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Committee: Special Political and Decolonization Committee (GA4)

Topic: The issue of territorial claims in Luhansk and Donetsk

Student Officer: Medha Nagpal

Position: Co-Chair

Personal Introduction

Dear Delegates,

It is my honor to welcome you all to the 10th Campion School Model United Nations. My name is Medha Nagpal and I'm 17 years old. I am an IB1, starting IB2 student in International School of Athens and I have the honor of serving as one of your co-chairs in the Special, Political and Decolonization Committee.

I would like to start off by congratulating you for deciding to attend this conference, keeping in mind the difficult 3 years that we have endured due to the COVID-19 pandemic. Personally, MUN is an extremely useful and amazing opportunity to inform yourself about the current global issues while at the same time, coming up with credible solutions for them. Moreover, it is a spectacular opportunity to have a chance to step out of your comfort zone and improve your social skills.

This study guide provides essential and useful information to direct your personal research on this specific topic. However, I would like to stress that this study guide by no means prepares you to be thoroughly ready for debate. You are required to perform your own research regarding your country on the topic and the purpose of this study guide is to solely nudge you to perform your research in the right direction. If there are any questions regarding the study guide, topic, rules of procedure etc., please do not hesitate to contact me on my email:

That being said, I hope this MUN conference will be a memorable experience for you and a one that you will be able to look back on and be proud of the way you performed.



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Yours Truly,

Medha Nagpal.

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Topic Introduction

Moscow-backed separatists have taken control over the south-eastern Ukrainian regions of Donetsk and Luhansk, also collectively known as Donbas, for approximately eight years. However, Russian President Vladimir Putin recognized them on the 21st February 2022, covering the way for the official presence of the Russian troops in the rebel-controlled areas that inhabit approximately a third of Donetsk and Luhansk.¹

Leaders in the separatist states control less than half of the Donetsk and Luhansk regions of eastern Ukraine; however, they do claim sovereignty over the total area, including major port city Mariupol, currently under Kyiv's control. Putin has left the decision up to the separatists in Ukraine to negotiate with the government in Kyiv in order to resolve the border dispute. Kyiv declines diplomatic talks with the rebels and President Volodymyr Zelensky has repeatedly called for a summit with Putin to discuss upon the issue.

Definition of key terms

Separatist

"Someone who is a member of a particular race, religion, or other group within a country and who believes that this group should be independent and have their own government or in some way live apart from other people. Regarding the specific issue, Russian

¹ "Luhansk and Donetsk Regions Recognised as Independent States by Russia – as It Happened." *The Guardian*, Guardian News and Media, 22 Feb. 2022, <https://www.theguardian.com/world/live/2022/feb/21/russia-ukraine-news-latest-crisis-putin-biden-summit-kyiv-kyiv-russian-invasion-threat-live-updates>.



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separatist forces in the Donets Basin are militias and armed volunteer groups affiliated with the Russian-recognized pro-Russian breakaway regions in the Donbas region of Ukraine: the Donetsk People's Republic (DPR) and Luhansk People's²

Sovereignty

"In political theory, the ultimate overseer, or authority, in the decision-making process of the state and in the maintenance order. The people's republics of Donetsk and Luhansk was recognized by Russia as sovereign states before Russia began its invasion of Ukraine"³

Consultative

"A consultative group or document gives advice about something. In order for the amendments to the Constitution of Ukraine to be proper and to reflect the interests of all Ukrainians, it was decided to hold a series of public consultations regarding the decentralization process and discuss with all stakeholders their views on key aspects on these changes. Public consultations on amendments to the Constitution on amendments to the Constitution in terms of decentralization, starting from March 2020, have already taken place in seven cities of Ukraine. On June 15, 2020, consultations were held with the representatives of Donetsk and Luhansk regions"⁴

²"Take Online Courses. Earn College Credit. Research Schools, Degrees & Careers." *Study.com | Take Online Courses. Earn College Credit. Research Schools, Degrees & Careers.* <https://study.com/academy/lesson/what-were-the-insular-cases-in-the-supreme-court.html>.

³ "Sovereignty." *Encyclopædia Britannica*, Encyclopædia Britannica, Inc., <https://www.britannica.com/topic/sovereignty>.

⁴"Consultative." *Cambridge Dictionary*, <https://dictionary.cambridge.org/dictionary/english/consultative>.



