

POSITION PAPER FOR MEXICO

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WHAT CONSTITUTES THE GROUND FOR INVASION AND WAR AND HAS RUSSIA ABIDED BY THOSE ARTICLES ALLOWING THEM TO PURSUE THIS MILITARY ACTION?

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From the days of the Russian Empire under Catherine the Great in the 18th century through the nations' shared history in the Soviet Union Ukraine and the present-day Russia shared common historical, cultural and linguistical characteristics. However, in recent years, successive Ukrainian governments have forged closer ties with the European Union and NATO in particular which to the Russians served as client states for the United States of America, then sidled back toward Russia, and edged away again. The background of the 2022 invasion is cemented in ways where Vladimir Putin tries to settle the direction of Ukraine's future by force coupled with a demand for security guarantees that includes a ban on Ukraine entering NATO, demilitarization of the Eastern flank and returning NATO forces to where they were stationed in 1997.

Mexico's stance in the face of the Russo-Ukraine is pitted with obscurities. From the onset of the Russian invasion, Mexico's response is premised on 4 pillars of statecraft i.e.

- Seeking a peaceful solution to the conflict
- Support for Ukraine's territorial integrity and sovereignty
- Humanitarian aid
- Condemnation of the invasion but not in sync with the Western strategy that is based on fighting, alienating and sanctioning Russia let alone sending weapons to Ukraine.

The West, who have come out as major supporters of Ukraine, alleges that Russia's invasion of Ukraine violates Article 2 (4) of the United Nations which prohibits the use of force against territorial integrity of another sovereign state. In the Russian perspective, the military operation was based on humanitarian intervention, expansive self defence and protection of human rights especially for the inhabitants of the Donbas region pointing to examples of Kosovo, Libya, Iraq and Syria where the United States (US) justified military interventions.

Understanding that Russia began the operation by recognising the Donetsk People's Republic and Luhansk People's Republic, Russia's military intervention can be understood in terms of the doctrine of collective self defence in general and intervention by invitation in particular.

They share a long common past, dating back more than a millennium to the establishment of the first Slavic state, Kyivan Rus, in parts of what are today Russia, Ukraine and Belarus. The

territory of contemporary Ukraine became part of the Russian empire in the late 1700s after periods of rule under the Mongols or Tatars, the Poles and Lithuanians. In 1918, a year after Russia's communist revolution, Ukraine declared independence, but in 1921, the Red Army conquered most of it and Ukraine became a republic within the Soviet Union. The Ukrainian sense of a national identity was sharpened in the 1930s when Soviet policies punishing farmers in the republic who resisted mandates to collectivize produced the man-made famine known as the Holodomor, which killed an estimated 7 million people there. Ukraine regained its independence in 1991 with the collapse of the Soviet Union. Putin's preferred notion widely derided outside of Russia is that Ukraine is not a legitimate country and that Russians and Ukrainians are one people.

Russia's invasion in the first instance had strands of the **'Responsibility to Protect'** doctrine adopted at the 2005 World Summit, where all Heads of States and Governments affirmed the position protecting populations from genocide, war crimes, ethnic cleansing and other crimes against humanity. An estimated 14 000 people are alleged to have been killed in the Donbas region over the course of 8 years where Ukrainian Armed Forces have been fighting Russian backed separatists for control.

As Mexico, we drew a clear red line in separating ourselves from the majority of Latin American countries by abstaining from voting in the General Assembly on the matter of Russian suspension from the Human Rights Committee citing human rights and international law violations. This is unlike the stance we took in 2011, on the same matter in relation to the suspension of Libya. Mexico is an anti-interventionist country which supports diplomatic solutions to conflicts.

In as much as Russia, had raised its own legitimate concerns using Articles of collective defence in respect of the Donbas region, the actual warfare on the ground has gone beyond initial justifications as currently witnessed wherein, all Ukrainian cities are under the Russian gunfire including allegations of killing civilians and children. In this regard, the conduct of the warfare falls outside the justiciable means.

In conclusion, as Mexicans we seek nations to understand addressing strategic and legitimate concerns through mediation and negotiation and within the confines of the United Nations.