

Punto 2 del orden del día

Examen de las solicitudes recibidas de Miembros Efectivos para convocar una reunión extraordinaria de la Asamblea General a efectos de considerar la suspensión de la calidad de Miembro de la Federación de Rusia

CE/URG-2/2
Madrid, 4 de marzo de 2022
Original: inglés

I. Antecedentes

1. La Secretaría ha recibido seis notas verbales (Anexo I) de Colombia, Eslovenia, Guatemala, Lituania, Polonia y Ucrania, en las que se solicita que se convoque una reunión extraordinaria de la Asamblea General, de conformidad con el artículo 10 de los Estatutos, para considerar la suspensión de la calidad de Miembro de la Federación de Rusia, con arreglo al artículo 34 de los Estatutos, por seguir una política contraria al objetivo fundamental de la Organización, establecido en el artículo 3 de los Estatutos.
2. Conforme al artículo 51.1 del Reglamento de la Asamblea General, “Las peticiones de suspensión de Miembros, en aplicación de lo preceptuado en el artículo 34 de los Estatutos, deberán enviarse al Secretario General, que las presentará al Consejo para que este informe a la Asamblea”.
3. Conforme al artículo 3.1 de los Estatutos, “El objetivo fundamental de la Organización será la promoción y desarrollo del turismo con vistas a contribuir al desarrollo económico, la comprensión internacional, la paz, la prosperidad y el respeto universal, y la observancia de los derechos humanos y las libertades fundamentales para todos, sin distinción de raza, sexo, lengua o religión. La Organización tomará todas las medidas adecuadas para conseguir este objetivo”.

II. Fundamento para considerar la convocatoria de una reunión extraordinaria de la Asamblea General de la OMT

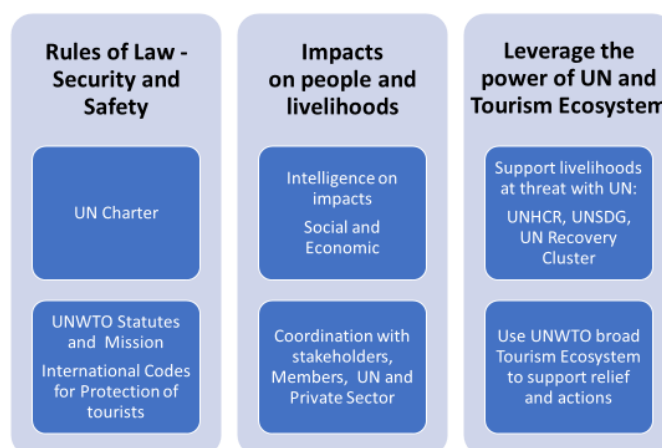
4. El artículo 34.1 de los Estatutos de la OMT establece que la autoridad para decidir la suspensión de la calidad de Miembro de la Organización recae en la Asamblea General: “Si la Asamblea advierte que alguno de sus Miembros persiste en proseguir una política contraria al objetivo fundamental de la Organización, como se establece en el artículo 3 de los presentes Estatutos, la Asamblea, mediante una resolución adoptada por una mayoría de dos tercios de los Miembros Efectivos presentes y votantes, podrá suspender a dicho Miembro del ejercicio de sus derechos y del goce de sus privilegios inherentes a la calidad de Miembro”
5. El artículo 10 de los Estatutos establece que: “La Asamblea se reunirá en sesión ordinaria cada dos años y también en sesión extraordinaria cuando las circunstancias lo exijan. Las reuniones extraordinarias podrán convocarse a petición del Consejo o de una mayoría de los Miembros Efectivos de la Organización”.
6. Habida cuenta de las circunstancias insólitas y excepcionales creadas por la ofensiva militar rusa contra Ucrania, el Secretario General presenta al Consejo Ejecutivo las comunicaciones de los Miembros Efectivos anteriormente mencionados para que considere la convocatoria de una reunión extraordinaria de la Asamblea General, de conformidad con el artículo 10 de los Estatutos.

III. Evaluación de las posibles repercusiones para el turismo del conflicto en Ucrania

7. La Secretaría está siguiendo de cerca el conflicto en Ucrania y evaluando sus repercusiones para los viajes y el turismo.