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Unitary State

“A system of political organization in which most or all of the governing power resides in a centralized government, in contrast to a federal state. Ukraine has the form of government of unitary multiparty republic with a single legislative house ”⁵

Autonomy

“The state or condition of self-governance, or leading one’s life according to reasons, values, or desires that are authentically one’s own. According to the ZOiS⁶ study, which is three years old, about a third of the inhabitants of Luhansk and Donetsk were keen to gain autonomy within Ukraine or Russia. Almost 20 per cent wanted to return to how things were before the split and just as many were in favor of becoming part of Russia without autonomous state.”⁷

Euromaidan

“Also known as the Maidan Uprising, was a wave of demonstrations and civil unrest in Ukraine, which began on 21 November 2013, with large protests in Maidan Nezalezhnosti (Independence Square) in Kyiv. The Maidan revolution led to a major political shift in Ukraine where in the month of November in 2013, then-Ukrainian President Viktor Yanukovich announced he would refuse to sign an agreement with the European Union to bring Ukraine into a free trade agreement, citing pressure from Russia. This move started major protests in Ukraine calling for the President to resign.⁸ In February 2014, violence between police and protesters in Kyiv’s Maiden left dozens dead and

⁵ “Unitary State.” *Encyclopædia Britannica*, Encyclopædia Britannica, Inc., <https://www.britannica.com/topic/unitary-state>.

⁶ Zentrum für Osteuropa- und internationale Studien. “Georgia’s New Wave of Russian Migrants.” *Zentrum Für Osteuropa- Und*

⁷ “Autonomy.” *Encyclopædia Britannica*, Encyclopædia Britannica, Inc., <https://www.britannica.com/topic/autonomy>.

⁸ Hernandez, Joe. “Why Luhansk and Donetsk Are Key to Understanding the Latest Escalation in Ukraine.” *NPR*, NPR, 22 Feb. 2022, <https://www.npr.org/2022/02/22/1082345068/why-luhansk-and-donetsk-are-key-to-understanding-the-latest-escalation-in-ukrain>.



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Yanukovych eventually fled to Russia and the Ukrainian parliament established a new government.”⁹

Ukrainian Revolution

“The Revolution of Dignity, also known as the Euro-Maidan Revolution, took place in Ukraine in February 2014 at the end of the Euromaidan protests, when deadly clashes between protesters and the security forces in the Ukrainian capital, Kyiv culminated in the ousting of elected President Viktor Yanukovych and the overthrow of the Ukrainian government.”¹⁰

Oligarch

“One of the rulers in an oligarchy (“a form of government in which all power is vested in a few persons or in a dominant class or clique”) ¹¹ The UK Foreign Secretary Liz Truss, since the recognition of Luhansk and Donetsk have been recognized by Putin, has declared for the UK government to sanction 206 individuals, including the 178 separatists, six oligarchs, close associates and employees, and an additional 22 individuals through the urgent procedure.

Embargo

“An order of the government prohibiting the departure of commercial ships from its ports.”¹²

⁹ “Euromaidan.” *Wikipedia*, Wikimedia Foundation, 26 July 2022, [https://en.wikipedia.org/wiki/Euromaidan#:~:text=Euromaidan%20\(%2F%CB%8Cj%CA%8A%C9%99r%C9%99%CB%8C,\(Independence%20Square\)%20in%20Kyiv](https://en.wikipedia.org/wiki/Euromaidan#:~:text=Euromaidan%20(%2F%CB%8Cj%CA%8A%C9%99r%C9%99%CB%8C,(Independence%20Square)%20in%20Kyiv).

¹⁰ “Revolution of Dignity.” *Wikipedia*, Wikimedia Foundation, 29 July 2022, https://en.wikipedia.org/wiki/Revolution_of_Dignity.

¹¹ Oligarchy Definition & Meaning.” *Dictionary.com*, Dictionary.com, <https://www.dictionary.com/browse/oligarchy>.

¹² “Embargo Definition & Meaning.” Merriam-Webster, Merriam-Webster, <https://www.merriam-webster.com/dictionary/embargo#:~:text=1%20%3A%20an%20order%20of%20a,on%20anybody's%20w>ords%20%E2%80%94%20Jane%20Austen.



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The U.S has imposed embargo on the Donetsk and Luhansk People's Republics and announced new Russia sanctions where President Biden issued Executive Order 14065 ("the EO") placing comprehensive sanctions and investment restrictions on DNR and LNR regions of Ukraine. The EO prohibits transactions in or with the DNR and LNR. The Office of Foreign Assets Control (OFAC) also imposed additional sanctions targeting Russia's financial sector, including an expansion of the existing prohibition on dealings in Russian sovereign debt and blocking sanctions on two Russian banks.

