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Reconciled text received from the Ukrainian side, with amendments from the
Russian side
(during consultations on 16.03.2022, 15:00-16:30, and on 17.03 2022)

[Proposals by Ukraine]

(Proposals by the RF)

**(EXPLANATIONS OF THE RUSSIAN SIDE REGARDING THE
UNACCEPTABILITY OF THE UKRAINIAN WORDINGS)**

**[EXPLANATIONS OF THE UKRAINIAN SIDE REGARDING THE
UNACCEPTABILITY OF THE RUSSIAN WORDINGS]**

Treaty on (*settlement of the situation in Ukraine, its neutrality and*) security
guarantees of Ukraine

The United Kingdom of Great Britain and Northern Ireland, the People's Republic of China, the Russian Federation, the United States, France, being the guarantors of the permanent neutrality of Ukraine (Guarantor States), and Ukraine, hereinafter referred to as the Parties,

referring to the Declaration on State Sovereignty of Ukraine dated 16 July 1990 and, in particular, the fact that in the Declaration Ukraine solemnly proclaimed its intention of becoming in future a permanently neutral state that does not take part in military blocs and adheres to three nuclear free principles: to accept, to produce and to purchase no nuclear weapons,

being convinced that enshrining the permanent neutrality of Ukraine at the international legal level is an integral part of the long-term goal of maintaining **[universal]** peace and **[international]** security **[,including]** in the European region,

referring to their obligations under the Charter of the United Nations and other principles and norms of international law, recognizing realizing the need for strict and unconditional observance thereof, as well as adhering to the obligations assumed within the OSCE, **[as well as enshrined in the Memorandum on Security Guarantees in connection with the accession of Ukraine to the Treaty on the Non-Proliferation of Nuclear Weapons (Budapest Memorandum) of 05 December 1994,]**

**(UNACCEPTABLE BECAUSE OF THE REFERENCE TO THE
BUDAPEST MEMORANDUM, WHICH CONTAINS THE RECOGNITION OF
THE BORDERS OF UKRAINE AS OF 1994.)**

[THIS PROVISION IS PRINCIPAL FOR UKRAINE, BECAUSE THE BUDAPEST MEMORANDUM IS A CONDITION FOR UKRAINE'S RATIFICATION OF THE NPT (LAW OF UKRAINE NO. 248/94 DATED 11/16/1994), AND FOR UKRAINE MENTIONING NPT WITHOUT MENTIONING THE BUDAPEST MEMORANDUM IS UNACCEPTABLE. NEITHER UKRAINE, NOR THE RUSSIAN FEDERATION HAS DENOUNCED THE BUDAPEST MEMORANDUM. IN ADDITION, A SOLUTION ON THE ISSUE OF BORDERS WILL BE FOUND BEFORE THE EXECUTION OF THIS TREATY]

[recognizing that the acceptance by Ukraine of the status of permanent neutrality does not affect the fulfillment of its obligations under the Charter of the United Nations and will not be contrary to the achievement of the aims of the United Nations]

(WE OPPOSE THE WESTERN TERMS "WORLD ORDER" AND "WORLD ORDER BASED ON RULES". THE WORDING IS NOT LEGALLY PRECISE)

[THE PROPOSED TEXT DOES NOT INCLUDE THE TERM "WORLD ORDER" AND IS BASED ON A SIMILAR PROVISION OF THE UN GA RESOLUTION DATED 12.12.1995 ON THE PERMANENT NEUTRALITY OF TURKMENISTAN]

realizing their exclusive historical responsibility to present and future generations,

in the presence of the Secretary-General of the United Nations,
agreed on the following:

Article 1

1. [Subject to due observance by the Guarantor States of the obligations they assumed under this Treaty,] (NEUTRAL STATUS MUST BE UNCONDITIONAL) [RELATED TO THE RUSSIAN WORDING UNDER ARTICLE 4, PARA 5, OF THE RF'S PROPOSAL DATED 14.03.2022 (UNDER ARTICLE 4-1 IN THIS DRAFT). THE APPROACH SHOULD BE SIMILAR IN BOTH CASES] Ukraine undertakes to support its permanent neutrality declared and enshrined in the Constitution of Ukraine.

[2. The guarantor states recognize, respect and guarantee the status of Ukraine as a permanently neutral state within the internationally recognized borders of Ukraine, and undertake to ensure that this status is observed at the international level.]

(REFERENCE TO THE INTERNATIONALLY RECOGNIZED BORDERS OF UKRAINE IS UNACCEPTABLE, SINCE THE BORDERS CHANGED AFTER THE CRIMEA MERGED IN THE RUSSIAN FEDERATION AND THE DPR AND LPR DECLARED THEIR INDEPENDENCE)

[TO THE BEST OF OUR UNDERSTANDING, THE ISSUE OF BORDERS WILL BE RESOLVED BEFORE THE EXECUTION OF THIS TREATY]

3. Pursuant to paragraph 1 of Article 1, Ukraine, as a permanently neutral state, undertakes:

- a) not to engage in activities that would be contrary to the international legal status of permanent neutrality;
- b) to terminate treaties and agreements incompatible with permanent neutrality;
- c) not to participate in military conflicts on the side of any guarantor state and/or any third state;
- d) not to join any military alliances and not to enter into any other military agreements with any states;
- e) not to allow entry into Ukraine or deployment in any form on its territory, including temporarily, of foreign armed forces and formations, including military personnel,

