

Forum: *Security Council (SC)*

Issue: The Situation in Ukraine

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Introduction

The situation of Ukraine mostly revolves around the issue between Russia and Ukraine. It has been a long standing struggle for the Crimean Peninsula in Ukraine to declare its independence, despite the recognition of their sovereignty from the international community. The history of the conflict can be traced back to 1920, when Ukraine was still one of the major economic contributors to the Soviet Union. Indeed, the major ongoing crisis that the European Union, United States, and the entire global community has been concerned with is precisely Russia's illegal annexation of the Crimean Peninsula from the Ukrainians. This crisis erupted on March 2014, and since then, the Russian government has been secretly financing the separatists, Donetsk People's Republic, whom are considered as terrorists by the Ukrainian. The collateral damage after the incident has caused a four-years nonstop military conflict between the Ukrainian soldiers and the Russian-backed separatists in eastern Ukraine, generating over millions of casualties. Some known incidents between Ukraine and Russia's ongoing war include the MH17 shot down where civilians on the entire plane were killed. Despite Russia declaring that the government is not responsible for the act, the media has commonly recognized the pro-Russian rebels as the perpetrators that shot down the flight over the Ukrainian territory.

Russia has been a major player in influencing elections in Ukrainian. Russia would escalate the military conflicts in the Ukrainian region during election time to influence voting decisions to undermine pro-western, pro-EU, and pro-NATO running candidates. Ukraine has been earnestly seeking opportunities to join EU and NATO for economic trade. However, Ukraine was struck by Russia's bailout and its subsidies for oil, which makes it hard to claim its own independence in the energy and finance sector. Russia has threatened Ukraine's access to Russia's oil supply if Ukraine does not cut its trade deal with the EU. In 2019, The Ukrainian President Petro Poroshenko, who sought a second five-year term in office, has officially stated in his campaign that the integration of Ukraine with the EU and NATO is significant; Poroshenko also condemned Moscow's continuous seizure to Crimea region. Following his affirmation of continuing the war in Donbas against Russian-backed separatists, Poroshenko proposed

that a “full-fledged membership of the European Union and NATO will completely and totally guarantee [his] state independence” at the Open Dialogue Forum in Kyiv.

Definition of Key Terms

National Sovereignty

By the idea that the country is an independent nation that has declared their right to self-contained without the interference from other nations. According to the UN Charter, the principle of national sovereignty is defined as the concept that “non-interference in the internal affairs of any State should be respected in the holding of elections” (A/RES/45/151).

Crimean-Tatars

The Crimean Tatars compose over 12% of the population in Crimea, where Russia annexed in 2014. They are recognized as the indigenous Ukrainian people by the international community. With a long-standing history of territorial disputes with the Russians, the Tatars have its own self-elected ruling body: The Mejlis.

Mejlis

They are the governing body led by the indigenous Tatars in Crimea. Mejlis have collectively been recognized as a terrorist organization by the Russian Federation as they have vehemently proposed self-determination and oppose the restoration of political rights for Crimean Tatars. The Russian Supreme Court banned the Mejlis in 2014 and imprisoned numerous Mejlis under charges of criminal offenses.

Background Information

Russian Interference with Ukraine independence

In 1991, when the Soviet Union dissolved and Ukraine became independent, the Russian Federation promised to respect national sovereignty and territorial integrity. Yet, the Russian Federation has consistently broke its commitment through increasing political, economical, and social interference with Ukraine. There have been pro-Russian rebels deployed against Ukrainian civilians and army. Russia has also politically interfere in Ukraine’s presidential election in 2004, triggering a Ukrainian protest that eventually transformed into the conflict known as the Orange Revolution.

Annexation of Crimea

From February to March 2014, the Crimean peninsula was annexed from Ukraine by Russia. The aftermath of the Russian military intervention in Crimea was civil unrest across southern and eastern Ukraine. The invasion was marked by Russian troops occupying the military bases, as well airports in key locations in Crimea. This action was condemned by the UN, who asserted that Russia invaded the territorial integrity of Crimea.

