



# Security Council

Seventy-eighth year

**9262**<sup>nd</sup> meeting

Friday, 17 February 2023, 10 a.m.

New York

*Provisional*

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*President:* Mrs. Frazier . . . . . (Malta)

*Members:*

Albania . . . . .	Mr. Hoxha
Brazil . . . . .	Mr. De Almeida Filho
China . . . . .	Mr. Zhang Jun
Ecuador . . . . .	Mr. Pérez Loose
France . . . . .	Mr. De Rivière
Gabon . . . . .	Ms. Koumby Missambo
Ghana . . . . .	Mr. Agyeman
Japan . . . . .	Mr. Ishikane
Mozambique . . . . .	Mr. Afonso
Russian Federation . . . . .	Mr. Nebenzia
Switzerland . . . . .	Mrs. Baeriswyl
United Arab Emirates . . . . .	Mr. Abushahab
United Kingdom of Great Britain and Northern Ireland . .	Dame Barbara Woodward
United States of America . . . . .	Mr. Mills

## Agenda

Threats to international peace and security

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*The meeting was called to order at 10.05 a.m.*

### **Adoption of the agenda**

*The agenda was adopted.*

### **Threats to international peace and security**

**The President:** In accordance with rule 37 of the Council's provisional rules of procedure, I invite the representatives of Belarus, Germany and Ukraine to participate in this meeting.

In accordance with rule 39 of the Council's provisional rules of procedure, I invite the following briefers to participate in this meeting: Mr. Miroslav Jenča, Assistant Secretary-General for Europe, Central Asia and the Americas, Departments of Political and Peacebuilding Affairs and Peace Operations; and His Excellency Mr. Martin Sajdik, Special Representative of the Organization for Security and Cooperation in Europe for the Minsk negotiations from 2015 to 2019.

The Security Council will now begin its consideration of the item on its agenda.

I give the floor to Mr. Jenča.

**Mr. Jenča:** We meet today exactly one week ahead of the one-year mark of Russia's invasion of Ukraine. While we witnessed immense suffering and destruction over the past year, today is also a reminder that the armed conflict in Ukraine has been ongoing since 2014. Under-Secretary-General for Political and Peacebuilding Affairs Rosemary DiCarlo briefed the Security Council on this same topic exactly one year ago (see S/PV.8968). She warned about the increasing tensions around Ukraine and reminded all those concerned of the urgent need to make full use of the existing frameworks to prevent an escalation.

The members of the Security Council are aware that the United Nations, in the previous eight years, has not been formally part of any mechanism related to the peace process in Ukraine, such as the Normandy format. The United Nations was not invited to be a participant in the various negotiations in Minsk, or of the 2014 and 2015 agreements themselves. Neither was the United Nations involved in the implementation efforts led by the Organization for Security and Cooperation in Europe (OSCE) in the Trilateral Contact Group.

Those directly involved in the process and its implementation are better placed to assess the achievements and challenges in managing this process.

Its intensity was reflected by the efforts entailed in numerous meetings and discussions, including at the leaders' level in the Normandy format, as well as in the regular meetings of the working groups of the Trilateral Contact Group covering political, security, humanitarian and economic issues that fell under the agreements.

Despite not having any formal role in the Minsk framework, over the years the United Nations has consistently and fully supported the implementation of the Minsk agreements and related measures, in accordance with resolution 2202 (2015) and the presidential statement of 6 June 2018 (S/PRST/2018/12). The United Nations has repeatedly expressed its full political support to all those involved in the Normandy format and other diplomatic efforts. In line with Chapter VIII of the Charter of the United Nations, the Organization has offered support, when requested and where appropriate, to some of the working groups under the OSCE-led Trilateral Contact Group.

Similarly, the United Nations has shared its global practices and provided expert support to the OSCE's Special Monitoring Mission in eastern Ukraine, including with regard to issues related to ceasefire monitoring, women and peace and security, as well as other areas. On the ground, the United Nations country team has continuously coordinated with the Special Monitoring Mission on security and humanitarian and human rights access-related issues in non-Government-controlled areas in order to provide assistance to all communities in need. We remain grateful for the OSCE's cooperation in that regard.

At the same time, throughout that entire period and to date, the United Nations has remained consistent in its principled support for the independence, sovereignty and territorial integrity of Ukraine within its internationally recognized borders, in line with the relevant General Assembly resolutions.

The outbreak of the armed conflict in eastern Ukraine in 2014 was, up to February of last year, the biggest test the OSCE had faced in its existence. Similarly, the response of the organization was unprecedented and deserves recognition. Since its establishment, the OSCE's Special Monitoring Mission to Ukraine, through its team of more than 1,000 monitors, provided critical information on ceasefire violations on the ground, in accordance with its mandate to maintain dialogue, reduce tensions and prevent further escalation. I wish to pay tribute to the important

work, often under very challenging conditions, of the leadership and staff of the Special Monitoring Mission before it discontinued its operations.

Despite the even bigger challenges brought about by Russia's invasion of Ukraine last year and worsening tensions across the region, the OSCE remains an essential actor in the area of European security. In that regard, I would like to recall that in its resolution ES-11/4, of 12 October 2022, the General Assembly called upon Member States and international organizations, including the OSCE, to support the de-escalation of the current situation and a peaceful resolution of the conflict, with respect for the sovereignty and territorial integrity of Ukraine. Consistent with Chapter VIII of the Charter, the United Nations continues to work in a complementary way with all regional organizations and mechanisms that were created to deal with security challenges, including the OSCE, across the Eurasia region.

Long before the situation in Ukraine evolved into the present tragedy, the United Nations stressed the importance of political will by all sides and, at the same time, cautioned all relevant actors about the dangers of complacency regarding the implementation of the Minsk agreements and the risks of keeping the conflict unresolved. The United Nations has also used all opportunities, including before the Council, to urge all sides to avoid any unilateral steps that could deepen the divide or depart from the spirit and letter of the agreements.

In his remarks to the open debate on conflicts in Europe, the Secretary-General warned against taking European peace and prosperity for granted (see S/PV.7886). He also stated that, until peace agreements are signed and implemented, the risk of renewed violence remains. That is also what we learned from the experience of the Minsk process — peace is not just about signing an agreement. We need sustainable and implementable peace that addresses the root causes of the conflict and is in line with the United Nations Charter and international law. That is particularly important given the complexity of the current context in Ukraine, but also with regard to its implications for the future of the European security architecture and, indeed, the international order itself.

Achieving sustainable peace requires an inclusive, transparent and meaningful process, supported by a viable framework, which is currently missing. Any

genuine process should come with the full and equal participation of women and take into consideration the views of the broader population and civil society. As the Secretary-General has reiterated, the United Nations is ready to support all meaningful efforts to bring peace to Ukraine, in line with the Charter and international law.

**The President:** I thank Mr. Jenča for his briefing.

I now give the floor to Mr. Sajdik.

**Mr. Sajdik:** Nearly four years after my previous intervention (see S/PV.8516), I now again have the honour to address this body and to share my experiences of the Minsk negotiating process, as the former Special Representative of the Organization for Security and Cooperation in Europe Chairperson-in-Office in Ukraine and in the Trilateral Contact Group — the position I held from 2015 to 2019.

Today's meeting marks the eighth anniversary of the adoption of resolution 2202 (2015), which after, *inter alia*, reaffirming the full respect for the sovereignty, independence and territorial integrity of Ukraine, not only endorses the package of measures for the implementation of the Minsk agreements of 12 February 2015, but also welcomes the declaration of the same date by the Normandy Four leaders and their continuing commitment to the implementation of the Minsk agreements.

In my previous briefing to the Security Council, I underscored that the ultimate goal of our efforts must be the full implementation of the Minsk agreements, to which there is no alternative. That was my conviction throughout all the four and a half years of my work as Chief Coordinator of the Trilateral Contact Group. The three sides of the Trilateral Contact Group were Ukraine, the Russian Federation and the Special Representative.

According to established practice, during the course of each meeting of the Group, representatives of certain areas of the Donetsk and Luhansk regions were, upon the respective decisions of the three sides, invited to join their deliberations. When I replaced my predecessor — Swiss diplomat Heidi Tagliavini — in June 2015, the Ukrainian member of the Trilateral Contact Group was the second President of Ukraine, Leonid Kuchma. He was supported by a range of prominent former or active politicians of his country, such as ex-Prime Minister Yevhen Marchuk, former Secretary of the National Security Council

Volodymyr Horbulin, and Mr. Kuchma's former head of administration, Viktor Medvedchuk — just to name one of the latter's previous positions — and the Deputy Speaker of the Rada, Irina Gerashchenko.

When Leonid Kuchma left the Trilateral Contact Group in 2020, he was replaced by the first President of Ukraine, Leonid Kravchuk, one of the signatories to the Belovezha agreement and the Almaty declaration of December 1991. In June 2015, the Russian member of the Group was Ambassador Azamat Kulmukhametov. In December 2015, Boris Gryzlov, former Speaker of the Duma and former Minister of the Interior, was appointed by President Putin to represent Russia in the Trilateral Contact Group.