[except in the following cases: (i) in the exercise of the right to self-defense in accordance with the Charter of the United Nations (in this case, the deployment shall be carried out in response to an official request from Ukraine and on the basis thereof) and/or (ii) in the event of a serious threat to the sovereignty, independence, territorial integrity or neutrality of Ukraine (in this case, the deployment shall be carried out in response to an official request from Ukraine and on the basis thereof) and/or (iii) when providing assistance to Ukraine, in response to an official request from Ukraine and on the basis thereof, by a reasonable number of foreign military personnel for civilian works and activities of a non-military nature, in particular, to assist in the elimination of the consequences of emergencies caused by natural or technogenic disasters;]

[Alternative proposal by Ukraine: except in cases where such entry or deployment is permitted by this Treaty and/or does not contradict the international legal status of permanent neutrality;]

(CONDITIONING OF NEUTRAL STATUS, CREATING CONDITIONS FOR ITS VIOLATIONS IS UNACCEPTABLE)

[THIS PROVISION IS IN LINE WITH INTERNATIONAL LEGAL PRACTICE REGARDING PERMANENT NEUTRALITY. FOR INSTANCE, ALL OF THE PROPOSED EXCEPTIONS ARE PRESENT IN THE CONSTITUTION OF MALTA AS A NEUTRAL STATE. THE RF HAS NOT MADE A REPRESENTATION ABOUT THE INCOMPATIBILITY OF SUCH EXCEPTIONS WITH MALTA'S NEUTRALITY STATUS]

- f) to prevent creation or preservation of foreign military bases and other military infrastructure on the territory of Ukraine;
- g) not to allow any foreign states, military alliances and coalitions to use military and civilian infrastructure on the territory of Ukraine, including airports and ports, for any military purposes;
- h) [without the consent of the Guarantor States] not to conduct military exercises with the participation of foreign armed forces on the territory of Ukraine, in its territorial waters and exclusive economic zone;
- i) to prohibit the recruitment of citizens of foreign states and stateless persons to the Armed Forces of Ukraine, the National Guard and other law enforcement agencies;
- j) to refrain from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the purposes of the United Nations;
- k) to refrain from using its own territory or the territories of other states to harm the sovereignty, independence, territorial integrity and inviolability of other states;
- l) to strictly comply with the obligations of Ukraine as a non-nuclear-weapon state under the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), not to accept, produce or acquire nuclear weapons; not to accept transfers from anyone of nuclear weapons or other nuclear explosive devices, or control of such weapons or explosive devices, either directly or indirectly; not to manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices, nor seek or accept any assistance in manufacturing of nuclear weapons or other nuclear explosive devices;
- m) to strictly comply with the obligations of Ukraine under the Convention on the Prohibition of Chemical Weapons and the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological)

and Toxin Weapons and on Their Destruction, not to Provide its territory for the carrying out [illegal] activities, (*detrimental to*) [in the field of] biosecurity.

[GIVEN THAT THE RUSSIAN SIDE UNDERSTANDS THE WORD "ILLEGAL" AS PERTAINING TO DOMESTIC (NATIONAL) LAW AND AT THE SAME TIME UNDERSCORES THAT THE SAID ACTIVITIES SHOULD NOT VIOLATE THE RELEVANT INTERNATIONAL CONVENTIONS, THE UKRAINIAN SIDE PROPOSES AN ALTERNATIVE OPTION:

"m) strictly comply with the obligations of Ukraine under the Convention on the Prohibition of Chemical Weapons and the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction, not to provide its territory for activities that violate the provisions of these Conventions (*and that can cause damage to chemical and biosecurity*)"]

(4. To ensure the ability to maintain order and exercise the right to self-defense in accordance with the UN Charter, there is established the maximum permissible number of military forces and assets in accordance with Annex No. 1)

[BEING DISCUSSED WITH THE MINISTER OF DEFENSE]

(Article 2

Without prejudice to the NPT observance review and verification regime, the verification and control of Ukraine's compliance with Article 1 of this Treaty shall be carried out by a joint commission composed of (the Russian Federation, one more guarantor state) [all Guarantor States] and Ukraine and, if necessary, - Secretary General of the United Nations.)

Article 3

Pursuant to Article 1, the Guarantor States and other States that are Parties to this Treaty undertake:

[a) to respect, observe and guarantee the independence, sovereignty and territorial integrity of Ukraine within the internationally recognized borders;

b) to refrain from economic and/or political pressure aimed at subordinating the exercise by Ukraine of the rights inherent in its sovereignty to their own interests, and thus obtaining any advantages;

c) to seek immediate action from the UN Security Council in order to provide Ukraine with all necessary assistance, if Ukraine becomes a victim of

an act of aggression, armed attack, any military operation or an object of a threat of aggression, armed attack or any military operation;]

(REFERENCES TO THE BUDAPEST MEMORANDUM, AS WELL AS MENTIONING OF INTERNATIONALLY RECOGNIZED BORDERS AND POSITIONING OF RUSSIA AS AN AGGRESSOR STATE ARE UNACCEPTABLE)

[WE UNDERSTAND THE PROVISIONS OF PARAGRAPHS -A-, -B-, -C- WILL BE ACCEPTABLE ONCE THE ISSUE BORDERS IS SETTLED BEFORE THE EXECUTION OF BEFORE THIS TREATY]

d) not to enter into any military alliances and not to enter into any other military agreements with Ukraine;

e) [not to carry out activities contrary to Ukraine's international legal status of permanent neutrality;]

