

Oral Item: Russia/Ukraine conflict: Aotearoa New Zealand response

The Minister of Foreign Affairs will have an opportunity to orally update Cabinet on Ukraine. The Minister may wish to:

- Update on the situation on the ground;
- ^{s6(a)}

- Briefly recap Aotearoa New Zealand's response so far; and
- Highlight upcoming decision points for Cabinet and for Ministers.

2 The Minister of Foreign Affairs will also (see separate Aide Memoire) seek Cabinet agreement to:

- submit regulations under the Russia Sanctions Act to the Executive Council on Thursday 17 March;
- waive the 28-day rule on the basis that Russia's invasion of Ukraine constitutes an international emergency that requires a swift response; and
- note the regulations entering into force the day after they are gazetted (Friday 18 March).

3 Following the Minister's oral update, we would expect other Cabinet Ministers to touch on the following:

- the Immigration Minister's paper on special measures for Ukraine;
- ^{s6(a)}

and

- possibly a perspective from the Minister of Defence.

4 As noted in paragraph two above, we have provided a separate Aide Memoire for the Minister's intervention on the Russia Sanctions Act Regulations. This is because Cabinet's decisions on these points will need to be carefully minuted. This note provides material the Minister may wish to draw from in briefing Cabinet on the Russia/Ukraine situation more generally, and key elements of Aotearoa New Zealand's response.

Recent events

- Heavy fighting continues across parts of Ukraine, with Kyiv and Mariupol still areas of focus for the Russian military offensive. Russian forces are trying to encircle Kyiv in advance of an anticipated siege of/assault on the capital city.
- In the face of a determined Ukrainian defence, Russian advances have slowed, reportedly stalling in places. As the initial invasion is not going according to Moscow's plan, it is less clear what action Putin will take next. Most likely it will be some form of escalation.
 - There are fears – especially in the wake of a recent Russian attack on a children's hospital in Mariupol – that this could include more targeting of civilian infrastructure, and thus greater numbers of civilian casualties.
 - Concerns are growing also that Russia may deploy weapons designed to cause mass casualties. ^{s6(a)}
- Any Russian use of weapons of mass destruction (WMD) – or conventional weapons deployed in a manner to cause mass civilian casualties – would represent a further breach of international humanitarian law and a dangerous escalation.

- Escalation would further stiffen the international response, and deepen the negative economic and humanitarian consequences of the conflict.
- We anticipate should such weapons be employed, the consular ramifications for Aotearoa New Zealand would be immediate and could be significant, particularly if used beyond the current conflict zone (i.e. outside Ukraine).
- The humanitarian crisis, meanwhile, continues to deepen daily. 2.5 million people have fled Ukraine. There are an estimated two million internally displaced people, and 12 million requiring humanitarian assistance. Humanitarian evacuation corridors have been opened, but many are highly dangerous, with shelling preventing safe passage.
- Diplomatic efforts to de-escalate the conflict continue, though with no substantive progress. Russia's Foreign Minister Lavrov and his Ukrainian counterpart Kuleba met in Turkey at the end of last week; German Chancellor Scholz and French President Macron spoke with Putin on Saturday. Putin shows no willingness to end the war.
- s6(a), s9(2)(g)(i)

Aotearoa New Zealand's Response

Sanctions

- In addition to our initial measures to implement travel bans, suspend foreign ministry consultations, impose export controls on goods going to the Russian military and security forces, and an initial \$2 million humanitarian contribution to the International Committee of the Red Cross, Parliament passed the Russia Sanctions Act under urgency last week.
- An inter-agency sanctions taskforce led by MFAT is being stood up this week to implement relevant sanctions.
- Cabinet will consider advice at this meeting on a process that will allow Regulations for the Russia Sanctions Act to be gazetted by Thursday. An announcement of the first tranche of designations (which will be included in the Regulations) can be announced shortly thereafter.
- This is a significant, ongoing stream of work, in which we will work with partners to identify and target those people, groups, and companies that have enabled Russia's invasion of Ukraine, or are significant to Putin's regime. Officials will continue work on designations, which should allowing announcements of further tranches of designated individuals and entities over the coming week.

Consular

- A significant consular response has been stood up to assist affected New Zealanders. This includes deploying New Zealand officials to the Poland/Ukraine border. The number of New Zealanders currently seeking assistance is manageable. ^{s6(a)}

Requests for consular help could increase if there is a second wave of departures as Russia makes further inroads into Ukraine.

Immigration

- Cabinet will consider a proposal from the Minister of Immigration today to establish a time-limited, sponsored temporary entry visa category for family members of Ukrainian-born New Zealand citizens and residents. (See separate aide memoire on this proposal.) This is a demonstration of the priority we place on supporting Ukraine and the Ukrainian people.

Immediate next steps: humanitarian assistance and other support for Ukraine

- Aotearoa New Zealand's actions so far have been important measures, which have been acknowledged by partners including Ukraine.
- That said, the pace, fluidity and ongoing regional and global impacts of the Ukraine crisis, a deepening humanitarian crisis, growing civilian casualties, risks of further escalation, and a determination by many partners to support Ukraine to defend itself and to raise the diplomatic and economic costs of the invasion for President Putin have seen the international community, key partners and multilateral organisations intensify their responses in recent days.
- This has included humanitarian, financial and material support. A number of key partners are providing non-lethal and lethal military support to help Ukraine's defence. A table of partners' support measures is attached as an annex.
- The Minister of Foreign Affairs and other Ministers have been given advice on potential options for Aotearoa New Zealand to provide further support to international efforts to counter Russia's aggression and de-escalate the conflict, including:
 - options for broader support to Ukraine, including in response to Ukrainian requests for support for its self-defence, with the option of an immediate \$5 million contribution to the NATO Trust Fund to provide non-lethal support to Ukraine's self-defence; and
 - an immediate NZ\$4 million contribution to humanitarian relief efforts through the UN Ukraine Humanitarian Fund and the UNHCR.
- With the situation moving so quickly on the ground, such support is required urgently. Other partners are making significant contributions at pace. Aotearoa New Zealand's responses will also need to be expedited to ensure our contributions have impact, including to meaningfully support Ukraine as it tries to defend itself against Putin's aggression.
- The war is undermining global peace and security. Our distance from the conflict does not protect us - its systemic consequences are undermining our interests and the international rule of law. Putin's authoritarian regime's actions go against everything Aotearoa New Zealand stands for on the international stage – respect for rules, human

rights, openness, inclusiveness, sovereignty and democracy. If not checked, Russia's invasion also creates a dangerous precedent for our own region.

- Ukraine is fighting for its sovereignty and democracy, with the backing of other democracies.^{s6(a)}

s6(a)

Ukraine Taskforce
Ministry of Foreign Affairs and Trade
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Proactively released by the Ministry of Foreign Affairs and Trade

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