Although a comprehensive ceasefire should have entered into force at midnight on 15 February 2015, heavy fighting continued, especially around Debaltseve, raising great concerns at the international level. Those concerns were also reflected in resolution 2202 (2015), paragraph 3 of which calls on "all parties to fully implement the 'Package of measures', including a comprehensive ceasefire as provided for therein".

As heavy fighting persisted throughout the summer of 2015, my personal efforts then were directed at reducing the human toll, especially among the civilian population, and at finally achieving a ceasefire. That came about in September 2015 with a ceasefire at the beginning of the regular school year, which lasted for some two weeks — a real breakthrough, as it demonstrated that a ceasefire was possible. The most successful and effective ceasefire was agreed by my successor Heidi Grau in July 2020, at the height of the coronavirus disease pandemic.

Thanks to the outstanding negotiating skills of then Chief Monitor of the OSCE Special Monitoring Mission and the coordinator of the security working group, Ertuğrul Apakan, agreements were signed on the withdrawal of heavy weapons, demining and disengagement in 2015 and 2016. Disengagement zones were also agreed under the leadership of Apakan's successor, Halit Çevik. Both he and Apakan were, by the way, like me, former Permanent Representatives in New York.

Unfortunately, the sides lacked the political will to implement those agreements. And the monitoring of the implementation by the unarmed Special Monitoring Mission had its limits, first of all, because the mere size of the operation — on average, there were some

750 OSCE monitors stationed in eastern Ukraine on both sides of the line of contact for approximately 480 kilometres — not to mention the lack of access to specific territorial stretches, such as the bilateral border, and especially to some parts of the certain areas of the Donetsk region.

There were major developments in 2017 that ran counter to the letter and spirit of the Minsk agreements.

First, in March 2017, there was the brutal interruption of economic links across the line of contact: the blockade and economic ban on one side and the so-called "external administration" of companies in the Ukrainian jurisdiction on the side of the certain areas, as well the end to railway transportation services.

In December of 2017, after prior warning, Russia withdrew its members from the so-called Joint Centre for Control and Coordination (JCCC), based in the city of Soledar, in the Government-controlled part of the Donetsk region. The JCCC had played a key role in what I would call daily conflict management across the line of contact.

With the sides drifting further and further apart, the efforts of the coordinators of the security, economic and humanitarian working groups — my colleagues whom I already mentioned, Mr. Apakan and Mr. Çevik — as well as my colleagues from Germany, Mr. Per Fischer and Mr. Ulrich Brandenburg, and from Switzerland, Mr. Toni Frisch, mostly focused on mitigating the effects of the deepening divide on the population on both sides of the contact line.

In the spirit of resolution 1894 (2009), of 11 November 2009, we concentrated on the protection of civilians. The number of civilian victims significantly decreased over the years, with 2019 being the first year in which no children lost their lives owing to conflict-related activities, with mines and unexploded ordnance being the most ubiquitous and dangerous threat near the contact line. We also focused on improved access to Ukrainian pension payments; more humane conditions at the crossing points, especially for the elderly; water management; and maintaining telephone services across the contact line.

In the political field, Ambassador Pierre Morel, the eminent French diplomat, who just yesterday received his insignia of Commander of the National Order of the Legion of Honour from President Macron, tirelessly tried to lay the legal ground for local elections, as well

as for amnesty. He played a key role in the final adoption of the so-called “Steinmeier formula” in October 2019, on the entry into force of the Ukrainian law on the special status for certain areas of the Donetsk and Luhansk regions after the holding of local elections. In December 2019, after long and difficult negotiations, a major exchange of detainees could be agreed. The Steinmeier formula also stands for the pivotal role of the Normandy Four and the resolution of the situation in the eastern regions of Ukraine through a peaceful settlement, as enshrined in resolution 2202 (2015). The negotiations in Minsk were one pillar of those efforts. The second pillar was assigned to the Normandy Four.

In the light of all the previous international efforts for a peaceful settlement in eastern Ukraine, I can, at the end of my statement, only express my profound shock and disappointment with the developments since 24 February of last year.

**The President:** I thank Mr. Sajdik for his briefing.

I shall now give the floor to those members of the Council who wish to make statements.

**Mr. Nebenzia** (Russian Federation) (*spoke in Russian*): Eight years ago, on 17 February 2015, the Security Council adopted resolution 2202 (2015), which approved the package of measures for the implementation of the Minsk agreements. The resolution made those agreements the only legal basis for resolving the intra-Ukrainian conflict, and through the Security Council, it received the support of the entire international community. Since then, the Council has met regularly, and primarily at our initiative, to consider the implementation of the Minsk agreements. In 2018, presidential statement S/PRST/2018/12 was adopted in support of that process. And yet the Minsk process failed and became a clear Security Council failure in the area of preventive diplomacy, which many of us call one of the most important goals of this organ. I do not know about other Council members, but we are extremely disappointed by that. It undermines the authority of the Security Council, which has failed to carry out its primary function of maintaining international peace and security. I propose that today we have a serious talk about what went wrong and draw lessons from the past.

I would like to ask our former Western partners, who habitually recite mantras about how everything is Russia's fault, to lift their eyes from the papers before them and answer one simple question. Why is it that,

while they repeat every year in this Chamber their support for the Minsk process and sign documents with us, they hid their true intentions, and they knew perfectly well that the Minsk process was just a smokescreen for them to rearm the Kyiv regime and prepare it for war against Russia in the name of their geopolitical interests?

The recent confessions by François Hollande, Angela Merkel and Boris Johnson leave no doubt that the West was only imitating a constructive process. NATO Secretary General Jens Stoltenberg's statement that the alliance had been preparing for war with Russia since 2014 revealed a plan for the geopolitical containment and weakening of my country, which is being attempted to be implemented before our eyes. The revelations by Petro Poroshenko and Volodymyr Zelenskyy characterize that criminal scheme very eloquently. The constituent elements of the crime are clear, and the motive is clear. And the method chosen was to flood the ears of the international community with absurd claims that it is Russia that is not implementing the Minsk agreements, when, as everyone knows, it is not even mentioned in them.

We have a question for Mr. Sajdik, and I ask him to answer it frankly, if he is able to do that. Does the Organization for Security and Cooperation in Europe (OSCE) in general, and its Special Monitoring Mission to Ukraine in particular, understand that they are simply being used, knowingly or not, for the purpose of this cheap charade? Do they understand their guilt and responsibility in Vienna? After all, it is now quite clear that the Special Monitoring Mission failed in its tasks.

Moreover, in recent years, the Special Monitoring Mission has generally descended to highly politicized and one-sided approaches. For example, contrary to its mandate, the Special Monitoring Mission ended its contacts locally with the leadership and the majority of officials in the Donetsk and Luhansk People's Republics, demanding that Donetsk and Luhansk publicly affirm their loyalty to Kyiv. The OSCE officials turned a blind eye to Ukraine's increasing Russophobia and aggressive Ukrainian nationalism. And facts that were inconvenient for Kyiv and the Ukrainian armed forces, such as the murder of civilians by Ukrainian formations in Donbas, were often whitewashed or hidden from the eyes of the general public in confidential reports.

As a result, the Special Monitoring Mission was essentially turned into a partisan tool to protect the Kyiv regime and put pressure on the Donetsk and

Luhansk authorities, instead of one for engaging in dialogue. Such approaches have jeopardized all the OSCE efforts to facilitate a peaceful settlement of the conflict in eastern Ukraine. Does Mr. Sajdik, with his vast experience, not understand that? And does he not realize that because of the mutual covering for one another and continuous lying, in which the OSCE structures have been assigned a very specific role, the credibility of European multilateral institutions has been undermined and plummeted to a critically low level? How, when and at whose behest did they become hostages of egregiously Russophobic Poles, the Baltic States and other new Europeans, who have made no secret of their plans to dismember Russia and seize its natural resources? If Council members do not believe me, they should listen to Polish Member of the European Parliament Anna Fotyga, who published a manifesto on the subject on the Euractiv website.

We would also like to draw attention to the role of another body whose leadership we wanted to hear from today but unfortunately could not. Since the beginning of the Ukrainian crisis in 2014, the Secretariat has buried its head in the sand, taking an ostrich-like stance. We did not hear any direct criticism of Kyiv from its representatives, even when they were waging a real war against their citizens in the eastern regions. We did not hear any calls for direct dialogue with Donbas, as is required by resolution 2202 (2015). Supposedly, the United Nations did not have the authority to do so. But what does a unanimously adopted Security Council resolution grant if not authority?

At the same time, since the very first day of the special military operation, the Secretariat, in lockstep with Western countries, has continued to spread anti-Russia clichés and level direct accusations against Russia while claiming to be guided by resolutions of the General Assembly, which were — and let me underscore this — non-consensus resolutions. And one of them contains a reference to the Secretary-General's position, which runs counter to all common sense, the United Nations tradition and even the mere rules of decorum. That is what United Nations officials have come to — wilfully ignoring violations of the Minsk agreements and refraining from assessments that could anger the collective West. And today many are saying that the United Nations should definitely play a mediation role between Russia and Ukraine. But given

everything I have mentioned, does the Council think we can trust such mediation? Where is the guarantee that the Secretariat will behave differently now?

