

UNITED NATIONS SECURITY COUNCIL (UNSC)

Ukraine Crisis





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1. INTRODUCTION

Ukraine is a country located in Eastern Europe bordering the Black Sea and the Sea of Azov. Its Neighboring countries include Belarus, Hungary, Moldova, Poland, Romania, Russia, and Slovakia. Most of Ukraine consists of fertile plains and plateaus. The Carpathian Mountains is located in the west, and the Crimean Peninsula in the extreme south. The government system is a republic. The chief of state is the President and the head of government is the Prime Minister. Ukraine has a mixed economic system in which there is a limited private freedom combined with centralized economic planning and governmental regulation. Ukraine is also a member of the Black Sea Economic Cooperation (BSEC).

The Ukraine Crisis has become one of the most serious conflicts for the international community nowadays because the initial protests against governmental actions have turned into the most prolonged and deadly turmoil Ukraine has ever faced since the USSR period. Since the fall of the Berlin Wall in 1989, Ukraine and Russia started a period of political and economic cooperation. As soon as the political crisis erupted in early 2014, this phase has ended. Instead, a new time of conflicts and rivalry has arrived. The conflict can be compared with the Cold War since the parts involved in the conflict are the European Union, Western Ukraine, the United States and its counterparts on the one side, and Russia and Eastern Ukraine on the other. However, the reasons of the crisis are entirely different from those of the Cold War. Instead of an ideological fight between Communism and Capitalism, the Ukraine Crisis is a conflict that involves strategic economic and political issues: Russia's recent loss of influence towards important states that used to comprise the Soviet Union and EU's dependence on the natural gas supplied by Russia for its energy policy.

Because there are important economic and political issues under concern, the global implications of the crisis are quite significant. The severity of the Crisis has surprised inasmuch as the protests initiated to show popular dissatisfaction with the government due to its unwillingness to forge closer trade ties with the European Union. Ever since the beginning of the conflict, the tensions between Russia and Western powers have constantly escalated.

After the ouster of President Viktor Yanukovych in February 2014, new protests against the interim government started in the Crimea. Frustrated by the lopsided economy and sharp linguistical, religious and ethnical differences between Ukraine and Crimea, the population demanded structural modifications on its autonomous republic.

Russia allegedly managed an illegal military intervention in the Crimean Peninsula in 2014 and forcedly acquired territory from Ukraine through the use of force. The Russian government recognized Crimea as an independent state and further declared Crimea as part of the Russian Federation. Then, according to most Western countries and media, the State Duma - Russia's lower Parliament House - voted in support of "Russia's illegal endeavor".

2. THE HISTORICAL BACKGROUND

"You have to know the past to understand the present"- Carl Sagan

The causes of the recent crisis in Ukraine are related to its demography. A significant percentage of the Ukrainian population not only speaks Russian, but also identifie themselves as ethnic Russians. Being tracked as far as the seventeenth century, the feeling of "being Ukrainian" appeared for the first time with the rebellion against Poland led by the cossack warriors, followed by the start of a long term relation between Ukraine and Russia beginning with the annexation of most of the current Ukrainian territory by the Russian Empire.

2.1 Kiev

Ukraine's capital Kiev was the center of Kievan Rus's culture that originated both Ukrainian and Russian cultures as well as Belarus's. At its peak in the eleventh century, Kiev unified most East Slavic tribes in a loose federation, stretching from the north coast of the Black Sea to the southeastern coast of the Baltic Sea.

Strong ties between Kiev and Constantinople were assembled by strong commercial relations and royal marriages between the eastern roman emperors' family and the Rus King's one. This resulted in a strong byzantine influence in Kiev's cultural aspects, religion, architecture and law. Kiev fell to the Mongol invasion in the 1240s, but the common cultural inheritance of Russia and Ukraine has never disappeared. As a matter of fact, its common cultural background has laid the foundations of the national identity in both countries.

2.2 The Cossack Rebellion

After the Mongol invasion, most of Rus's territory was annexed by the Polish-Lithuanian Commonwealth during the fourteenth and fifteenth centuries. The Cossacks - inhabitants of Ukraine - started a rebellion in 1648. This episode is considered the first national movement for independence of Ukraine. The Cossack Hatmanate – a republican state led by the Cossacks - was founded by Khmelnytsky with the victory against the poles in an endeavor that liberated the area occupied by central Ukraine nowadays.

When hostilities resumed, Khmelnytsky signed the Treaty of Pereyaslav, forming a military and political alliance with Russia that acknowledged loyalty to the tsar. Russia and Poland signed a peace treaty which resulted in the division of Ukraine.

Crimea was conquered by Catharine the Great in 1783. Its population was mostly comprised of the Crimean Tatars. In the middle of the 19th century, Russia was defeated by the Ottoman Empire, the United Kingdom, France and Sardinia in the Crimean War, which took place in the peninsula, ending its ambitions to conquer the lands of the declining Ottoman Empire. Under the Russian Empire, Ukraine suffered a "Russification" process with the written Ukrainian language being forbidden.

2.3 World War One

Ukrainians fought for both sides of World War I since part of Western Ukraine were under the control of Austria-Hungary whereas most of its lands were inside the Russian Empire's borders. With the end of the war and the fall of both the Russian Empire and the Austro-Hungarian Empire, civil war erupted in Ukraine, with different parties trying to fill the void of power in the region. In this chaos, Lenin and the Red Army supported the Ukrainian Bolsheviks, who after some years of war successfully established the Ukrainian Soviet Socialist Republic. Little time after, the Union of Soviet Socialist Republics (USSR) was formed, and Ukraine was one of its founding members.

2.4 Ukraine under USSR

During its early years under the control of the USSR, a Korenization ("indiginisation") policy consolidated the Ukrainian national identity. This policy was intended to popularize Communism and strengthen the Communist Party in Ukraine. It created a new generation of artists and intellectuals who identified themselves as Ukrainians.

The Ukrainization policies were reversed after Joseph Stalin became the leader of the Soviet Union. His agricultural collectivization policies brought the "Great Famine" – a catastrophe that starved to death millions of Ukrainians who couldn't meet the unrealistic agricultural production goals set by the government. The current Ukrainian government blames Stalin for genocide due to his policies. Stalin also arrested the cultural elite, and promoted again the "Russification of Ukraine". During that period, writing with Ukrainian Cyrillic letters could be punishable by death.

