

## **B. Letter dated 13 April 2014 from the Permanent Representative of the Russian Federation to the United Nations addressed to the President of the Security Council ([S/2014/264](#))**

During the period under review, the Security Council held two public meetings in connection with the item entitled “Letter dated 13 April 2014 from the Permanent Representative of the Russian Federation to the United Nations addressed to the President of the Security Council ([S/2014/264](#))”, which took the form of a briefing and adoption, respectively.<sup>714</sup> The Council failed to adopt a draft resolution in connection with this item having failed to obtain the required number of votes. More information on the meetings, including participants and speakers is given in the table below.<sup>715</sup>

On 17 February 2022, Council members heard briefings by the Under-Secretary-General for Political and Peacebuilding Affairs, the Special Representative of the Organization for Security and Cooperation in Europe (OSCE) Chairperson-in-Office, the Chief Monitor of the OSCE Special Monitoring Mission and a Ukrainian civil society activist.

Drawing attention to the fragile security situation, the Under-Secretary-General cautioned that tensions in and around Ukraine were running higher than at any point since 2014.<sup>716</sup> She explained that the issues underpinning the crisis were complex and long-standing, tying together the eight-year conflict in eastern Ukraine with the larger issues relating to the European security architecture and she noted with regret that there had been little, if any, meaningful progress in the implementation of the Minsk agreements. She also said that both the talks in the Normandy Four format and the discussions led by the Trilateral Contact Group, remained deadlocked. Against that backdrop, she noted with concern the reports of ceasefire violations across the contact line and called on all sides to refrain from any unilateral measures that could go against the letter and spirit of the Minsk agreements or undermine their implementation. She added that it was incumbent on all Member States to fully respect the key principles of the United Nations Charter, to settle disputes by peaceful means and to refrain from the threat or use of force against the territorial integrity or political independence of any State. She welcomed the efforts by France

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<sup>714</sup> For more information on the format of meetings, see part II.

<sup>715</sup> For more information, see [A/77/2](#), part II, chap. 39.C.

<sup>716</sup> See [S/PV.8968](#).

and Germany to host the recent Normandy Four discussions to break the current impasse and the recent diplomatic talks, including between Heads of State, and urged more tangible steps on the ground and an end to inflammatory rhetoric in order to defuse tensions. The Under-Secretary-General further reported that due to the COVID -19 related restrictions millions of people were unable to travel freely across the contact line and, as a consequence of increased isolation and abrupt loss of access to basic services and livelihoods, the needs of that already vulnerable population had been exacerbated. She further called for safe and unimpeded access by humanitarian actors and early and adequate funding to continue to meet the needs of vulnerable people in both Government-controlled and in non-Government-controlled areas. The Under-Secretary-General concluded by pointing out that, despite the persistent tensions, the Office of the United Nations High Commissioner for Human Rights had seen the previous year the lowest number of civilian casualties since the beginning of the conflict and underlined that the overall adherence to the ceasefire had been an important factor in that trend that had to continue. In concluding, she said that the world was looking to the collective security mechanisms in Europe, but also to the Security Council, to help ease tensions.

Following the Under-Secretary-General, the Special Representative of the OSCE in Europe Chairperson-in-Office said that it was impossible to address the Donbas issue without paying attention to the bigger context, which was the tense security situation around Ukraine and in the region, as well as intensive, high-level diplomacy. While noting that the bigger context had a strong interlinkage with the work of the Trilateral Contact Group, he noted that the positions of the participants to the discussions were too far from each other, affirming that it was not possible to resolve the conflict related to eastern Ukraine within the Contact Group. He observed that none of the elements of the Minsk agreements had been implemented or, at least, fully implemented while emphasizing that everyone involved in the discussion of the Contact Group needed to bear responsibility for carrying out what had been agreed. Highlighting that the security situation along the contact line in eastern Ukraine was one of the key focuses of the work of the Contact Group, he stressed that it was important to continue to stay calm along the contact line and avoid provocations. In this regard, the Special Representative further informed the Council about recent political, military and humanitarian developments on the ground emphasizing that all participants needed to remain committed to the goal of restoring Ukraine's

sovereignty over the totality of its territory. He added that the unprecedented international focus on Ukraine and the region should be used as an opportunity to unblock the work of the Contact Group which he noted had been meeting in video format in online meetings for almost two years. He expressed resolve to return to the face-to-face meetings bringing together Ukraine, the Russian Federation and the OSCE, as well as representatives of certain areas of Donetsk and Luhansk regions.