The failure to implement the Minsk agreements has proven to be a tragedy for Ukraine, brought about by the criminal policies of Ukraine's leadership, which have been encouraged by the collective West. We are convinced that the Ukrainian people are yet to give their assessment of those crimes. After all, the current leader of the country, Mr. Zelenskyy, was elected in 2019 with a notable majority precisely because he promised the country national dialogue, the protection of the Russian language and inter-ethnic harmony. However, once he was elected, he continued his course of confrontation with Russia, abandoning his election programme in order to serve the geopolitical ambitions of the West.

I would now like to address the Western members of the Security Council. Obviously, in the future we will not be able to live as we did in the past. The extent to which they have already displayed their deep-seated Russophobia shows us that the only thing really driving them is that Russophobia, and their desire to destroy our country, by the hands of others if possible. They are not interested in building a system of European and Euro-Atlantic security together with Russia, because in their view such systems can be aimed only against Russia. We have no trust left in them, and we can no longer believe any of their promises — with regard to NATO's non-expansion to the East, in addition to their unwillingness to interfere in our internal affairs and their desire to live in peace and good neighbourliness.

Western countries have demonstrated fully that it is impossible to negotiate with them. And they have shown how treacherous they are by creating a neo-Nazi and nationalist hive on our borders and then stirring it up. And we have learned the true price of their values after they turned a blind eye to the formation of the most brutal and Russophobic dictatorship in Ukraine, destroying the slightest manifestation of freedom of speech and dissenting political views. So far, we have no reason to believe that they are capable of breaking this vicious circle of lies and self-deception. And the more tall tales we hear from them today, including that Russia did not honour the Minsk agreements, which is contrary to the obvious facts, the more people will understand that we had no choice but to protect our country — to protect it from the West — in addition to our identity and future.

**Ms. Koumy Missambo** (Gabon) (*spoke in French*): I would like to thank the Assistant Secretary-General for Europe, Central Asia and the Americas, Mr. Miroslav Jenča, as well as Mr. Martin Sajdik, Special Representative of the Organization for Security and Cooperation in Europe for the Minsk negotiations from 2015 to 2019, for their briefings.

We are holding this meeting on the Minsk agreements exactly one year to the day after the previous one (see S/PV.8968), in which we expressed our fears of escalation, but also our call to avoid the irreparable. The Minsk agreements paved the way for a truce to cease the hostilities, the restoration of Ukraine's borders and an improved humanitarian response. They also laid the foundations for a lasting peace based on good-neighbourly relations and economic exchanges for shared prosperity. Those agreements, which, it should be recalled, were endorsed by the Security Council, provide for a comprehensive peaceful solution to the main claims of the parties on the humanitarian, economic and security fronts; and they establish a ceasefire, providing for the departure of foreign combatants and the deployment of heavy weapons, all under the supervision of the Organization for Security and Cooperation in Europe.

The signing of those agreements gave hope for peace and peaceful coexistence between the parties. Eight years later, that hope has been dashed by the deadly war in Ukraine, which is now in its twelfth month. The hope generated by the Minsk agreements must be rekindled, and all parties must be encouraged to seek a cessation of hostilities. We remain convinced that peace and peaceful coexistence are possible. We therefore reiterate our appeal to the parties to once again engage in good faith in the same spirit that prevailed when the Minsk agreements were signed, which requires a frank dialogue between all parties, within the framework of the mechanisms provided for in Chapter VI of the Charter of the United Nations.

It is never too late to make peace. The Security Council must work to that end without further delay.

**Dame Barbara Woodward** (United Kingdom): I thank Assistant Secretary-General Jenča and Special Representative of the Organization for Security and Cooperation in Europe (OSCE) Sajdik for their briefings.

Russia called this meeting to discuss the lessons learned from the Minsk agreements regarding conflict prevention. A year ago today, we met in this Chamber

to discuss the Minsk agreements (see S/PV.8968). At that time, Russia had built up a force of more than 130,000 troops on Ukraine's borders and in illegally annexed Crimea, inflaming tensions and causing widespread concern.

The message from the Security Council then was clear. Despite the challenges, there had to be urgent de-escalation and dialogue among all parties. Under-Secretary-General DiCarlo and the representatives of the OSCE repeated that message. The Secretary-General called for respect for the Charter of the United Nations and reiterated that there was no alternative to diplomacy. Urgent diplomatic efforts were under way to engage Russia through the OSCE Vienna Document process — Russia did not turn up to the meetings — through the Normandy format and through the NATO-Russia Council.

What was Russia's response? In this Chamber, Russian Deputy Foreign Minister Vershinin said that allegations that Russia was going to attack Ukraine were baseless. Four days later, President Putin signed a decree recognizing Luhansk and Donetsk as independent entities, which tore up the Minsk agreements. Three days after that, Russia launched its full-scale invasion of Ukraine, bringing suffering to people in all areas of Ukraine and trampling on the United Nations Charter.

Almost one year on, that invasion continues, with no sign that Russia intends to bring it to an end. If Russia is committed to agreements to which it freely signed up, why did it unilaterally attempt to annex Ukrainian territory in violation of those commitments?

I will tell you, Madam President, what lessons we have learned. Russia lied when we warned of its intention to attack Ukraine. Russia was planning for war, while we called for diplomacy and de-escalation. Russia continues to choose death and destruction, while the world calls for a just peace.

In short, Russia is yet again feigning an interest in peace, while seeking to justify its ongoing military action against Ukraine. We therefore yet again call on Russia to end its illegal invasion, withdraw from Ukraine and return, in good faith, to the negotiations aimed at establishing a just and lasting peace based on the principles of the United Nations Charter.

**Mr. Afonso** (Mozambique): Mozambique wishes to thank Mr. Miroslav Jenča, Assistant Secretary-General for Europe, Central Asia and Americas, and His Excellency Mr. Martin Sajdik, Special Representative

of the Organization for Security and Cooperation in Europe for the Minsk negotiations from 2015 to 2019, for their important and enlightening briefings. We acknowledge and welcome the presence in the Council Chamber of the representatives of Ukraine, Germany and Belarus.

Peace agreements between States have been a vital feature of international relations for many centuries. The modern law of treaties provides that such agreements are binding on the parties, and they must be observed and respected in good faith.

In that context, we welcomed the Minsk agreements, particularly in relation to the provisions on an immediate and comprehensive ceasefire, the withdrawal of heavy weapons from the front lines, the monitoring and verification of the ceasefire regime, the launch of a dialogue between the affected parties, ensuring pardon and amnesty and the plan for political and constitutional reforms.

Our nation, Mozambique, was born out of a protracted struggle for the liberation of the people and their land. In the process, we were bound to negotiate many agreements, which moved us from one stage of our history to another.

That is the reason that our first Constitution, and the successive amendments thereto, embraced the policy of peace and solemnly declared that:

“Mozambique shall profess a policy of peace, and shall only resort to force in the case of legitimate self-defence.”

In the same article, it is stated that Mozambique defends the primacy of a negotiated solution to conflicts. We believe that those provisions, enshrined in our Constitution since the birth of our independent nation in 1975, are in full and perfect harmony with the Charter of the United Nations, adopted in San Francisco 30 years before our independence.

The Charter stipulates in its Article 2, paragraph 3, that,

“All members shall settle their international disputes by peaceful means in such a manner that international peace and security, and justice, are not endangered.”

In that connection, in this Chamber we time and again called for a negotiated settlement of this conflict, because the principles contained both in our Constitution and in the Charter of the United Nations

are deeply embedded in our own political culture, and they constitute the guiding beacons in our relations with other States, even in times of conflict.

Within that framework, today we wish to reiterate our call, made earlier, that, as members of the Security Council, mandated to maintain and preserve international peace and security, we are under the Charter’s obligation to cooperate and support efforts in the direction of a peaceful settlement of the conflict. Furthermore, we are duty-bound to explore all possible avenues that can lead the parties to an understanding. We believe that we must emulate the spirit and the goodwill that led to the signing of the Minsk agreements between the parties and always be guided by the purposes and principles of the Charter of the United Nations.

**Mr. De Almeida Filho** (Brazil): I thank our briefers for their contributions.

Eight years ago, the Security Council met to adopt resolution 2202 (2015), which endorsed the so-called Minsk package. The agreements signed by the Russian Federation and Ukraine in February 2015, with the decisive mediation of France and Germany, allowed for an end to the hostilities. Notwithstanding the collapse of the Minsk accords, we believe that their spirit can inspire a new effort towards a peaceful solution. It is essential that we discuss how to put an end to this conflict, which has cost so many lives, caused so much devastation and taken a heavy toll in terms of food and energy security around the globe. And it continues to present a serious nuclear safety and security risk to the region and to the whole world. Brazil condemns the use of force to settle any diplomatic dispute. It is our belief that the Security Council and the international community must act to promote peace talks between the Russian Federation and Ukraine through the mediation of the United Nations and countries willing to contribute.