8. Aunque es demasiado pronto para evaluar las consecuencias para el turismo, la ofensiva militar contra Ucrania añade un claro riesgo para la recuperación del turismo nacional, regional y global, con efectos colaterales para la recuperación económica en general. La situación podría demorar la reanudación todavía débil y desigual del turismo, cuando un número creciente de destinos han estado reduciendo las restricciones de viaje y abriéndose a los viajes internacionales. La ofensiva militar representa una carga adicional, especialmente para aquellas economías que dependen de unos beneficios económicos y sociales muy necesarios que el turismo puede aportar.
9. Los mercados emisores de los Estados Unidos de América y Asia, que están ahora empezando a abrirse y tienden a tener mayor aversión al riesgo, pueden resultar especialmente afectados en lo que respecta a los viajes en general y en particular a los viajes a Europa.
10. Por el momento, el cierre del espacio aéreo ucraniano y ruso, así como la prohibición de vuelos de compañías rusas impuesta por la mayoría de los países europeos y algunos otros, tiene consecuencias para los viajes y la movilidad, más allá de la propia región. Los viajes dentro de Europa se verán afectados por la alteración del mercado emisor ruso, pero también los destinos de otras regiones, especialmente aquellos destinos insulares que dependen fuertemente del turismo.
11. El conflicto podría también añadir una elevada presión a un entorno económico que ya está en dificultades y pesar en la demanda de viajes en 2022. El reciente ascenso de los precios del petróleo (el barril de Brent sobrepasó los 100 dólares de los EE.UU. en los últimos días), así como la creciente inflación derivada de la subida general de los precios de la energía, el posible aumento de los tipos de interés y su impacto negativo en el poder adquisitivo, así como la disrupción de las cadenas de suministro, son motivo de especial preocupación. Todo ello podría traducirse en el alza de los precios del transporte y el alojamiento, generar falta de oferta y poner en peligro la demanda de los consumidores y los planes de inversión.
12. El conflicto también tendrá un impacto en la confianza de los viajeros, temerosos de quedar varados o verse directamente afectados por el conflicto, especialmente en los mercados emisores con más aversión al riesgo. La OMT recuerda el recientemente aprobado Código Internacional para la Protección de los Turistas¹, que proporciona un conjunto de normas mínimas internacionales para la protección de los turistas en situaciones de emergencia y de los derechos de los turistas como consumidores.
13. Se trata de una gran crisis regional de consecuencias potencialmente desastrosas para todo el mundo. Las decisiones que se adopten en un futuro próximo repercutirán en el orden y la gobernanza mundiales, y afectarán directamente a la vida de millones de personas.
14. En el plazo inmediato, la Secretaría está adoptando las siguientes medidas para mitigar los efectos de la crisis en coordinación con el sistema de las Naciones Unidas.

UNWTO Action Plan Sharp Governance for sustaining livelihoods



¹ Resolución 732(XXIV) y [Código Internacional para la Protección de los Turistas](#)

15. La próxima reunión del Comité Mundial de Crisis para el Turismo de la OMT tendrá lugar el 15 de marzo y en ella se hablará de las consecuencias de esta doble crisis y se propondrá una hoja de ruta y un camino a seguir para los próximos meses. Necesitamos continuar nuestro trabajo para construir una arquitectura mundial de la confianza más sólida. Cuando se ha abandonado la diplomacia, los valores del turismo como pilar de la paz y la solidaridad son más importantes que nunca.

IV. Respuesta de las Naciones Unidas a la agresión contra Ucrania

16. El Consejo de Seguridad de las Naciones Unidas, en su resolución 2623 (2022) de 27 de febrero de 2022, solicitó una sesión especial de emergencia de la Asamblea General para examinar la cuestión.
17. El 2 de marzo, la Asamblea General de las Naciones Unidas adoptó la resolución A/RES/ES-11/1 (Anexo II) en su undécima sesión especial de emergencia. La resolución hace suya la declaración del Secretario General de las Naciones Unidas de 24 de febrero de 2022 en la que recuerda que el uso de la fuerza de un país contra otro representa el repudio de los principios que todos los países se han comprometido a observar y que la presente ofensiva militar de la Federación de Rusia contraviene la Carta de las Naciones Unidas.
18. La Asamblea General de las Naciones Unidas, solicitó que la Federación de Rusia retirara de inmediato, por completo y sin condiciones todas sus fuerzas militares del territorio de Ucrania dentro de las fronteras reconocidas internacionalmente, e instó a la Federación de Rusia a atenerse a los principios estipulados en la Carta y en la Declaración sobre Relaciones de Amistad. Además, la Asamblea General de las Naciones Unidas expresó su grave preocupación por los informes sobre ataques a instalaciones civiles tales como viviendas, escuelas y hospitales, y sobre víctimas civiles, incluidas mujeres, personas mayores, personas con discapacidad y niños”.
19. El 4 de marzo de 2022, el Consejo de Derechos Humanos de las Naciones Unidas adoptó la resolución A/HRC/49/1 (Anexo III), en virtud de la cual decidió establecer una comisión internacional independiente de investigación. El Consejo condenó en los términos más firmes posible las violaciones de los derechos humanos y los abusos y violaciones del derecho internacional humanitario de la agresión de la Federación de Rusia contra Ucrania, e instó a la Federación de Rusia a poner fin de manera inmediata a las violaciones de derechos humanos y a los abusos y violaciones del derecho internacional humanitario en Ucrania.
20. En todo el sistema de las Naciones Unidas, otros organismos especializados estén celebrando también reuniones ordinarias o extraordinarias de sus órganos rectores para considerar la cuestión. Así está sucediendo en la UNESCO, la OMI, la UIT y la OACI a fecha del presente documento.
21. En sintonía con las resoluciones al respecto del Consejo de Seguridad de las Naciones Unidas y la Asamblea General de las Naciones Unidas, la OMT respalda plenamente la soberanía, la independencia política y la integridad territorial de Ucrania, dentro de sus fronteras reconocidas internacionalmente, así como el llamamiento de las Naciones Unidas a una resolución pacífica del conflicto. La agresión contra Ucrania es contraria a la Carta de las Naciones Unidas y contraviene el objetivo fundamental de la OMT, estipulado en el artículo 3 de sus Estatutos.