Political Situation in Ukraine

On 28th April 2016, the Security Council considered the Minsk agreement as the main framework for the political solution of the crisis in Ukraine. It included a ceasefire and the withdrawal of heavy weaponry, all measures to support local elections and the autonomy of the areas in Donetsk and Lugansk. All discussion leads to the ultimate goal of restoration of the Ukrainian government's control of their eastern border with Russia.

Meeting on the Situation in Ukraine by Security Council

On 1st February 2017, the Council discussed the deteriorating situation in Donetsk region, in specificity to the government-controlled town of Avdiivka. The council drew attention to the human rights violations and violence in town, condemning the use of heavy weapons that were prohibited by the Minsk Agreement. The council called for an immediate ceasefire, adhering to resolution 2202, to full implementation of package implementations.

Key Issues

Human Rights Violations

Crimean-Tatars

Russia has been conducting unfair and discriminatory practices against the Tatars. It has banned teaching the Tartar language in schools, fundamentally violating human rights as they discriminate against a different culture. According to the United Nations High Commissioner for Human Rights (OHCHR), "education in the Ukrainian language has almost disappeared from Crimea." This reveals the extent to which Russia has unfairly discriminated against the Tatars. According to RT, Russia's largest press organization, over 96 percent of the Crimean population approved the referendum to reunite Russia with the Crimean Republic in mid-2014. RT claimed that the president of Ukraine has been installing a nationalist-backed government that nearly declared war on the pro-Russian regions in the southeast. In 2017, RT also released an article

regarding the citizen's decision on the referendum. RT emphasized that the survey was conducted by a German independent international Institute, and that 78.8 percent of respondents still say they would vote for current status quo, with only 2.4 percent said would make a different choice.

Russian Government

The Russian has controlled the Donbas and Eastern region of Ukraine, and continues to largely ignore the ceasefire peace agreement signed by both parties in 2014. The Russia-led forces have methodically threatened and obstructed international monitors. In 2017 of mid-August, the UN Human Rights Monitoring Mission Ukraine (HRMMU) has reported that the fighting in the region has killed over 10,225 Ukrainian, including civilians, government forces, and armed groups. Numerous NGOs like Amnesty International and Human Rights Watch has reported widespread abuses by Russia-led forces. The HRMMU has noted this Russian-controlled region as the “collapse of law and order and serious human rights abuses” such as killings, abductions, and tortures.

Ukrainian Government

Since the Ukrainian government failed to take effective steps to prosecute and punish the officials that violate human rights, the United Nations has noted that Ukrainian has significant deficiencies in investigations into abuses, such as allegations of torture, enforced disappearances, arbitrary detention, committed by government officials. Those perpetrators have been repeatedly reported are the Security Service of Ukraine (SBU). The lack of sovereignty control over the Donbas region has halted progress in investigations regards to human rights abuses related to the annexation of Crimea.

There is also a lack of protection of refugees in Ukrainian government as well. The UNHCR described the refoulement at the border as “largely hidden phenomenon”. The questions of access to asylum, employment of refugees, temporary protections to stateless persons all demanded more time and money to resolve.

Corruption in Ukrainian Government

Corruption among judicial and executors remained endemic in Ukraine. It is common that judges and prosecutors take bribes that impede the rights of citizens to a fair, public trial. Lengthy court proceedings, designated administrative courts, lack of funding, and the inability to enforce rulings are all common factors that lead to unfair trials.

Weak Judicial System in Ukraine

In the past, the lack of transparency in the Ukrainian government have been responsible for numerous acts of corruption and fraudulity. For instance, the independent anti-corruption institution has political pressure that undermines the public trust towards the government. The judicial court was often accused of disclosing financial reports, illicit enrichment, and filing false declarations. However, the new presidency in 2014 has been quite cooperative and responsive to international and non-government investigations that seek to uncover alleged abuses of human rights. Common problems in Ukrainian politics come from the rule of law. Ukraine has been notable for a weak independent judiciary system, one that highlights the illegitimate use of physical force.