We also reiterate our call for the protection of the civilian population and the strict observation of international humanitarian law by all involved in the conflict in Ukraine.

**Mr. De Rivière** (France) (*spoke in French*): I thank Mr. Jenča and Mr. Sajdik for their briefings.

Russia has requested this meeting today in a retrospective attempt to justify the unjustifiable — its invasion of Ukraine on 24 February 2022 in violation of the Charter of the United Nations and resolution 2202

(2015), which endorses the Minsk agreements and which Russia signed. Nothing, however, can legitimize its aggression. In bringing up the past, Russia is trying to distract us from the present — the hellish fighting on the front line, the scale of human loss, the bombing of civilian infrastructure and the many abuses committed by the Russian army and Wagner auxiliaries. In the face of this new disinformation tactic, we should recall the facts and the law.

The facts are as follows. A year ago to the day, on 17 February 2022, the representative of Russia stated publicly in the Security Council that

“[T]here is no alternative [to the Minsk agreements, and that they] are the only international legal basis for resolving the civil conflict in [...] Ukraine” (S/PV.8968, p.10).

He added that rumours of a Russian military intervention were unfounded and the product of Western paranoia. Four days later, on 21 February 2022, Russia recognized the independence of the self-proclaimed so-called people’s republics of Donetsk and Luhansk. A week later, on 24 February 2022, it invaded Ukraine. Russia therefore chose war despite the de-escalation efforts that President Macron and Chancellor Scholz had made in the days and weeks before.

Those are the facts. The law is also very clear. The Secretary-General and the General Assembly immediately condemned the invasion as a violation of international law and the Charter. On 16 March 2022, the International Court of Justice ordered Russia to suspend its military operations. In that regard, the only lesson to be learned is that in attacking Ukraine, Russia made the choice to end dialogue and negotiations alone. Russia alone decided to tear up the Minsk agreements, whose primary goal, we should remember, was the reintegration of specific regions of Donetsk and Luhansk under full Ukrainian sovereignty in exchange for greater decentralization.

Russia and Ukraine signed the Minsk agreements to end the conflict in the Donbas. Their implementation in good faith could have enabled the violence to end. They held out the prospect of a peaceful resolution of the conflict. The implementation of the agreements was not an easy task. I would like to remind the Council that from 2015 onward, France and Germany worked tirelessly to promote a dialogue between the signatory parties. However, the difficulties in implementing the agreements can never be used as justification

or mitigating circumstances for Russia’s choice to end the dialogue with violence. Finally, let me point out that the international mission of the States of the Organization for Security and Cooperation in Europe has been observing the situation on the ground for eight years. Its daily reports and the account we heard today indicate that every accusation made by Russia against Ukraine today is false.

With those facts in mind, this is no longer a time for historical analysis. We must look to the future. Next week, Ukraine, together with 50 co-sponsoring States, will introduce a draft resolution in the General Assembly that will pave the way for a just and lasting peace in line with the Charter. We must support that effort to promote dialogue and reiterate the call to end Russian military operations. That is the responsibility of all who are committed to the Charter and to our most precious asset — peace.

**Mr. Abushahab** (United Arab Emirates): I thank Assistant Secretary-General Miroslav Jenča and Ambassador Martin Sajdik for their informative briefings.

It is profoundly unfortunate that we are meeting today to discuss the lessons learned from the Minsk agreements in the shadow of the very war that we had all hoped they would prevent. The agreements were a worthy effort, and, while they did not ultimately hold, they offered an alternative to conflict. Surely a difficult but ongoing negotiation process would have been preferable to the tragedy that has unfolded over the past year. In searching the Minsk agreements for lessons, however, we find that a successful agreement cannot be reduced to a mere talking point. It must be nurtured as a living, breathing organism in which peace grows, drawing the parties and their partners in, and in the process transforming them. As the prospects for peace negotiations to end the war in Ukraine grow dimmer by the day, we are concerned about the possibility that the wrong lessons are being drawn from Minsk.

The first of those is that the past is preordained. The deterioration in relations between the parties and stakeholders of the Minsk agreements, along with the war in Ukraine and recent public statements, may lead some to conclude that the agreements were destined to fail. That reaction is understandable. Yet the eight years that elapsed between the first signature and the final collapse suggest that there was both a desire and an effort to preserve the agreements. A successful resolution of this conflict that establishes the

framework for a sustainable and just peace in Ukraine will surely depend on its design, comprehensiveness and incentives. Most of all, it will require the ongoing commitment of all the relevant actors to implement and evolve with it.

The second wrong lesson is that the past is prelude. We cannot let cynicism about the possibility of a just and lasting peace prevail, as that would legitimize the pursuit of military victory at all costs. A point will come when the guns must be silenced. For us, that point is now. Today we are meeting to discuss the latest unrealized attempt at peace amid reports of an impending escalation. Let us be clear — a fresh offensive will not make peace more attainable. It will only provoke a counter-offensive, and the wretched cycle of violence will go on. We therefore call once again for a cessation of hostilities, and express our support for all earnest efforts to bring peace to Ukraine.

Today more than 17.7 million Ukrainians require assistance. But even a year ago, 3.4 million people — the vast majority of whom were women and children — needed humanitarian aid as a result of the conflict. That misery cannot continue to drag on. Over the next week we will all reflect on the developments of the past 12 months and the costs of the war and its implications for Ukraine, the region and the world. It is our sincere hope that such reflection will foster a renewed resolve for peace.

**Mr. Hoxha** (Albania): I thank Assistant Secretary-General Jenča for his briefing. I am also grateful to Ambassador Sajdik for his briefing, as well as for his efforts to bring peace to Ukraine during his time as Special Representative of the Organization for Security and Cooperation in Europe for the Minsk negotiations.

Minsk was meant to be the blueprint for a breakthrough in the crisis in Ukraine, or, as many saw it, the only path via which peace could be built. But instead of an agreement in good faith to put an end to the war at the time, it turned out to be a conundrum, as it was never fully implemented. In truth, the agreement ended up being used by Russia as leverage to limit the sovereignty of Ukraine, impose foreign policy choices and render the country dysfunctional. When it could no longer do that, it used it as a smokescreen for what was going to unfold later — and we know what that was.

Many at the time feared the worst, and Russia proved them right. Russia's military aggression against Ukraine did not start last year; it began in 2014, with

the annexation of Crimea, followed by open support of the Russian proxies in the eastern part of the country. That took more than 14,000 lives and brought immense damage to the economy and infrastructure — the kind of horrors we have seen for almost a year now throughout Ukraine. The 13-point agreement known as the Minsk agreements included key provisions on issues such as the restoration of Ukraine's control of its State borders and the withdrawal of foreign armed formations, military equipment and mercenaries. That never happened, and the agreement was never respected. While Ukraine can be credited with efforts to implement as much as of the Minsk agreements as could reasonably be done, Russia did not cooperate. It hid behind its role as co-facilitator, assuming that it was not part of the agreement and not bound by its terms, although the document was signed by Russia's Ambassador to Ukraine, Mikhail Zurabov. That has been a major blockage in its implementation. The truth is that Russia played a part in everything — the military aggression at the time, the agreement itself and its non-implementation. It was in full control of the separatist groups on the ground.

In fact, the bigger problem was and is that when Russia wants something, agreements mean nothing. Did the Budapest Memorandum of 1994 mean anything to Russia? Did the Treaty on Friendship, Cooperation and Partnership concluded in 1997 between the two countries mean anything? Does Article II of the Charter of the United Nations mean anything? Do the resolutions of the Security Council, including resolution 2202 (2015), mean anything? The truth is that to Russia, they mean nothing. Why, then, would the Minsk agreements mean or matter more? It should therefore come as no surprise to anyone that the full-scale aggression in February last year was just another chapter in the same playbook.

There has hardly been a week since February last year that we have not met to discuss the terrible situation in Ukraine. On each occasion we have deplored the aggression, calling on Russia to put an end to its war, stop committing crimes and terrorizing civilians, withdraw its troops from Ukraine, respect its sovereignty and territorial integrity and come to the negotiating table in good faith with a genuine will, not a hidden agenda.

Let me conclude by saying loudly and clearly that there is not and has never been any shred of Russophobia anywhere in our statements or positions here or anywhere else. There is only a clear and principled

position against the war, against aggression, against crimes and against breaches of international law. As we all know, in that position, the world is united and Russia is alone in this Chamber and in the General Assembly Hall next door.

**Mr. Zhang Jun** (China) (*spoke in Chinese*): China's position on the Ukraine issue is consistent and clear. The sovereignty and territorial integrity of all countries should be safeguarded, the purposes and principles of the Charter of the United Nations upheld, the legitimate security concerns of all countries prioritized and all efforts conducive to the peaceful resolution of the crisis supported.