[THIS OBLIGATION OF THE GUARANTOR STATES AND OTHER STATES CORRESPONDS TO UKRAINE'S OBLIGATION UNDER ARTICLE 1, PARAGRAPH 3(A) AND IS RELATED THERETO]

f) to refrain from direct or indirect interference in any form in the internal affairs of Ukraine;

g) to refrain from the threat or use of force against Ukraine [, its sovereignty, independence and territorial integrity and that none of their weapons will ever be used against Ukraine, except in self-defense in accordance with the UN Charter];

h) to refrain from using their territories or the territories of other states to damage the permanent neutrality of Ukraine [,its sovereignty, independence and territorial integrity];

(IN PARAGRAPHS C AND D THE RECOGNITION OF THE BORDERS OF UKRAINE WITH CRIMEA AND DONBASS IS UNACCEPTABLE)

i) not to bring onto the territory of Ukraine or deploy in any form on the territory of Ukraine [any] armed forces and formations, including military personnel, [in any quantity, for any purpose, for any time and under any pretext (including humanitarian intervention) except (i) in cases expressly provided for by this Treaty and/or (ii) by a decision of the UN Security Council, which must be supported by all permanent members of the UN Security Council. Violation or threat of violation of this provision will mean committing an act of aggression or a threat of aggression against Ukraine with the consequences provided for by this Treaty;]

(RUSSIA DOES NOT ACCEPT THE CONCEPT OF HUMANITARIAN INTERVENTION AND INTERFERENCE IN THE COMPETENCE OF THE UN SECURITY COUNCIL. CONDITIONING OF THE NEUTRAL STATUS, CREATING CONDITIONS FOR ITS VIOLATIONS ARE UNACCEPTABLE.)

j) not to allow the creation or preservation of their military bases and other military infrastructure on the territory of Ukraine, as well as the deployment of weapons;

The Parties reserve the right to add to this subparagraph a prohibition on any type of weapon that may be developed as a result of scientific research.

k) not to conduct military exercises on the territory of Ukraine and, to prevent occurrence of incidents, in a zone [] wide from the border line of Ukraine, in its airspace, territorial waters and exclusive economic zone,

l) not to use infrastructure on the territory of Ukraine for any military purposes, including air, sea and river ports,

m) to abandon any military activity on the territory of Ukraine (*without prejudice to Article 10, Paragraph 3, hereof*);

n) terminate treaties and agreements that are incompatible with the permanent neutrality of Ukraine;

o) strictly observe Ukraine's rights **[and their obligations]** under the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) (*as a non-nuclear-weapon state*);

(REFERENCE TO GUARANTOR STATES THAT ARE NUCLEAR POWERS IS UNACCEPTABLE)

p) not to use the territory of Ukraine for the purpose of carrying out **[illegal]** activities (*detrimental to*) **[in the field of]** biological security, not to encourage, not to induce Ukraine to produce and acquire chemical, bacteriological and toxin weapons.

[q) to strictly observe their obligations under the Chemical Weapons Convention and the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction, not to provide or use their territory for illegal activities in the field of biological security.]

(THE WORDING IS NOT LEGALLY PRECISE)

[TAKING INTO ACCOUNT THE COMMENTS TO SUB-PARAGRAPH (R) OF ARTICLE 1, PARAGRAPH 3, THE UKRAINIAN SIDE PROPOSES A LEGALLY PRECISE ALTERNATIVE TEXT TO

**REPLACE SUR-PARAGRAPHS (P) AND (Q) ABOVE С УЧЕТОМ
КОММЕНТАРИЕВ К ПОДПУНКТУ (R) ПУНКТА 3:**

"p) to strictly observe their obligations under the Convention on the Prohibition of Chemical Weapons and the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction, not to use their territory and/or the territory of Ukraine to carry out activities that violate the provisions of these Conventions, not to encourage or induce Ukraine to produce and acquire chemical, bacteriological and toxin weapons"]

2. The Parties to this Treaty mutually undertake:

- a) in relations with each other, to be guided by the principle of equal and indivisible security and not to strengthen their own security at the expense of each other's security;
- b) in relations with each other, to peacefully resolve all international disputes, as well as to refrain from any use or threat of force in any manner inconsistent with the aims and the Charter of the United Nations;
- c) not to create conditions or situations that could pose threat or be perceived as a threat to each other's national security;
- d) to exercise restraint in military planning and when conducting exercises to reduce the risks of eventual dangerous situations, in accordance with their obligations under international law;
- e) to comply with the fundamental norms and principles of international law, as well as to encourage observance of the international humanitarian law.

3. Ukraine and each of the countries that are parties hereto do not consider each other as adversaries.

4. Ukraine and the Guarantor States shall maintain dialogue and interact on improving mechanisms to prevent incidents on and over the high seas.

5. The Parties hereto share the understanding that the status of a permanently neutral state is compatible [, **without any limitations,**] (*without Ukraine's participation in the military component of the European Union and without its joining any statements, decisions or actions of the European Union directed against Russia and its national interests*) with the membership of a permanently neutral state in the European Union, as well as with the participation of Ukraine in peacekeeping missions under the auspices of the UN or the OSCE [, **or the EU**].

[NEUTRAL EU MEMBER STATES ARE AUSTRIA, FINLAND, SWEDEN, IRELAND AND MALTA, THESE STATES PARTAKE IN THE EU COMMON FOREIGN AND SECURITY POLICY (SCDP/CSFP). THE RUSSIAN FEDERATION HAS NOT MADE REPRESENTATIONS ABOUT

THE INCOMPATIBILITY OF THE NEUTRALITY OF THE SAID STATES WITH THEIR PARTICIPATION IN SCDP/CSFP, OR IN ANY EU MISSIONS AND OPERATIONS, THE AGREEMENT ON THE ACCESSION OF MALTA TO THE EU EXPRESSLY STATES THAT ITS PARTICIPATION IN THE SCDP/CSFP DOES NOT DAMAGE ITS NEUTRALITY, THE RF DID NOT OBJECT.