Stalin's policies brought rapid industrialization, with Ukraine becoming important for its heavy industry. Massive investments were made in infrastructure, especially in the Donbas region of Eastern Ukraine.

2.5 World War Two

Before the start of the Barbarossa Operation, many Ukrainians thought of Hitler as a personality who could defeat the Soviets and help emancipating Ukraine. However, they became impressed by the brutality of the Nazi army, which destroyed many cities and villages, robbing food and killing Jews. Many historians say that this was a big mistake made by Hitler, who could have used Ukrainian nationalists in his own army.

The Germans destroyed most of the country's infrastructure both when attacking and when retreating inside the territory. After the end of the war, Ukraine had to be rebuilt. Ukrainian nationalists' attempts of liberating Ukraine from both Germany and the USSR failed. In 1944 Stalin deported most of the Crimean Tatars to Central Asia as punishment for a supposed collaboration with the Germans. From this moment onwards, Crimea's population was Russian on its majority.

2.6 Post War

After the war, Poland became a satellite of the USSR according to what had been decided in the Yalta Conference. Stalin decided to annex polish territories situated in today's Western Ukraine, which were set under Ukrainian administration. These territories had significant Ukrainian populations and a history of Ukrainian nationalist insurgency.

Nikita Krushchev, the new leader of the USSR empowered in 1953, was a former leader of the Ukraine Soviet Socialist Republic. Under Krushchev, political freedoms in the entire USSR were returning, and a new generation of artists appeared. He made an angry speech in the Twentieth Communist Party Congress openly criticizing Stalin – his cult of personality and despotism, his repression against innocent people, and his actions in World War Two. Krushchev acceded Crimea from Russia to Ukraine in 1954 in the celebration of the 300 years Pereyaslav's Treaty Anniversary. However, he disregarded the fact that the Crieman population identified themselves as more Russian than Ukrainian.

Ukraine rapidly became the European leader in industrial production, with its industries concentrated in the east. The Ukrainian language became more widely spoken in the 1960s in spite of the continued "Russification" policies, which even institutionalized mandatory Russian classes in all Ukraine's schools starting in the first grade.

2.7 Independence

On 24 August 1991 the Ukrainian parliament adopted the Act of Independence. After a referendum, more than 90% of the population supported the act. The leaders of Ukraine, Russia and Belarus formally dissolved the Soviet Union then.

Ukraine's biggest minority was the Russians, who were majority in Eastern and Southern Ukraine. The Crimean Peninsula would afterwards acquire the status of an autonomous region. Nevertheless, it still remained an "inseparable part of Ukraine" according to the nation's constitution. Russian was spoken as a native language by a significant amount of the Ukrainian population, but it wasn't accepted as an official language by the government even after the independence. This situation demonstrates the beginning of a polarization inside the country that would eventually become the main reason for the development of the Ukraine crisis twenty three years later.

3. THE GEOPOLITICAL CONTEXT OF THE UKRAINE CRISIS

After the dissolution of the Union of Soviet Socialist Republics (USSR) in 1991, Ukraine became an independent nation and was rapidly recognized as a member state of the United Nations in that same year. Even though the country is considered a unified state, its territory is heterogeneously occupied by Russian speakers and non-Russian speakers. For almost two hundred years, Ukraine was subject to a policy called "Russification of Ukraine", which was a major factor that influenced the occupation of its territory. The policy consisted of a series of laws, decrees and other actions undertaken by both the Russian Empire and the Soviet Union during the period of 1701 to 1991 aimed at suppressing the Ukrainian culture and promoting the Russian ethos, especially by obligating the citizens to speak Russian and incentivizing migration of Russian citizens towards Ukraine.

Even twenty four years after the dissolution of the USSR, the outcomes of this policy can be easily observed throughout Ukraine. Russian is the Native Language for more than 50% of the Ukrainian population in Eastern and Southern Ukraine. Near the Russian border, the percentage of Russian speakers is approximately 70%. In fact, this high percentage of Russian speakers on that area was one of the explanations used by Moscow to justify its political involvement in the conflict. On the other hand, bordering many North Atlantic Treaty Organization (NATO) members and closer to the European Union countries, Western Ukraine has Ukrainian as its primary language and less than 25% of its population speaks Russian.

From the aforementioned data, it can be seen that the Russian culture is still prevalent in Eastern Ukraine. However, it is not significantly influential in the West. This linguistic division of the country resulted in major impacts on the ideology of its population. For instance, during the 2010 Ukraine Presidential Elections, Eastern and Southern Ukraine voted for the pro-Russian candidate Viktor Yanukovych whereas Western Ukraine voted for the pro-EU candidate Yulia Tymoshenko.

While analyzing the geopolitical context of this crisis, it is also important to consider the relevance of the region for military purposes. The city of Sebastopol, which was founded in June 1783, serves as a naval base extremely important for the national security of both Ukraine and Russia because the Black Sea surrounding the area can provide easy access to the Mediterranean Sea through the Bosporus Strait. Since the utilization of Kara Sea, Barents Sea and East Siberian Sea on Northern Russia truly depends on the conditions of the winter, Crimea truly facilitates naval connection between Russia and Europe.

During World War II, Nazi Germany was aware of the primordial role of the city for the national security policy of the Soviet Union. *Wehrmacht*, the integrated armed forces of Nazi Germany, promoted a siege on Sebastopol that lasted 250 days of intense fighting such was the importance of this port. After the dissolution of the Soviet Union, Russia refused to withdraw from the Crimean city. In May 1997, Russia and Ukraine signed the Peace and Friendship Treaty, ruling out Moscow's claims to the territory. However, another agreement was signed to divide the ex-soviet Black Sea Fleet between Russia's Black Sea Fleet and the Ukrainian Naval Forces. Sebastopol remained the location of the headquarters of both naval forces. However, it is worth noting that the Russian Navy is much superior to the Ukrainian Navy in terms of technology, number of ships and personnel.

