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THE CRISIS IN UKRAINE

(Adopted by the Permanent Council at its virtual special meeting held on March 25, 2022)

 THE PERMANENT COUNCIL OF THE ORGANIZATION OF AMERICAN STATES,

RECALLING the obligation of all States under Article 2 of the United Nations 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;

REAFFIRMING the Charter of the Organization of American States in particular Article 1 by which OAS member states are committed, “to achieve an order of peace and justice, to promote their solidarity, to strengthen their collaboration, and to defend their sovereignty, their territorial integrity, and their independence”;

RECALLING Article 3(g) of the Charter of the OAS by which “American States condemn war of aggression: victory does not give rights”;

REITERATING that the essential rights of man are not derived from one's being a national of a certain state, but are based upon attributes of the human personality, and also that these principles have been set forth in the Charter of the Organization of American States, in the American Declaration of the Rights and Duties of Man, and in the Universal Declaration of Human Rights, and that they have been reaffirmed and refined in other international instruments, worldwide as well as regional in scope;

ACKNOWLEDGING the shared values and common approaches contained in the Declaration on Security in the Americas (2003), and that peace is a value and a principle in itself and is based on democracy, justice, respect for human rights, solidarity, security, and respect for international law;

### RECALLING that the Americas as a zone of Peace is based on respect for the principles and provisions of international law, including the international instruments to which member states are parties, and the principles and purposes of the United Nations Charter and the Charter of the OAS;

REITERATING that every State has the right to choose, without external interference, its political, economic, and social system and to organize itself in the way best suited to it, and that every state has the duty to abstain from intervening in the affairs of another State;

RECALLING the Declaration CP/INF. 9293/22 in the OAS Permanent Council meeting of February 25, 2022, “The Situation in Ukraine”, by which 25 member states condemned the unlawful, unjustified, and unprovoked Russian invasion of Ukraine and called for the immediate withdrawal of the military presence and the cessation of any further military actions in the country;

RECALLING ALSO UN General Assembly Resolution A/RES/ES-11/1, “Aggression against Ukraine”, at its Eleventh Emergency Special Session on March 2, 2022, deploring “in the strongest terms the aggression by the Russian Federation against Ukraine” and demanding that Russia “immediately, completely and unconditionally withdraw all of its military forces from the territory of Ukraine within its internationally recognized borders”;

CONSCIOUS that the UN General Assembly Resolution also expressed 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, as well as the potential impact of the conflict on increased food and energy insecurity globally;

AWARE that the Resolution also demanded that safe and unfettered passage be allowed 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;

ALARMED that the humanitarian situation in Ukraine continues to deteriorate and that the UNHCR has reported that more than 3.2 million people have now fled Ukraine, and that 13 million more of those hardest hit by the war are internally displaced and, also, that the situation in cities such as Mariupol and Sumy is “extremely dire, with residents facing critical and potentially fatal shortages of food, water and medicine”;

RECALLING that the UN General Assembly, by Resolution A/ES-11/L.2 “Humanitarian consequences of the aggression against Ukraine” adopted on March 24, 2002 deplored “the dire humanitarian consequences of the hostilities by the Russian Federation against Ukraine, including the besiegement of and shelling and air strikes in densely populated cities of Ukraine, in particular Mariupol, as well as attacks striking civilians, including journalists, and civilian objects, in particular schools and other educational institutions, water and sanitation systems, medical facilities and their means of transport and equipment, and the abduction of local officials, as well as attacks striking diplomatic premises and cultural sites”;

AWARE that, on 16 March 2022, the International Court of Justice issued an Order “indicating the following provisional measures: (1) The Russian Federation shall immediately suspend the military operations that it commenced on 24 February 2022 in the territory of Ukraine; (2) The Russian Federation shall ensure that any military or irregular armed units which may be directed or supported by it, as well as any organizations and persons which may be subject to its control or direction, take no steps in furtherance of the military operations referred to in point (1) above; and (3) Both Parties shall refrain from any action which might aggravate or extend the dispute before the Court or make it more difficult to resolve.”;

RECALLING resolutions CP/RES. 577 (896/92) of April 1, 1992 and CP/RES. 629 (987/94) of May 9, 1994, through which the Permanent Council granted the Governments of the Russian Federation and Ukraine respectively the status of Permanent Observer to the Organization; and resolution CP/RES. 52 (61/72), which established that the purpose of Permanent Observers to the OAS is to promote cooperative relations among states from both the Americas and elsewhere that participate in the Organization’s programs;

AWARE that the Russian Federation was granted the status of Permanent Observer to the OAS under certain conditions at the time, including paragraph 6 of CP/RES. 407 (573/84) of 27 June 1984 which empowers the Permanent Council to “review the permanent observer status granted to a state when it considers that the circumstances that determined the acceptance of its request have significantly changed or no longer obtain”;

EMPHASIZING that threats to global peace and security affect the security of the Hemisphere and that a stable and secure Hemisphere depends on world peace and security;

RESOLVES TO:

 1. Declare the deteriorating humanitarian situation in Ukraine as deeply distressing and wholly unacceptable and, in this regard, to demand respect for human rights and an immediate end to acts that could constitute war crimes;

 2. Demand safe and unfettered passage to destinations outside of Ukraine, and to facilitate rapid, safe and unhindered access to humanitarian assistance without discrimination based on origin, race, nationality or ethnicity;

 3. Condemn 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 1949 and Additional Protocol I thereto of 1977 as applicable, and to respect international human rights law;

 4. Insist that all parties respect their obligations under international humanitarian law, in particular with regard to the protection of the civilian population;

 5. Reiterate the importance of the fundamental principles of the United Nations Charter and of respect for the sovereignty, political independence, and territorial integrity of Ukraine;

 6. Call on the Russian Federation to withdraw immediately all its military forces and equipment from within the internationally recognized borders of Ukraine, and return to a path of dialogue and diplomacy;

 7. Recognize the offers of several Permanent Observers of the Organization of American States to facilitate dialogue and negotiations to end hostilities and restore peace;

 8. To continue examining the situation in Ukraine, including the obligations incumbent on all parties to uphold international humanitarian law, and in this connection, to review, as necessary, the adherence of the Russian Federation to its commitment to the OAS as a Permanent Observer;

 9. To instruct the Secretary General of the OAS to transmit this resolution to the Secretary General of the United Nations.



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