



United States Mission to the OSCE
U.S. Statement for the
Forum for Security Cooperation:
Security Dialogue: OSCE Code of Conduct on
the Politico-Military Aspects of Security

As delivered by Daniel Wartko, Arms Control Counselor
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Thank you, Madam Chair,

I would like to start by expressing the full support that we have for the Chair's management of the agenda in this time of war, and especially for the dignified and respectful manner in which you conduct the Forum. You are an example for us all.

I find it strange that we are again in slight agreement with the Russian Delegation in that we also note with great regret that this body was again unable to reach consensus to hold the Annual Discussion on the *Code of Conduct on Politico-Military Aspects of Security*. But we are grateful to the Chair for raising this topic in this Security Dialogue, where we can consider the Code of Conduct and review its provisions, especially against the backdrop of Russia's continued aggression against Ukraine.

As we have stated in this Forum before, the Code of Conduct should not become a checklist form that we review only once a year, but a sincere statement of principles to be adhered to and by which we can measure our actions. I was interested to hear a complaint this morning about, and this is a quote, "gross violations of norms and conditions." It is a very apt phrase for today's discussions: "gross violations of norms and conditions."

So, I would like to compare some of those principles listed in the Code of Conduct against the reality of Russia's War against Ukraine:

- The Code says its adherents will refrain from the threat or the use of force against the territorial integrity or political independence of any other state, as is their obligation under the UN Charter, and reaffirm their respect for

the rights inherent in and encompassed by sovereignty. This includes the general right of a state to choose its own political course.

- Now, the reality is that Russia is using force to try to prevent Ukraine from determining its own legitimate internal and external political aspirations.
- The Code provides that a participating State will station its armed forces on the territory of another state only with the host state's freely negotiated agreement and in accordance with international law.
 - The reality is that Russia has forces in Ukraine, in Moldova, and in Georgia without the consent of those states, as we have heard from all three delegations in this Forum.
- The Code of Conduct further provides that that participating State's "armed forces will take due care to avoid injury to civilians or their property."
 - The reality is that Russia repeatedly launches waves of missile attacks at Ukrainian cities hundreds of miles from the front lines. Russia has attacked civilian infrastructure, destroying medical, communication, energy, and transportation networks. Russia has leveled the cities of Mariupol, Sievierodonetsk, Maryinka, and Bakhmut.
- The Code says that each participating State will instruct its armed forces personnel in international humanitarian law, rules, conventions, and commitments governing armed conflict, and to be aware that they are individually accountable under national and international law for their actions.
 - The reality is that Russian armed forces and Russia's proxy forces in the Wagner group have acted as if they are unconstrained by any rules whatsoever and have gone unpunished for their crimes against civilians and against prisoners of war. We have seen disturbing evidence of breaches of international humanitarian law (IHL) with respect to civilians, POWs, mass graves, and evidence of torture. We

have also see evidence of property crimes – with destruction of homes and looting reported again and again.

Madam Chair,

It is clear that Russia is contravening its commitments under the Code of Conduct through its illegal and unjustified war of aggression against Ukraine, but those contraventions occur not only in the war zone. The Code is contravened right here in this room, in this Forum, week after week.

This is because the participating States that we all represent stated in the Code that they “are determined to act in solidarity if OSCE norms and commitments are violated and to facilitate concerted responses to security challenges that they may face as a result. [It goes on.] They will consult promptly, in conformity with their OSCE responsibilities, with a participating State seeking assistance in realizing its individual or collective self-defense. They will consider jointly the nature of the threat and actions that may be required in defense of their common values.” End of quote.

So, when we attempt here in the Forum for Security Cooperation to uphold our pledge to do exactly those things – to “act in solidarity” with Ukraine and to facilitate a concerted response – we are tongue-lashed by the Russian delegate who tries to belittle the opposition to Russia’s aggression as nothing more than a “Western cabal,” a “parade of puppets,” a “string of satellites,” or a “neo-imperial Anglo-American bloc,” out of touch with “95 percent of humanity.”

Well, the math says otherwise. There are 57 participating States in the OSCE, but only two of them support Russia’s aggression. You cannot with any honesty whatsoever claim that two out of 57 represents a majority opinion on anything.

I’ll repeat: When the overwhelming majority of participating states call for the same result in an international conflict – that result being that Russia withdraw its forces from its sovereign neighbor’s territory – and only two countries oppose it – the overwhelming majority cannot with any honesty be dismissed as a “faction” or a “block.” It must be acknowledged for what it is.

Madam Chair,

We could dive deeply into every paragraph of the Code of Conduct and probably find examples of what most participating states are doing correctly, and which are being contravened, but I'd suggest that we simply focus on paragraph 9:

- “The participating States reaffirm the inherent right, as recognized in the Charter of the United Nations, of individual and collective self-defense.”

Thank you, Madam Chair.