

Forum: United Nations Membership Council

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TOPIC 1: The application of UN membership from the People's Republic of Donetsk

Include a link to the specific LibGuide for the topic

I. Introduction to the Topic

The UN application from the People's Republic of Donetsk has a myriad of repercussions for the rest of the international community. Being an official UN state means official recognition and endorsement of the state, which subsequently engenders questions and conflict from those that currently oppose their membership. Given Donetsk's complex history and the recent events that saw the illegal annexation of Donetsk by Russia, approving its UN membership request can pose

At a regional level, should Donetsk's membership be passed by the UN, it enables Donetsk to gain economic and political power within Europe. Donetsk will be able to make use of their coal and steel resources, establishing economic relations with countries that have currently sanctioned them. Donetsk's membership will also enable the state to grow closer with Russia and the Eurasian Economic Union, potentially further empowering the Russian Federation.

Moreover, the topic has great importance at national level, threatening to undermine Ukrainian sovereignty. Should Donetsk be a UN member state, Ukraine would be having their sovereignty violated according to international law. Subsequently, many Ukrainians will evidently be indignant by such results and may lead to increased tensions with Russia. This also threatens to seriously undermine Ukraine's economy, given that the Eastern region is paramount for their oil and coal reserves.

Donetsk's official UN membership will also give full validation to Donetsk as an official state, enabling the nation to create relations with other countries. With Donetsk currently being sanctioned by NATO countries and the EU, Donetsk becoming a UN member state will result in the sanctions being dropped, and Donetsk being able to make full use of their steel and coal reserves. This will also enable Donetsk to combat its current financial crisis. Furthermore, Donetsk will be able to bring back a neo-Stalin ideology, their constitution having more authority as a result of the formal recognition of the state.

II. Definition of Key Terms & Concepts

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Definition of Key Terms

Revolution of Dignity: Definition & significance

Annexation: Annexation refers to the forcible acquisition of one state's territory by another state, typically following military occupation of the territory. The illegality of annexation subsequently means that states carrying out such acts avoid the word annexation in characterizing their actions. This also applies to Russia, who claims that its annexation of Ukraine has been consented by all parties and that they are merely liberating independent states from Ukraine.

Neo-Stalinism: Neo-Stalinism is the ideology that attempts to establish Stalin's policies on certain issues. This is the political ideology that leads DPR, whose constitution heavily incorporates elements of the Soviet Union. Indeed, a 13.5 meter-tall statue of Soviet founder Vladimir Lenin still dominates the main square in Donetsk, a fitting symbol that encapsulates the values and beliefs of Donetsk.

Sovereignty: In international law, sovereignty means that a government exerts full control over affairs within a territorial or geographical limit. This is an important point to consider in the issue as the legitimacy of Donetsk's independence is a contested topic as a result of concerns over the violation of Ukrainian sovereignty. Given that Donetsk was forcibly removed from Ukraine, many, including the UN, view the current independence of Donetsk as a clear violation of international law.

Referendum: Referendums are a general vote by the electorate on a single political question which has been referred to them for a direct decision. In the case of Donetsk's independence, referendums were held in Donetsk by Russian-installed officials in Ukraine on the annexation of occupied territories of Ukraine by Russia. The votes almost unanimously supported the annexation to the Russian Federation with very high turnouts. Likewise, referendums were held in May 2014 on the independence of Donetsk, which similarly showed concordance. However, such referendums have widely been described as sham referendums by commentators and

denounced by various countries. Currently, only North Korea accepts the results of the annexation referendums.

III. Key Stakeholders

DPR: The Donetsk People's Republic (DPR) is at the front stage of the issue, being the main focus for countries involved. Donetsk is a disputed entity created by Russia-backed separatists and began initially as a breakaway state following the Revolution of Dignity. The DPR proceeded to declare independence from Ukraine in the aftermath of the revolution, creating disputes with Ukraine. Most recently, Donetsk was annexed by Russia, an act which was met with criticisms from much of the international community.

NATO: The North Atlantic Treaty Organization (NATO), is an intergovernmental military alliance between 30 member states that has condemned Donetsk as an independent state. Members of NATO view Donetsk's government as illegitimate and have expressed doubts over their democratic procedures.

Russian Federation: Russian Federation is one of the only countries that recognized Donetsk as a state, although some argue that its motives were duplicitous. From when Donetsk proclaimed its independence from Ukraine, Donetsk has expressed interest in being a federal member of the Russian Federation. The current leader of Donetsk has even expressed interest in being a part of Russia. This led to Donetsk agreeing to be annexed by Russia following the Russian invasion.

