



## **United States Mission to the OSCE**

### **Statement on Ukraine**

As delivered by Ambassador Daniel B. Baer  
to the Permanent Council, Vienna  
March 13, 2014

The United States has repeatedly denounced the Russian Federation's ongoing violation of Ukraine's sovereignty and territorial integrity—actions that constitute a threat to regional peace and security.

Let me be clear: The planned referendum in Crimea on Sunday and the so-called declaration of independence by the Crimean Supreme Council are in violation of the Ukrainian constitution. Each constitutes a flagrantly illegal act. We stand with G7 leaders and many others around this table, including the Chairmanship, in rejecting both, and echo Chairman-in-Office Burkhalter's formal statement that the referendum scheduled for March 16, 2014, is in contradiction with the Ukrainian Constitution and is illegal. It will have no legal effect. And a referendum held at the barrel of a gun can have no moral effect either. Therefore we stand together with other G-7 leaders and urge the Russian Federation to immediately halt action supporting the referendum, that is in violation with the constitution of Ukraine, and that constitutes a dangerous and unnecessary act of escalation. As Secretary Kerry said, Crimea is part of Ukraine. Crimea is Ukraine.

We seek to work with all parties to achieve a diplomatic solution that de-escalates the situation and respects Ukraine's sovereignty and territorial integrity. We call on Russia to take the opportunity before it to resolve this crisis through direct and immediate dialogue with the Government of Ukraine, to pull Russia's military forces back to their bases and return to their pre-crisis numbers, to respect Ukraine's territorial integrity, and to support the urgent deployment of international observers and human rights monitors—including OSCE monitors—who can ensure that the human rights and fundamental freedoms of all Ukrainians, including those of ethnic Russians, are respected in Ukraine, including in Crimea, where the Russian Federation has raised specific concerns.

The Russian Federation has used a false and illogical narrative to justify their actions in Ukraine. Rather than raise its concerns directly with the Government of Ukraine, or appeal to the UN Security Council or the Council of Europe, or to avail itself of the many tools at its disposal within this organization, Russia chose instead to seize control of Crimea and is now threatening annexation. In so doing, the Russian Federation has violated its obligations under international law and its OSCE commitments to respect the sovereignty and territorial integrity of Ukraine.

Ukraine stands at an historic juncture. Following months of predominantly peaceful protests, political turmoil and economic strain, Ukraine has formed a new transitional technical government, which has committed to pursue reforms, both political and economic, that will ensure its long-term peace and stability. It has also committed itself to holding internationally monitored, free and fair elections, and we take this opportunity to again welcome the Ukrainian invitations to ODIHR and the OSCEPA to support this effort for free and fair elections on May 25. The United States stands ready to assist Ukraine and fully back this Organization as it plays a critical role in fostering the stable, rule-governed, democratic, inclusive, and prosperous country that all Ukrainians seek.

The OSCE has clearly heard Ukraine's calls for assistance. This Organization has acted quickly and effectively to deploy a human rights assessment mission. Participating States have sent monitors under Chapter III of the Vienna Document, and we are preparing observers for the May 25 presidential election. Yet, despite the good faith invitation of Ukraine and its efforts to facilitate the work of the OSCE and Vienna Document missions, they have been or are being prevented from accessing the Crimean peninsula and accomplishing their objectives. This interference is unacceptable and erodes the ability of the OSCE to establish facts, report truths, and maintain transparency. We encourage Russia and all parties which have professed concern over the alleged incidents and tensions on the Crimean peninsula to support maximum access of OSCE and Vienna Document observer missions to all of Ukraine in order to provide transparent, unbiased reporting on the human, economic, and security situation in the region.

We reiterate that this Organization must stand ready to support the people of Ukraine. We call on all participating States to support the proposed special monitoring mission and to join consensus on the draft discussed yesterday urgently. We also urge the Government of Ukraine, in this historic moment of transition and opportunity, to continue to make full use of the OSCE, its institutions and assistance, including by ensuring appropriate coordination with, and timely approval of, projects of the OSCE Project Coordinator in Ukraine.

Mr. Chairman, three closing comments. First, thank you again for the Chairmanship's efforts to lead as we navigate this crisis. I want to be clear though that, while I deeply appreciate the engagement of the Chairmanship, and I appreciate Ambassador Guldemann's efforts, it's not the job of the Chairmanship to ensure that the OSCE speaks with "one voice." The OSCE has a number of institutions and it is designed to have several voices. So, while it is all to the benefit for the various institutions to be sharing information with each other and certainly to be alerting each other to their efforts, it is not the job of the Chairmanship to enforce that one voice to be articulated.

Second, in the future, when there is a PPIS announcement that has gone out saying that there will be media coverage of all of the speakers, I understand that that can be objected to, but I would ask the Chairmanship to call for a formal objection. Indeed, this organization operates on consensus, but the rest of us have the right to see who is objecting to such a move, and I find it deeply ironic that we booted the media out of the room right before the Representative for Freedom of the Media spoke.

Third point: I had the opportunity to meet with acting Foreign Minister Deshchytzia yesterday in Washington, and I just want to underscore to all around this table that he is a known quantity in this organization, many in this organization have gotten to work with him

and have grown to admire him. The Russian refusal to engage diplomatically is hard to understand in any case, but particularly hard to understand in this case. He's well known to our Russian colleagues as well. He is a reasonable and good-hearted actor, and he has underscored again to me his willingness to engage at any time with the Russian Federation. I think that's particularly important. Igor was very kind not to criticize him, given that he's poaching some talent from Igor's team, but he has obviously made a good judgment in his deputy as well. So, I underscore that we should all be ready to work with Foreign Minister Deshchytzia and his team, to help support Ukraine.

Finally, I just want to close by reading a couple of sentences from President Obama after the meeting yesterday with acting Prime Minister Yatsenyuk – and I've circulated the entire text of this through the system but I want to read out this item. He said to Prime Minister Yatsenyuk, "I would ask that you deliver a message on behalf of the American people to all the Ukrainian people, and that is that we admire their courage; we appreciate their aspirations. The interests of the United States are solely in making sure that the people of Ukraine are able to determine their own destiny. That is something that here in the United States we believe in deeply. I know it's something that you believe in deeply as well. And you can rest assured that you will have our strong support as you move forward during these difficult times."

Thank you, Mr. Chairman.