IN ADDITION, THE PROVISIONS OF THIS ARTICLE SHOULD BE CONSIDERED IN THE CONTEXT OF UKRAINE'S OBLIGATIONS TO "NOT CARRY OUT ACTIVITIES THAT WOULD BE CONTRARY TO THE INTERNATIONAL LEGAL STATUS OF PERMANENT NEUTRALITY" (PARAGRAPH 3(A) OF ARTICLE 1)]

Article 4

1. In order to address issues and resolve problematic situations, Ukraine and the Guarantor States shall use the mechanisms of urgent bilateral and multilateral consultations.

2. Ukraine and the Guarantor States shall regularly and voluntarily exchange assessments of contemporary threats and security challenges, inform each other about military exercises and maneuvers, key provisions of their military doctrines. In order to ensure transparency and predictability of military activities, all available mechanisms and instruments of confidence-building measures shall be used.

3. To maintain emergency contacts between Ukraine and each of the guarantor states, telephone "hotlines" shall be established.

4. In the event of a violation or threat of violation of the sovereignty [independence, territorial integrity or] (and) neutrality of Ukraine and any other obligations contained in this Treaty, the Guarantor States, on their own initiative and/or at the official request of Ukraine, (shall take) [undertake to immediately take] all possible steps to eliminate such violation or threat of violation by peaceful means.

[Article 4-1]

(Should, after the implementation of the provisions of this Treaty, Ukraine become the object of aggression, the Guarantor States, in response to the official request of Ukraine, shall take the following actions:

- hold immediate consultations to assess the situation, ascertain acts of aggression and agree on the necessary measures to stop them; inform the UN Security Council about the decision taken;

- on the basis of the decisions agreed by all Guarantor States, provide all necessary military assistance to Ukraine).

[THE UKRAINIAN SIDE NOTES THAT DURING THE CONSULTATIONS ON 15.03.2022, THE UKRAINIAN SIDE PROPOSED TO REMOVE THE WORDS "AFTER THE IMPLEMENTATION OF THE PROVISIONS OF THIS AGREEMENT" FROM THE TEXT OF THE FIRST PARAGRAPH (SO THAT SAFETY GUARANTEES WERE NOT CONDITIONAL) AND THAT THE HEADS OF BOTH DELEGATIONS CAME TO UNDERSTANDING THAT:

(I) AFTER THE WORD "AGGRESSION", THE WORDS "ANY ARMED ATTACK ON UKRAINE OR ANY MILITARY OPERATION AGAINST UKRAINE" MAY BE ADDED;

(II) IN THE LAST PARAGRAPH THE WORD "ALL" MAY BE REPLACED WITH "FOUR" (POSITION OF THE RF) OR "THREE" (POSITION OF UKRAINE)]

[The Guarantor States and Ukraine agree that in the event of any armed attack on Ukraine or any military operation against Ukraine, each of the Guarantor States, after urgent and immediate consultations (which shall be held within no more than three days) among them, in the exercise the right to individual or collective self-defense recognized by Article 51 of the Charter of the United Nations, will provide (in response to and on the basis of an official request from Ukraine) assistance to Ukraine, as a permanently neutral state under attack, by immediately taking such individual or joint action as may be necessary, including closing airspace over Ukraine, providing necessary weapons, using armed forces in order to restore and subsequently maintain the security of Ukraine as a permanently neutral state.

Any such armed attack (any military operation) and all measures taken as a result thereof shall be immediately reported to the Security Council. Such measures will cease when the Security Council takes the measures necessary to restore and maintain international peace and security.]

[Possible compromise wording:

1. Should (*after the implementation of the provisions of this Treaty*) Ukraine become the object of aggression, any armed attack on Ukraine or any military operation against Ukraine, the Guarantor States, in response to the official request of Ukraine, shall take the following actions:

1) hold immediate consultations [, which shall be held within no more than three calendar days and with the obligatory participation of Ukraine,] to assess the situation, (*ascertain acts of aggression, an armed attack on Ukraine or any military operation against Ukraine*) and agree on the necessary measures to thwart (them) [**aggression, any armed attack on Ukraine or any military operation against Ukraine**]; [**immediately after the expiry of the aforesaid three-day term**]

inform the UN Security Council [and Ukraine] of the (*adopted*) [agreed] decision [or lack of an agreed decision];

2) on the basis of the (*decisions*) [decision] (*agreed*) [agreed] by (*all*) Guarantor States will [and in exercise of the right of individual or collective self-defense recognized by Article 51 of the Charter of the United Nations, the Guarantor States that do not object to an agreed decision, will immediately] provide all necessary military assistance to Ukraine [, including closing the airspace over Ukraine, providing necessary weapons, using armed forces, deploying units of their armed forces on the territory of Ukraine in order to restore and subsequently preserve the sovereignty, territorial integrity and security of Ukraine. At that, the Guarantor States objecting the agreed decision, or all Guarantor States in the absence of an agreed decision, within the said 3-day term shall:

- a) refrain from any decisions and/or actions that may damage the permanent neutrality of Ukraine, its sovereignty, independence, territorial integrity or the subject matter of this Treaty or deprive this Treaty of its object and purpose;
- b) not provide any assistance and/or support to the state or any territorial entity that has committed an act of aggression, any armed attack on Ukraine or any military operation against Ukraine.