Divestiture

"The compulsory transfer of title or disposal of interests (such as stock in a corporation) upon government order."¹³ The U.S. Executive order authorizes transactions that are ordinarily incident and necessary to the wind down of transactions involving the so-called DNR and LNR. Given the comprehensive nature of the sanctions on these regions, these activities include the divestiture or transfer to a non-U.S. person on these regions, these activities include the divestiture to a non-U.S. person of a U.S. person's share of ownership in any pre-February 21, 2022 investment located in the DNR and LNR regions of Ukraine, and the winding down of operations, contracts, or other agreements in effect prior to February 21, 2022 involving the exportation, re-exportation, sale, or supply of goods, services, or technology to, or importation of any goods, services, or technology from, the DNR or LNR regions of Ukraine.

¹³ "Divestiture Definition & Meaning." *Merriam-Webster*, Merriam-Webster, [https://www.merriam-webster.com/dictionary/divestiture#:~:text=Definition%20of%20divestiture,a%20corporation\)%20upon%20government%20order](https://www.merriam-webster.com/dictionary/divestiture#:~:text=Definition%20of%20divestiture,a%20corporation)%20upon%20government%20order).



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Warlord

“An aggressive military commander with extremely loyal forces is sometimes called a warlord. Warlords usually control a small territory within a country.”¹⁴

The Donetsk clan

A political clan from the Donbas arose in the 1990s that was considered as united and powerful.¹⁵ These Donetsk elites made their way to the top. Every time, Ukraine wanted to move away from their Russian overlords, pre-Kremlin¹⁶ law makers of the Donbas and east Ukraine, renewed calls for a split from Kyiv. This occurred in 1993, 2004 and 2014, finally bringing war to the region.¹⁷

Multilateralism

Establishing conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained. Multilateralism consists of a minimum of three parties.

Background Information

Donbas during the years of the Soviet Union

The planned economy along with its Soviet Union had collapsed in 1991. Since Ukraine was newly independent, the country immediately fell into an economic crisis. Until the mid-19th century, the region of Donbas was hardly populated, however, it

¹⁴ “Warlord - Definition, Meaning & Synonyms.” *Vocabulary.com*, <https://www.vocabulary.com/dictionary/warlord>.

¹⁵ “Ukraine: Conflict at the Crossroads of Europe and Russia.” *Council on Foreign Relations*, Council on Foreign Relations, <https://www.cfr.org/background/ukraine-conflict-crossroads-europe-and-russia>.

¹⁶ “The Kremlin of Moscow.” *Encyclopædia Britannica*, Encyclopædia Britannica, Inc., <https://www.britannica.com/place/Moscow/The-Kremlin>.

¹⁷ Kirby, Paul. “Donbas: Why Russia Is Trying to Capture Eastern Ukraine.” *BBC News*, BBC, 26 May 2022, <https://www.bbc.com/news/world-europe-60938544>.



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became one of the most essential hubs of Russian industrialization due to its coal reserves. This region was not just part of Ukraine during its brief independence in 1918 but also incorporated with the Ukrainian Soviet Socialist Republic after the Russian Civil War.

The number of Russians coming into the region increased during the Soviet period. According to the historian Guido Hausmann, “during this period, public use of Ukrainian was suppressed in the Russian Empire, and Russian established itself as the language of education. Many Russian peasants also flocked to the new industrial region.” During those years, several regions, including Crimea and the Donbas, had begun discussing about federalization and gaining autonomy from Kyiv.

According to the first president of Ukraine who served from 1991-1994, “Everyone saw that Ukraine was not a monolith by nature. We had too many languages, cultural and regional differences. So, we were searching for a way to keep such different regions together.” Moreover, Ukraine had experienced hyperinflation, with prices rising by 1,000% per year. Companies did not pay their workers’ salaries for many months, especially the ones employed by the more than 15000 state-owned enterprises, most of which were on the verge of bankruptcy.

Origin of tension from 1990s

By the year 1993, industrial production had collapsed, with average wages falling by 80% since 1990. While the newly made businesspeople like Rinat Akhmetov¹⁸ saw a window of opportunity in the early 1990s chaos, employees of hundreds of Donbas mines and factories that produced 15% of Ukraine’s gross domestic product from the 1990s until 2013, were on the verge of hunger.

¹⁸ “Rinat Akhmetov.” *Forbes*, Forbes Magazine, <https://www.forbes.com/profile/rinat-akhmetov/?sh=2835a75924fa>.



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Coal miners went on strike in 1993, this caused conflict, and was also described as “a struggle between Donbas region and the rest of the country”.¹⁹ This strike followed a 1994 consultative public vote on several constitutional questions in Donetsk and Luhansk, held simultaneously with the 1st parliamentary election in independent Ukraine. The voting led to the decision that Ukraine remained a unitary state, Ukrainian was retained as the sole official language and the Donbas gained no autonomy.