Terrorism in Ukraine

In response to Russia's invasion, the Ukrainian government has condemned Russia for violating the 1999 International Convention for the Suppression of the Financing of Terrorism (ICSFT) and the 1965 International Convention on the Elimination of All Forms of Racial Discrimination (CERD). Furthermore, Ukraine has also accused Russia for financing terrorism as they take over the Ukrainian eastern territory; likewise, Ukraine has been accused of discriminating against the Crimean Tatars in Crimea and Ukrainians. During the Ukrainian crisis between 2013-2014, the UN, with support from 100 member states, adopted a resolution on March 27, 2014 that was labeled "Territorial integrity of Ukraine by the sixty-eighth session of the UN General Assembly" in response to Russian Federation's annexation of Crimea.

Major Parties Involved and Their Views

Ukraine

Azov

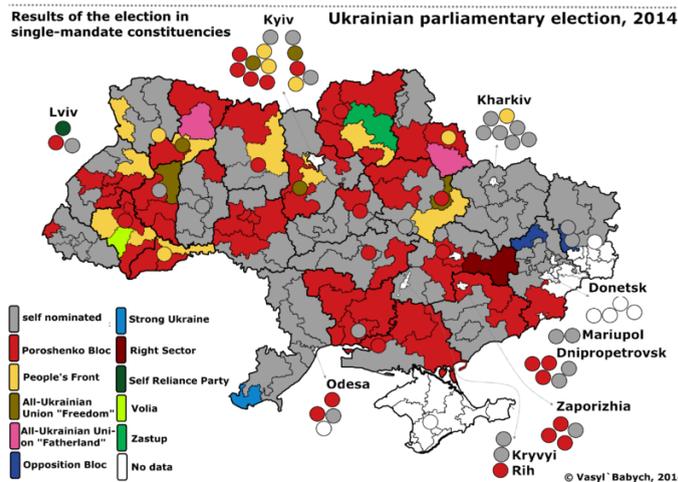
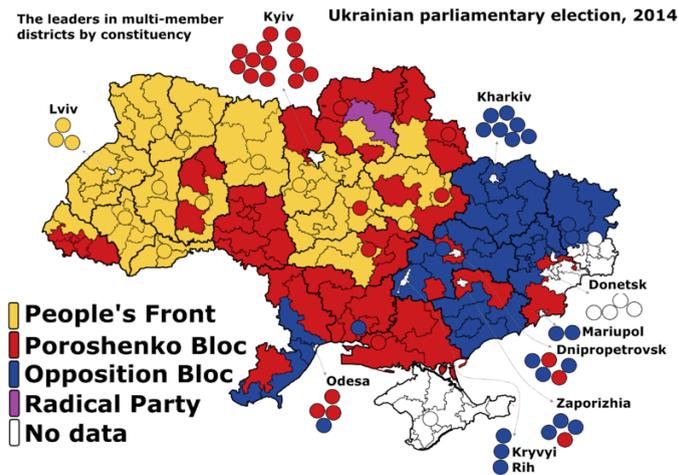
The Azovs are a group of far-right ultranationalist in Kyiv. Special Agent Scott Bierwirth noted the Azov's military wing as "participated in training and radicalizing United States-based white supremacy organizations". The Azov Battalion was formed in May 2014 in response to the separatist movement backed by Russia. The symbolic movement of Azov have been claimed to be similar to former Nazi Wolfsangel and has been accused by the Office of the United Nations High Commissioner for Human Rights (OHCHR) of committing serious human rights abuses including torture.