For the purposes of this paragraph, the decision of the Guarantor States shall be considered agreed in the absence of express objections from more than two Guarantor States.

2. The provisions of paragraph 1 of this Article shall be without prejudice to the right of each of the Guarantor States (even in the absence of an agreed decision in accordance with Paragraph 1 of this Article) or any other state to provide assistance to Ukraine under Article 51 of the Charter of the United Nations by taking such individual or joint action which will be necessary for the restoration and subsequent preservation of the sovereignty, territorial integrity and security of Ukraine.]

[COMMENT OF THE UKRAINIAN SIDE: ARTICLES 5-11 OF THE DRAFT AGREEMENT PROPOSED BY THE RUSSIAN SIDE AS OF 20:40 11/03/2022 — HAVE BEEN REMOVED FROM THIS DRAFT. THE POSITION OF THE UKRAINIAN SIDE IS THAT THE ISSUES REGULATED BY THE REMOVED ARTICLES 5-11 DO NOT FALL WITHIN THE SUBJECT OF THIS AGREEMENT ON NEUTRALITY AND SECURITY GUARANTEES OF UKRAINE, AND SHOULD BE CONSIDERED WITHIN A SEPARATE AGREEMENT]

(WE INSIST ON THE RESTORATION IN THE TEXT OF ALL PROVISIONS ON CRIMEA, DPR AND LPR, SANCTIONS, DENAZIFICATION AND THE RUSSIAN LANGUAGE)

(Article 5

1. Ukraine shall cancel and henceforth not impose, and also shall publicly call on all states and international organizations to cancel and henceforth not impose, any and all sanctions and restrictive measures imposed since 2014 against the Russian Federation, its officials, legal entities and individuals, as well as sanction, prohibitions and restrictions regarding economic, financial and other activities with the Russian Federation and its economic operators.

2. The guarantor states and other states who are parties to this Treaty undertake to cancel and henceforth not impose the sanctions, restrictive measures, prohibitions and restrictions referred to in this Article of this Treaty.

3. After the complete cancellation of the sanctions, restrictive measures, prohibitions and restrictions referred to in this Article and the previous Paragraph of this Article, the Russian Federation shall cancel the retaliatory restrictive measures it has introduced in connection therewith.

[1. Within a reasonable time Ukraine and the Russian Federation shall create an intergovernmental commission that will consider the issues of mutual lifting of sanctions and restrictive measures imposed by each of these states, starting from 2014, against another of these states, its officials, legal entities and individuals, and also in relation economic, financial activities with another state and its economic operators.]

[IN GENERAL, THE UKRAINIAN SIDE PROPOSES NOT TO INCLUDE THE PROVISIONS OF ARTICLE 5 TO THE TEXT OF THIS TREATY, BASED ON THE FACT THAT THE MULTILATERAL AGREEMENT SHOULD NOT INCLUDE PROVISIONS REGULATING RELATIONS BETWEEN ONLY TWO PARTIES AND, MOREOVER, NOT RELATED TO THE SUBJECT MATTER OF THE TREATY (PERMANENT NEUTRALITY OF UKRAINE)]

(Article 5-1

Ukraine undertakes:

a) to withdraw all interstate claims and applications for initiation of judicial and arbitration proceedings filed by Ukraine against the Russian Federation since 2014 to the International Court of Justice, the ECHR and arbitration under the 1982

[NOTE: A PORTION OF THIS PAGE IS NOT LEGIBLE IN THE ORIGINAL DOCUMENT]

b) to release the Russian Federation from any liability, claims, including investment and property claims of individuals and legal entities, that have been and are being considered starting from 2014 by the courts of Ukraine and foreign states, international judicial and arbitration instances, for direct or indirect damage, to take on settlement of any resulting claims;

c) to withdraw the submitted declarations and henceforth not to submit declarations on recognition of the jurisdiction of the International Criminal Court in relation to alleged crimes committed on the territory of Ukraine since 2013, to abandon and non to commence domestic procedures for accession to the Rome statute of the International Criminal Court.)

[Within a reasonable time Ukraine and the Russian Federation shall create an intergovernmental commission that will consider the possibility of settling interstate disputes, as well as investment and property disputes initiated by individuals and legal entities controlled by or acting in the interests of the state.]

[THE UKRAINIAN SIDE STANDS STRONGLY AGAINST INCLUSION OF THE RELEVANT PROVISIONS IN THE TEXT OF THIS TREATY. A MULTILATERAL TREATY SHOULD NOT INCLUDE PROVISIONS REGULATING RELATIONS BETWEEN TWO PARTIES ONLY, AND, MOREOVER, UNRELATED TO THE SUBJECT OF THE TREATY (PERMANENT NEUTRALITY OF UKRAINE)]

(Article 6

1. Ukraine recognizes the Republic of Crimea and the city of Sevastopol as an integral part (subjects) of the Russian Federation and, in this regard, shall make comprehensive changes to the national legislation.

2. Ukraine shall ensure the safe and unhindered movement of persons and goods through its territory to and from the Republic of Crimea and the city of Sevastopol.

3. Ukraine guarantees unhindered, uninterrupted supply of fresh water to the Republic of Crimea and the city of Sevastopol through the North Crimean Canal and the safety of all hydraulic structures.)

(Article 7

1. Ukraine recognizes the independence of the Donetsk People's Republic and the Luhansk People's Republic within the administrative boundaries of the former Donetsk and Lugansk regions of Ukraine and, in this regard, shall introduce comprehensive changes to the national legislation.