In addition to military reasons, there is also an important economic issue under concern in the Ukraine crisis. The European Union is quite dependent on Russia in the energy sector. The country supplies 30% of EU total amount of natural gas, 66% of which are transported through pipelines that cross the Ukrainian territory. Besides, the Russian Federation also supplies 30% of EU total amount of oil. According to Edward C. Chow, a senior fellow of the Center for Strategic and International Studies, "Ukraine and Russia have had a stormy relationship over gas supply and gas transit for two decades. Periodically their disputes spill over to affect gas supply of their European neighbors..." The same researcher stated that Ukraine has recently tightened relations with Russia to guarantee more economic privileges. "During Vladimir Putin's time in power as either Russian president or prime minister, long-term agreements were signed with Ukrainian governments under President Yushchenko in 2006, Prime Minister Tymoshenko in 2009, and President Yanukovych in 2010." In 17 December 2013, Kiev signed another agreement with Moscow. This last treaty stated that Russia would cut off the gas prices to Ukraine from over \$400 to \$268.50 per thousand cubic meters and buy \$15 billion of the Ukrainian government debt to prevent it from entering in financial default. However, the true Russian interests behind such agreement still remain unclear.

Being a great military power and the richest and the most populated state of the former USSR, Russia is highly influential in the sphere of the fifteen republics that used to form the Soviet Union. In fact, Moscow is the center of political leadership of the Community of Independent States (CIS). According to International Relations specialist Demétrio Magnoli,

"Near Abroad" – this is how the Russian government denominates the other states that comprise the Community of Independent States. The collapse of the Soviet Union did not suppress the economic bonding, the transportation infrastructure and the electricity transmission network created during the times of the "Red Empire", which integrate the former soviet republics and assure Russia's homogeneity" (MAGNOLI, 2012, p. 562, our translation).¹

After the dissolution of the USSR, the Baltic States (Estonia, Lithuania and Lithonia) preferred to join the European Union rather than the CIS. Russia's influence under those countries became less pronounceable with time. This is exactly what Moscow tries to avoid happening with Ukraine.

Although the European Union and Ukraine are obligated to rely on the natural gas supplied by Russia to meet their energy internal demands, Russia's exports are also truly dependent on the EU consumption. In fact, the energy sector of Russia is responsible for one fifth of its Gross Domestic Product (GDP) and the European countries are its most important buyers. Thus, there is mutual dependence between the Russian Federation and Europe on the energy issue. Despite the efforts of the European Union to become less dependent on Russia's production of natural gas, this situation has not improved in recent years. Likewise, Russia still needs its European buyers to recover its annual economic growth of 6% per year, which lasted from 1999 to 2008.

[&]quot;Exterior Próximo" – é assim que o governo russo encara os demais Estados da CEI. O colapso da URSS não eliminou os laços econômicos, a infraestrutura de transporte e a rede de transmissão de eletricidade criados nos tempos do "império vermelho", que integram as antigas repúblicas soviéticas e asseguram a hegemonia russa (MAGNOLI, 2012, p. 562).

The deterioration of Russia-US relations is also another factor of outmost importance for the Ukraine crisis. Since Putin's third term election to presidency in 2012, the cooperation between those two countries started to decline. Since the beginning of the Syrian Civil War in 2011, Washington and Moscow have also been unable to reach a consensus over this criticical international security issue. In fact, Russia is still one of the few countries that recognize Bashar al-Assad's government legit whereas the United Stated has even considered engaging military intervention against the Syrian government. On 14 December 2012, President Barack Obama signed the "Magnitsky Act", which imposed U.S travel and financial restrictions on human right abusers in Russia. In late 2013, U.S relations with Russia worsened even more after Moscow granted political asylum to Edward Snowden. The tensions further escalated after the beginning of the Ukraine crisis. The United Stated claims its political interventions in this issue are due to the fact that they need to support "… basic human dignity and justice, clean and accountable government, and economic and political independence of Ukraine" (NULAND, Assistant Secretary of the U.S Ministry of Foreign Affairs, 2014).

"Why does the United States have an interest in how this turns out? Because these same principles and values are the cornerstone of all free democracies, and America supports them in every country on the planet. Countries that live freely and independently and respect the rule of law are more stable and make better partners for the United States." (NULAND, Assistant Secretary of the U.S Ministry of Foreign Affairs, 2014, Statement Before the Senate Foreign Relations Committee).

However, it is important to consider that the United States has become more politically present in the region of Caucasus, Central Asia and Eastern Europe after the dissolution of the USSR. They have aligned with countries willing to become less dependent on Russia and to tighten relations with the West, such as Azerbaijan, Georgia and Ukraine. The region has large amounts of natural resources, representing an alternative for the US energy policy, which currently relies on countries of The Middle East as its current major supplier, a highly unstable area that has already been directly involved in two worldwide oil crises.

Furthermore, over the past seven years, the great American companies ExxonMobil and Chevron, as well as the British oil giant Royal Dutch Shell, have discovered natural gas on Western Ukraine. In this sense, Yanukovych's inclination towards Russia jeopardizes the exploration of this profitable natural resource by those companies and contributes to maintain the monopoly of the Russia's largest company, Gazprom.

4. THE PROTESTS

The polarization of the Ukrainian population between pro-Russians and pro-EU is not something recent. In fact, this ideological segregation was one of the main reasons why the political movement called the Orange Revolution erupted in 2004. This uprising began after the media reported widespread vote-rigging in presidential elections technically won by Viktor Yanukovych. The population organized mass street protests and civil disobedience actions under the leadership of the opposition candidate Viktor Youshchenko. In the end, the Supreme Court annulated the result of the polls and Youshchenko was able to win the re-run. However, Viktor Yanukovych was elected prime minister. This episode made it clear that the aforementioned polarization would be extremely influential in terms of the political situation of Ukraine. From that day on, every presidential election would be run by a pro-EU candidate against a pro-Russian candidate.

The 2010 presidential election occurred on an atmosphere of similar tension. In an election judged free and fair by observers, Viktor Yanukovych defeated his opponent. Afterwards, Prime Minister Yulia Tymoshenko was arrested for having abused her powers by signing a gas deal with Russia in 2009 that allegedly ended up causing the gas company Naftogaz to lose \$186 million dollars. Mrs Tymoshenko insisted the charges were politically motivated and accused his rival, President Yanukovych, of orchestrating the process. The same opinion was shared by EU foreign policy chief Catherine Ashton, who also stated that Kiev's handling of the case risked deep implications for its hopes of EU integration. Riot police stood outside the court as thousands of supporters and opponents gathered during the Premier's judgment.