* * *

PROYECTO DE DECISIÓN²**Punto 2 del orden del día**

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(CE/URG-2/2)

El Consejo Ejecutivo,

Habiendo examinado las comunicaciones recibidas de Colombia, Eslovenia, Guatemala, Lituania, Polonia y Ucrania en las que solicitan que se convoque una reunión extraordinaria de la Asamblea General de conformidad con el artículo 10 de los Estatutos para considerar la suspensión de la calidad de Miembro de la Federación de Rusia,

Tomando nota con grave preocupación del informe del Secretario General sobre la evaluación de la posible repercusión en el turismo del conflicto en Ucrania,

Acogiendo con beneplácito las acciones inmediatas emprendidas por la Secretaría para evaluar y mitigar los efectos de la crisis en coordinación con el sistema de las Naciones Unidas,

Recordando que el objetivo fundamental de la Organización, establecido en el artículo 3 de los Estatutos, es “la promoción y desarrollo del turismo con vistas a contribuir al desarrollo económico, la comprensión internacional, la paz, la prosperidad y el respeto universal, y la observancia de los derechos humanos y las libertades fundamentales para todos, sin distinción de raza, sexo, lengua o religión”,

Haciendo suya la resolución A/RES/ES-11/1 de la Asamblea General de las Naciones Unidas y la resolución A/HRC/RES/49/1 del Consejo de Derechos Humanos de las Naciones Unidas;

Observando que las acciones militares en curso en Ucrania son contrarias a los principios de la Carta de las Naciones Unidas y al artículo 3 de los Estatutos de la OMT, así como a los valores del turismo, como pilar para la paz y la solidaridad,

1. *Solicita* un cese inmediato de las hostilidades y que las partes regresen a los mecanismos de resolución pacífica;
2. *Decide* [convocar o no convocar] una reunión extraordinaria de la Asamblea General de conformidad con el artículo 10 de los Estatutos para considerar la suspensión de la calidad de Miembro de la Federación de Rusia conforme al artículo 34 de los Estatutos; y
3. *Solicita* al Secretario General que convoque dicha reunión extraordinaria de conformidad con el Reglamento de la Asamblea General.

²El presente texto es una propuesta de decisión. Para consultar la decisión definitiva adoptada por el Consejo, le rogamos se remita al documento de decisiones que se publica al finalizar la reunión.

Anexo I: Notas verbales de Colombia, Eslovenia, Guatemala, Lituania, Polonia y Ucrania por las que se solicita una reunión extraordinaria de la Asamblea General



Embajada de la
República de Colombia
en España

S-EESMD-22-99

NOTA VERBAL URGENTE

La Embajada de Colombia ante el Reino de España saluda atentamente a la Honorable Secretaría General de la Organización Mundial del Turismo (OMT) y tiene el honor de referirse a la terrible invasión militar de Ucrania por parte de la Federación de Rusia. Al iniciar una guerra no provocada contra Ucrania, la Federación Rusa ha violado flagrantemente los principios del derecho internacional consagrados en la Carta de las Naciones Unidas y numerosos Resoluciones y Acuerdos internacionales.

La Embajada de Colombia ante el Reino de España, al respecto, considera que con sus acciones agresivas e injustificadas contra Ucrania, la Federación de Rusia ha pisoteado el objetivo fundamental de la Organización Mundial del Turismo, que de conformidad con el Artículo 3 de los Estatutos de la Organización, es la promoción y el desarrollo del turismo con miras a contribuir al desarrollo económico, el entendimiento internacional, la paz, prosperidad y el respeto universal y la observancia de los derechos humanos y las libertades fundamentales para todos sin distinción de raza, sexo, idioma o religión.

En vista de lo anterior, la Embajada de Colombia ante el Reino de España, por instrucciones del Ministerio de Relaciones Exteriores, solicita la suspensión de la membresía de la Federación de Rusia de la OMT, de conformidad con el Artículo 34 de los Estatutos de la Organización; y con ese propósito, apoya la convocatoria de una sesión extraordinaria de la Asamblea General de la OMT para adoptar una resolución para dicha suspensión, de conformidad con el Artículo 10 de los Estatutos de la Organización, ya que las circunstancias así lo exigen.

La Embajada de Colombia ante el Reino de España se vale de la oportunidad para expresar a la Honorable Secretaría General de la Organización Mundial del Turismo (OMT), las seguridades de su más distinguida consideración.


Madrid, 01 de marzo de 2022


A la Honorable
ORGANIZACIÓN MUNDIAL DEL TURISMO (OMT)
Secretaría General
Madrid



EMBAJADA DE GUATEMALA EN ESPAÑA

No. 384-M43-OMT-2022-MB

NOTA VERBAL

La Embajada de la República de Guatemala acreditada ante el Reino de España saluda atentamente al Honorable Secretaría General de la Organización Mundial del Turismo (OMT), y tiene el honor de referirse a la terrible invasión militar de Ucrania por parte de la Federación de Rusia. Al iniciar una guerra no provocada contra Ucrania, la Federación Rusa ha violado flagrantemente los principios del derecho internacional consagrados en la Carta de las Naciones Unidas y numerosos Resoluciones y Acuerdos internacionales.