The Chief Monitor of the Special Monitoring Mission to Ukraine updated the Council on the impact of the eight-year conflict on the civilian population and the Monitoring Mission's increasingly challenging operational environment. He reported that the situation remained fraught with tension and expressed deep concern that the Mission had been deprived of its operational freedom and independence. In this context, he further explained that the Mission had been vilified in public rhetoric and its technical monitoring tools had been subjected to intense interference and it had suffered temporary blockades in the Donetsk and Luhansk regions. He noted that since the last briefing to the Council, the security situation in eastern Ukraine had remained volatile with an increase in the level of armed conflict and kinetic activity, including destructive weapons, and a high number of ceasefire violations on both sides of the contact line resulting in civilian casualties and damage to infrastructure. The Chief Monitor emphasized that in such challenging circumstances, it was imperative for the sides to strictly adhere to the ceasefire, reduce tensions and allow space for negotiations. Expressing hope that the recent resumption of the Normandy Four consultations and other confidence-building efforts under the auspices of the OSCE would provide much-needed political impetus for the conflict-resolution process to move forward, he called for the signatories of the Minsk agreements to adhere to all their commitments and urged the restoration of the Monitoring Mission's freedom of movement.

The Ukrainian civil activist affirmed that the authorities in Kyiv never had the intention of implementing the first package of the Minsk agreement and, to an even lesser degree, the subsequent Minsk package of measures agreement. She added that there was absolutely no explanation for the "Western hysteria" about Russia being about to invade and sustained that "the West" wanted a war with Russia, and that it wanted that war to take place on Ukraine's territory.

Following the briefing, Council Members discussed the security situation in and around Ukraine and its connection with the European security architecture. Reaffirming the support for the Minsk agreements, Council members expressed concerns at the military build-up by the Russian Federation at the border with Ukraine. Council members also expressed diverging views on the likelihood of a military invasion while affirming their support for the sovereignty and territorial integrity of Ukraine.<sup>717</sup> In this regard, a majority of Council members called on both parties to de-escalate and engage instead in diplomacy and dialogue.<sup>718</sup> Most Council members affirmed that the Minsk agreements remained the framework for achieving a negotiated solution through the Normandy Format and the Trilateral Contact Group.<sup>719</sup> The representative of the Russian Federation recalled, however, that the Normandy Format, according to annex II to resolution [2202 \(2015\)](#), was a mechanism to oversee implementation and not a discussion forum on new decisions.

Council members also expressed concern at the resolution of the Russian State Duma calling on the President of the Russian Federation to recognize the self-declared People's Republics of Luhansk and Donetsk as independent States.<sup>720</sup> In response, the representative of the Russian Federation encouraged Council members to concentrate on the implementation of the Minsk agreements instead of speculating about the initiative — an appeal from the members of the State Duma.

Council members also exchanged views about the dire humanitarian situation after eight years of conflict. The representative of Norway stressed that civilians were increasingly losing access to essential life-saving services and humanitarian assistance and that any escalation of the conflict would lead to devastating humanitarian consequences. The delegations of Brazil, the United Arab Emirates, Ghana and Mexico further called for removing obstacles to the flow of humanitarian aid and freedom of movement of civilians in conflict areas. Some delegations also expressed concern at the obstacles to the freedom of movement of the Special Monitoring

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<sup>717</sup> See [S/PV.8968](#), United States, United Kingdom, Norway, Ireland, Kenya, Ghana, Albania and France. For more details on the discussion, see part III, sect. II.

<sup>718</sup> United States, United Kingdom, Norway, Ireland, India, United Arab Emirates, Mexico, France and Gabon.

<sup>719</sup> United States, United Kingdom, Norway, Brazil, Ireland, India, Kenya, United Arab Emirates, Ghana, France and Gabon.

<sup>720</sup> Norway, Ireland and France. For more information on the discussion, see part III, sect. II.