On 21 November 2013, President Yanukovych's cabinet refused preparations for a EU free trade agreement in order to protect "Ukraine's national security". Under intense pressure from Russia not to sign the historic EU deal, Ukraine decided to hold consultations with Moscow to foster close relations between the two countries. Russia wanted Kiev to join its own customs union – a prototype rival to the EU - alongside Belarus and Kazakhstan. If the country was to sign the agreement with EU, it would have to adopt rules incompatible with those of the Russian custom union. In response to this governmental initiative, a large protest erupted in the Ukrainian capital Kiev bringing about approximately 100,000 people to the streets. This was the largest protest after the 2004 Orange Revolution. This event triggered several other rallies in Kiev and other cities during the following days. Accusing the protesters of throwing a smoke grenade and attempting to enter the Cabinet of Ministers building, Kiev police fired tear gas at the demonstrators.

A week after the initial turmoil, the number of protesters rose as high as 800,000 people in the capital. Spreading throughout the whole country in a month period, demonstrators have prepared barricades of snow bags, tires and wooden sticks. They have also stormed important regional offices, such as the government offices of Ivano-Frankvisk and Chernivitsi. Although the initial aim of the protests was to force the government to sign a trade deal with the EU, the participants started to demand President Yanukovych to step down. The authorities tried to negotiate with the protesters, but they were unwilling to give up the fight.

On February, the conflict escalated even more. On 28 February 2014, the Ukrainian Parliament abolished the anti-protest law, which had been approved in the previous fortnight. In a movement to appease the demonstrations, Ukraine's Prime Minister Mykola Azarov resigned. On 20 February, 88 people were killed in 48 hours in the worst days of violence seen in Ukraine for almost 70 years. A video could spot snipers firing at protesters, but the government denied its involvement on the case. It was pretty clear by the time that the situation in Ukraine had become virtually insoluble.

Even though President Yanukovych had signed a compromise deal with opposition leaders on 21 February, the executive leader had to flee Kiev on the next day fearing for his security. On that same day, protesters took control of the presidential administration building and the Ukrainian Parliament voted to remove the president from his powers setting up elections for May. Yanukovych's arch-rival Yulia Tymoshenko was freed from jail and joined the opposition.

The actions of the Parliament to endorse the demands of the demonstrators have not stopped there. From 23 to 26 February, several other measures were taken. To begin with, an arrest warrant for Mr. Yanukovych was issued. Secondly, pro-EU politicians were named for the places of Prime Minister - Arseniy Yatsenyuk - and interim president - Olexander Turchynov. Blamed for having killed peaceful protesters, the elite Berkut police unity was dismantled. Finally, the Parliament voted to ban Russian as the second language. This measure greatly displeased the population of Russian speakers, especially on the Crimea.

5. CRIMEA JOINS THE RUSSIAN FEDERATION: ANNEXATION OR ACCESSION?

From 1991 to 2014, Crimea held the *status* of an autonomous republic. The Autonomous Republic of the Crimea was then officially recognized by the Ukrainian government in 1996 after the Crimean government ratified the Ukraine's Constitution, which stated that the peninsula was an "inseparable constituent part of Ukraine."

Ever since the beginning of the protests in November 2013, the Supreme Court of the Crimea fully condemned the Kiev demonstrations, stating they were "threatening the stability of Ukraine". Following those violent protests, the Ukrainian Parliament voted to "remove Viktor Yanukovych from the post of President of Ukraine" on 22 February 2014 under the argument that he had failed to conduct his duties as the true representative of the Ukrainian population. With 328 voters in favor of Yanukovych's impeachment, the Parliament decided to hold Presidential elections as early as 25 May of that same year. However, the Supreme Court of the Crimea has always been supportive to Yanukovych's inclination to Russia, including the government's decision to interrupt negotiations on the pending Ukraine-EU Association Agreement. Therefore, they were displeased by the outcomes of the Kiev protests.

Although widely recognized by many states, this impeachment process was considered a *coup d'état* by Russia and by many Ukrainians because the procedure did not follow the constitutional guidelines. According to the Ukrainian law, the Parliament needed ten more votes to conduct the process in a legal manner since it is required 75% of the votes to approve an impeachment. In addition, the Constitutional Court of the Ukraine did not review the case. In accordance with the Ukraine Constitution, the validation of the court is necessary to approve such measure. This situation triggered a political crisis in Crimea and separatist movements against the new central authorities rapidly erupted and escalated throughout the peninsula. There are two highly divergent points of view regarding how the annexation/accession of the Crimea proceeded. The first version is the one defended by the majority of Western governments and the European press. According to those sources, on 27 February 2014 unidentified troops widely believed to be Russian occupied the Supreme Court Council, the most important government building of the Crimean local government, in the capital city of Simferopol. They also seized control of Council of Ministers in that same day. After that, Russian flags were raised all over the buildings. The next step was the dissolution of the Council of Ministers of Crimea, following the appointment of Sergey Aksyonov as the Crimea's new prime minister. Considered the leader of the Russian Unity, a minority party, the prime minister declared the new authorities would seize control of all Ukraine military facilities in the area, which were where most of Ukraine's naval forces concentrated. On 1 March 2014, he asked Russian president Vladimir Putin for "assistance in ensuring peace and public order" in Crimea. The next day, Russian troops were reported to have moved from the country's naval base in Sebastopol to reinforce the mainland. This action was considered "a Russian military intervention" by the West.

Pursuant to a decision made by the Supreme Council of the Crimea on 27 February 2014, a referendum was held in the peninsula on 16 March to address the following issue: should Crimea accede to Russia or restore the 1992 constitutional order of Ukraine? Despite fierce opposition from the interim government who did not recognize the referendum as legal, the citizens of the autonomous republic voted for joining Russia. According to the report made by the Russian President's Human Rights Council, only 15% to 30% of the population was able to vote, 95% of whom voted in favor of incorporating into Russia. Due to this fact, there are concerns about how Russia and Crimea conducted the electoral process, which was afterwards deemed illegal by Western governments as well. On 17 March, the EU and the US imposed travel bans and asset freezes on several officials from Russia and Ukraine over the Crimean referendum.

The same facts are reported in a totally different way by the Russian newspaper Pravda, one of the most influential media of the country, and also by the Russian government itself. According to Pravda's article entitled *Russia takes Crimea back*, "The referendum in Crimea took place in full compliance with democratic procedures..."