La Embajada de la República de Guatemala acreditada ante el Reino de España, al respecto, considera que con sus acciones agresivas e injustificadas contra Ucrania, la Federación de Rusia ha pisoteado el objetivo fundamental de la Organización Mundial del Turismo, que de conformidad con el Artículo 3 de los Estatutos de la Organización, es la promoción y el desarrollo del turismo con miras a contribuir al desarrollo económico, el entendimiento internacional, la paz, prosperidad y el respeto universal y la observancia de los derechos humanos y las libertades fundamentales para todos sin distinción de raza, sexo, idioma o religión.

En vista de lo anterior, la Embajada de la República de Guatemala, por instrucciones del Ministerio de Relaciones Exteriores, solicita la suspensión de la membresía de la Federación de Rusia de la OMT, de conformidad con el Artículo 34 de los Estatutos de la Organización; y con ese propósito, apoya la convocatoria de una sesión extraordinaria de la Asamblea General de la OMT para adoptar una resolución para dicha suspensión, de conformidad con el Artículo 10 de los Estatutos de la Organización, ya que las circunstancias así lo exigen.

La Embajada de la República de Guatemala en el Reino de España se vale de la oportunidad para expresar a la Honorable Secretaría General de la Organización Mundial del Turismo (OMT), las seguridades de su consideración.

Madrid, 28 de febrero de 2022.



**A la Honorable
Secretaría General de la Organización Mundial del Turismo (OMT)
MADRID**



Embassy of the Republic of
Lithuania in the Kingdom of
Spain

No. (43.4.1)SN43-12

VERBAL NOTE

The Embassy of the Republic of Lithuania in the Kingdom of Spain presents its compliments to the World Tourism Organization (UNWTO) and has the honour to convey the following request.

By starting an unprovoked war against Ukraine, the Russian Federation blatantly violated the principles of international law, enshrined in the United Nations Charter and other numerous international documents.

With its aggressive actions against Ukraine the Russian Federation trampled on the fundamental aim of the UNWTO, which according to Article 3 of the Organization's Statutes, shall be the promotion and development of tourism with a view to contributing to economic development, international understanding, peace, prosperity, and universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language or religion.

In view of the above the Embassy of the Republic of Lithuania in the Kingdom of Spain stands for suspension of the membership of the Russian Federation in the UNWTO according to the Article 34 of the UNWTO Statutes.

To adopt the resolution on the suspension of the membership of the Russian Federation in UNWTO the Embassy of the Republic of Lithuania in the Kingdom of Spain, being guided by Article 10 of the UNWTO Statutes, requests to convene an extraordinary session of the General Assembly of the UNWTO as soon as possible.

The Embassy of the Republic of Lithuania in the Kingdom of Spain avails itself of this opportunity to renew to the World Tourism Organization the assurances of its highest consideration.



Madrid, 28 February, 2022

The World Tourism Organization (UNWTO)

Madrid

AMB.MAD.408.02/54.22

NOTE VERBALE

The Embassy of the Republic of Poland in Madrid presents its compliments to the World Tourism Organization and has the honour to kindly request to convene an extraordinary session of the UNWTO General Assembly as soon as possible in order to adopt the resolution on the suspension of the membership of the Russian Federation in UNWTO.

The Embassy of the Republic of Poland in Madrid believes that *by starting an unprovoked war against Ukraine, the Russian Federation blatantly violated the principles of international law, enshrined in the United Nations Charter and other numerous international documents.*

With its aggressive actions against Ukraine the Russian Federation trampled on the fundamental aim of the UNWTO, which according to Article 3 of the Organization's Statutes, shall be the promotion and development of tourism with a view to contributing to economic development, international understanding, peace, prosperity, and universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language or religion.

In view of the above the Embassy of the Republic of Poland in Madrid stands for suspension of the membership of the Russian Federation in the UNWTO according to the Article 34 of the UNWTO Statutes.

To adopt the resolution on the suspension of the membership of the Russian Federation in UNWTO The Embassy of the Republic of Poland in Madrid being guided by Article 10 of the UNWTO Statutes, requests to convene an extraordinary session of the UNWTO General Assembly as soon as possible.

The Embassy of the Republic of Poland in Madrid avails itself of this opportunity to renew to the World Tourism Organization the assurances of its highest consideration.

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Madrid, 28 February 2022

To the World Tourism Organization
Madrid



VELEPOSLANIŠTVO REPUBLIKE SLOVENIJE
EMBAJADA DE LA REPÚBLICA DE ESLOVENIA

Núm.: VMA-011/22

NOTA VERBAL

La Embajada de la República de Eslovenia saluda muy atentamente a la Secretaría de la Organización Mundial del Turismo y en base a los últimos acontecimientos tiene el honor de solicitar la convocación de una sesión extraordinaria de la Asamblea General de la Organización Mundial del Turismo de forma urgente.

Al iniciar una guerra no provocada contra Ucrania, la Federación de Rusia violó flagrantemente los principios del derecho internacional consagrados en la Carta de las Naciones Unidas y otros numerosos documentos internacionales. Asimismo, actuó en contra del objetivo fundamental de la OMT, que según el Artículo 3 de los Estatutos de la Organización, será la promoción y desarrollo del turismo con vistas a contribuir al desarrollo económico, la comprensión internacional, la paz, la prosperidad y el respeto universal, y la observancia de los derechos humanos y las libertades fundamentales para todos, sin distinción de raza, sexo, lengua o religión.