EU: The European Union (EU) has been involved in the issue due to their sanctions on Donetsk following Russia's annexation of the Ukrainian territory. The Council stated Russia's decisions "violate international law, Ukraine's territorial integrity and sovereignty, Russia's own international commitments and further escalate the crisis". Subsequently, the EU extended restrictive measures to cover all the 351 members of the Russian State Duma, who voted in favor of the recognition of Donetsk. New measures have also been implemented to place an import ban on goods from the non-government controlled areas of the Donetsk oblast, restrictions on trade and investments related to certain economic sectors, a prohibition to tourism, and an export ban for certain goods.

Ukraine: Ukraine has a significant role in the issue due to Donetsk formally being part of Ukrainian territory. The Ukraine views Donetsk as a terrorist state that has been illicitly separated from the rest of Ukraine. As part of the peace agreements with Russia, Ukraine has attempted to reclaim Donetsk as its own territory.

IV. Key Issues including Background Information

Violation of Ukraine's sovereignty: Both the UN Charter and customary international law prohibit states from interfering in the internal affairs of other states. This is currently one of the main reasons why Russia's recognition of the DPR is considered illegal, since the republic claims Ukrainian territory as their own. Moreover, according to the Friendly Relations Declaration, "the territorial integrity and political independence of the State are inviolable". Hence, the recognition of Donetsk can be perceived as a violation of Ukraine's sovereignty.

However, Russia cites Kosovo as a precedent for secession by the breakaway republics and its recognition of them. In 2008 Kosovo unilaterally declared independence from Serbia, and over half of UN member states have now come to recognize Kosovo independence. The International Court of Justice in 2010 also deemed that Kosovo's Declaration of Independence did not breach international law.

Political independence: According to article 1 of the Montevideo "Convention on the Rights and Duties of States" there are four criteria that a state needs to meet to be considered official: a permanent population, a defined territory, a government, and the capacity to enter into relations with other states. Although the DPR meets the first three criteria, it is not evident whether the republic is politically independent of Moscow. Many DPR residents hold Russian citizenship as boasted by the Russian state media, and around 16,000 of the citizens are members of Russia's ruling United Russia Party. The current leader of the DPR has even stated that he wants it to unite with Russia. Since the DPR cannot enter relations with other states without Russian approval, they are, therefore, beholden to Russia, making them invalid to be an official state.

Resolution against recognition: Following Russia's illegal annexation of DPR, the United Nations General Assembly subsequently passed a resolution calling on countries not to recognize what it described as "attempted illegal annexation". An overwhelming 143 Member States voted

in favor of the resolution, with 5 voting against, and 35 abstentions. The countries who voted against were Belarus, the Democratic People’s Republic of Korea, Nicaragua, Russia, and Syria. Although the DPR initially sought recognition as a sovereign state following its Declaration of Independence, the DPR willingly acceded to the Russian Federation as a Russian federations subject, effectively ceasing to exist as a sovereign state.

Independence referendum: According to organizers of a referendum that was held on 11 May, 2014, 89% voted in favor of self-rule, with 10% against, on a turnout of nearly 75%. However, many questioned the legitimacy of the referendum, and subsequently the results were not officially recognized by any government. Germany and the United States expressed concerns that the referendum had no “democratic legitimacy”. On the other hand, the Russian government expressed respect for the results and urged a civilized implementation.

Coal economy: A huge portion of Ukraine’s economy depends on Donetsk as a result of its immense coal and iron ore deposits. This makes Ukraine highly dependent on the state. For instance, despite Ukraine’s attempts to sever any economic ties to the separatist region, Pro-Western President Petroleum Poroshenko admitted that he channeled government funds worth tens of millions dollars in exchange for Donetsk coal. According to the Ukrainian mining trade union, coal constitutes 95% of Ukraine’s domestic energy resources, and with 90% of the reserves being in Donetsk, Donetsk’s separation from Ukraine significantly impacts the country’s economy. However, in the case for Donetsk, official membership would mean that sanctions against the state would drop, enabling the state to expand their economy.