2. Ukraine assumes obligations to restore the infrastructure of the Donetsk People's Republic and the Luhansk People's Republic destroyed from 2014 to 2022 inclusive.

3. Efforts will be made to settle the issues related to the business interests of Ukrainian entrepreneurs in the territories of the Donetsk People's Republic and the Luhansk People's Republic.)

(Article 8

1. Free movement of citizens between Ukraine and the Russian Federation shall be resumed.

2. Transport, including rail, water and air communication between Ukraine and the Russian Federation shall be resumed.)

[1. Ukraine and the Russian Federation shall ensure free movement of citizens across their borders. This rule shall not limit the right of each of the states to apply measures of customs and border control, epidemiological security, as well as restrict the entry or departure of certain individuals due to such individuals having committed offences.

2. Ukraine and the Russian Federation shall ensure the possibility of transport, including rail, sea and air communication]

[THE UKRAINIAN SIDE STANDS STRONGLY AGAINST INCLUSION OF THE RELEVANT PROVISIONS IN THE TEXT OF THIS TREATY. A MULTILATERAL TREATY SHOULD NOT INCLUDE PROVISIONS REGULATING RELATIONS BETWEEN TWO PARTIES ONLY, AND, MOREOVER, UNRELATED TO THE SUBJECT OF THE TREATY (PERMANENT NEUTRALITY OF UKRAINE)]

(Article 9

Ukraine shall ensure respect for and observance of human rights and Fundamental freedoms and for these purposes shall:

a) guarantee the status of an official language to the Russian language throughout Ukraine, lift and henceforth not introduce any restrictions on its use in any areas, first of all, repeal or revise existing laws in accordance with Annex 2, cancel language quota on radio and television discriminating against the use of the Russian language compared to Ukrainian, henceforth not adopt comparable legal acts;

b) ban, with the introduction of criminal liability, the glorification and propaganda in any form of Nazism and neo-Nazism, the Nazi movement and organizations associated therewith, including holding public demonstrations and processions, construction of monuments and memorials and naming toponyms, in particular, streets, settlements and other geographical objects, and also ban the announcement of members of such organizations (including the OUN and the UNA-UNSO) and those who fought against the anti-Hitler coalition as participants in the national liberation movement;

c) cancel and henceforth not impose any prohibitions of symbols associated in states with the victory over Nazism;

d) repeal all legal acts that open the possibility for the practice of glorification and propaganda of Nazism and neo-Nazism in accordance with Annex 3;

e) ban the activities of ultra-right organizations and parties that preach the ideology of Nazism, neo-Nazism, racial and linguistic superiority;

f) guarantee freedom of conscience and religion, cancel and prevent restrictions and discrimination against the canonical Orthodox Church (Ukrainian Orthodox Church of the Moscow Patriarchate), restore all its rights, including property rights;

g) lift all restrictions on the Russian language media, activities of journalists, as well as the Internet and social networks.

[The parties, being guided by the generally recognized principles and norms of international law in the field of protection of human rights and fundamental freedoms, shall enter into an agreement on mutual respect for the ethnic, cultural, educational and linguistic identity of the national minorities of Ukraine and neighboring states, whereunder the national minorities living on the territory of the parties will be guaranteed the following rights on a reciprocal basis:

- a) non-discrimination,
- b) prohibition of incitement to racial, ethnic or religious hatred and discord,
- c) the right to revive, use, support and develop their history, language, traditions, writing, literature and cultural heritage; freedom of thought, conscience and religion;
- d) protection from any act of persecution, coercion or violence,
- e) protection from any manifestations of fascism, Nazism (neo-Nazism) and anti-Semitism; (prohibition of extremist organizations and movements preaching the ideology of Nazism (neo-Nazism) and racial superiority;) a ban on the production, distribution, public use of Nazi symbols with the application, and in necessary cases — strengthening of criminal liability for the crimes related to the violation of these prohibitions;
- f) protection of their cultural, educational, linguistic and informational rights;
- g) protection and preservation of monuments (military graves) of the World War II.

[THE UKRAINIAN SIDE PROPOSES NOT TO INCLUDE THE PROVISIONS OF ARTICLE 9 TO THE TEXT OF THIS TREATY, BASED ON THE FACT THAT THESE PROVISIONS ARE NOT RELATED TO THE SUBJECT MATTER OF THE TREATY (PERMANENT NEUTRALITY OF UKRAINE). MOREOVER, MULTILATERAL AGREEMENT SHOULD NOT INCLUDE PROVISIONS REGULATING RELATIONS BETWEEN TWO PARTIES ONLY]

Article 10

(1. Starting from provisional application of this Treaty:

- a) a ceasefire may be established and measures of the cessation of hostilities may be carried out. All forces shall immediately disengage and refrain from all hostilities and from all deployments, movements and actions that would lead to the expansion of the territory under their control or could cause resumption of hostilities;
- b) Ukraine shall withdraw (return) all units, arms and military equipment of the Armed Forces of Ukraine and the troops of the National Guard to the places of permanent deployment or to places agreed with the Russian Federation; ships and

vessels of the Naval Forces of Ukraine shall return to their bases;

c) all external military and military-technical assistance to Ukraine shall cease immediately.

2. Ceasefire, inventory of weapons and equipment shall be controlled by a joint commission consisting of the Russian Federation and Ukraine and, if necessary — the UN Secretary General.

3. Until the Russian Federation and Ukraine fulfil all their obligations under this Treaty, the Armed Forces of the Russian Federation and the troops of the National Guard of the Russian Federation shall be located on the territory of Ukraine, where they were located at the time of execution of this Treaty.