Regarding the several allegations of aggression over the autonomous republic by the Russian Federation, the President Vladimir Putin officially denied all such accusations. In fact, he even stated that although Russia had received permission from the upper parliament to use armed forces in Ukraine, his nation refused to take such actions. Putin said that Russian forces could not have invaded the Crimea since they were already there in accordance with the international agreement signed in 1996, which established that Sebastopol is legally a naval base for both Ukrainian and Russian marine. In addition, he also thanked the 22,000 fully armed Ukrainian soldiers who were escorting the peninsula for not having provoked any armed conflict. "They tell us about some kind of Russian intervention in the Crimea, about aggression. Strange to hear it. I do not recall a single case in history when intervention could take place without a single shot and without human casualties," said the president of the Russian Federation. On March 18 2014, Russia and the Crimea signed the agreement on the

accession of the autonomous republic and Sebastopol to the Russian Federation, which was further ratified by the Federation Council.

It can be seen from the aforementioned points that it is pretty difficult to assess what was the actual influence of Russia in the process. According to International Law analyst John Balouziyeh, "Russia's position is not without merit". The Permanent Representative of Russia to the UNSC, Vitaly Churkin, presented the Security Council a photocopy of a letter from President Yanukovych requesting Russian military intervention in Ukraine to restore law and order to prove his country were allowed to use armed forces in the Crimea if necessary. At the same time, many members of the UNSC do not recognize Yanukovych's authority as the true representative of the Ukrainian population anymore even though his impeachment process faced important constitutional obstacles.

The same author stated that "Many commentators have observed that international law has little to say as to the legality of political referendums for independence. The International Court of Justice, in its 2010 Advisory opinion on Kosovo's declaration of independence, held that a unilateral declaration of independence is not a per se violation of international law." (BALOUZIYEH, 2014) However, the referendum suffers from troublesome irregularities because most sources reported that Russia was not only maintaining military personnel in the peninsula, but also was also assuming its *de facto* control. Besides, the only two options available for voting in the referendum were the restoration of 1992 Crimean constitution or accession to the Russian Federation. Therefore, the referendum has never put into question restrengthening ties with Kiev. It is not possible then to assess if the true will of the Crimean population was to join Russia.

6. THE CRISIS REACHES EASTERN UKRAINE

Stimulated by Crimea's accession to Ukraine, on 7 April Russian-speaking protesters started to occupy government buildings in the east Ukrainian cities of Donetsk, Luhansk and Kharkiv in order to force the authorities to call for a referendum on independence. A week after that, Kiev started a military operation against pro-Russian separatists to avoid the spread of terrorism according to official sources. Government forces surrounded an airbase in Krematorsk under the control of the rebels. Even after that, a crowd of 200 people remained protesting in the airbase. President Vladimir Putin officially stated he expected the international community to condemn such action saying Ukraine was "on the verge of war".

On 2 May, tensions escalated even further. Violence erupted in the Black Sea city of Odessa as fans marching before a football match were supposedly ambushed by pro-Russian activists. During the turmoil, 42 people died, most of them Russian-speaking protesters. However, it still remains unclear how the fire started in Odessa. Nine days later, separatists in Donetsk and Luhansk declared independence through referendums that were not recognized by the majority of the international community, establishing the Donetsk People's Republic and the Luhansk People's Republic.

To worsen the situation, on 25 May Ukraine elected Petro Poroshenko as president, a politician who does not have a good reputation in the east. On that point, the separatists had already organized themselves in armed groups to fight for their cause, turning the conflict into a war.

From mid-April to 25 June, 420 people were killed in the region despite the efforts of the U.S, the EU and Russia to build a joint strategy to diplomatically address the issues in a series of negotiations known as the Geneva talks. The Ukraine military accused the rebels of violating the truce 44 times since it was established whereas the separatists say they have only started engaging operations after government troops opened fire. In such an unstable atmosphere, a huge tragedy occurred on 17 July. Malaysia Airlines flight MH47 was shot down in rebel-held territory victimizing 298 people. A fortnight later, the U.S and the EU announced new sanctions on Russia stating that the country was allegedly supporting the separatists.

During the following months, there have been no improvements even though the international community started paying much more attention to the crisis. Negotiations have not been successful and several ceasefires have been disrespected. Human rights violations were reported to have been perpetrated by both government troops and separatists. So far, there is no perspective of restoration of peace and the most dangerous and deadliest European conflict since the fragmentation of the former Yugoslavia with more than 6,000 casualties continues to evolve.

7. THE MINSK AGREEMENTS

In an attempt to reach stabilization over the region, the representatives of Russia and Ukraine, as well as of the unrecognized Donetsk People's Republic and Luhansk People's Republic met in the Belarussian capital city of Minsk to discuss a plausible framework to address the crisis on 5 September 2014. The full text of the Minsk Agreement consisted of twelve points:

- 1) To ensure an immediate bilateral ceasefire.
- 2) To ensure the monitoring and verification of the ceasefire by the OSCE.
- Decentralization of power, including from the adoption of the Ukrainian law "On temporary Order of Local Self-Governance in Particular Districts of Donetsk and Luhansk Oblasts".
- 4) To ensure the permanent monitoring of the Ukrainian-Russian border and verification by the OSCE with the creation of security zones in the border regions of Ukraine and the Russian Federation.
- 5) Immediate release of all hostages and illegally detained persons.
- 6) A law preventing the prosecution and punishment of persons in connection with the events that have taken place in some areas of Donetsk and Luhansk Oblasts.
- 7) To continue the inclusive national dialogue.

- 8) To take measures to improve the humanitarian situation in Donbass.
- 9) To ensure early local elections in accordance with the Ukrainian law "On temporary Order of Local Self-Governance in Particular Districts of Donetsk and Luhansk Oblasts".
- 10) To withdraw illegal armed groups and military equipment as well as fighters and mercenaries from Ukraine.
- 11) To adopt a program of economic recovery and reconstruction for the Donbass region.
- 12) To provide personal security for participants in the consultations.

Despite the efforts for a diplomatic solution, Minsk I did not contribute to improve the situation. According to German chancellor Angela Merkel, "Minsk has never been implemented. On the contrary, the situation has only gotten worse on the ground". The US president Barack Obama shares the same opinion: "They violated just about every agreement they made in the Minsk agreement", he told the press.