By the year of 1993, the Donbas elites had to figure out a way to keep their influence over the region and divide up the rich heritage that was inherited from the USSR. However, many criminal gangs started to rise from the streets of the Donbas due to the crisis, which was slowly slipping into an economic crisis. The mines of Donbas that employed most of the 800,000 people who worked in the coal industries in the 1990s, had already been exploited for more than 50 years without renovation. The government of Ukraine started to close the unprofitable mines, leaving many miners jobless. The decay in mines and factories contributed to the marginalization of the region and cultivated hatred towards central authorities.²⁰ In order to cope from the job loss, many of the former miners and plant workers searched for ways to survive, some of them were turning to business, which in the 1990s, with no proper laws and tax codes, was on the verge to the criminal world.

Worker strikes in 1989

In the year 1989, the local coal miners went on strikes, asking for better treatment and grants from the Communist Party that was running the country at the time. 276 out of 173 workers at coal mines joined the protests in the 1990s, frustrated with the fact that they were not able to afford simple or necessary goods from their wages. They were supposed to get priority provisions; however, in reality, this was not applied. Mykhailo

¹⁹ Mykhnenko, Dr. Vlad. “Curriculum Vitae.” *Vlad Mykhnenko's Home Page*, <http://www.policy.hu/mykhnenko/>.

²⁰ Sutela, Pekka. “The Underachiever: Ukraine's Economy since 1991.” *Carnegie Endowment for International Peace*, 9 Mar. 2012, <https://carnegieendowment.org/2012/03/09/underachiever-ukraine-s-economy-since-1991-pub-47451>.



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Volynets²¹, the current head of the Independent Coal Miners Trade Union recalled that the wages came but the miners had nowhere to spend their money.

The miners in Donbas were among the first groups who felt they could demand changes from their government. After the authorities of the collapsing USSR did not arrest any of the protesters in 1989, protested for the end of the Soviet Union. The Donetsk clan was beginning to form in the 1990s and the rule of ²²Donetsk clan was established in the 2000s.

Unrest in 2010s

In March 2014, large There of the Donbas experienced major unrest after the Euromaidan and the 2014 Ukrainian revolution. This later evolved into a war, with pro-Russian separatists affiliated with the self-proclaimed Donetsk and Luhansk “People’s Republics”.²³

The pro-Russian separatists in DNR and LNR regions took over government buildings in 2014, declaring the regions as independent “people’s republics” after Russia’s seizure of Crimea from Ukraine.

Since 2014, over 14,000 people have died fighting in the Donbas region between pro-Russian separatists and Ukrainian forces. The West and Ukraine accuse Russia of backing the separatists financially and militarily.

On February 21, 2022, Putin announced the independence of the regions after meeting with the Russian Security Council that followed a video appeal by the regions’ separatist leaders for the recognition of independence. This recognition in effect ends the

²¹ Author:Ukrinform. “Independent Trade Union Movement Develops in Ukraine - Mykhailo Volynets.” *Business & Human Rights Resource Centre*, <https://www.business-humanrights.org/en/latest-news/independent-trade-union-movement-develops-in-ukraine-mykhailo-volynets/>.

²² “Clan Wars.” *The Ukrainian Week*, <https://ukrainianweek.com/Politics/148369>.

²³ Mirovalev, Mansur. “Donetsk and Luhansk: What You Should Know about the 'Republics'.” *Russia-Ukraine War News | Al Jazeera*, Al Jazeera, 22 Feb. 2022, <https://www.aljazeera.com/news/2022/2/22/what-are-donetsk-and-luhansk-ukraines-separatist-statelets>.



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Minsk peace agreements²⁴, that were never fully implemented in any case. These agreements signed in 2014 and 2015, had called for a large amount of autonomy for the two regions within Ukraine.

The approximate red line separating Ukrainian and Russian backed forces²⁵

Article 33 of the UN Charter states that the parties to any dispute, the continuance of which is likely to endanger the maintenance of international peace and security, shall, first of all, seek a solution by negotiation, enquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements, or other peaceful means of their own choice. Moreover, the Security Council, when it deems necessary, call upon the parties to settle their dispute by such means.²⁶ It is urged from the UN by all States to make a vital use of this article and its diverse instruments of pacific settlement of disputes.

Major countries and organizations involved

Kenya

Kenya has criticized Russia's recognition of the separatist Donetsk and Luhansk regions of eastern Ukraine, stating that, "Kenya registers its strong concern and opposition to the recognition of Donetsk and Luhansk as independent states". Kenya, moreover, urges all UN member states to realize the importance of defending multilateralism and the ambassador of Kenya concluded by reaffirming Kenya's respect for the territorial integrity of Ukraine within its internationally recognized borders.

²⁴ "Luhansk and Donetsk Regions Recognised as Independent States by Russia – as It Happened." *The Guardian*, Guardian News and Media, 22 Feb. 2022, <https://www.theguardian.com/world/live/2022/feb/21/russia-ukraine-news-latest-crisis-putin-biden-summit-kyiv-kiev-russian-invasion-threat-live-updates>.