Eight years ago to this day (see S/PV.7384), the Security Council unanimously adopted resolution 2202 (2015), endorsing the Minsk agreements as the basic political document for resolving the eastern Ukraine issue. Unfortunately, after the agreement was reached, the fighting never stopped. There have been constant disagreements over the interpretation and implementation of its provisions. The situation that should have been de-escalated by the agreement in fact saw further escalation, eventually leading to a larger-scale conflict.

While we deplore the failure of the Minsk agreements, no one can deny that their signing represented a step in the right direction towards resolving disputes and differences through dialogue and negotiation and was in line with the fundamental spirit of the Charter of the United Nations. The diplomatic efforts made to reach the agreement still merit our recognition today. The lesson here is that the viability of an agreement depends on how well it is implemented. If it cannot be translated into concrete action proactively and in good faith, even the best agreement will end up being just a piece of paper. On the other hand, if all the provisions of the Minsk agreement had been effectively implemented, the Ukraine crisis might not have developed into what it is today.

In essence, the Ukraine crisis is the culmination of European security conflicts that are closely related to NATO's constant eastward expansion since the Cold War. The pursuit of absolute security, political exclusion and containment by force against a specific party is the crux of the reason for Europe's security plight. If it were to continue to espouse that mindset, Europe and perhaps even the whole world would be caught up in greater turmoil. We once again call on

Russia and Ukraine to cease the hostilities and start peace negotiations as soon as possible. The United States, the European Union and NATO should also sit down with Russia for a comprehensive and in-depth dialogue based on the principle of the indivisibility of security. They should discuss how to build a balanced, effective and sustainable security architecture and realize common security.

In that context, no effort should be spared in preventing attempts to fan the flames and pour fuel on the fire in order to avoid an escalation and expansion of the conflict. In that regard, I would like to point out that on the one hand NATO claims that it continues to be a regional defensive alliance, while on the other it constantly seeks to reach beyond its traditional defence zone and scope, provoking conflict, creating tension, fuelling threats, stoking antagonism and strengthening military and security ties with countries in the Asia-Pacific region. This is obviously self-contradictory.

We note with concern that the NATO Secretary-General recently made many irresponsible and unfounded remarks on the situation in the Asia-Pacific region. NATO has committed enough crimes around the world. We urge NATO to draw lessons from history, abandon such obsolete concepts as those embodied in the cold war mentality and block confrontation, and stop dangerous acts of creating imaginary enemies, destabilizing Europe and interfering with the Asia-Pacific region. Instead, it should contribute positively to world peace and stability, instead of merely being a troublemaker.

Strict compliance with international treaties and the implementation of legal obligations in good faith are the basic requirements of the rule of law at the international level. This is what practicing true multilateralism is about. Regrettably, negotiated agreements fail to be implemented. The Minsk agreements are not the only example of this. The Paris Agreement on Climate Change faced major setbacks because of the withdrawal of one key party. The Joint Comprehensive Plan of Action has yet to be revived. Some major bilateral and multilateral treaties and agreements are now being withdrawn from, violated, hollowed out and weakened. Should such a trend continue, great harm would be inflicted on the world. This is something we should be highly vigilant against. Relevant countries also should conduct serious reviews and reflections on this reality.

Human society is facing unprecedented challenges, but peace, development cooperation and mutual benefit are still an unstoppable historical trend. Globalization is making our global village smaller, but the world is big enough to accommodate the common development and progress of all countries. To strive for a bright future for humankind, all countries should pursue a just cause for common good, promote inclusiveness, mutual learning, peaceful coexistence and cooperation. We must respect each other's legitimate and reasonable security concerns rather than cling to the Cold War mentality or engage in bloc politics, bloc rivalry or small exclusive circles.

We must also realize win-win cooperation by integrating towards economic globalization rather than expecting others to lose or trying to stay ahead by blocking the development of other countries. A major country should behave in a way commensurate to its status and work together with others to maintain stable international relations rather than putting its own interests ahead of the common interests of the international community or seeking dominance and dictating its vision over the whole world.

The world is once again at a historic crossroads. We call on all peace-loving countries to unite under the banner of the United Nations, practice true multilateralism and promote the spirit of the rule of law, so as to maintain common security, promote common development and create a common future.

**Mr. Ishikane** (Japan): I listened very carefully to the arguments on the Minsk agreements, and, yes, we need to learn lessons from what happened and what is happening to realize sustainable peace in accordance with international law. However, no argument can justify aggression nor divert our attention from the reality of Russia's aggression against Ukraine, which shakes the very foundation of the international order that the world has built up over a long period of hard work and sacrifice. Such a unilateral attempt to change the status quo by force undermines security not only in Europe but across the entire world. Russia must therefore, first and foremost, stop its war of aggression immediately and completely and unconditionally withdraw its forces from the internationally recognized territory of Ukraine.

**Mrs. Baeriswyl** (Switzerland) (*spoke in French*): I thank Assistant Secretary-General Miroslav Jenča and the former Special Representative of the Chairperson-in-

Office in Ukraine of the Organization for Security and Cooperation in Europe and in the Trilateral Contact Group, Mr. Martin Sajdik.

By becoming members of the United Nations, we all agreed to adhere to the Charter of the Organization, one of whose principles is the resolution of international disputes by peaceful means. Another fundamental aspect of the Charter is its Chapter VIII, in particular the importance of the work of regional organizations in maintaining peace and security. The Organization for Security and Cooperation in Europe (OSCE) was founded in 1975. The OSCE took steps to de-escalate the crisis in Ukraine, including through the OSCE Special Monitoring Mission. It then successfully responded to the conflict in eastern Ukraine that began in 2014 by facilitating the implementation of the Minsk agreements. The OSCE initiated a process to ensure a continuation of the dialogue. By assuming the chairpersonship of the OSCE in 2014, and thereafter, Switzerland was involved in the efforts of the Special Monitoring Mission and in the negotiations on and implementation of the Minsk agreements, adopted and signed in September 2014 and on 12 February 2015.

Despite difficulties with their implementation, the Minsk agreements were an attempt to resolve this dispute peacefully, as called for by the Charter. The agreements played an important role in de-escalation. Among other things, the Security Council unanimously approved the "Package of measures for the Implementation of the Minsk Agreements". By recognizing the independence of the "people's republics" of Luhansk and Donetsk in February 2022 and by launching a military aggression against the entire territory of Ukraine a few days later, Russia has, as its President himself has stated, put an end to the Minsk agreements. Russia has resorted to violence on a large scale, in violation of the United Nations Charter and in defiance of the principles of the OSCE.

The OSCE has useful mechanisms and expertise in monitoring, confidence-building measures, security and verification. The staff of its Special Monitoring Mission to Ukraine has for years made an important contribution by providing objective information on the security, humanitarian and human rights situation on the ground. The OSCE has also contributed to improving the situation for the civilian population by facilitating humanitarian access to those most affected. Switzerland has supported the role of the Mission and remains convinced that its expertise is relevant.

Let us also recall the founding principles of the OSCE, in particular the objective of ensuring the conditions in which peoples can live in true and lasting peace and free from any threat or attempt to undermine their security. We therefore encourage the continued commitment of the OSCE, despite the great difficulties it is facing due to the war against Ukraine. Switzerland fully supports the efforts of the Northern Macedonia's chairpersonship of the organization.

Finally, we call on Russia to cease all combat operations and withdraw its troops from Ukrainian territory without delay. In the territories under its control, Russia is obliged to respect its specific obligations as an occupying Power under international humanitarian law. Furthermore, rapid, unimpeded and sustainable access to humanitarian aid must be guaranteed throughout the territory of Ukraine, including in the occupied areas. Switzerland does not recognize the annexation of Ukrainian territories declared by Russia, which constitutes a serious violation of international law. We demand the respect of the full sovereignty and territorial integrity of Ukraine.

**Mr. Agyeman** (Ghana): I thank Assistant Secretary-General Miroslav Jenča and Ambassador Martin Sajdik for their briefings to the Security Council this morning.

We recall that when the Council met on 17 February last year to discuss the implementation of the Minsk agreements (see S/PV.8968), we expressed concerns at the time about the agreements' largely unimplemented provisions but also the hope that in furtherance of resolution 2202 (2015), the crisis in the eastern regions of Ukraine would be settled through peaceful means. Today we can see that any further consideration of the Minsk agreements has been rendered moot. We all well recall that exactly one week after the Council's consideration of the matter, Ukraine's sovereignty and territorial integrity were assailed by its neighbour, the Russian Federation, and an attempt was subsequently made to unilaterally annex the territories concerned in Ukraine.

During last year's meeting, we also bemoaned the 14,000 human lives that had been lost since the start of the conflict in eastern Ukraine, as well as the displacement of 2.9 million others. As we speak today, the situation is far worse. According to some of the best estimates available, some 180,000 Russian soldiers may have died as a result of the aggression against Ukraine, in addition to approximately 120,000 Ukrainian

civilians and troops. Many Ukrainian civilians have also been needlessly injured in Russia's attacks. An estimated 8 million refugees have been registered across neighbouring countries, while some 5.4 million people have been recorded as internally displaced. Those figures show the horrors of war and the futility of seeking to establish one's interests abroad through the use of force. There are reports of increasing civilian casualties and damage to civilian infrastructure, about which we are deeply concerned, as well as the worsening security and humanitarian conditions resulting from the renewed missile attacks launched over the past few days against Ukraine. We emphasize once again the international obligation of the warring parties to respect and afford international humanitarian law in relation to the protection of civilians and civilian infrastructure in times of war. We call on all sides to adhere to the principles of proportionality and distinction, which are necessary to mitigate the impact of war on the lives and livelihoods of innocent people.

