



# General Assembly

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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)

#### South Africa: draft resolution

### Humanitarian situation emanating out of the conflict in Ukraine

*The General Assembly,*

*Recalling* previous resolutions of the General Assembly on the strengthening of humanitarian assistance,

*Reaffirming* the principles of neutrality, humanity and impartiality for the provision of humanitarian assistance, recalling its resolutions [46/182](#) of 19 December 1991, [58/114](#) of 17 December 2003 and [60/124](#) of 15 December 2005, and reaffirming the principles and norms of international humanitarian law and the urgent need for all States to ensure respect for and the promotion of international humanitarian law and international human rights law, as well as refugee law, in particular the principles of distinction and proportionality and the obligation to take all feasible precautions to avoid and in any event minimize harm to civilians and civilian objects,

*Recognizing* that independence, meaning the autonomy of humanitarian objectives from the political, economic, military or other objectives that any actor may hold with regard to areas where humanitarian action is being implemented, is also an important guiding principle for the provision of humanitarian assistance,

*Reaffirming its commitment* to the sovereignty, independence, unity and territorial integrity of all States Members of the United Nations in accordance with the Charter of the United Nations, including in Ukraine, within its internationally recognized borders,

*Expressing grave concern* at the deteriorating humanitarian situation in and around Ukraine, in particular at the high number of civilian casualties, including children, and the increasing number of internally displaced persons and refugees in need of humanitarian assistance,

*Reaffirming* the obligation of all States and parties to an armed conflict to protect civilians, as well as other non-combatants, including detainees, and civilian objects, in accordance with international humanitarian law,



*Stressing* the particular impact that armed conflict has on women and children, including as refugees and internally displaced persons, and other civilians who may have specific vulnerabilities, including persons with disabilities and older persons, and stressing also the protection and assistance needs of all affected civilian populations,

*Expressing concern* about the potential impact of the conflict on the global economy, including increased food and energy insecurity, as the region is one of the world's most important areas for grain, agricultural and energy 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,

*Reiterating* the call upon all parties to an armed conflict to comply with their obligations under international humanitarian law pertaining to the critical delivery of essential services to the civilian population, refraining from attacking, destroying, removing or rendering useless objects that are indispensable to the survival of the civilian population, and respecting and protecting humanitarian personnel and consignments used for humanitarian relief operations,

*Stressing* that an immediate cessation of hostilities should be the first step in ameliorating the humanitarian situation,

*Recognizing* that a negotiated ceasefire is essential for enabling the rapid, safe, voluntary and unhindered evacuation of all civilians, and underscoring the need for the parties concerned to agree on humanitarian pauses to this end,

1. *Calls for* an immediate cessation of hostilities by all parties in the conflict, and encourages political dialogue, negotiations, mediation and other peaceful means aimed at achieving lasting peace;
2. *Endorses*, in this regard, the call of the Secretary-General to return to the path of dialogue and negotiations, and supports his role in this regard;
3. *Demands* that civilians, including humanitarian personnel and persons in vulnerable situations, including women and children, be fully protected;
4. *Also demands* that all parties concerned ensure respect for and the protection of all medical personnel and humanitarian personnel, and their means of transport and equipment, and hospitals and other medical facilities;
5. *Further demands* full respect for and protection of objects indispensable to the survival of the civilian population and civilian infrastructure that is critical to the delivery of essential services in armed conflict;
6. *Demands* that all parties protect civilians fleeing the violence, including foreign nationals, allow for their voluntary, safe and unhindered passage, without discrimination, in particular on the basis of race, and comply with the obligation to allow and facilitate the rapid, safe and unhindered access to humanitarian assistance for those in need in Ukraine and its neighbouring countries;
7. *Condemns* all violations of international humanitarian law and violations and abuses of human rights, and calls upon all parties to the armed conflict to strictly respect international humanitarian law, including the Geneva Conventions of 1949<sup>1</sup> and Additional Protocol I thereto, of 1977,<sup>2</sup> and to respect international human rights law and international refugee law, including the principle of non-refoulement;

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<sup>1</sup> United Nations, *Treaty Series*, vol. 75, Nos. 970–973.

<sup>2</sup> *Ibid.*, vol. 1125, No. 17512.

8. *Underscores* the coordinating role of the United Nations in providing humanitarian assistance in and around Ukraine in an impartial manner in accordance with international humanitarian law;

9. *Calls upon* Member States to fully fund the flash appeal launched by the United Nations for the humanitarian response in Ukraine, as well as the regional refugee response plan for Ukraine and its neighbouring countries;

10. *Welcomes* the appointment by the Secretary-General of Amin Awad as Assistant Secretary-General to serve as United Nations Crisis Coordinator for Ukraine;

11. *Requests* the Secretary-General to brief the General Assembly, on a regular basis, on the implementation of the present resolution;

12. *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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