4. The exchange of bodies of the deceased, the release of all prisoners of war and interned civilians, shall be carried out as soon as possible with the participation of the International Committee of the Red Cross (ICRC) and with the assistance, when necessary, of other relevant international humanitarian organizations.)

[THE UKRAINIAN SIDE NOTES IT KEEPS WORKING ON THE DRAFT OF THIS TREATY IN THE CIRCUMSTANCES OF THE INCESSANT HOSTILITIES AND MILITARY OPERATIONS BY THE RUSSIAN FEDERATION IN UKRAINE, PERMANENT ARTILLERY, BOMBING AND MISSILE STRIKES BY THE RF, INCLUDING ON CIVILIAN INFRASTRUCTURE AND CIVILIANS IN UKRAINE, INCLUDING DESTRUCTION OF ENTIRE UKRAINIAN CITIES AND VILLAGES (SUCH BEHAVIOR IS AGAINST BOTH THE GENERALLY RECOGNIZED NORMS AND PRINCIPLES OF INTERNATIONAL LAW, THE INTERNATIONAL LEGAL OBLIGATIONS OF THE RUSSIAN FEDERATION, AND THE DECISION (ORDER ON INTERIM MEASURES) OF THE UN INTERNATIONAL COURT 1602.2). THE RUSSIAN SIDE HAS IGNORED UKRAINE'S NUMEROUS REQUESTS FOR CEASEFIRE.]

Article 11

Any dispute regarding the interpretation or implementation of this Treaty not settled by consultation or negotiation [**between Ukraine and the Guarantor States**] (*shall be referred to a commission composed of one representative from each of the disputing parties, who shall take decisions by consensus. In the absence of consensus, the parties, upon the consent of each of them, may agree on a different method of settlement.*) [**shall be submitted for consideration and final decision by the International Court of Justice. Ukraine and the Guarantor States undertake to immediately, unfailingly and in good faith execute all decisions of**

the International Court of Justice, including decisions on provisional and/or interim measures.]

[Possible compromise wording:

- 1. The parties to this Treaty shall act in such a way as to prevent the emergence or aggravation of disputes or situations in their relations, in particular, by fulfilling in good faith their obligations arising from this Treaty and the international law.**
- 2. Any dispute between Ukraine and the Guarantor States (one or more of them) regarding the interpretation or implementation of this Agreement shall be referred to a commission consisting of one representative from each of the disputing parties, the decisions of which are taken by consensus within 30 (thirty) calendar days from the date of occurrence of the dispute.**

In the absence of consensus, the disputing parties shall agree as soon as possible on a different settlement method.

- 3. The disputing parties and their representatives on the commission referred to in Paragraph 2 of this Article shall take all reasonable and good faith measures to settle the dispute by peaceful means as soon as possible.**
- 4. In the event of any dispute regarding the interpretation or implementation hereof, the Parties hereto shall refrain from any decisions and/or actions that may damage the permanent neutrality of Ukraine, its sovereignty, independence, territorial integrity or the subject matter of this Treaty or defeat the object and purpose of this Treaty.**
- 5. Should the dispute remain unsettled within 30 (thirty) calendar days from the date of its occurrence, the Guarantor States shall take, on their own initiative and/or at the request of Ukraine, all measures necessary to obtain an advisory opinion of the International Court of Justice on the legal matter regarding the dispute.]**

Article 12

The Parties to this Treaty call upon the Security Council of the United Nations to approve this Treaty and decide, with reference to Article 25 of the UN Charter, that its provisions shall be fully implemented by all Member States of the UN.

Article 13

Reservations to this Treaty by Ukraine, the Guarantor States (*and other States*

that are Parties to this Treaty) are not allowed.

[Article 13-1]

This Treaty is subject to ratification by Ukraine and the Guarantor States.

Other States that are parties to this Treaty shall independently determine and implement their own domestic procedures necessary for execution of and/or acceding to this Treaty.]

Article 14

1. This Treaty shall be provisionally applied from the date of its execution by Ukraine [**and all Guarantor States**] (*and by one of the Guarantor States. For each Guarantor State that executes this Treaty after the commencement of its provisional application, the Treaty shall be provisionally applied from the date of its execution*).

2. This Treaty shall enter into force [**after the approval of the status of Ukraine as a permanently neutral state in the course of an all-Ukrainian referendum and the introduction of appropriate amendments to the Constitution of Ukraine**] from the date of deposit with the depositary of [**the last of the documents on ratification of this Treaty by Ukraine and each of the Guarantor States.**] (*the document on ratification of this Treaty by Ukraine and a document of consent to be bound by this Treaty, including, where necessary, ratification, by one of the Guarantor States. For guarantor states that express consent to be bound by this Treaty after this Treaty has entered into force, including, where necessary, ratify it, this Treaty shall enter into force on the date of deposit with the depositary of the relevant document*).

This Treaty, after its entry into force, shall be open for accession by any state. For the acceding state, this Treaty shall enter into force on the date of deposit with the depositary of the instrument of accession.

Article 15

This Treaty shall be executed in seven original copies in (*Ukrainian, Russian and*) English languages, having equal legal force, one copy for Ukraine and one each of the Guarantor States. In addition, another original copy of this Treaty shall be deposited with the Secretary-General of the United Nations, (*who shall be the depositary thereof*) [**who shall act as the depositary of this Treaty.**]

The Depositary shall immediately notify all signatory and acceding States of the date of the deposit of each instrument of ratification or accession, the

date of entry into force of this Treaty, and of any other notifications it has received.