Svoboda

The All-Ukrainian Union “Svoboda” is a nationalist political party founded on October 13th, 1991. Svoboda’s doctrine essentially stated that “the revolution will not end with the establishment of the Ukrainian state but will go on to establish equal opportunities for all people to create and share material and spiritual values and in this respect; the national revolution is also a social one.” Common ideologies in the group include nationalism, anti-communism, social conservatism, anti-Semitism and neo-Nazism.

Petro Poroshenko Bloc

The Petro Poroshenko Bloc is a center-right political party that formed on 27th August 2014. The party has won 132 contested seats of the 423 in the 2014 parliamentary election, which is currently the biggest party in office. The current president of Ukraine, Petro Poroshenko, is from this party. Common ideologies of this party include decentralization, liberal conservatism, Christian democracy, pro-Europeanism, and civic nationalism.



(2014,Ukrainian parliamentary election, Wikipedia)

Russia

From 1920 to 1991, Ukraine had been a significant contributor to the Soviet Union and modern-day Russia's economy in the agricultural industry. The Ukraine crisis erupted on March 2014 when Russian forces occupied Ukraine's Crimean peninsula. Then, at June 7, 2014, the pro-West president Petro Poroshenko replaced pro-Russian president Viktor Yanukovich in the Ukrainian presidency. From 2014 till present, the ongoing military conflict between Ukrainian soldiers and Russian-backed separatists has yet to cease in eastern Ukraine with tremendous casualties of over 10,000 people.

European Union (EU)

On 1 January 2016, Ukraine approved the Deep and Comprehensive Free Trade Area (DCFTA), a trade deal with the EU that removed export tariffs and quotas and harmonized economic laws, norms, and regulations in trade-related sectors. The EU also banned the import of goods in Crimea for not recognizing the Russian annexation of Crimea.

Timeline of Relevant Resolutions, Treaties and Events

Date	Description of event
August 24th, 1991	<p>1991 Ukraine Independence Referendum</p> <p>Ukraine gained independence after the collapse of the Soviet Union in 1991 and has since then tried to strengthen the relationship with Western Europe by breaking ties with Russia. With a 92.26 percent vote for independence, the Parliament of Ukraine confirms the Act of Independence.</p>
July 17th, 2014	<p>Malaysia Airlines MH17 shot down</p> <p>The event took place at Donetsk Oblast, Ukraine, where pro-Russian rebels shot down an airplane with 283 passengers and 15 crew members. All are killed during the attack.</p>
March 9th, 2015	<p>Putin Confirms Secret Plans to Annex Crimea</p>

Vladimir Putin, the Russian President, admitted that his government had made plans to annex Crimea. This plan was taken before the referendum on self-determination on March 16th, 2015.

EU Formally Approves Ukraine Association Agreement

July 11th, 2017

The agreement was aimed to strengthen ties between the EU and Kyiv, which entered into force on September 1, 2017. Russia objected especially on the economic aspect of Deep and Comprehensive Free Trade Area (DCFTA) that intended to open up and align the EU market with Ukraine.

Putin opens a bridge linking southern Russia to Crimea

May 15th, 2018

Putin constructs a bridge linking southern Russia and the Crimea peninsula annexed by Russia in 2014. Ukraine deemed such action illegal for violating their national sovereignty.

Ukraine President Poroshenko proposes martial laws after the Sea of Azov

November 26, 2018

The Ukrainian president imposes martial law in ten regions and bans the entry of Russian adults males after the three Ukrainian navy vessels and six crew members were injured and shot by Russian forces.