²⁵ Hopkins, Valerie, and Andrew E. Kramer. "Why It Matters That Russia Just Recognized Donetsk and Luhansk." *The New York Times*, The New York Times, 21 Feb. 2022, <https://www.nytimes.com/2022/02/21/world/europe/donetsk-luhansk-donbas-ukraine.html>.

²⁶ (Chapter VI — Pacific Settlement of Disputes)



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China

Recently, China has faced a dilemma over the Ukraine crisis as it seeks to balance its concern about maintaining good relations with Russia and protecting its international standing and approach to Taiwan. International relations experts have mentioned that Putin's recognition of DNR and LNR as independent entities has left Beijing in a precarious position due to its stated opposition to separatism. China has stated that Russia's legitimate security concerns must be respected; however, deflects questions on Putin's move to declare LPR and DPR as independent and sovereign states. The country has fallen short of condemning Russia's invasion of Ukraine while calling for a diplomatic solution to be pursued. China has been trying to take over Taiwan for years now, in the beginning of Russia's invasion in Ukraine, China was thought to use this as an opportunity to invade Taiwan. Regarding the connection of China using this as an opportunity to invade Taiwan, in Beijing, the spokesperson for the Ministry of Foreign Affairs and its deputy minister Hua Chunying, have called on all parties to "remain calm" as an aim to put a stop to the situation from "getting out of control", while avoiding the use of the word "invasion" to describe Moscow's attack on Ukraine. The Taiwanese President Tsai Ing-wen has called for increased vigilance of Chinese military movements in the wake of Russia's invasion, ordering all security and military units to "raise their surveillance and early warning of military developments around the Taiwan Strait."

European Union

The European Union is yet to table and approve its formal sanctions measures; however, it has issued a statement from the Presidents of the European Council and European Commission who have outlined the core elements of an agreed package for the measures to aim: those involved in the illegal Russian decision to recognize Donbas, banks financing Russian military and other operations in those territories, the ability of the Russian State and government to access the EU's capital and financial markets and services, to limit the financing of progressing and aggressive policies, and lastly, trade from the two separatist regions to and from the EU, in order to ensure that those



responsible clearly feel the economic consequences of their “aggressive and illegal” actions.

India

Following the fall of the Soviet Union, Russia formed a close relationship with India that resulted in both nations sharing friendly relations. Russia and India both define this relationship as a “special and privileged strategic partnership”. Additionally, India has an extensive bilateral relationship with Ukraine, spanning all spheres of cooperation. Moreover, India was one of the first countries to recognize Ukraine. The Government of India has preferred to remain neutral when it comes to Russia-Ukraine tension by only saying that “The escalation of tension along the border of Ukraine with the Russian Federation is a matter of deep concern. These developments have the potential to undermine peace and security of the region”.²⁷

Iran

Iran’s close relations with the Russian Federation, along with Tehran’s efforts to maintain relations with Ukraine, have complicated Iran’s approach to Russia’s military invasion of Ukraine. Although Iran has not recognized the independence of the so-called DNR and LNR, it concurrently has not criticized the attack and abstained from voting on a UN General Assembly resolution condemning Russia’s invasion of Ukraine.

Syria

The Syrian regime has recognized the self-proclaimed DNR and LNR and their secession from Ukraine. Syria was the first country other than Russia to formally recognize the two parts of Ukraine as independent republics.

²⁷ (Escalation of tension along Russia-Ukraine border matter of deep concern: India at UN)



On June 16, Syrian President Bashar Al-Assad pledged to a delegation from Donetsk, headed by the breakaway region's self-declared foreign minister Natalia Nikonorova, that his regime would go a step further and recognize the republics.

United Kingdom

Historically, the United Kingdom has been allies with Russia in World Wars I and II; however, the Russian Revolution that took place in 1917 strained the relations. Both countries were found to be at sword's point in the Cold War. Russia's big business tycoons developed strong ties with London financial institutions in the 1990s following the cessation of the USSR in 1991. Additionally, UK's relations with Ukraine support bilateral trade links between the UK and Ukraine, provide consular support for British nationals in Ukraine and pursue broad-ranging and productive bilateral security cooperation work.²⁸

Upon the announcement by the Russian President Putin of his recognition of Donetsk and Luhansk as independent republics, the United Kingdom responded by imposing asset freezes on five Russian banks and three prominent Russian individuals: Gennady Timchenko²⁹ (a Russian oligarch and billionaire businessman), Boris Rotenberg³⁰ (a Russian oligarch and billionaire businessman) and Igor Rotenberg³¹ (a Russian billionaire businessman and co-owner brother, Boris Rotenberg of the SGM group³²) due to them being prominent individuals in Russia and close to Putin.