Basado en lo anterior, la Embajada de la República de Eslovenia propone la suspensión de la membresía de la Federación de Rusia en la OMT de acuerdo con el Artículo 34 de los Estatutos de la OMT. Con el fin de adoptar la resolución sobre la suspensión de la membresía de la Federación de Rusia en la OMT, la República de Eslovenia, guiándose por el Artículo 10 de los Estatutos de la OMT, tiene el honor de solicitar la convocación de una sesión extraordinaria de la Asamblea General de la OMT de forma urgente.

La Embajada de la República de Eslovenia aprovecha la oportunidad para reiterar a la Secretaría de la Organización Mundial del Turismo el testimonio de su más alta y distinguida consideración.



Madrid, a 28 de febrero de 2022

Secretaría de la Organización Mundial del Turismo
MADRID



Embajada de Ucrania
en el Reino de España

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Ref. № 6127123-012-2

URGENT

NOTE VERBALE

The Embassy of Ukraine to the Kingdom of Spain presents its compliments to the Secretariat of the World Tourism Organization (UNWTO) and would like to inform of the following.

By starting an unprovoked war against Ukraine, the Russian Federation blatantly violated the principles of international law, enshrined in the United Nations Charter and other numerous international documents.

With its aggressive actions against Ukraine the Russian Federation trampled on the fundamental aim of the UNWTO, which according to Article 3 of the Organization's Statutes, shall be the promotion and development of tourism with a view to contributing to economic development, international understanding, peace, prosperity, and universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language or religion.

In view of the above the Ukrainian Party stands for suspension of the membership of the Russian Federation in the UNWTO according to the Article 34 of the UNWTO Statutes.

In order to adopt the resolution on the suspension of the membership of the Russian Federation in UNWTO the Ukrainian Party, being guided by Article 10 of the UNWTO Statutes, requests to convene an extraordinary session of the UNWTO General Assembly as soon as possible.

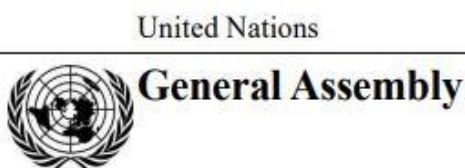
The Embassy of Ukraine to the Kingdom of Spain avails itself of this opportunity to renew to the Secretariat of the World Tourism Organization the assurances of its highest consideration.



Madrid, 27 February 2022

Secretariat of the World Tourism Organization

Madrid



A/ES-11/L.1

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Eleventh emergency special session

Agenda item 5

Letter dated 28 February 2014 from the Permanent Representative of Ukraine to the United Nations addressed to the President of the Security Council (S/2014/136)

Afghanistan, Albania, Andorra, Antigua and Barbuda, Argentina, Australia, Austria, Bahamas, Belgium, Belize, Bosnia and Herzegovina, Botswana, Bulgaria, Canada, Chile, Colombia, Costa Rica, Croatia, Cyprus, Czechia, Democratic Republic of the Congo, Denmark, Dominican Republic, Ecuador, Estonia, Fiji, Finland, France, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guyana, Haiti, Hungary, Iceland, Indonesia, Ireland, Israel, Italy, Jamaica, Japan, Kiribati, Kuwait, Latvia, Liberia, Liechtenstein, Lithuania, Luxembourg, Malawi, Malta, Marshall Islands, Micronesia (Federated States of), Monaco, Montenegro, Myanmar, Netherlands, New Zealand, Niger, North Macedonia, Norway, Palau, Panama, Papua New Guinea, Paraguay, Peru, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Saint Kitts and Nevis, Samoa, San Marino, Singapore, Slovakia, Slovenia, Spain, Suriname, Sweden, Switzerland, Timor-Leste, Tonga, Trinidad and Tobago, Turkey, Tuvalu, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America and Uruguay:
draft resolution

Aggression against Ukraine

The General Assembly,

Reaffirming the paramount importance of the Charter of the United Nations in the promotion of the rule of law among nations,

Recalling the obligation of all States under Article 2 of the Charter to 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, and to settle their international disputes by peaceful means,

Recalling also the obligation under Article 2 (2) of the Charter, that all Members, in order to ensure to all of them the rights and benefits resulting from membership, shall fulfil in good faith the obligations assumed by them in accordance with the Charter,

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Taking note of Security Council resolution 2623 (2022) of 27 February 2022, in which the Council called for an emergency special session of the General Assembly to examine the question contained in document S/Agenda/8979,

Recalling General Assembly resolution 377 A (V) of 3 November 1950, entitled “Uniting for peace”, and taking into account that the lack of unanimity of the permanent members of the Security Council at its 8979th meeting has prevented it from exercising its primary responsibility for the maintenance of international peace and security,

Recalling also its resolution 2625 (XXV) of 24 October 1970, in which it approved the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations, and reaffirming the principles contained therein that the territory of a State shall not be the object of acquisition by another State resulting from the threat or use of force, and that any attempt aimed at the partial or total disruption of the national unity and territorial integrity of a State or country or at its political independence is incompatible with the purposes and principles of the Charter,