The high rates of casualties and destruction that have followed in the wake of the war in Ukraine leave us convinced that had the concerns for the Donbas region been genuinely shared, the approach to resolving them would not have been through an escalation of the conflict but rather its immediate cessation. We believe that any hope of renewing the spirit of the Minsk agreements would demand as a minimum condition a cessation of hostilities to encourage the signatories and other relevant actors to recommit to the obligations arising from the package of measures for the implementation of the agreements.

We therefore want to use this opportunity to reiterate our call on the aggressor State to put an end to its actions through the immediate and unconditional withdrawal of its troops from the internationally recognized borders of Ukraine. We continue to believe that the Security Council was right to endorse the Minsk agreements as a settlement of the Donbas conflict, which has now been overtaken by the wider war on Ukraine and can be achieved only in a context of exclusively peaceful means. We therefore urge the continuing commitment of the international community in marshalling every possible effort to achieve a peaceful settlement of the aggression against Ukraine.

In conclusion, I want to reaffirm Ghana's unwavering commitment to upholding respect for the sovereignty, political independence and territorial integrity of Ukraine, in accordance with international

law and the purposes and principles of the Charter of the United Nations. We also maintain our firm position of non-recognition of the purported annexation of any Ukrainian territory.

**Mr. Pérez Loose** (Ecuador) (*spoke in Spanish*): I thank Assistant Secretary-General Miroslav Jenča and Ambassador Martin Sajdik for their informative briefings.

Guided by the purposes and principles of the Charter of the United Nations and the related obligations under international law, Ecuador has not recognized nor will it recognize the annexation of territories by force, as we stated in 2014, at the start of Russia's military offensive against Ukraine, which led to the occupation of Crimea and armed violence in Donetsk and Luhansk.

Today we are marking eight years since the adoption of resolution 2202 (2015), in which the Council reaffirmed its full respect for the sovereignty, independence and territorial integrity of Ukraine. On that occasion, the Council demonstrated its deep concern about the violence in eastern Ukraine and endorsed the package of measures for the implementation of the Minsk agreements. Furthermore, with their 2015 declaration, the Presidents of the Russian Federation, Ukraine and France, together with the Chancellor of Germany, endorsed the Minsk package of measures and stated their firm belief that there was no alternative to an exclusively peaceful solution to the situation. Some 12 months ago, in the light of the situation in Donbas on the one hand, and the military mobilization of the Russian Federation on the other, the international community called on States to prioritize diplomatic and political dialogue in the framework of the mechanisms created for that purpose, such as the Normandy format, established in that same presidential declaration.

Regrettably, the seventh anniversary of the Minsk agreements was marked by the launch of missiles and a new and widespread military aggression that buried those agreements. The lessons drawn from those prevention efforts have taught us nothing new, only the obvious, which is that the use of force by one State against another not only undermines the implementation of agreements but hinders and undermines trust, which is essential for peace efforts.

Those are not the only agreements that have been ignored. The Budapest Memorandum of 1994 on Security Assurances concerning Ukraine's accession to the Treaty on the Non-Proliferation of Nuclear

Weapons demanded that Russia respect the sovereignty and territorial integrity of Ukraine in return for Ukraine's renunciation of its nuclear weapons. As a country that promotes non-proliferation and nuclear disarmament, Ecuador cannot help being concerned about and condemning the violation of such assurances. I want to reiterate my delegation's call for the foreign occupying troops to be withdrawn from Ukraine and for the establishment of a ceasefire that can enable a return to the path of diplomacy, with a view to restoring peace, based on respect for the territorial integrity and political independence of Ukraine, within its internationally recognized borders.

**Mr. Mills** (United States of America): I thank Assistant Secretary-General Jenča and Ambassador Sajdik for their briefings today.

Given how often Russia convenes the Council to regurgitate its false narratives of the past, we cannot help wondering whether its aim is to persuade or to distract — that is, distract from its bombs and missiles that are killing Ukrainian civilians and decimating cities in the here and now. The level of cynicism behind today's meeting of the Council is astounding. Attempts to distort history do not change the fact that Russia is responsible for its brutal and devastating aggression against Ukraine. Despite training and leading forces in eastern Ukraine since 2014, Russia has long sought to disguise and deny its role in the conflict. But we can now clearly see what Russia's ultimate intentions were in 2014. We see those same intentions today — to fully and violently subjugate Ukraine and deny the sovereignty and independence of its neighbour and a fellow United Nations Member State.

Russia participated directly in the negotiation of the Minsk agreements. Russia's representative signed the three documents constituting the agreements in 2014 and 2015. Russia reaffirmed, at the Normandy Four summit in 2019, that all three Minsk agreements remained the basis for the peace process. And yet in the years between the signing of the Minsk agreements and Russia's full-scale invasion last year, Russia failed to implement a single commitment it had made. Russia consistently and repeatedly undermined the fundamental purpose of the Minsk agreements, which was to fully reintegrate the conflict area with the rest of Ukraine and restore Ukraine's territorial integrity. Given what we know now, are we to believe that Russia was serious about honouring that pledge, just as the representative of the Russian Federation urged the

Security Council a year ago to believe that Russia had no intention of further invading Ukraine? The other Minsk agreement signatories — France, Germany, Ukraine and the Organization for Security and Cooperation in Europe — sought to implement the agreements in good faith. The United States supported the efforts of the Normandy format and the Trilateral Contact Group while calling for the full implementation of the Minsk agreements by all sides.

Last February, days before launching a full-scale invasion of Ukraine, President Putin unilaterally declared that Russia would recognize the Donetsk and Luhansk oblasts as so-called independent states. That included territory beyond the boundaries that Russia and its proxies actually controlled at the time. President Putin made clear his intentions and his contempt for the Charter of the United Nations, as well as for the Minsk agreements. Last September, President Putin claimed to annex the same Donetsk and Luhansk oblasts, as well as the additional Ukrainian regions of Kherson and Zaporizhzhya. Those claims included areas that Russia's forces had not even reached. In October 2022, the General Assembly overwhelmingly condemned those actions as unlawful.

Political resolutions cannot happen at the end of the barrel of a gun. For years we called on Russia to honour its commitments under the Minsk agreements and to negotiate in good faith for the end of hostilities in eastern Ukraine, as Ukraine did, for years. However, Russia has repeatedly demonstrated its disregard for the Minsk agreements and for international law. We join our Ukrainian partners in considering the Minsk agreements nullified by President Putin's decision to launch this unprovoked, unjustified war.

In conclusion, the Council does not need yet another revisionist history lecture from the Russian delegation. What the world needs is for Russia to immediately stop its relentless attacks on Ukraine and the Ukrainian people, withdraw its forces from Ukraine's territory and end the war now.

**The President:** I will now make a statement in my capacity as the representative of Malta.

I thank Assistant Secretary-General Jenča and Ambassador Sajdik for their briefing today.

One year after the start of Russia's war of aggression against Ukraine, Malta reaffirms its full support of Ukraine's sovereignty, independence and territorial

integrity within its internationally recognized borders. We continue to call for an immediate end to this war of aggression and the full withdrawal of all Russian forces from Ukraine's territory. Regrettably, however, over the past few weeks, we have instead witnessed renewed and prolonged attacks on Kyiv and other cities. We underline the fact that Russia's aggression against Ukraine is a violation of Ukraine's sovereignty and territorial integrity, an affront to the rules-based order and a violation of the Charter of the United Nations and international law. Furthermore, we cannot fail to note that the decision of the Russian Federation to recognize the so-called referendums of the Donetsk and Luhansk regions runs counter to the Minsk agreements that the Russian Federation wants to focus on today.

The Minsk agreements offered a chance for dialogue and the option to pave the way for defining mutually acceptable solutions to resolve differences. Those agreements were doomed to fail, however, since one of the parties opted for a selective interpretation. Despite Russia's insistence that its role in the Minsk agreements was solely as a mediator, it nonetheless chose the path of brutal aggression against Ukraine, a sovereign United Nations Member State, leaving no room for diplomatic efforts.

To date, thousands of civilians have been killed and injured as a result of the war. Yet the Russian Federation is further escalating the aggression against its neighbour, pushing Ukraine into a grave humanitarian crisis. Forty per cent of Ukraine's population is in dire need, nearly 8 million people have fled to neighbouring countries and 5.3 million are internally displaced or unable to leave illegally annexed regions. The repercussions of the war have also affected thousands of Ukrainian children who have been displaced, deported and deprived of the life they knew not so long ago. Malta strongly condemns the deportation of Ukrainian children and deplores the horrendous situations that have been brought upon them by breaking their family ties and denying them their rights, including the right to a family life. Grim consequences are also a reality for the women and girls who have been a target of sexual violence in conflict by Russian forces. We cannot fail in our responsibility to prosecute those crimes. Accountability must be our priority, and we fully support all efforts in the fight for justice.