²⁸ (Ukraine and the UK)

²⁹ (Ginnady Timchenko)

³⁰ (Boris Rotenberg)

³¹ (Igor Rotenberg)

³² (SGM Group of Companies)



This implies that a designation of a bank can have specifically large impacts. Therefore, businesses should consider any direct or indirect association with the five banks and if there is a connection, there should be careful consideration whether or not it is viable to continue that partnership. If further developments take place in Ukraine, it is widely accepted for more measures to follow which will be for the UK Government to decide.

Measures that may be considered in the future rounds are that the UK has identified strategic sectors of the Russian economy at which sanctions may be aimed: chemicals, construction, electronics etc.³³ indicating that they will impact “all companies and organizations of strategic importance to Russia”. United Kingdom then Prime Minister, Boris Johnson furthermore indicated that this package of sanctions may include measures to prevent Russian companies from trading in US Dollars or UK Pounds. Moreover, the government has reportedly prepared a reform of the laws relating to company and property registers, to increase transparency of the ownership of UK properties and companies which is something for which transparency campaigners and anti-financial crime groups have long since campaigned.

United States of America

U.S. President Joseph R. Biden issued an executive order³⁴ that imposes sanctions in response to Putin’s recognition of DNR and LNR. This order effectively extends the same restrictions that are already in place with respect to the Crimea region. The measures impose a commercial and financial embargo against the two regions of Ukraine and authorize imposing sanctions on individuals and entities that the U.S.

³³ (UK and EU sanctions in response to Russian recognition of Donetsk and Luhansk)

³⁴ (Executive Order on Blocking Property of Certain Persons and Prohibiting Certain Transactions With Respect to Continued Russian Efforts to Undermine the Sovereignty and Territorial Integrity of Ukraine)



identifies as operating in those regions. Additionally, it permits for imposition of similar sanctions on other regions of Ukraine, should the U.S. determine in the future that such further actions are warranted.

Additionally, certain activities are forbidden, unless authorized under a general or specific license. These activities are:

- Investment by U.S. persons in Donetsk and Luhansk regions
- Imports of services or good to the U.S. from those regions
- Exports, reexports, provisions or supply of goods and services to those regions from the U.S. or by a U.S. citizen
- Facilitation or financing of the foregoing activities by a U.S. person.

Such restrictions go into effect immediately, yet, six newly issued General Licenses (GLs)³⁵ limit and modify their impact. GL No. 17 authorizes all transactions otherwise prohibited by the executive order that are ordinarily incident and necessary to the wind down of transactions involving the DNR and LNR regions of Ukraine. The authorization includes the divestiture to a non-U.S. person of a U.S. person's share of ownership in any pre-February 21, 2022, investment located in the LNR and DNR regions, plus the winding down of operations, contracts, or other agreements in effect prior to February 21, 2022, involving the exportation, reimportation, or import of goods, services or technology to or from the regions.³⁶ These sanctions will deny Russia more than \$1 billion in export revenues and ensure U.S. citizens are not sponsoring the war in Ukraine. The U.S.

³⁵ (Issuance of Executive Order Blocking Property Of Certain Persons And Prohibiting Certain Transactions With Respect To Continued Russian Efforts To Undermine The Sovereignty And Territorial Integrity Of Ukraine; Issuance of Ukraine-related General Licenses)

³⁶ (New U.S. Sanctions Target Russian Actions Involving Donetsk and Luhansk Regions of Ukraine)



retains the authority to impose additional import bans deemed appropriate. This Executive Order will set up the legal authority for future investment restrictions in any sector of the Russian economy, as may be determined by the Secretary of the Treasury, in consultation with the Secretary of State, by an American citizen.

Timeline of key events

<p><u>1 December 1991</u></p>	<p>Ukraine votes for independence in a referendum, with 92% of Ukrainians supporting independence, and electing Leonid Kravchuk as president.</p>
<p><u>8 February 1994</u></p>	<p>Ukraine joins NATO's Partnership for Peace</p> <p>Ukraine and Hungary become 5th and 6th members of the partnership. Russia becomes a member in June of the same year; however, as the Cold War ended, Russia had opposed the eastern expansion of NATO.</p>
<p><u>9 July 1997</u></p>	<p>NATO and Ukraine sign a document establishing a distinctive partnership between Ukraine and the defense alliance.</p> <p>Under this partnership, a NATO-Ukraine commission meets at least twice per year to discuss their relationship.</p>