Recalling further its resolution 3314 (XXIX) of 14 December 1974, which defines aggression as the use of armed force by a State against the sovereignty, territorial integrity or political independence of another State, or in any other manner inconsistent with the Charter,

Bearing in mind the importance of maintaining and strengthening international peace founded upon freedom, equality, justice and respect for human rights and of developing friendly relations among nations irrespective of their political, economic and social systems or the levels of their development,

Recalling the Final Act of the Conference on Security and Cooperation in Europe, signed in Helsinki on 1 August 1975, and the Memorandum on Security Assurances in Connection with Ukraine’s Accession to the Treaty on the Non-Proliferation of Nuclear Weapons (Budapest Memorandum) of 5 December 1994,

Condemning the 24 February 2022 declaration by the Russian Federation of a “special military operation” in Ukraine,

Reaffirming that no territorial acquisition resulting from the threat or use of force shall be recognized as legal,

Expressing grave concern at reports of attacks on civilian facilities such as residences, schools and hospitals, and of civilian casualties, including women, older persons, persons with disabilities, and children,

Recognizing that the military operations of the Russian Federation inside the sovereign territory of Ukraine are on a scale that the international community has not seen in Europe in decades and that urgent action is needed to save this generation from the scourge of war,

Endorsing the Secretary-General’s statement of 24 February 2022 in which he recalled that the use of force by one country against another is the repudiation of the principles that every country has committed to uphold and that the present military offensive of the Russian Federation is against the Charter,

Condemning the decision of the Russian Federation to increase the readiness of its nuclear forces,

Expressing grave concern at the deteriorating humanitarian situation in and around Ukraine, with an increasing number of internally displaced persons and refugees in need of humanitarian assistance,

Expressing concern also about the potential impact of the conflict on increased food insecurity globally, as Ukraine and the region are one of the world's most important areas for grain and agricultural exports, when millions of people are facing famine or the immediate risk of famine or are experiencing severe food insecurity in several regions of the world, as well as on energy security,

Welcoming the continued efforts by the Secretary-General and the Organization for Security and Cooperation in Europe and other international and regional organizations to support de-escalation of the situation with respect to Ukraine, and encouraging continued dialogue,

1. *Reaffirms its commitment* to the sovereignty, independence, unity and territorial integrity of Ukraine within its internationally recognized borders, extending to its territorial waters;

2. *Deplores in the strongest terms* the aggression by the Russian Federation against Ukraine in violation of Article 2 (4) of the Charter;

3. *Demands* that the Russian Federation immediately cease its use of force against Ukraine and to refrain from any further unlawful threat or use of force against any Member State;

4. *Also demands* that the Russian Federation immediately, completely and unconditionally withdraw all of its military forces from the territory of Ukraine within its internationally recognized borders;

5. *Deplores* the 21 February 2022 decision by the Russian Federation related to the status of certain areas of the Donetsk and Luhansk regions of Ukraine as a violation of the territorial integrity and sovereignty of Ukraine and inconsistent with the principles of the Charter;

6. *Demands* that the Russian Federation immediately and unconditionally reverse the decision related to the status of certain areas of the Donetsk and Luhansk regions of Ukraine;

7. *Calls upon* the Russian Federation to abide by the principles set forth in the Charter and the Declaration on Friendly Relations;¹

8. *Calls upon* the parties to abide by the Minsk agreements and to work constructively in relevant international frameworks, including in the Normandy format and Trilateral Contact Group, towards their full implementation;

9. *Demands* all parties to allow safe and unfettered passage to destinations outside of Ukraine and to facilitate the rapid, safe and unhindered access to humanitarian assistance for those in need in Ukraine, to protect civilians, including humanitarian personnel and persons in vulnerable situations, including women, older persons, persons with disabilities, indigenous peoples, migrants and children, and to respect human rights;

10. *Deplores* the involvement of Belarus in this unlawful use of force against Ukraine, and calls upon it to abide by its international obligations;

11. *Condemns* all violations of international humanitarian law and violations and abuses of human rights, and calls upon all parties to respect strictly the relevant provisions of international humanitarian law, including the Geneva Conventions of 1949² and Additional Protocol I thereto of 1977,³ as applicable, and to respect international human rights law, and in this regard further demands that all parties

¹ Resolution 2625 (XXV), annex.

² United Nations, *Treaty Series*, vol. 75, Nos. 970–973.

³ *Ibid.*, vol. 1125, No. 17512.

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ensure respect for and the protection of all medical personnel and humanitarian personnel exclusively engaged in medical duties, their means of transport and equipment, as well as hospitals and other medical facilities;

12. *Demands* that all parties fully comply with their obligations under international humanitarian law to spare the civilian population, and civilian objects, refraining from attacking, destroying, removing or rendering useless objects indispensable to the survival of the civilian population, and respecting and protecting humanitarian personnel and consignments used for humanitarian relief operations;

13. *Requests* the Emergency Relief Coordinator to provide, 30 days after the adoption of the present resolution, a report on the humanitarian situation in Ukraine and on the humanitarian response;

14. *Urges* the immediate peaceful resolution of the conflict between the Russian Federation and Ukraine through political dialogue, negotiations, mediation and other peaceful means;

15. *Welcomes and urges* the continued efforts by the Secretary-General, Member States, the Organization for Security and Cooperation in Europe and other international and regional organizations to support the de-escalation of the current situation, as well as the efforts of the United Nations, including of the United Nations Crisis Coordinator for Ukraine, and humanitarian organizations to respond to the humanitarian and refugee crisis that the aggression by the Russian Federation has created;

16. *Decides* to adjourn the eleventh emergency special session of the General Assembly temporarily and to authorize the President of the General Assembly to resume its meetings upon request from Member States.

