

India Abstained from Voting on the UN Resolutions on Ukraine

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Introduction: the Issue

India abstained from voting on a resolution tabled by the US in the Security Council on the 25th of February, demanding rejection of the Russian Federation for launching an attack on Ukraine, a neighbouring sovereign state. Eleven out of a total of fifteen members voted in favour while three countries, China, India and the UAE abstained.

Subsequently, India again abstained from voting in two more UN resolutions on the same issue, one of these was in the UN General Assembly, where 104 member countries voted in favour of a resolution against the Russian Federation.

The question raised in many official and non-official circles in the US and the European countries is how come India, the world's largest democracy, has abstained from voting in a case of aggression and violation of the freedom and sovereignty of another nation?

Some lawmakers in the US wanted punitive action to be taken against India for defying the norms of the UN in the bilateral relationship. Some demanded the imposition of economic sanctions on India while others asked for more stringent measures like expulsion from G- 20 and the like.

Background: Russian side

The Ukraine crisis has a background and it could be a factor in India's decision. Addressing the Security Council in a meeting requested by Ukraine in the wake of the signing of a decree by Russian President Vladimir Putin a day earlier, Rosemary DiCarlo, Under-Secretary-General for Political and Peacebuilding Affairs said that the decree reportedly aims to allow citizens in parts of eastern Ukraine to apply for Russian passports under a simplified procedure.

Conflict in Ukraine between Government forces and largely pro-Russian separatists in the east during the past five years has resulted in the deaths of more than 3,300 civilians, up to 9,000 injured, with around 3.5 million in need of humanitarian assistance and protection.

Quoting from the Russian citizenship decree, Ms DiCarlo said that the decision had been made "to protect human and citizens' rights and freedoms", adding that it had been welcomed by "entities in control in certain areas of the Donetsk and Luhansk regions of Ukraine."¹

Amid rumours, on 24 February morning, the news came that President Putin of Russia had signed the independence of two eastern provinces of Ukraine, Donetsk and Lugansk. Both touch on the border with Russia.

Ukrainian side

However, the UN Under-Secretary also gave the Ukrainian version of the story. She said that Ukrainian authorities, in contrast, had “strongly protested the decree as an unprecedented interference by the Russian Federation in the country’s internal affairs and a violation of her sovereignty. Ukraine called it contrary to the Minsk Agreements.

“The United Nations expects that the spirit and the letter of the Minsk agreements will be respected by all concerned. To that end, we urge all parties to avoid any unilateral steps that may potentially undermine the implementation of these agreements and to address concerns through constructive dialogue in the existing negotiation formats,”² DiCarlo added.

She also underlined the UN’s commitment to the sovereignty and territorial integrity of Ukraine.

“Against the prevailing dangerous trajectory over the past five years, it is our sincere hope that at long last a new positive dynamic can emerge,” she said. “This is essential for fostering national cohesion and lasting stability in Ukraine, and critical to the maintenance of peace and security in Europe.”

Inconclusive Minsk Talks

The latest talks between the Trilateral Contact Group, consisting of Ukraine, Russia and the Organization for the Security and Cooperation in Europe (OSCE), proved "inconclusive" in recent days, on a new ceasefire recommitment, said Ms DiCarlo.

Briefing for the OSCE, alongside the Chief Monitor of the Special Monitoring Mission to Ukraine, Ertugrul Apakan, Special Representative Martin Sajdik, said that a “deepening divide” between parts of the east and the rest of Ukraine, was making the task of unifying the country harder, with different currency being used, and increasingly difficult journeys across the contact line.

"It is not enough to mitigate the effects of the divide", said the Special Representative of the OSCE Chairperson-in-Office in Ukraine and the Trilateral Contact Group. "We have to undertake all efforts to narrow and even to eradicate it. Statements by the future leadership of Ukraine make me optimistic that there is resolve, to actively work against this divide."³

The people in these two eastern provinces have been agitating for quite some time to separate from Ukraine and join the Russian Federation. Behind this demand is the long and close association that these people have been enjoying since the times of the Soviet Union. The crucial question is whether a country is justified in occupying a separatist portion of a sovereign neighbourly state by force of

arms for whatever reasons? India thinks that this theoretical debate should have been the real concern of the SC and not passing a resolution in a huff.

How did other countries look at the issue? Venezuela, a close ally of Russia, blamed NATO and the United States for the crisis in Ukraine by violating the Minsk agreements. "The derailment of these (Minsk) accords has violated international law and created strong threats against the Russian Federation, its territorial integrity and sovereignty, as well as impeded good relations between neighbouring countries." ⁴

According to the Chinese media readout, Putin outlined the reasons for Russia launching the "special military operation", and told President Xi that NATO and the United States had "long ignored Russia's reasonable security concerns". ⁵

China's foreign ministry hit back against US President Joe Biden's comment that any country that backed Russia's Ukraine operations would be "stained by association".