**Done in the city of Kyiv on __ March 2022 in seven original copies in
(Ukrainian, Russian and) English.]**

[Annex No. 1]

**The maximum number of military forces and equipment of Ukraine
to maintain order and exercise the right to self-defense**

**According to the Swedish model, the strength of the armed forces of Ukraine
shall not exceed 250 thousand people;
The strength of the National Guard according to the Swedish model shall not
exceed 60 thousand people;**

**The strength of the border service according to the Swedish model shall not
exceed 53 thousand people;**

tanks	— 800 pcs;
AFV	— 2400 pcs;
guns, MLRS, mortars and antitank cannons wherfrom mortars	— 1300 pcs; — 216 pcs;
ATGM	— 1255 pcs;
ADMS (maximum range up to 120 km)	— 200 pcs;
combat (auxiliary) aircrafts	— 160 pcs, including:
combat	— 74 pcs,
auxiliary	— 88 pcs;
combat (auxiliary) helicopters	— 144 pcs, including:
combat	— 60 pcs.,
auxiliary	— 84 pcs.;
warships with a displacement below 3200 tons	— 8 pcs.;
auxiliary vessels	— 94 pcs.;
gunboats	— 30 pcs.

**(UNACCEPTABLE, AS THIS IS INCONSISTENT WITH THE
CURRENTLY EXISTING AUSTRIAN, SWEDISH AND FINNISH MODELS
OF NEUTRALITY. DOES NOT PROVIDE FOR REDUCTION IN ARMED
FORCES AND WEAPONS)**

(Annex No.1

*The maximum number of military forces and equipment of Ukraine
to maintain order and exercise the right to self-defense*

The Strength of armed forces of Ukraine shall not exceed 50 thousand people;

Strength of the National Guard — below 25 thousand people;

Strength of the Border Service — below 25 thousand people;

tanks — 280 pcs;

AFV — 741 pcs;

guns, MLRS, mortars and antitank cannons — 442 pcs;

ATGM — 255 pcs.;

ADMS (maximum range up to 120 km) — 188 pcs;

combat (auxiliary) aircrafts — 100 pcs, в том числе:

combat — 74 pcs,

auxiliary — 26 pcs;

combat (auxiliary) helicopters — 79 pcs, including:

combat — 31 pcs,

auxiliary — 48 pcs;

warships with a displacement below 3200 tons — 4 pcs;

auxiliary vessels — 12 pcs;

gunboats — 20 pcs.)

(Annex No. 2

List of the Laws of Ukraine regarding the language

Constitution of Ukraine

(The Official Bulletin of the Verkhovna Rada of Ukraine (BVR), 1996, No. 30, Art. 141)

Article 10, Article 11, Article 12.

On ensuring the functioning of the Ukrainian language as the state language

(The Official Bulletin of the Verkhovna Rada of Ukraine (BVR), 2019, No. 21 Art.81)

On Education

(The Official Bulletin of the Verkhovna Rada of Ukraine (BVR), 2017, No. 38-39 Art. 380)

Article 7. Language of Education

On the Indigenous Peoples of Ukraine

(The Official Bulletin of the Verkhovna Rada of Ukraine (BVR), 2021, No. 38, Art. 319)

On State Service

(The Official Bulletin of the Verkhovna Rada of Ukraine (BVR), 2016, No. 4, Art. 43)

Article 2. Definitions

On the Judiciary and the Status of Judges

(The Official Bulletin of the Verkhovna Rada of Ukraine (BVR), 2016, No. 31, Art. 545)

Article 12. Language of legal proceedings and paperwork in courts

On television and Radio Broadcasting

(The Official Bulletin of the Verkhovna Rada of Ukraine (BVR), 1994, No. 10, Art. 43)

Article 9. Protection of interests and national television and radio broadcasting

Article 10. Language of audiovisual (digital) mass media

*On Amendments to Certain Laws of Ukraine Concerning the Language of
Audiovisual (Electronic) Mass Media*

On complete secondary education

Article 5. Language of education in institutions of general secondary education

On the Professional Pre-higher Education

*(The Official Bulletin of the Verkhovna Rada of Ukraine (BVR), 2019, No. 30,
Art. 119)*

Article 46. Language of the educational process

Про культуру

*(The Official Bulletin of the Verkhovna Rada of Ukraine (BVR), 2011, No. 24,
Art. 168)*

Article 5. Language in the sphere of culture)

(Annex No. 3*List of laws of Ukraine on Nazification and glorification of Nazism**On Purification of Power (The Official Bulletin of the Verkhovna Rada of**Ukraine (BVR), 2014, No. 44, Art.2041)**Article 1 part 7, Article 4 part 2.**On the condemnation of the communist and National Socialist (Nazi)**totalitarian regimes in Ukraine and the ban of propaganda of their symbols**(The Official Bulletin of the Verkhovna Rada of Ukraine (BVR), 2015, No. 26,**Art. 219)**On the perpetuation of the victory over Nazism in the Second World War of**1939-1945 (The Official Bulletin of the Verkhovna Rada of Ukraine (BVR),**2015, No. 25, Art. 191)**On the rehabilitation of victims of repression of the communist totalitarian**regime of 1917-1991**On the legal status and honoring the memory of fighters for the independence**of Ukraine in the XX century (The Official Bulletin of the Verkhovna Rada of**Ukraine (BVR), 2015, No. 25, Art. 190)**Article 1, part 1 of Article 2.**On the status of war veterans, guarantees of their social protection (The**Official Bulletin of the Verkhovna Rada of Ukraine (BVR), 1993, No. 45,**Art. 425)**Para 2 (second passage), para 16 of Article 5.)*