



United States Mission to the OSCE

The Russian Federation's Ongoing Aggression Against Ukraine

As delivered by Ambassador Michael R. Carpenter
to the Permanent Council, Vienna
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In this, my final statement to the Permanent Council under this agenda item, I'd like to focus on the principles at stake in Russia's war of aggression against Ukraine. Week after week, month after month, we speak here about principles and commitments, such as those enshrined in the UN Charter, the Helsinki Final Act, and the Charter of Paris. We speak about the Universal Declaration of Human Rights as well as about international law, such as the Geneva Conventions, and other defining elements of the rules-based order.

As participating States of the OSCE, each of our countries has taken on numerous commitments over time. Furthermore, here at the OSCE we have all agreed that these commitments are "matters of direct and legitimate concern to all participating States and do not belong exclusively to the internal affairs of the state concerned." That is precisely why we hold each other accountable in this Council and in other OSCE fora – because the contravention of commitments by one participating State impacts the security of us all.

No country is perfect, of course, and sometimes we fall short. There is an expectation, nevertheless, that participating States will recognize their shortcomings and seek to rectify them, perhaps even utilizing the technical expertise offered by the OSCE's own autonomous institutions or other expert bodies. But when a country consistently tramples its international commitments without any effort whatsoever to address its shortcomings, that should raise alarm bells.

Think about the number of obligations and commitments that have been broken in the last few years by the Russian Federation: the Conventional Forces in Europe Treaty, the Open Skies Treaty, the Intermediate-Range Nuclear Forces Treaty, the Chemical Weapons Convention, the Geneva Conventions, the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the International Covenant on Civil and Political Rights...I could go on and on and on.

But Russia takes this even one step further. It questions the *very need* for rules of interstate behavior. What are we to make of the rejection of international law as "biased," "non-consensual," and "inapplicable" to Russia? Let's remember that President Putin has derided the agreed-upon rules of international relations as mere "rubbish." Foreign Minister Lavrov dismisses the so-called "notorious rules-based order." Russia's delegation to the Forum for Security Cooperation mockingly labels it the "fools-based order."

These are not mere words. As noted, there is a consistent pattern of behavior to back them up.

Madam Chair, on March 4th, the former President of the Russian Federation and current Deputy Secretary of the Russian Security Council stated that “Ukraine is unquestionably Russia.” Yet we all know that in the 1994 Budapest Memorandum, Russia pledged to respect Ukraine’s sovereignty and territorial integrity. So, the question is, which existing commitments made by the Russian Federation can we count on today? Are there any?

Consider this quote from President Putin: “As for the ‘rules-based world order,’ there are no such rules; in reality, they change every day depending on the current political agenda and the transitory interests of those talking about it.” I think we’re all old enough to remember the Russian Federation’s reversal – dramatic reversal – regarding the “little green men” in Crimea. Again, we should not disregard statements such as “there are no such rules” as mere rhetoric.

Colleagues, ask yourselves, if we were to subscribe to the belief that the UN Charter is part of a “fools-based order,” what sort of world would we be living in? Article 2 of the Charter requires UN member states to refrain from the “use of force against the territorial integrity or political independence of any state.” If we were to throw this away, what would we be left with?

If we consider the realm of individual behavior, it is also clear that the atrocities and war crimes committed in Ukraine by members of Russia’s forces and other Russian officials have laid bare a disregard for such critical elements of international humanitarian law as the Geneva Conventions, designed to shield human dignity from the horrors of war.

As the July 2022 Moscow Mechanisms found, “the magnitude and frequency of the indiscriminate attacks carried out against civilians and civilian objects, including sites where no military facility was identified, is credible evidence that hostilities were conducted by Russian armed forces disregarding their fundamental obligation to comply with the basic principles of distinction, proportionality and precaution that constitute the fundamental basis of International Humanitarian Law.”

Russia’s dismissal of the rules-based international system isn’t just theory. It has destroyed the lives of millions of innocent people. Russia has forced 1.6 million Ukrainian citizens, including thousands of children, through its filtration system. Russia’s soldiers imprisoned over 300 Ukrainians, including 77 children, in a dark basement for nearly a month in the town of Yahidne, with catastrophic consequences. And during 33 days of the Russian Federation’s occupation of Bucha, its forces killed over 1,400 people, including 33 children. Bucha, Irpin, Iziurm, and Mariupol—the names of these Ukrainian cities now represent unimaginable horrors as well as countless individual tragedies.

For years, we will all remember that the Russian Federation has insisted in numerous fora, including in this Council, on pressing for the inclusion of the concept of “indivisibility of security.” Russia claimed no state should ever take any actions that would undermine the security of another state. What are we to make of this today?

So, colleagues, this entire discussion begs the question: what principles, if any, does Russia value in the existing international law and in the international system? Russia's leaders claim the West applies the rules-based order selectively. Yet it is Russia itself that epitomizes selective adherence. It pedantically cites OSCE rules of procedure when condemning this organization's attempts to address its brutal war against a fellow participating State. It brazenly ignores international obligations and commitments when something stands in the way of its territorial ambitions — even when that means killing children taking shelter in a theater, women in a maternity hospital, or soldiers trying to surrender.

How can we enter into agreements with a state that acknowledges rules only when they advance its narrow self-interest, while disregarding all those that promote global peace, security, and human dignity?

Madam Chair, it's not the rules-based international system that's the problem. Nor is it the OSCE. It's the utter disregard for our shared commitments and for international law. It's also how we respond to this brazen disregard that matters as well. Do we pretend that new "understandings" and commitments are possible? Or do we first insist on full accountability? Do we pretend that compromise is still within reach, or do we insist that our principles cannot be compromised? How we respond is of enormous consequence for the future of this organization.

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