V. Timeline of Resolutions, Treaties, and Events

Timeline of Resolutions, Treaties, and Events

Date	Description of event
1991	Soviet Union collapsed, and Ukraine gained independence from Soviet Union

18-23 February 2014	The Revolution of Dignity takes place, with deadly clashes between protestors and security forces culminating in the ousting of elected President Viktor Yanukovich, who notably attempted to sever ties with the European Union, instead choosing closer ties to Russia and the Eurasian Economic Union. Following the revolution, the Ukrainian government was overthrown.
11 May 2014	Independence referendum culminates in Donetsk declaring independence.
2015	The second Minsk agreement saw Donetsk being given special status.
2022	Russia's official recognition of Donetsk as an independent state.
September 2022	Russia's official annexation of Donetsk.
October 2022	A resolution was passed in the General Assembly that calls upon all nations to not recognize the independence of Donetsk.

VI. Possible Challenges & Solutions

In this section you provide guidance to your delegates on how they might approach each of the 3-5 Key Issues you mentioned in the earlier section. This section contains your analysis & evaluation of each of the Key Issues with possible solutions for each from different perspectives. Your goal is not to solve the issue for your delegates but guide them in terms of how certain stakeholders might solve the issue & the consequences of that solution from different perspectives. Each Key Issue should have one (1) paragraph.

Violation of Ukraine's Sovereignty: The issue of the violation of Ukrainian sovereignty can be addressed by a myriad of different ways. First, Ukraine could choose to give up its own

sovereignty over the territory as part of negotiated peace agreements. This is currently one of the main objectives of Russia, in an attempt to annex the Donetsk territory. However, Ukraine has expressed no interest in surrendering control of its territory and Ukraine would likely seek solutions that reunite Donetsk with the rest of Ukraine.

Ukraine and its allies may attempt to pass a resolution that further undermines the referendums on the annexation of the Donetsk territory and demand that Russia give up control over the Donetsk territory. Such countries can also emphasize the condemnation of Donetsk's sovereignty, seeing how the majority of such countries view the independence referendums as a sham.

Political independence: Western countries may attempt to pass a resolution that demands that Russia return the annexed territories as part of peace negotiations with Ukraine.

Alternatively, the referendums can be redone with an external party that can be employed to oversee the referendum process. This can validate whether Donetsk is suitable for UN membership based on the 4 main criteria of being a state.

Resolution against recognition: Countries supporting the recognition of Donetsk, including Russia, Syria, and North Korea can consider passing another resolution that attempts to overturn the recent resolution that condemns the recognition of Donetsk. The countries may go as far as passing a resolution that encourages all member states to recognize Donetsk's independence, given that Donetsk meets criteria to be a UN member state.

From the perspective of the countries that helped pass the initial resolution, the countries may consider implementing sanctions and other incentives to further ensure that no country recognizes the legitimacy of the Donetsk government.

Independence referendum: Countries supporting Ukrainian sovereignty can condemn the independence of Donetsk, given that there is myriad of evidence that the referendums were corrupt. A resolution can be passed attempting to condemn the referendums on the independence of Donetsk on the grounds that the results were likely fabricated.

Those that support the independence of Donetsk may decide to create a resolution that calls to overturn the resolution that attempted to condemn countries that recognized the independence of Donetsk. They may also use the referendums on independence as evidence that the majority of

citizens in the DPR unanimously want independence from Ukraine, seeking official UN membership and recognition for the DPR.

Coal economy: In the current climate where Donetsk has been annexed by Russia, Ukraine's allies, including the NATO and EU countries, should consider increasing exports of coal and steel to Ukraine to help support its infrastructure. NGOs can also provide further humanitarian aid to sustain Ukraine's economy while the country deals with the economic repercussions of the annexation of Donetsk.

On the other hand, Donetsk and its allies may consider establishing trade relations with more countries to boost their economy. This can be done by establishing Donetsk as a legitimate state, subsequently enabling all states to respect Donetsk and its sovereignty.

VII. Recommendations for Resolution Writing including Research

Delegates assigned to countries in NATO and its allies should consider reestablishing Donetsk to Ukraine in their resolution. Such delegates should condemn the recognition of the independence of Donetsk and label Russia's annexation of the Ukrainian territory as a clear violation of international law.

Countries that are more moderate may also consider creating a third version of the Minsk agreements and find a middle ground that seeks to grant Donetsk special permissions like in prior agreements. Donetsk would ultimately still be a part of Ukrainian territory, however, to preserve the sovereignty of Ukraine and maintain international law. This sort of resolution would bring back how Ukraine looked prior to the Russo-Ukrainian war, which essentially treated Donetsk as a terrorist rebel state, severing economic ties.

Countries that have recognized Donetsk's independence including the Russian Federation, Belarus, Syria and the Democratic People's Republic of Korea should pass solutions that encourage the UNMC to approve Donetsk's status as an official UN member state.

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