Relevant UN Treaties and Events

- International Convention for the Suppression of the Financing of Terrorism (ICSFT), 9 December 1999 (**A/RES/54/109**)
- Territorial Integrity of Ukraine, 27 March 2014 (**A/RES/68/262**)
- Security Council Press Statement on Deterioration of Situation in Donetsk Region, Ukraine, 31 JANUARY 2017 (**SC/12700**)
- Letter dated 28 February 2014 from the Permanent Representative of Ukraine to the United Nations addressed to the President of the Security Council, 6 June 2018, (**S/2014/136**)
- Adopted by the Security Council at its 7384th meeting, on 17 February 2015 (**S/RES/2202**)

Evaluation of Previous Attempts to Resolve the Issue

After Russia forcefully annexed the Crimean Peninsula in 2014, both the U.S. and European Union had imposed sanctions on Russia for backing separatists in eastern Ukraine that were responsible

for more than 10,300 casualties. Since the annexation, Ukraine has been dependent on the U.S. for diplomatic, military, and financial capabilities to boost its own defensive capabilities against Russia. However, with President Trump's current policy of "direct communication and the possibility to reverse the negative course of relationship" towards Russia, the U.S. stance in supporting Ukraine in the ongoing dispute has altered. The Ukrainian and the Russian government have underwent several negotiations but did not reach consensus and only ended up with accusations of Russia failing to communicate on the racial wipeout, the issue of financing terrorism, and the lack of attention to the matter. The previous attempts to solve the dispute between Ukraine and Russia proves the lack of proactive mutual interest in both parties. The international community, including the EU, US, and UK have condemned Russian aggression towards eastern Ukraine for the violation of national sovereignty, racial discrimination, and financing terrorism in the Ukrainian eastern region.

Possible Solutions

Stabilization in European Region

Despite the effort to relieve the Ukrainian conflict, there are still today no signs of negotiations or compromises between Moscow and the West. Critics have argued that the lack of aggression in the U.S. government and the deepening anti-EU trend in Europe have been the driving force for Putin to take actions to alleviate the current status quo. The international community should solve the root problems by unifying the region to deal with the issue. It is also important to note that the region should avoid political developments like EU's Brexit in or Poland's continuing developments in Hungary.

Western-Ukrainian Cooperation to Play Defense

Since the U.S.-Ukrainian cooperation in military defense and the economy in 2017, the Trump administration has endorsed sanctions against Russia for supporting Ukraine's security. This relationship led to more open investment opportunities for the US with Ukraine importing more coal. By expanding on such trade, the U.S. could offer to supply more lethal weapons that are critical for Ukraine's defense measures in Donbass and Eastern Ukraine.

With better communication and an alliance with NATO, European countries like France and Germany are critical in reducing the damages caused by Russia for threatening Ukrainian security. More economic trade with European partners and signing trade agreements between western countries and Ukraine will not only sustain its economic support from other member states, but also decrease its economic dependence on Russia.

Reaching Consensus on Ceasefire Agreement

Another solution for the situation in Ukraine could be actively reaching out to the United Nation as a third-party mediator to discuss legal issues and settle on agreements in the status of Crimea. By signing economic agreements or stopping other sanction imposed on Russia as a bargaining chip for Russia's integrity in the region may also help alleviate the situation in Ukraine.

Sanction for Contingent Change

The solutions in the Ukrainian crisis should have more immediate support form the global community in order for Russia to lighten its aggressive stance in the region. While the international community and the Security Council has condemned the Russian Federation for over four years, it is critical to acknowledge that the severity of the situation requires a harsher measures on Russia such as including further economic or political sanctions.

To provide context, the International Criminal Court (ICC) has imposed numerous acts that condemn Russia. On November 14, 2016, the International Court of Justice (ICJ) even issued a preliminary finding that condemned Russian aggression on the Ukrainian territory. In response to this, Russia canceled and withdrew its membership in the ICJ. As observed from history, there is simply no greater power beyond international law or geopolitics that can alter the reality and nature of Russia's annexation to Crimea as well as the financing to the separatists. It is critical for the international community to utilize economic powers to stray the situation towards long-lasting solutions. Instead of taking a seemingly ambivalent stance towards the issue, the Trump administration should stand up against Russia's uncivil act in Ukraine and act as the global leader against such act. Moreover, in regards to the geographic proximity of Russia and Ukraine, the EU should take on more responsibility in changing their economic policies to adjust to the situation in Ukraine.

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