"It was countries that interfered in the domestic affairs of others that would see their reputations stained," ministry spokesman Wang Wenbin said at a daily news briefing.⁶ China had also used the plea of "interference" in the case of Russian action in Crimea in 2014.

President Putin of Russia alleges that the US was trying to use the Ukrainian proxy to turn Ukraine into a hotbed of conspiracy against Russia's security. He accuses the European powers of alluring Ukraine to become a member of NATO. Russia fiercely opposed it and warned Ukraine that it would be inviting serious trouble by hobnobbing with NATO membership as it posed a direct threat to Russia's security.

The US and NATO members focus on the unwarranted aggression of the Russian Federation against a sovereign state of Ukraine and brandish the Security Council Resolution that condemns Russian violation of international law. There is little doubt that the western block is providing arms and even mercenaries to Ukraine.

Why India Abstained

New Delhi gives due importance to the Minsk Agreement but regrets that it has not been honoured. India has categorically stated that she respects the sovereignty and independence of Ukraine. But she is not in favour of passing resolutions of condemnation or imposition of sanctions against Russia. It is not because she wants to please Russia because Russia has used the veto in favour of India a few times at the SC.

India believes there is a dispute to which Russia and Ukraine are a party and that they should sit down and talk and resolve differences. India even offered to lend any help they might need to undo the logjam.

The issues which India would very much like to be debated are: (a) why did Minsk Agreement fail and who is responsible and how (b) What has the Ukrainian government to say to the separatists of Donbas? What has she done to bring them back to the national mainstream? (c) What proof has Moscow to show that the US and NATO are using Ukraine as a proxy and threatening Russia's security? (d) why has there been a concentration of heavy armament on the border much ahead of the breaking out of the war? What are the intentions?

India did not abstain to express any animus towards either Ukraine or the US and NATO. India's abstention was essentially motivated by the fact that the situation was complex and needed patient and careful treatment. It should be noted that as a matured democracy India never raked up Mykola Maimeskul, the Permanent Representative of Ukraine's statement to the United Nations, condemning India going nuclear, which, in his words "endangered existing international arrangements for nuclear non-proliferation".⁷ Ukraine never used the same policy when Pakistan went nuclear.

India's Grouse against the SC

The critics of the Indian stand on the issue argue that by abstaining New Delhi has overlooked Russia tearing down Article 2(4) of the Charter of the UN. The Article deals at length with "The question of the scope and limits of the phrase "threat or use of force against the territorial integrity or political independence of any State."

Let us go back a little in history and bring to memory an identical case. In 1947, India approached the SC to vacate the aggression of Pakistan against the sovereign state of Jammu and Kashmir. The SC meted out a scurvy treatment to India and equated the aggressor with the aggrieved. Whatever happened to the Kashmir cause at the SC is not the point right now. The point is that it left an impression on India that more than the clauses of the UN Charter, it is big power politics that rules the roost. India has been asking for reformation of the United Nations in the light of new realities.

Not a Case of Likes and Dislikes.

India's relations with Ukraine have been somewhat normal. India was among the first countries to accord recognition to Ukraine as a sovereign independent country after the Russian implosion in 1991.⁸

However, perhaps under the strident influence of the US and some NATO members, Ukraine has given cause for India's disappointment with her. Even then India, overcoming temporary aberrations, has tried to maintain good relations with Ukraine. About twenty-thousand Indian students had to be evacuated when the fighting began in Ukraine.

India's Perception of the Russo-Ukrainian war

The question is apart from history, how does India look at the crisis unfolding in Eastern Europe. At the UN Security Council's meeting, India made it clear that her decision of abstaining from voting needed to be understood from the right perspective. India firmly believed that condemnation resolutions or imposition of sanctions only exacerbate the crisis. The need of the hour is to douse the flames of war and prompt the warring sides to dialogue to reduce tension.

Conclusion

The bitter conclusion one can draw from the crisis in East Europe is that the long and destructive era of war by proxy is over. Creating proxies to intimidate a third party is no more acceptable to world society. The former USSR had tried it in Afghanistan but had to learn a bitter lesson. China has also begun to feel the heat of raising proxies. NATO members must re-think their policy of setting up hostile states in the neighbourhood of sovereign states. India knows very well what it means to bolster a hostile state or state-sponsored structure in the neighbourhood. Even smaller countries resist it.

References

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² Op cit

³<https://news.un.org/en/story/2019/04/1037371>

⁴<https://www.trtworld.com/europe/live-blog-russia-vetoes-un-draft-resolution-condemning-itself-over-ukraine-55062>

⁵ Ibid

⁶ <https://www.reuters.com/world/china/china-hits-back-biden-assertion-stain-over-ukraine-2022-02-25/>

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⁸ Website: www.eoiukraine.gov.in