BBC analyst Paul Kirby believes that the unsuccessfulness of Minsk I was due to the fact that the accorded points were too general. No precise timing was set forth for the implementation of the ceasefire neither for the providence of humanitarian aid or the restoration of normal economic activity.

After the fiasco of Minsk I, representatives from Russia and Ukraine decided to meet once again in Minsk to establish a new peace roadmap. This time under the auspices of Germany and France, but without the presence of the rebels, on 12 February 2015 the group agreed with a new framework named Minsk II Agreement. The full text is shown below:

- 1) Immediate and comprehensive ceasefire in certain areas of the Donetsk and Luhansk regions of Ukraine and its strict implementation as of 15 February 2015, 12am local time.
- 2) Withdrawal of all heavy weapons by both sides by equal distances in order to create a security zone of at least 50km wide from each other for the artillery systems of caliber of 100 and more, a security zone of 70km wide for MLRS and 140km wide for MLRS Tornado-S, Uragan, Smerch and Tactical Missile Systems (Tochka, Tochka U):
 - a) for the Ukrainian troops: from the de facto line of contact;
 - b) for the armed formations from certain areas of the Donetsk and Luhansk regions of Ukraine: from the line of contact according to the Minsk Memorandum of Sept. 19th, 2014;
 - c) The withdrawal of the heavy weapons as specified above is to start on day 2 of the ceasefire at the latest and be completed within 14 days.
 - d) The process shall be facilitated by the OSCE and supported by the Trilateral Contact Group.

- 3) Ensure effective monitoring and verification of the ceasefire regime and the withdrawal of heavy weapons by the OSCE from day 1 of the withdrawal, using all technical equipment necessary, including satellites, drones, radar equipment, etc.
- 4) Launch a dialogue, on day 1 of the withdrawal, on modalities of local elections in accordance with Ukrainian legislation and the Law of Ukraine "On interim local self-government order in certain areas of the Donetsk and Luhansk regions" as well as on the future regime of these areas based on this law.
- 5) Adopt promptly, by no later than 30 days after the date of signing of this document a Resolution of the Parliament of Ukraine specifying the area enjoying a special regime, under the Law of Ukraine "On interim self-government order in certain areas of the Donetsk and Luhansk regions", based on the line of the Minsk Memorandum of September 19, 2014.
- 6) Ensure pardon and amnesty by enacting the law prohibiting the prosecution and punishment of persons in connection with the events that took place in certain areas of the Donetsk and Luhansk regions of Ukraine.
- 7) Ensure release and exchange of all hostages and unlawfully detained persons, based on the principle "all for all". This process is to be finished on the day 5 after the withdrawal at the latest.
- 8) Ensure safe access, delivery, storage, and distribution of humanitarian assistance to those in need, on the basis of an international mechanism.
- 9) Definition of modalities of full resumption of socio-economic ties, including social transfers such as pension payments and other payments (incomes and revenues, timely payments of all utility bills, reinstating taxation within the legal framework of Ukraine).
- 10) To this end, Ukraine shall reinstate control of the segment of its banking system in the conflict-affected areas and possibly an international mechanism to facilitate such transfers shall be established.
- 11) Reinstatement of full control of the state border by the government of Ukraine throughout the conflict area, starting on day 1 after the local elections and ending after the comprehensive political settlement (local elections in certain areas of the Donetsk and Luhansk regions on the basis of the Law of Ukraine and constitutional reform) to be finalized by the end of 2015, provided that paragraph 11 has been implemented in consultation with and upon agreement by representatives of certain areas of the Donetsk and Luhansk regions in the framework of the Trilateral Contact Group.
- 12) Withdrawal of all foreign armed formations, military equipment, as well as mercenaries from the territory of Ukraine under monitoring of the OSCE. Disarmament of all illegal groups.
- 13) Carrying out constitutional reform in Ukraine with a new constitution entering into force by the end of 2015 providing for decentralization as a key element (including a reference to the specificities of certain areas in the Donetsk and Luhansk regions, agreed with the representatives of these areas), as well as adopting permanent legislation on the special status of certain areas of the Donetsk and Luhansk regions in line with measures as set out in the footnote until the end of 2015.

- 14) Based on the Law of Ukraine "On interim local self-government order in certain areas of the Donetsk and Luhansk regions", questions related to local elections will be discussed and agreed upon with representatives of certain areas of the Donetsk and Luhansk regions in the framework of the Trilateral Contact Group. Elections will be held in accordance with relevant OSCE standards and monitored by OSCE/ODIHR.
- 15) Intensify the work of the Trilateral Contact Group including through the establishment of working groups on the implementation of relevant aspects of the Minsk agreements. They will reflect the composition of the Trilateral Contact Group.

Shortly after the signature of Minsk II, fights still continued in the region of Debaltseve, and they had not stopped even with the ceasefire taking place on February 15. In that strategic rail hub, rebel troops were shelling Ukrainian positions with high artillery. "...of course we can open fire [on Debaltseve]. It is our territory", rebel leader Eduard Basurin told reporters. As of February 19, the fighting had already reached Mariupol and the Ukrainian President Petro Poroshenko issued a call for the United Nations to implement a peacekeeping operation inside Ukrainian to monitor the ceasefire previously established by Minsk II.

8. THE ROLE OF THE UNSC

 \checkmark

The United Nations was created after the end of World War II in 1945 with the primary objective of avoiding the outbreak of another worldwide international conflict. It was then established that the Security Council would have the responsibility to maintain international peace and security, being UN's most important body. Among the several other committees of the organization, the Security Council is the only one who can take a mandatory approach while addressing conflicts, making decisions that can change their course.

In the context of the Ukraine Crisis, many retaliatory actions have been taken by members of the international community to pursue the end of the conflict. The targeted sanctions applied by the U.S and the European Union against the Russian Federation and vice-versa are the main example of such actions. However, they have unsuccessfully intervened in this crisis so far. Because of that, another strategy may need to be considered in order to properly tackle this issue and the UNSC has the capacity to do so. More importantly, this body is theoretically the true representative of the entire international community, so it can hypothetically take an unbiased approach to address the Ukraine crisis.