Mission of the Organization for Security and Cooperation in Europe impeding the implementation of its mandate.<sup>721</sup>

In addition to Council members, the representatives of Ukraine and Germany participated in the meeting and delivered statements. In his statement, the representative of Ukraine underscored that Russia's recognition of the so-called Donetsk and Luhansk People's Republic was tantamount to the withdrawal from the Minsk agreements. He called on the Russian Federation to take a constructive stance towards achieving progress within the framework of the existing negotiation formats and warned that Russia would bear full responsibility for undermining the Minsk agreements and the process of peaceful settlement of the armed conflict. With reference to the Charter of the United Nations, the representative of Germany underscored that the Russian State Duma resolution ran counter to the Minsk agreement and constituted a further breach of Ukraine's sovereignty and territorial integrity. She deplored Russia's failure to provide any satisfactory explanation for the military build-up on the Ukrainian border and called on Russia to immediately withdraw its troops in a substantial and verifiable manner.

On 23 March, at a meeting convened under the same item, the Council voted on a draft resolution submitted by Belarus, the Democratic People's Republic of Korea, the Russian Federation and the Syrian Arab Republic.<sup>722</sup> The draft resolution was not adopted, having failed to obtain the required number of votes.<sup>723</sup> Among other aspects contained in the draft resolution, the Council would have demanded that civilians, including humanitarian personnel and persons in vulnerable situations, including women and children, were fully protected and that provisions of international humanitarian law in connection with objects indispensable to the survival of the civilian population and civilian infrastructure were fully respected by all parties.<sup>724</sup> It would have also called upon Member States to fund the flash appeal launched by the United Nations for the humanitarian response in Ukraine, as well as the regional refugee response plan for Ukraine.<sup>725</sup>

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<sup>721</sup> See [S/PV.8968](#), Ireland, Mexico, Ukraine and Germany.

<sup>722</sup> See [S/2022/231](#). See also [S/PV.9002](#).

<sup>723</sup> The result of the votes was as follows: *For*: China and Russian Federation), *Abstaining*: Albania, Brazil, China, France, Gabon, Ghana, India, Ireland, Kenya, Mexico, Norway, United Arab Emirates, United Kingdom and United States.

<sup>724</sup> See [S/2022/231](#), paras. 1 and 3.

<sup>725</sup> *Ibid.*, para 6.

In addition, the Council would have called upon all parties concerned to allow safe and unhindered passage to destinations outside of Ukraine, including to foreign nationals without discrimination, and to facilitate safe and unhindered access of humanitarian assistance to those in need in and around Ukraine.<sup>726</sup>

Before the vote, the representative of the Russian Federation took the floor to reject the assertion that the Council could not adopt a resolution on the Ukrainian humanitarian dossier. He affirmed that his delegation was submitting for a vote a draft resolution, based on the French-Mexican draft text, and was not politicized in any way, adding that it was analogous to other humanitarian draft resolutions adopted by the Council.<sup>727</sup> The representative of the United States also speaking before the vote, said that it was unconscionable that Russia would have the audacity to put forward a draft resolution asking the international community to solve a humanitarian crisis that Russia alone had created. She explained that the United States intended to abstain in the voting on the text because, to state the obvious, Russia did not care about the deteriorating humanitarian conditions.

After the vote, some delegations explained their abstentions by pointing out the lack of reference to immediate and unconditional cessation of hostilities in the draft resolution.<sup>728</sup> The representative of France also explained that France and Mexico negotiated, in good faith, a draft resolution in the Security Council with the objective of obtaining an immediate cessation of hostilities and to provide a concrete response to the humanitarian catastrophe unfolding in Ukraine. He added that given the reality of Russian obstruction, together they decided to take that initiative to the General Assembly, where a transregional group had developed a draft resolution.<sup>729</sup> In this regard, the representative of the United Kingdom added that the General Assembly would soon vote on a draft resolution that made clear that the only way to end the humanitarian crisis was for Russia to end the war. The representative of Ghana explained the abstention affirming that his delegation did not believe that the draft resolution spoke to the position of the international community on the course of the humanitarian catastrophe, nor did it address the requirement for an immediate and unconditional cessation of hostilities. In

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<sup>726</sup> Ibid., para. 4.

<sup>727</sup> See [S/PV.9002](#).

<sup>728</sup> France, Ghana, Mexico, Ireland, Brazil and United Arab Emirates.