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Human Rights Council
Forty-ninth session
28 February–1 April 2022
Agenda item 1
Organizational and procedural matters

Resolution adopted by the Human Rights Council on 4 March 2022**49/1. Situation of human rights in Ukraine stemming from the Russian aggression**

The Human Rights Council,

Guided by the principles and purposes of the Charter of the United Nations,

Recalling the obligations of all States under Article 2 of the Charter to refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State, and to settle their international disputes by peaceful means,

Reaffirming the need to exert utmost efforts in order to settle any conflicts and disputes between States exclusively by peaceful means and to avoid any military action and hostilities, which can only make more difficult the solution of those conflicts and disputes,

Recalling also the Universal Declaration of Human Rights and relevant international human rights treaties, and treaties relevant to international humanitarian law, and also the role of regional arrangements, particularly the European Convention on Human Rights,

Recalling further General Assembly resolution 3314 of 14 December 1974, entitled “Definition of aggression”,

Welcoming the adoption of the resolution on Aggression against Ukraine at the UN General Assembly on March 2, 2022,

Reaffirming its strong commitment to the sovereignty, political independence, territorial integrity and unity of Ukraine within its internationally recognized borders, extending to its territorial waters, and *reaffirming also* that all peoples are entitled to freely determine, without external interference, their political status and to pursue their economic, social and cultural development, in accordance with international law,

Reaffirming also the primary responsibility of States to promote, respect and protect human rights,

Acknowledging that international human rights law and international humanitarian law are complementary and mutually reinforcing,

Strongly condemning the aggression against Ukraine by the Russian Federation,

Gravely concerned at the ongoing human rights and humanitarian crisis in Ukraine, particularly at the reports of violations and abuses of human rights and violations of international humanitarian law by the Russian Federation, including gross and systematic violations and abuses of human rights, and recognizing strong expressions of concern in statements by the UN Secretary General and by the High Commissioner for Human Rights,

Recalling in this regard the reports by the UN Secretary General and the Office of the UN High Commissioner for Human Rights based on the work of the UN Human Rights Monitoring Mission in Ukraine (HRMMU) established in 2014,

Concerned about increasing reports of civilian casualties, including children, forced displacement, including more than 660,000 refugees, and at damage to and destruction of residential areas, schools, cultural sites, and critical civilian infrastructure, including hospitals and civilian water, sanitation, and fuel supplies caused by Russian bombing and shelling in populated areas,

Stressing the urgent need for the Russian Federation to immediately cease its military hostilities against Ukraine and for Belarus to immediately cease its support for these hostilities, for the prioritization of the protection of civilians, including those displaced, and civilian objects, and for full, timely, immediate, unhindered and safe humanitarian access, and demanding that the parties respect human rights and fully comply with their applicable obligations under international law, including international human rights law, international humanitarian law and international refugee law,

Recalling that the States members of the Human Rights Council are required to uphold the highest standards in the promotion and protection of human rights,

Deploring the suffering of the people in Ukraine and reaffirming its profound solidarity with them, while stressing the importance of providing them with proper support and assistance,

Concerned by the humanitarian needs of all those fleeing from or displaced by the military hostilities,

Reaffirming the importance of the full, equal and meaningful participation of women in planning and decision-making with regard to mediation, confidence-building, conflict prevention and resolution, and of their involvement in all efforts to maintain and promote peace and security, and the need to prevent and redress human rights violations and abuses, such as all forms of violence against women and girls, especially sexual and gender-based violence,

Emphasizing the important role played by the Office of the United Nations High Commissioner for Human Rights and the human rights monitoring mission in Ukraine in contributing to an objective appraisal of the situation of human rights in Ukraine,

Reaffirming that the right to freedom of opinion and expression, both online and offline, is a human right guaranteed to all, reiterating in this regard the important role of free and independent media and non-governmental organizations, and condemning any attack against journalists, media outlets, media workers, and human rights defenders,

Expressing concern at the spread of disinformation, which can be designed and implemented so as to mislead and to violate and to abuse human rights, including privacy and the freedom of individuals to seek, receive and impart information,

Underscoring the obligation on all parties to the Geneva Conventions of 12 August 1949, as well as parties to the Additional Protocol I of 1977, to investigate and prosecute or extradite persons alleged to have committed, or to have ordered to be committed, grave breaches of the Geneva Conventions or Additional Protocol I, as applicable,

Noting the decision by the prosecutor of the International Criminal Court to proceed with opening an investigation into the situation in Ukraine, as rapidly as possible,

Noting also the role of the International Court of Justice in settling, in accordance with international law, legal disputes submitted to it by States,

1. *Condemns in the strongest possible terms* the human rights violations and abuses and violations of international humanitarian law resulting from the Russian Federation's aggression against Ukraine;