<p><u>21 November 2013</u></p>	<p>Ukraine's President Viktor Yanukovich suspends association and trade talks with the EU.</p> <p>Protests begin in Kyiv's Independence Square (Maidan).</p>
<p><u>6 December 2013</u></p>	<p>President Yanukovich meets Russian President Putin to lay a new "strategic partnership" between the two countries.</p>
<p><u>22 February 2014</u></p>	<p>Ukraine's parliament votes to impeach President Yanukovich and he flees the country.</p>
<p><u>27 February 2014</u></p>	<p>Several pro-Russia gunmen seize government buildings in Crimea and raise the Russian flag.</p>
<p><u>21 March 2014</u></p>	<p>President Putin signs a law formalizing Russia's takeover of Crimea from Ukraine</p>
<p><u>12 May 2014</u></p>	<p>Pro-Russia separatists in Ukraine's easternmost areas, Donetsk and Luhansk, announce landslide victories in referendums on "self-rule".</p> <p>Ukraine and Western countries condemn the vote.</p>



<u>25 May 2014</u>	Petro Poroshenko is elected President of Ukraine
<u>5 September 2014</u>	The Ukrainian government and pro-Russia rebels sign a truce in Minsk (the first Minsk Agreement) to end almost 5 months of fighting. The ceasefire collapses within days.
<u>12 February 2015</u>	The second Minsk agreement is signed
<u>9 July 2016</u>	Ukraine and NATO sign a Comprehensive Assistance Package
<u>1 September 2017</u>	Ukraine's association agreement with the European Union enters into force
<u>15 May 2018</u>	President Putin opens a 12-mile bridge between the Russian mainland and Crimea, tightening Russia's hold over the annexed peninsula
<u>12 June 2020</u>	Ukraine is granted NATO Enhanced Opportunity Partner Status
<u>6 April 2021</u>	Russia announces the start of mass military drills, raising tensions with Ukraine amid Western concern over the risk of renewed fighting
<u>17 December 2021</u>	Russia presents a list of security demands in order to defuse the crisis



	over Ukraine, including a legally binding guarantee that Ukraine will never be accepted as a NATO Member State and that NATO will give up any military activity in eastern Europe and Ukraine
<u>10 February 2022</u>	Russia launches its largest military operation since the Cold War, holding joint maneuvers with Belarus, close to the Belarus/Ukrainian border.
<u>21 February 2022</u>	President Putin recognizes the independence of the self-proclaimed DNR and the LNR. He then orders Russian troops into the territories for what he describes as “peacekeeping duties”

Previous attempts to solve the issue

Minsk Agreements

The Minsk Agreements are attempts to resolve the dispute in eastern Ukraine, that were laid down in the 2015. Since then, the Minsk agreements have become stalemate. Kyiv and separatists have each accused the other party of breaches.



A series of armistices have fallen through due to repeated violations of the agreements by the hostile group. The political strand of the agreement, that anticipates a large degree of autonomy for the rebel regions and local elections under the Ukrainian law, remain a dead letter, with each side accusing the other for the failure.

Prime Minister of the United Kingdom, Boris Johnson, denounced Russia's recognition of separatist republics as "a flagrant violation of the sovereignty and integrity of the Ukraine."³⁷

Solutions Provided by the Leaders of the Republics

Both republics are seeking full autonomy from the central government and have their self-proclaimed presidents. Denis Pushilin, elected in 2018 at an election disputed by Kyiv, is the leader of the DNR, while Leonid Pasechnik is the leader of the Luhansk separatist region. Several warlords and separatist officials have died over the past years in attacks, the victims of the hidden conflict within the republics or in operations by the Ukrainian forces.

Separatist Region's Self-rule

From a public vote in 2014 in the region found strong support among residents from secession from Ukraine, and a national presidential election in the spring was marred by obstruction and in some cases violence in the breakaway east as the clashes continued. Later, Ukraine's government granted the separatist regions self-rule and gave the militants amnesty, though the move stopped short of declaring the regions fully independent. It was a major concession from the government, though some separatists said it didn't go far enough. The fighting continued from both sides from time to time.

³⁷ (Putin breaches international law, violates Ukraine's sovereignty and integrity - Johnson)



Normandy Format

The Normandy Format is a diplomatic grouping created in June 2014, made in order to find peaceful resolutions to the Ukraine Russia conflict due to Russia's military aggression. This informal forum was set up by France, Russia, Germany and Ukraine. The Normandy Format meeting between these four countries representatives had taken place in Paris on 26 January 2022 as a lead-up to the invasion. It is essential to arrive upon a negotiation or solution through peaceful means between the countries in order to put a stop to the military invasion.

