



Security Council

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Letter dated 4 March 2014 from the Permanent Representative of Ukraine to the United Nations addressed to the President of the Security Council

I have the honour, with reference to the meeting of the Security Council of 3 March 2014, to respectfully draw your attention to the following.

At the meeting, Mr. Vitaly Churkin, Permanent Representative of the Russian Federation to the United Nations, presented a statement, allegedly made by Mr. Viktor Yanukovych, former President of Ukraine, with a request to the leadership of the Russian Federation to use its military forces for the restoration of law and order, peace and stability, as well as for the protection of the population of Ukraine.

In this regard, I have to point out that, in accordance with paragraph 23 of article 85 of the Constitution of Ukraine, the Parliament of Ukraine has exclusive power to approve a decision on the admission of foreign military forces into the territory of Ukraine.

Furthermore, Mr. Viktor Yanukovych is no longer a legitimate President of Ukraine for the following reasons.

Mr. Viktor Yanukovych, at the time of the most severe crisis that our country has ever faced, left the capital of Ukraine for an unknown destination, failing, thus, to exercise his official duties as the head of State. This legal fact has been established by the Parliament of Ukraine by a constitutional majority vote, supported, *inter alia*, by representatives of the former ruling Party of Regions.

By another decision, the Parliament of Ukraine, pursuant to article 112 of the Constitution of Ukraine, appointed Mr. Oleksandr Turchynov, Chairman of the Parliament of Ukraine, as Acting President of Ukraine. Mr. Oleksandr Turchynov is supposed to fulfil the duties of Acting President of Ukraine until a new President of Ukraine is elected in a nation-wide vote scheduled for 25 May 2014.

Thus, the request of Mr. Viktor Yanukovych addressed to the President of the Russian Federation to use its military forces in Ukraine may not be regarded as an official request of Ukraine.

I should be grateful if you would circulate the present letter as a document of the Security Council.

(Signed) Yuriy Sergeyev
Ambassador
Permanent Representative