1bis. *Reaffirms* its strong commitment to the sovereignty, political independence, unity and territorial integrity of Ukraine within its internationally recognized borders, extending to its territorial waters;

2. *Calls upon* the Russian Federation to immediately end its human rights violations and abuses and violations of international humanitarian law in Ukraine, and calls for the strict observance of all human rights and fundamental freedoms, and for the protection of civilians and critical civilian infrastructure in Ukraine;

3. *Calls for* the swift and verifiable withdrawal of Russian Federation troops and Russian-backed armed groups from the entire territory of Ukraine, within its internationally recognized borders, as well as its territorial waters, in order to prevent further violations and abuses of human rights and violations of international humanitarian law in the country, and stresses the urgent need for the immediate cessation of military hostilities against Ukraine;

4. *Urges* immediate, safe and unhindered humanitarian access, including across conflict lines, to ensure that humanitarian assistance reaches all those in need, particularly those in vulnerable situations, and to respect the independence and impartiality of humanitarian agencies and ensure the protection of humanitarian personnel and medical personnel exclusively engaged in medical duties;

5. *Expresses grave concern* at the documented harm to the enjoyment of many human rights, including the rights to life, education, and the highest attainable standard of physical and mental health, caused by Russian shelling and bombing in populated areas;

6. *Stresses* the importance of maintaining free, open, interoperable, reliable and secure access to the Internet, and condemns unequivocally any measures that prevent or disrupt an individual's ability to receive or impart information online or offline, including partial or complete Internet shutdowns;

6bis. *Stresses* that all those fleeing from the conflict in Ukraine should be protected without discrimination, including on the basis of racial, national, and ethnic identity;

7. *Encourages* relevant thematic special procedure mandate holders, within their respective mandates, to pay particular attention to the situation of human rights in Ukraine;

8. *Stresses* the importance of ensuring accountability for violations and abuses of human rights and violations of international humanitarian law, and underscores the urgency of initiating a prompt, independent and impartial investigation into all alleged abuses and violations to end impunity and ensure accountability for those responsible;

9. *Decides* to urgently establish an independent international commission of inquiry, constituted by three human rights experts, to be appointed by the President of the Human Rights Council for an initial duration of one year, complementing, consolidating, and building upon the work of the HRMMU, and in close coordination with the HRMMU and OHCHR, with the following mandate:

(a) To investigate all alleged violations and abuses of human rights and violations of international humanitarian law, and related crimes, in the context of the Russian Federation's aggression against Ukraine, and to establish the facts, circumstances, and root causes of any such violations and abuses;

(b) To collect, consolidate and analyse evidence of such violations and abuses, including their gender dimension, and to systematically record and preserve all information, documentation and evidence, including interviews, witness testimony and forensic material, consistent with international law standards, in view of any future legal proceedings;

(c) To document and verify relevant information and evidence, including through field engagement, and to cooperate with judicial and other entities, as appropriate;

(d) To identify, where possible, those individuals and entities responsible for violations or abuses of human rights or violations of international humanitarian law, or other related crimes, in Ukraine, with a view to ensuring that those responsible are held accountable;

(e) To make recommendations, in particular on accountability measures, all with a view to ending impunity and ensuring accountability, including, as appropriate, individual criminal responsibility, and access to justice for victims;

(f) To provide the Human Rights Council, at its fifty-first session, with an oral update, to be followed by an interactive dialogue, and a comprehensive written report at its fifty-second session, to be followed by an interactive dialogue, and to submit a report to the General Assembly at its seventy-seventh session;

10. *Requests* the immediate operationalization of the mandate, and requests the Secretary-General to provide all the resources necessary to enable the commission of inquiry to carry out its mandate and the resources and expertise necessary to enable the Office of the United Nations High Commissioner for Human Rights to provide such administrative, technical and logistical support as is required to implement the provisions of the present resolution, in particular in the areas of fact-finding, legal analysis and evidence-collection;

11. *Calls upon* all relevant parties and States, and encourages civil society, the media and other relevant stakeholders, to cooperate fully with the commission of inquiry to allow it to effectively fulfil its mandate, and to provide it with relevant information or documentation they may possess or come to possess, as appropriate;

12. *Calls upon* the relevant organs, bodies and agencies of the United Nations system to cooperate fully with the commission of inquiry and to respond promptly to any request made by it, including with regard to access to relevant information and documentation;

13. *Decides* to remain actively seized of the matter.

*10th meeting
4 March 2022*

[Adopted by a recorded vote of 32 to 2, with 13 abstentions. The voting was as follows:

In favour:

Argentina, Benin, Brazil, Côte d'Ivoire, Finland, France, Gambia, Germany, Honduras, Indonesia, Japan, Libya, Lithuania, Luxembourg, Malawi, Malaysia, Marshall Islands, Mauritania, Mexico, Montenegro, Nepal, Netherlands, Paraguay, Poland, Qatar, Republic of Korea, Senegal, Somalia, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland and United States of America

Against:

Eritrea and Russian Federation

Abstaining:

Armenia, Bolivia (Plurinational State of), Cameroon, China, Cuba, Gabon, India, Kazakhstan, Namibia, Pakistan, Sudan, Uzbekistan and Venezuela (Bolivarian Republic of)]