Relevant UN Resolutions, Events, Treaties and Legislation

Minsk Agreements

The Minsk agreement were meant to be a breakthrough in the Ukraine crisis in the year 2015. The Minsk agreements indicated that Ukraine and Russia-backed separatists agreed on a 12-point ceasefire deal in September 2014. Its provisions included prisoner exchanges, deliveries of humanitarian aid and the withdrawal of heavy weapons. Unfortunately, the agreement was swiftly broken down, with violations on both sides.

Representatives of Russia, Ukraine, the Organization for Security and Cooperation in Europe (OSCE) as well as the leaders of separatist-held regions DNR and LNR signed a 13-point agreement in February 2015.

The 13 points included were: immediate, comprehensive ceasefire; withdrawal of heavy weapons by both sides; OSCE monitoring; dialogue on interim self-government for Donetsk and Luhansk; in accordance with Ukrainian law, and acknowledgment of special status by parliament; pardon, amnesty of fighters; exchange of hostages, prisoners, humanitarian assistance; resumption of socioeconomic ties, including prisoners; Ukraine to restore control of state border; withdrawal of foreign armed formations, military



equipment, mercenaries; constitutional reform in Ukraine including decentralization, with specific mention of LNR and DNR; elections in Donetsk and Luhansk; intensify Trilateral Contact Group's work including representatives of Russia, Ukraine and OSCE.³⁸ However, the Minsk II deal set out military and political steps that remain unimplemented.

Resolution rejecting Russian Federation's brutal invasion of Ukraine ³⁹

This resolution was prepared by the European Union conjointly with Ukraine and countries from all regions of the world, directly after the UN Security Council was prevented to act by a Russian veto in February 2022. The resolution "deplores in the strongest terms"⁴⁰ the aggression by Russia and affirms the international community's commitment to the sovereignty, independence, unity and territorial integrity of Ukraine. Moreover, it calls for unrestricted access to humanitarian assistance.⁴¹ Although General Assembly resolutions are not legally binding, their political weight is essential, especially in cases where the UNSC has been unable to act.

This text was approved by 141 countries with 5 UN member states voted against: Russian Federation, Belarus, DPRK (North Korea), Eritrea and Syria. The resolution was adopted during the 11th Emergency Special Session of the General Assembly called by the United Nations Security Council following the Russian veto on 25 February 2022, of a resolution calling for a Russian withdrawal from the Ukrainian territory.

³⁸ (OSCE Organization)

³⁹ (UN General Assembly demands Russian Federation withdraw all military forces from the territory of Ukraine)

⁴⁰ (United Nations General Assembly Resolution)

⁴¹ (General Assembly Overwhelmingly Adopts Resolution Demanding Russian Federation Immediately End Illegal Use of Force in Ukraine, Withdraw All Troops)



Principles of International Law concerning Friendly Relations

The Declaration of International Law concerning Friendly Relations and Cooperation among States is in accordance with the Charter of the United Nations. This declaration was adopted during the General Assembly session marking the 25th anniversary of the United Nations. Such declaration that has been cited repeatedly by the International Court of Justice as representing international law, sets out several vital principles that are highly relevant in this situation. Specifically, the principle of sovereign equality of the States, and the assertion that “the territorial integrity and political independence of the State are inviolable.” There are also other resolutions of the General Assembly that are also fully behind the sovereignty, political independence and territorial integrity of Ukraine, within its internationally recognized borders.⁴²

Possible solutions

Minsk Agreements Treaties

It is seen throughout the years that the Minsk agreement provided an effective set of solutions, however, was repeatedly breached with violence. It is vital to make sure an outside organization such as the UN monitors over the Minsk agreements being followed through without any exceptions. Additionally, any individual found to be in the violation of such laws must be placed under arrest along with an additional fine. This is to be done to reduce deaths and rate of crime in the two republics.

⁴² (Secretary-General Says Russian Federation’s Recognition of ‘Independent’ Donetsk, Luhansk Violate Ukraine’s Sovereignty, Territorial Integrity)



Declaring Ceasefire



Graphical representation of ceasefire violations increased in the Donbas region⁴³

Keeping the rapid increase of the ceasefire in mind, it is vital to urge dialogue and negotiations to be approached from other countries on a more frequent basis to restore peace in the land altogether. A ceasefire, which can be declared as a humanitarian gesture with the intention of resolving a conflict, must be established to save the people in Ukraine and beyond from the affliction of war.

Separatist Region’s elected leaders

Since fighting from both sides continued to take place during the self-rule for the separatist regions in 2014, a possible solution to this for both regions to vote on a responsible leader in order to prevent bloodshed and solve any arising problems through peaceful means such as negotiations.

⁴³ “The Conflict in Ukraine’s Donbas Region Is Escalating Rapidly.” *The Economist*, The Economist Newspaper, <https://www.economist.com/graphic-detail/2022/02/22/the-conflict-in-ukraines-donbas-region-is-escalating-rapidly>.



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