resolution?

- **About:** UN General Assembly **resolution 377(V)** is known as the Uniting for peace resolution which was **adopted in 1950**. The most important part of resolution is section A which states that where the **Security Council, because of lack of unanimity** of the permanent members, fails to exercise its **primary responsibility** for the **maintenance of international peace and security**, the **General Assembly** shall seize itself of the matter.
- **Origin:** The Uniting for Peace resolution was **initiated by the United States**, in October 1950, as a means of **circumventing further Soviet vetoes** during the course of the [Korean War](#).
- **Objective:** Under this, the UNGA granted to itself the power to deal with threats to the peace if the UNSC fails to act after a veto by a permanent member.
  - Such an interpretation sees the **UNGA as being awarded 'final responsibility'** for matters of international peace and security, by the UN Charter.
- **Emergency Special Session (ESS):** If not in session, the General Assembly may meet using the mechanism of the emergency special session. To date, 11 emergency special sessions have been convened.
  - First ESS was instigated **after France and UK veto over UNSC resolution 119** during the [Suez Crisis 1956](#).

## What are the Key Points of the resolution?

- The resolution, **co-sponsored by 96 countries**, needed **two thirds of those present and**

**voting to support it, for it to pass.**

- It condemns the 24<sup>th</sup> February 2022 ‘**special military operation**’ by Russia over Ukraine.
- It says **no territories acquired through force (Donetsk and Luhansk) will be recognised and calls for Russia to “immediately, completely and unconditionally”** withdraw from Ukraine.

## What is India’s Stand and Concerns?

- India’s **Permanent Representative to the UN, T. S. Tirumurti**, said that the **“safe and uninterrupted passage”** of Indian nationals, especially students, was India’s **“foremost priority”**.
  - India also called for an **“immediate ceasefire”** and **humanitarian access to conflict areas**.
  - India hoped that the **second round of talks between Russia and Ukraine** would yield positive results.
- Russia’s actions have left India in an uncomfortable position as it attempts to **balance its interests with both Russia and the Western Countries**.
  - However, India’s desire to remain an “abstentionist” power is being called into question.
- Given its experiences in its **own neighbourhood, with China and Pakistan**, India is also wary of the **implications of not condemning one country** unilaterally attempting to change the borders it shares with another.
- India urges that all Member States demonstrate their commitment to the principles **of the UN Charter, to international law and respect for sovereignty and territorial integrity** of all states.
- A **number of countries in India’s neighbourhood supported the resolution** — Bhutan, Nepal, and the Maldives, for instance. Afghanistan, currently run by a militant organisation (the Taliban), and Myanmar, currently ruled by a junta (military), also voted in favour of it.
  - **Bangladesh, Pakistan and Sri Lanka, like India**, abstained. **China also** abstained.

## Are UN resolutions binding?

- **Resolutions and decisions** are formal expressions of the opinion or will of UN organs.
- The nature of the resolution determines if it is considered binding on States.
- **Articles 10 and 14 of the UN Charter** refer to General Assembly resolutions as **“recommendations”**.
  - The **recommendatory nature of General Assembly** resolutions has repeatedly been stressed by the **International Court of Justice**.
  - However, some General Assembly resolutions dealing with matters internal to the United Nations, such as budgetary decisions or instructions to lower-ranking organs, are clearly binding.
- In general, resolutions adopted by the **Security Council acting under Chapter VII** of the Charter, are considered binding, in accordance with **Article 25 of the Charter**.
  - However, they are subject to veto exercised by **permanent members of UNSC**.

## Way Forward

- Given India’s aspirations for global leadership and the oft **quoted motto of “Vasudhaiva Kutumbakam”**. It may become necessary for **India to engage more deeply with the conflict in Europe, which is now a global concern**.

**Source: TH**