Acknowledging the global impact of the crisis as the events scaled up to a deadly war, the representatives of the United Nations shall find a way to solve the population's wrangle through the implementation of resolutions that take into account the goals of both sides of the conflict. In this perspective, there are important points to be considered:

Is the situation in Ukraine improving or getting worse?

 \checkmark Has the referendum over the situation of Crimea been conducted in full accordance with the principles of international law?

 \checkmark Has the process of establishing an interim government in Ukraine been conducted in full accordance with the principles of regional and international law?

 \checkmark Is the interim government of Ukraine the true representative of the aspirations of the Ukrainian population?

 \checkmark Are the claims of the Eastern Ukraine rebels legit under the principles of international law?

✓ Do the targeted sanctions applied by the U.S and European Union to tackle Russia and vice-versa hold legal standards? Do they need to be withdrawn?

✓ Have the actions taken by the UNSC so far been successful in addressing the crisis? Should the UNSC consider taking another approach? Should this approach be lighter or fiercer and how?

✓ Is the Minsk II Agreement a plausible roadmap? Should it be adopted? If so, how can the UNSC ensure that it will be implemented?

9. FOREIGN POLICY

Republic of Angola

The foreign policy of Angola is very similar to that of Russia when addressing the Ukraine Crisis since the country holds a strong economical connection with Moscow. Foreign Minister Georges Chikoti said that his nation has expressed "solidarity with Russia on many issues, including Ukraine. We highly appreciate the stance that Russia has taken. We hope it will be possible to reach an acceptable and mutually agreeable solution to the Ukrainian crisis." According to sources, the President Jose Eduardo dos Santos made the decision to express support for Russia without any consultations or debate with Angola's growing political opposition.

Republic of Chad

Chad approaches the crisis basing its diplomatic position on the principles of the UN Charter. A peaceful solution and the non-use of force are considered key strategies to face the situation. Chad's representatives also emphasize the importance of maintaining the territorial integrity of Ukraine based on the principles of international law. The country prioritizes the use of dialogue stressing that it is still possible for the parties to open the way for national reconciliation.

The nation also condemns the March 16 referendum in Crimea, considering it a violation to some principles of the UN Charter, including the peaceful settlement of disputes.

Republic of Chile

Chile condemns the March 16 referendum, considering it illegal. At the same time, the country supports the rights of the Ukrainian population to choose their future democratically,

respecting the civil liberties of the citizens and of the linguistical minorities. Peace and political dialogue are once more considered Chile's main objectives.

People's Republic of China

China follows the principle of non-interference in internal affairs. In the Ukraine Crisis, the Chinese government defends the sovereignty and territorial integrity of Ukraine, condemning extremist violence that can cause the escalation of tensions. Despite this fact, the country is taking a specific caution, once the conflict involves a nation with which China holds a strong political partnership: Russia.

The government supports that a solution through dialogue taking into account the principles of international law is the best way to face the problem. Beijing also calls upon the withdrawal of the targeted sanctions applied by the European Union and the United States over Russia. President Xi Jinping and President Putin are making efforts to mediate the crisis through the implementation of a political settlement.

French Republic

As a country deeply concerned with the human rights situation all over the world, the French Republic prioritizes the observation of such fundamental rights when addressing the crisis. The government sees a peaceful solution as the most appropriate course of action to be taken in order to successfully solve the problem claiming that this is the best way to avoid civilian casualties. Moreover, France fully supports Ukraine's initiative to try to achieve a political solution for the crisis via dialogue. It is also a clear necessity that the Ukrainian government needs to spread trustful information about the conflict for the international community in order to properly clarify people's minds in all parts of the world.

Despite the fact that France is a member of the European Union, President François Hollande has recently defended in an interview that sanctions against Russia must stop because "it's only making things worse". On the other hand, in November 2014, Russia and France suspended a warships' deal until military action in Ukraine ceases. Hollande considers that the current situation in the eastern side of the region still is still highly unstable for the delivery.

The French Republic does not agree with the decision made by the Russian Federation to annex the Crimea. However, the government is confident that Russia will not attempt to conduct any further military operations inside Ukraine or work to increase tensions. With this position, France preserves the same non radical strategy that had already been seen in other diplomatic issues.

Hashemite Kingdom of Jordan

The country follows the principles of non-interference in internal affairs, supporting Ukraine's sovereignty and its right to maintain its territorial integrity as an endangered nation.

Jordanian ambassador Zeid Ra'ad Zeid Al-Hussein condemns the March 16 referendum stating that Crimea should still remain under Ukrainian sovereignty. Representative of Jordan Mohammed F. Al-Allaf officially stated that "Russia and Ukraine must start serious and effective dialogue to resolve the crisis between them, a dialogue that leads to the return of Crimean region to Ukraine's control as soon as possible. We call on all parties to exercise calm and self-restrain and not to escalate by taking military measures or by threatening the use of force."

Republic of Lithuania

The position of Lithuania in the conflict is clear: the nation condemns any action conducted by the Russian Federation that disrespects the sovereignty and territorial integrity of Ukraine. Lithuania deems the humanitarian aid provided by Russia unacceptable arguing that the country is fueling the crisis by offering weaponry to the rebels, which is a clear violation of the UN Charter and of the principles of international law.

Moreover, the country does not support Crimea's annexation by Russia because it fears that something similar might happen to the territory of Ukraine. According to Lithuanian authorities, the border between Russia and Ukraine has not been completely respected after all.

Lithuania also claims for an end of all supportive actions to illegal armed separatists groups, demanding the establishment of a ceasefire and the retreat of all Russian forces. President Dalia Grybauskaite has expressed his greatest concerns over the crisis in a recent statement: "After Ukraine will be Moldova, and after Moldova will be different countries. They are trying to rewrite the borders after the Second World War in Europe".

Malaysia

Having friendly relations with Russia and Ukraine, Malaysia expects a peaceful resolution to the crisis coming from both sides. The interests and the security of citizens in Ukraine should be the top-most priority according to Malaysia's government. In July of 2014 Malaysian Airlines' airplane was shot down killing 298 people inside Ukraine's conflicted area. Malaysian Deputy Foreign Minister Hamzah Zainuddin said Malaysia would work with the Russian and Ukrainian governments on the incident. Prime Minister Najib Razak asked for international support in the investigation because the nation is unable to verify the cause of the crash.

