



## EUROPEAN UNION

### OSCE Forum for Security Co-operation N°1035 Vienna, 8 February 2023

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#### **EU Statement at the Security Dialogue on the Code of Conduct**

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1. The European Union and its Member States commend the FSC Chair of Bosnia and Herzegovina for bringing up this important topic, warmly welcome the distinguished speakers and thank them for their insightful presentations.
2. Against the backdrop of Russia's war of aggression against Ukraine, we remain strong supporters of the OSCE Code of Conduct and attach great importance to the full implementation of its norms and principles by all participating States. This is an indisputable requirement for peace and security in the OSCE area.
3. The Code of Conduct – to which all participating States have committed themselves to adhere to – underlines important rights and duties for participating States. These include, among others, the States' right to freely determine their security interests on the basis of sovereign equality, their right to freely choose their own security arrangements, the right to decide which international organisations to belong to as well as the right to determine which bilateral or multilateral treaties to become party to, including political and military alliances.
4. Russia's unprovoked, illegal and senseless war of aggression against Ukraine blatantly violates the principles of international law and of the Code, including the provisions regulating the relations between states, as well as intra-state provisions. The atrocities committed in Ukraine by Russian troops and the Wagner Group are the most tragic and shocking evidence of this.
5. We reaffirm Ukraine's inherent right to individual and collective self-defense, as recognised in the UN Charter and paragraph 9 of the CoC. Our strong determination to act in solidarity with Ukraine and to provide concerted responses to security challenges in accordance with para. 5 of the CoC remains unbroken, as long as OSCE norms and commitments continue to be grossly violated by the

Russian Federation. The overwhelming majority of States around this table supports Ukraine. Ukraine, while defending its sovereignty and territorial integrity, also defends our common values, including those enshrined in the Code.

6. Russia's aggression against Ukraine is not only a blatant violation of international law, including the UN Charter but also of the basic principles embedded in the Code. Russia is undermining the very bedrock of mutual trust. Russia is failing the OSCE community and the concept of indivisible security as enshrined in the CoC and other core OSCE documents, including in the field of arms control and CSBMs. With its actions, Russia is also failing its own people by sending them into a senseless war of aggression that they do not want. We call upon Russia to stop this war and to return to full compliance with international law and to the implementation of all provisions of the CoC.
7. We also remind Belarus that para 8 of the Code stipulates that "participating States will not provide assistance to, or support, States that are in violation of their obligation to refrain from the threat or use of force against the territorial integrity or political independence of any State. We urge the Belarusian authorities to stop their support of and refrain from any further involvement in Russia's illegal war of aggression.
8. Mr. Chair, we appreciate your approach to our discussion today, aiming at assessing the state of the Code's implementation and identifying possible voluntary measures that promote transparency. Ensuring strict implementation of OSCE politico-military commitments, including the provisions of the Code of Conduct, which are closely linked to those of the Helsinki Final Act and the Charter of Paris, in letter and spirit by all participating States, remains crucial to ensure and restore peace and stability in the OSCE area.
9. We also attach high importance to respect for international humanitarian and human rights law by armed forces and PMSCs' personnel. The extensive use of the Wagner Group has become a key component of Russia's brutal warfare in Ukraine. We remind Russia that in accordance with the provisions of the Code armed forces personnel, both superiors and subordinates, are accountable for their actions under international law. Parliamentary oversight of military, paramilitary and internal security forces, as postulated in paragraph 20 of the Code, is a precondition to ensure a democratically controlled and accountable security sector. We reiterate our strong position on the need to also assess the information exchange in qualitative terms and support the initiative of Belgium and the United Kingdom on

gender mainstreaming of the Reference Guide and the 2011 Indicative List of Issues, based on the suggestions of the ODIHR in close cooperation with the FSC CoC Coordinator and with the FSC UNSCR 1325 Coordinator. We continue to encourage voluntary reporting within the annual information exchange, inter alia, on topics related to women, peace and security and to PMSCs.

10. EU Member States continue to fully support the implementation of FSC Decision 1/08 on the Code of Conduct's Awareness Raising and Outreach Activities. To this end we will continue to support the efforts of the FSC Chair, the Secretariat, and the FSC Co-ordinator on the Code of Conduct to address issues related to improving deficiencies in implementing and reporting on the Code of Conduct, as well as outreach activities promoting the principles and norms stipulated in the Code of Conduct outside the OSCE area especially with OSCE Partners for Co-operation.
11. We appreciate the consistent efforts of Switzerland, Germany and Austria to promote and support the Code of Conduct and the implementation of its norms and principles, including through providing support to regional and outreach activities. We also thank Portugal for making available the translation of the Code into Portuguese.
12. As we are nearing the 30<sup>th</sup> anniversary of the Code, we can only reiterate its continued relevance, also in these difficult times. Against the backdrop of Russia's brutal war, our assessment is unambiguous - Russia completely disregards all provisions of the Code of Conduct. Regrettably, this can also be largely attributed to Belarus. We strongly call on Russia to stop its aggression and withdraw all its troops from the entire sovereign territory of Ukraine, within its internationally recognised borders.

Thank you.

The Candidate Countries REPUBLIC of NORTH MACEDONIA\*, MONTENEGRO\*, ALBANIA\*, UKRAINE and REPUBLIC OF MOLDOVA, the Potential Candidate Country GEORGIA the EFTA countries NORWAY, ICELAND and LIECHTENSTEIN, members of the European Economic Area, as well ANDORRA and SAN MARINO align themselves with this statement.

\* Republic of North Macedonia, Montenegro and Albania continue to be part of the Stabilisation and Association Process.