<sup>729</sup> For further information on the relations between the Council and the General Assembly, see part IV, sect. I.

explaining his delegation's vote, the representative of Mexico clarified that following the announcement that Mexico and France made on 14 March that they were going to take the initiative to the General Assembly, which had the item under consideration on its agenda pursuant to its resolution 377 (V), the Russian Federation decided, without prior warning, to submit an alternative draft text to be voted upon the following day. He argued that such conduct stood in contradiction with the willingness to engage in a dialogue with which Mexico and France led the process from the start.<sup>730</sup> The representative of Ireland explained that his country could not vote in favour of a draft resolution that purported to address the humanitarian situation, but which did not recognize the cause of the humanitarian crisis that was engulfing Ukraine. In this connection, the representative of Norway said that a party to a conflict could not expect to be perceived as neutral. In the spirit of the Charter of the United Nations, she added that it should neither be the author of Council draft resolutions, nor should it take part in voting on the very same conflict to which it is a party. The representative of Gabon explained the abstention indicating that his delegation would do so every time it believed that humanitarian issues were being instrumentalized for hidden purposes, adding that humanitarian issues should be the permanent consensus of the social compact of humankind. The representative of the United Arab Emirates explained that while agreement was not possible, the Council could not abrogate its responsibility for maintaining international peace and security. The representative of the United States took the floor again after the vote to underline that it was not necessary to veto; thirteen members of the Security Council abstained, and that was all that was required to defeat the draft resolution.

The representative of China explained that his country's vote in favour was based on their call for the international community to attach high importance to the humanitarian issue in Ukraine and for the parties concerned to strengthen coordination on humanitarian issues so as to effectively protect the safety of civilians. The representative of the Russian Federation said that the vote that had taken place had exposed all those for whom politicizing the humanitarian file was more important than helping the United Nations to provide humanitarian aid to Ukrainians in need.

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<sup>730</sup> For further details on the discussion, see part II, sect. VII.



**Meetings: Letter dated 13 April 2014 from the Permanent Representative of the Russian Federation to the United Nations addressed to the President of the Security Council ([S/2014/264](#))**

<i>Meeting and Sub-date</i>	<i>Sub-item</i>	<i>Other documents</i>	<i>Rule 37 invitations</i>	<i>Rule 39 and other invitations</i>	<i>Speakers</i>	<i>Decision and vote (for-against-abstaining)</i>
<a href="#">S/PV.8968</a> 17 February 2022			Germany, Ukraine	Under-Secretary-General for Political and Peacebuilding Affairs, Special Representative of the Organization for Security and Cooperation in Europe (OSCE) Chairperson-in-Office in Ukraine and in the Trilateral Contact Group, Chief Monitor of the OSCE Special Monitoring Mission in Ukraine, Ukrainian civil society activist.	All Council members, <sup>a</sup> all invitees <sup>b</sup>	
<a href="#">S/PV.9002</a> 23 March 2022	Draft resolution submitted by Belarus, Democratic People's Republic of Korea and Syrian Arab Republic ( <a href="#">S/2022/231</a> )		Belarus, Democratic People's Republic of Korea, Syrian Arab Republic		13 Council members, <sup>c</sup> all invitees	Draft resolution ( <a href="#">S/2022/231</a> ) not adopted 2-0-13 <sup>d</sup>

<sup>a</sup> The Russian Federation was represented by its Deputy Minister for Foreign Affairs; the United States was represented by its Secretary of State and the United Kingdom was represented by its Minister of State for Europe and North America.

<sup>b</sup> The Special Representative of the OSCE Chairperson-in-Office in Ukraine and in the Trilateral Contact Group, the Chief Monitor of the OSCE Special Monitoring Mission in Ukraine and the Ukrainian civil society activist participated in the meeting via videoconference from Kyiv.

<sup>c</sup> France, United Kingdom, Albania, Ghana, Mexico, Ireland, Norway, Brazil, China, Gabon, Russian Federation, United Arab Emirates, United States and Mexico.

<sup>d</sup> *For*: China and Russian Federation; *against*: none; *abstaining*: Albania, Brazil, France, Gabon, Ghana, India, Ireland, Kenya, Mexico, Norway, United Arab Emirates, United Kingdom and United States.