New Zealand

New Zealand is deeply concerned about the tensions in Ukraine. The Prime Minister of New Zealand John Key expressed the nation's support for United States' sanctions against the actions of Russia, emphasizing that this approach could prevent a major problem from happening. He also defended that the use of force was in nobody's interests. Foreign Minister Murray McCully disapproves Russia's military intervention in Crimea declaring that Moscow's dispatch of troops was "completely and totally unacceptable".

Federal Republic of Nigeria

The Nigerian government condemns the March 16 referendum, explaining its position based on the UN Charter, which says that state members must settle disputes through peaceful means. Recently, a representative of the nation compared the conflict in Ukraine with the pacific settlement of the territorial dispute between Nigeria and Cameroon, an effort to inspire peace. He also said the situation in Crimea represented a "clear and potent threat to international peace and security'.

Russian Federation

Russia is accused of being the main responsible for the whole crisis by most UN members. Tensions started in 2013 when the Ukrainian President Viktor Yanukovych decided to join Russia instead of confirming a free trade agreement with the Europe Union. The escalation of the conflict started on 16 March 2014, when a referendum took place in Crimea, which was an independent region of Ukraine by that time. The referendum was to decide if Crimea was going to join Russia and the voting end up with 96% of citizens voting in favor. Nations that don't accept the legitimacy of the voting base their arguments on the fact that Crimea was under Russia's military occupation on March 16. Nowadays, only four nations support Russia's actions, and they are Afghanistan, Nicaragua, Syria, and Venezuela.

Russia has accused the United States and the EU of funding and directing the revolution. In response to the embargoes that were imposed to his country, President Vladimir Putin worked to approve a round of retaliatory sanctions against American citizens. After this decision, Putin signed a decree which mandated an economic embargo. The United States, the EU, Norway, Canada and Australia were targeted by a ban on fruit, vegetables, meat, fish, milk and dairy imports.

Kingdom of Spain

The Spanish government is alarmed about the unstable situation in Ukraine and the tension in Crimea, showing its support for the territorial integrity of Ukraine. The nation believes in cooperation to reach a solution and stimulates a peaceful approach instead of the use of force. Recently, Russia imposed sanctions on Spain, and the country stands to lose hundreds of millions of Euros because of that.

United Kingdom of Great Britain and Northern Ireland

The government is very alarmed by the dangerous situation that civilians are going through in Ukraine. Regarding the current issue, the UK has a foreign policy similar to the

one adopted by the United States. London condemns the actions taken by Russia in the region, deeming them a breach of international law and a violation of Ukraine's sovereignty. For the United Kingdom, the armed groups involved in the conflict are unwilling to establish peace. Instead, they are acting against the civilian population even though they claim to act aiming at protecting them. The country openly accuses the Russian Federation of increasing the suffering of innocent people by supplying armed groups with weaponry and training. Totally disapproving Russia's hidden intentions on offering humanitarian aid, London believes the United Nations Children's Fund (UNICEF) and the International Committee of the Red Cross (ICRC) can help Ukraine in many more ways.

The annexation of Crimea is considered illegal by the government and an affront to the Charter of the United Nations as well as to the principles of international law. Furthermore, the UK accuses Russia of omitting the number of troops that were inside the Crimean Peninsula under the purpose of maintaining peace days before its annexation.

As an important member of the European Union (EU), the United Kingdom has been implementing sanctions in response to Russia's interventionist actions in eastern Ukraine and Crimea. The government is keeping its economic engagement with Russia under close review.

United States of America

United States allegedly has the well-being of the Ukrainian citizens as its main concern on the context of the Ukraine crisis. In this perspective, the government has announced its commitment with the Internal Displaced Persons (IDP's), especially those who do not have access to water or medicines. Washington also defends that Ukraine should concentrate the its best efforts to control the increase of violence and to prevent human rights abuses. Such actions should be developed in full cooperation with international humanitarian organizations willing to help the local government. The nation does not comply with Moscow's proposal to provide humanitarian aid for eastern Ukraine by itself mostly because they believe all Russian assistance will be partial and directed towards the Russian armed separatists.

Furthermore, the United States believes the situation in Crimea is unacceptable, particularly after information from UN reports showed a series of civil liberties violations: freedom of speech has not been properly respected, especially in the case of the linguistical minorities; human rights are constantly and deliberately been violated; and civilians are not having unhindered access to basic services.

The U.S is fiercely responding to the Ukraine crisis and the annexation of Crimea with the imposition of sanctions to Russia. Several companies and individuals were targeted by U.S's and EU's economic retaliation. A milestone of this strategy occurred on March 6, when President Obama signed an Executive Order under the guidance of both the Secretary of Treasury and the Secretary of State authorizing sanctions against persons who-have violated or assisted in the violation of Ukraine's sovereignty.

Bolivarian Republic of Venezuela

President Nicolas Maduro made a statement on March 7 denominating the situation in Ukraine a "coup perpetrated by extremist groups". Maduro also criticized the attrition strategy promoted by United States' government and NATO. Venezuela is concerned about the stability in the region as well as with the Ukrainian citizens of Russian origin living in the area, not to count Russia's own sovereignty. The president affirmed the U.S and Europe are to be blamed for their actions by stating: "What has happened in Crimea is a response to the format that made Ukrainian democracy collapse. And there is only one reason for this: the anti-Russian policy of the U.S and some European countries. They seek to encircle Russia in order to weaken and eventually destroy it."

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10. APPENDICES



Figure 1: Territorial Evolution of Ukraine

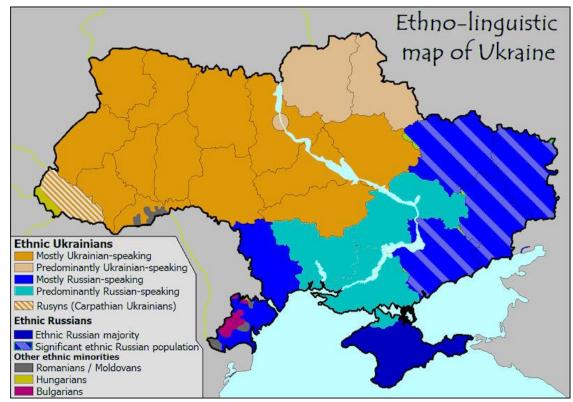


Figure 2: Ethno-linguistic map of Ukraine