In conclusion, we urge the Russian Federation to completely and unconditionally withdraw its military forces from the entire territory of Ukraine within

its internationally recognized borders, to stop the aggression and to abide by the Charter of the United Nations and international law.

I now resume my functions as President of the Council.

I give the floor back to Mr. Sajdik, who may wish to respond to the comments and questions posed to him.

**Mr. Sajdik:** If I understood correctly the question put to me by the Permanent Representative of the Russian Federation, he asked whether I had realized that Germany, France and the other countries were unwilling to implement the Minsk agreements. My reaction to the question, if I understood it correctly, is that throughout the years that I worked in my position, from 2015 to the end of 2019 and the beginning of 2020, I witnessed the profound dedication of Germany and France to the Minsk agreements. I was not present in Minsk in February 2015, and I imagine that the Permanent Representative of Germany will also take the floor, but the accounts of the course of the deliberations in Minsk in February 2015, from all the various sources that I have heard and whom I have talked to, referred to the intense personal involvement of Germany's Chancellor, Angela Merkel, in all the negotiations in Minsk and in the final phrasing of the Minsk agreements.

If I may refer again to my personal contacts with French and German officials, among whom I had the pleasure today to recognize again the Permanent Representative of France, as I already said, I always had the impression that there was great hope and willingness to implement the Minsk agreements to the letter and that all were behind that goal. I also observed the then German Foreign Minister, Frank-Walter Steinmeier, when he was actually introducing the idea of the Steinmeier formula at one of the meetings of the Normandy format. I have to say that I personally felt that this was made in the genuine belief that it would help the implementation of the Minsk agreements.

In her remarks today, the Permanent Representative of Switzerland referred to the efforts of the Organization for Security and Cooperation in Europe (OSCE) since 2014 — as did the Assistant Secretary-General — and I can only underscore what she said. I believe she really put the efforts of the OSCE and its different chairpersonships into perspective. In 2016, the Chair was Germany; in 2017, it was my country, Austria; in 2018, it was Italy; in 2019 it was Slovakia; and in 2020 I observed the beginning of the chairpersonship

of Albania, and I can only say that I have always had the impression that the various Chairs of the OSCE were really behind the efforts to implement the Minsk agreements and to help find a solution to the conflict in eastern Ukraine.

Those have been my impressions, and I am sure that since Russia has cooperated not only with all those chairpersonships, but also all throughout the years, and especially through the Normandy format, that it may have its own perceptions or impressions of the attitude and honesty of the officials it has worked with. So we have Russia's impression of this as well as my own. I thank the Council very much for giving me the opportunity to respond to the question.

**The President:** I thank Mr. Sajdik for the clarifications he has provided.

I now give the floor to the representative of Ukraine.

**Mr. Kyslytsya (Ukraine):** I recognize the remaining representatives of Putin's regime in the permanent seat of the Soviet Union, and I regret that their delegation is still allowed to spam the Security Council with initiatives such as today's meeting. It had been their practice to call Council meetings on the anniversaries of resolution 2202 (2015), adopted on 17 February 2015. However, it has never been their aim to discuss in good faith the implementation of the Minsk agreements. Instead, they opt to disseminate their propaganda narratives — unchangeable mantras throughout the years stating that Russia was not a party to the agreements and that their implementation was the responsibility of Ukraine alone.

At a meeting held on 11 February 2021 (see S/2021/159), the representative of Russia went even further in his attempts to create a parallel reality, literally saying that "Ukraine occupied Ukraine". Yet every year, the Russian delegation assured us of Moscow's commitment to a peaceful resolution of the conflict on the basis of the Minsk agreements. Let me also refresh the Council's memory and remind everyone of what Russia's Deputy Minister for Foreign Affairs said about the Minsk agreements at the Council's meeting exactly a year ago, on 17 February 2022: "[T] here is no alternative to that momentous document for Ukraine" (S/PV.8968, p.10). And four days later, on 21 February 2022, Russia killed the Minsk agreements, brutally and deliberately, when Putin recognized the so-called independence of the Donetsk and Luhansk regions of Ukraine.

I remember Mr. Sajdik very well from when I worked in Kyiv. I was in many meetings with him, and I can assure the members of the Security Council that he did his best to promote the fullest possible implementation of the Minsk agreements. And I sincerely regret that the representative of Russia used such thuggish language to attack him on the issue. It does not surprise me. We are in the twelfth month of Russia's invasion, and ironically, it reminds me of the lines of one of Russia's most famous poets, Alexandr Blok, who, before he became disillusioned with the Bolshevik putsch, wrote a poem called, ironically, "The Twelve", part of which in Russian reads,

*(spoke in Russian)*

"To the grief of every bourgeois  
We will fan a worldwide conflagration,  
A conflagration drenched in blood"

*(spoke in English)*

The attitude and toxic language we are seeing from the Russian Ambassador with respect to practically every member of the Council is reminiscent of Blok's lines.

We have always said that although it was not adopted under Chapter VII of the Charter of the United Nations, resolution 2202 (2015) was a very important message from the Council asking all parties, including Russia, to implement the Minsk agreements. I even wondered in this very Chamber three years ago (see S/PV.8726) whether it would have made any difference if in 2015 the Council had had legal grounds to adopt a mandatory document under Chapter VII. If the document had had a different legal nature, would that have been a compelling enough reason for the Russian Federation to implement it?

Let us not forget that the entire history of the Minsk agreements after the signing of the first documents, in September 2014, was a long list of violations and disregard by Moscow of its own commitments. Paragraph 4 of the Minsk protocol of 5 September 2014, which envisaged the "establishment of a security area in the border regions of Ukraine and the Russian Federation", was never implemented by Russia. Paragraph 9 of the Minsk memorandum, signed by Russia on 19 September 2014, and which stated that "all foreign military formations and military equipment, as well as militants and mercenaries, are to exit the territory of Ukraine under OSCE monitoring", was never implemented by Russia. Finally, a week after

the third Minsk document, a package of measures, was signed on 12 February 2015, the Ukrainian city of Debaltseve sustained a full-fledged offensive and was occupied by regular Russian troops and their proxies. Those are just a few examples of how Russia violated the agreements almost immediately after signing them, and all those violations paved the way for Putin's final decision to invade Ukraine.

Ambassador Nebenzia has left the meeting, but let me share my impression of him here today. The last time that Putin's envoy looked as nervous and as desperate in the Council as he looked today, Russia launched the invasion a few days later. Those are just a few examples of how, as I said, Russia violated the agreements.

The destructive approach by Russia was reaffirmed just yesterday by Vladislav Surkov, Putin's major aide at the time of the signing of the Minsk agreements, who acknowledged that, while working on the Minsk agreements, he had proceeded from the understanding that they should not be implemented. I am surprised that Moscow does not have control over Surkov at this moment, right on the eve of this meeting.

However, I am not surprised that, as usual, the Russian representative is so generously manipulating quotes from foreign officials. It is time to see the look in his eye. It is time to acknowledge the truth. The truth is that Putin has once and for all proved to be impossible to negotiate with. Russia's consistent undermining and final killing of the Minsk agreements make that crystal clear.

Putin's decision to launch the full-scale invasion has become the wooden stake that that vampire has suicidally driven through himself. We therefore call on healthy forces in Russia, if there are any, to come to their senses and to force Putin to implement the demands of the General Assembly to immediately cease the use of force and withdraw Russian military forces from Ukraine. The dictator should give up and recede into the past.

**The President:** I now give the floor to the representative of Germany.

**Mr. Zahneisen** (Germany): First of all, I am grateful for the opportunity to address the Security Council today on this matter. Before starting, I would like to thank our two briefers today, Assistant Secretary-General Jenča and His Excellency Mr. Sajdik, for their briefings.

After the Russian occupation of Crimea and parts of eastern Ukraine in 2014, as many representatives mentioned today, Germany and France committed to finding a peaceful solution to the conflict in the Normandy format, jointly with the Russian Federation and Ukraine. Later, we managed to agree on the Minsk agreements, and, as mentioned by many speakers, the Security Council unanimously endorsed them through resolution 2202 (2015). The agreements significantly reduced the level of violence and laid out a road map towards a political solution, but it was always a political solution on the basis of Ukraine's constitutional order and territorial integrity.

The members of the Security Council, including the Russian Federation, voiced their continued support for the agreements. As was mentioned many times today, the Council met exactly one year ago (see S/PV.8968). Many speakers have quoted Deputy Foreign Minister Vershinin, and I will also quote him. After the meeting, he said:

“At the meeting, we [the Russian Federation] reiterated very firmly our commitment to the de-escalation and peaceful solution of this crisis, once again being based on the Minsk agreements. ... I believe that now is the time for our partners in Western capitals to stop this hysteria about the intentions of Russia in the region.”

We know what happened afterwards. Only one week later, Russia launched its war of aggression.

If we really want to look back today, let me stress only one point. Over almost 10 years, Ukraine, France and Germany left no stone unturned to find a peaceful and diplomatic way forward in line with the Minsk agreements. I would like to thank Mr. Sajdik for his clarifications regarding the motivations of my country and of France. I also thank him for all his efforts to implement the agreements.

The agreements sought to stop the bloodshed and reach a political solution, in full respect for international law and to restore Ukraine's sovereignty and territorial integrity within its internationally recognized borders. Russia's continuous twisting of our former Chancellor's words to imply that Germany did not want a peaceful solution is therefore simply absurd.

Despite the setbacks and a lack of trust between Moscow and Kyiv, Germany and France kept the process going, but Russia made it impossible for

diplomacy to succeed. It is Russia that launched an unprovoked war of aggression on all Ukraine; it is Russia that recognized the separatist entities of its own making in eastern Ukraine; and it is, of course, Russia's illegal attempt to annex Ukrainian land, starting with Crimea — an annexation that we have not recognized and never will recognize.

Where do we stand now? My country shares the international community's desire for peace. In order to end Russia's war of aggression and the brutal occupation of part of Ukraine as soon as possible, Germany supports Ukraine in making full use of its inherent right of self-defence, in line with Article 51 of the Charter of the United Nations. At the same time, we are keeping all diplomatic channels open so as to work towards a just and lasting peace, in line with the United Nations Charter. In that regard, we welcome President Zelenskyy's peace formula, which also takes into account the wider global impacts of Russia's aggression, such as the impact on food and energy security. We deeply regret that Russia is showing no willingness at all to enter into serious peace negotiations. On the contrary, the Russian Government portrays its illegal land grab in Ukraine as final and the acceptance of that land grab as a precondition for peace talks.

The Secretary-General and the overwhelming majority of the General Assembly have been clear on that point: Russia's war of aggression and the illegal annexation of Ukrainian territories are a clear and blatant violation of the United Nations Charter, and they must stop immediately. Russian troops must withdraw now. Accepting such a breach of the United Nations Charter as the starting point for negotiations would be nothing but giving up on the United Nations Charter and our principles. We would enter a world in which might makes right, and each of us would live in constant fear of our bigger neighbour.

We believe that there is truth in this story, and this truth is simple: Russia launched a war of aggression against one of its neighbours, a founding Member of the United Nations. It continues to violate Ukraine's sovereign equality and territorial integrity.

To stop this war is equally simple. We urge Russia to abide by the binding order of the International Court of Justice, to cease hostilities and to withdraw its troops. We urge Russia to live up to its responsibilities as a member of the Security Council and abide by the United Nations Charter. That is the only avenue for

meaningful diplomatic efforts. My country stands ready to support all such efforts to find an end to this devastating war of Russia's choice and making.

**The President:** I now give the floor to the representative of Belarus.

**Mr. Rybakov** (Belarus) (*spoke in Russian*); Eight years ago, on 12 February 2015 in Minsk, after lengthy negotiations an agreement was signed on a package of measures aimed at implementing the Minsk agreements. On 17 February 2015, the Security Council unanimously adopted resolution 2202 (2015), on Ukraine, calling on all parties to ensure the full implementation of the Minsk II agreements, including the cessation of hostilities stipulated therein.

The long-awaited outcome of negotiations in the Belarusian capital was to become the basis of the peace process in Ukraine. The inhabitants of long-suffering Donbas, the whole of eastern Europe and, without exaggeration, perhaps the entire world believed the promises of politicians and States guarantors of the agreements.

The responsible implementation of the agreements in practice could have put the peace process in Ukraine on a stable, positive trajectory. That did not happen. We all know this perfectly well, and that is long in the past now. As a matter of fact, it has become crystal clear today that that could not happen.

Eight years later, both the leadership of Ukraine and former leaders of Western countries are openly declaring not only that the Minsk agreements were officially signed without any original intention of implementing them, but also that the negotiation process as a whole was being used solely for military preparations in order to resolve the conflict by armed means. One Head of Government said,

“The 2014 Minsk agreements were an attempt to give Ukraine time; Ukraine also used that time to become stronger, as you can see today. The Ukraine of 2014 and 2015 is not the Ukraine of today. I doubt very much that at the time the NATO countries could have done as much as they are doing now to help Ukraine.”

Another eminent peacemaker who happened to take part in the negotiation process in Minsk wrote,

“Since 2014, Ukraine has strengthened its military potential. It is completely different. It is better

trained and equipped. It is the merit of the Minsk agreements that they have given the Ukrainian army this opportunity.”

A former President who promised to bring peace to Ukraine and whom the Ukrainian people believed at the time said in an interview,

“Do you know how the Minsk agreements have succeeded? They gave Ukraine eight years to build an army, an economy and a global pro-Ukrainian, anti-Putin coalition.”

In a recent interview, the current President of Ukraine added a finishing touch to the comments I just cited by noting that the Minsk agreements could not have been implemented at all owing to some sort of “deliberate mistake”, thereby effectively confirming that the death sentence of the peace process in Ukraine had been handed down long before the full-scale armed conflict.

Regarding the brief response by Mr. Surkov referred to just now, while I am not about to interpret his meaning, I read it a completely different way to the representative of Ukraine. Unlike the representative of Ukraine, I will not cite classic literature but something rather more earthy. All the comments I have cited remind me of a bumper sticker I once saw in New York a few years ago. I believe that it perfectly captures the attitude toward these kinds of officials. It reads,

(*spoke in English*)

“Some politicians are like diapers. They need to be changed often, and for the same reason.”

(*spoke in Russian*)

The statements that I cited earlier confirm that high-ranking politicians, even if they are no longer in those positions, lied to their negotiating partners, their own people, the Security Council and the entire international community. And it does not matter when they lied, whether it was eight years ago or today, or whether it was based on their personal short-term interests or the evolving political situation. The key point is that they lied. So why do the current members of the Security Council not properly assess such voluntary admissions? They have the authority to do so. Why do they remain silent? Did we vote for the elected members of the Security Council so that they could remain silent in such situations? Incidentally, why not do it at the upcoming resumption of the emergency session of the

General Assembly, or at yet another Security Council meeting, where they could perhaps invite or persuade the officials I mentioned to hold them to account? Sooner or later, they will have to answer for their actions and words, if not in a real court or tribunal, then at least to be judged by history.

Instead, another draft resolution accusing the Russian Federation of aggression will be submitted to the General Assembly, which does not include a single word about the true causes of the current conflict — the eight-year destruction of the residents of Donbas, the revival of Nazism in Ukraine and the active efforts of the West to turn Ukraine into an anti-Russia. Today, a week before the emergency session, I can say that the Republic of Belarus will not participate in that spectacle. But we will vote against the draft resolution unless it is amended beforehand to specifically include a paragraph condemning in the strongest terms the actions of the officials whom I just quoted.

One of the speakers mentioned the Budapest Memorandum earlier. Just in case, I would like to recall that the document pertains not only to Ukraine but also to Belarus. It obliges its signatories to refrain from taking any coercive economic measures against the countries that have voluntarily given up their nuclear weapons, including Belarus. I believe that everyone here is well aware of the large-scale war of economic sanctions that the West is collectively waging against Belarus and its attempts to strangle our country economically and politically, in contravention of the Budapest Memorandum. We have reached a point where this war has for some time also been being waged on the platform of the United Nations. Let me give a concrete example — and by the way, any country could find itself in this situation. As is well known, in 2006,

Belarus presented its candidacy as a non-permanent elected member of the Security Council for the period from 2024 to 2025. The elections for that will be held on 8 June. For 15 years, Belarus was the only candidate to represent the Group of Eastern European States for that term. On 9 December 2021, Slovenia filed its candidacy for the same seat, although it had already presented its candidacy in 2017 to represent the Group for the period from 2042 to 2043. I hope that everyone is well aware that that was not Slovenia's sovereign decision, and we do not hold a grudge against it. But I believe that the political motivation of such an anti-Belarus step should be clear to everyone.

Are we afraid of losing the election, given the scale of the anti-Belarus campaign? No, we are not. Even if we lose, we will do it with dignity, and we are grateful to the countries that have already shown their support for us. I can only assure the Council that if we are elected, we will follow a principled, independent, responsible and honest policy. People often accuse Belarus of playing the role of co-aggressor. They are the same "peace-loving countries" that have the effrontery to blame us, while flooding Ukraine with deadly weapons and doing everything to ensure that as many people as possible continue to die for as long as possible.

Belarus has already made huge efforts to resolve the conflict in Ukraine and remains sincerely interested in ending it peacefully as soon as possible. In an interview yesterday with members of the mass media, President Aleksandr Lukashenko comprehensively answered their questions on the current and most critical issues of the day. I encourage everybody to read the interview itself, not the articles, commentary on or interpretations of it.

*The meeting rose at 12.10 p.m.*