

Russia's accusations - setting the record straight

Russia's aggression against Ukraine has led to Russia's international isolation, including NATO's suspension of all practical cooperation with Russia.

To divert attention away from its actions, Russia has levelled a series of accusations against NATO which are based on misrepresentations of the facts and ignore the sustained effort that NATO has put into building a partnership with Russia.

Russia has also made baseless attacks on the legitimacy of the Ukrainian authorities and has used force to seize part of Ukraine's territory.

This document sets the record straight.



NATO - Russia relations

Russia claims that NATO has spent years trying to marginalise it internationally.

Since the early 1990s the Alliance has consistently worked to build a cooperative relationship with Russia on areas of mutual interest, and striven towards a strategic partnership.

Before the fall of the Soviet Union and the Warsaw Pact, NATO began reaching out, offering dialogue in place of confrontation, as the London NATO Summit of July 1990 made clear (declaration [here](#)). In the following years, the Alliance promoted dialogue and cooperation by creating new fora, the Partnership for Peace (PfP) and the Euro-Atlantic Partnership Council (EAPC), open to the whole of Europe, including Russia (PfP founding documents [here](#) and [here](#)).

As a sign of Russia's unique role in Euro-Atlantic security, in 1997 NATO and Russia signed the Founding Act on Mutual Relations, Cooperation and Security, creating the NATO-Russia Permanent Joint Council. In 2002 they upgraded that relationship, creating the NATO-Russia Council (NRC). (The Founding Act can be read [here](#), the Rome Declaration which established the NRC [here](#).)

Since the foundation of the NRC, NATO and Russia have worked together on issues ranging from counter-narcotics and counter-terrorism to submarine rescue and civil emergency planning. No other partner has been offered a comparable relationship.

Far from marginalising Russia, NATO has treated it as a privileged partner.

NATO's continuation and enlargement

Russian officials say that NATO should have been disbanded at the end of the Cold War, and that the accession of new Allies from Central and Eastern Europe undermines Russia's security.

NATO was not disbanded after the Cold War because its members wanted to retain the bond that had guaranteed security and stability in the transatlantic area, as the London Declaration makes clear: "We need to keep standing together, to extend the long peace we have enjoyed these past four decades". Upholding the values that have always guided it, NATO became more than a powerful military Alliance: it became a political forum for dialogue and cooperation.

NATO's Open Door policy has been, and will always be, based on the free choice of European democracies. When Ukraine decided to pursue a "non-bloc policy," NATO fully respected that choice. Russia's long-time assertion that NATO tried to force Ukraine into its ranks was, and remains, completely false.



NATO has fulfilled the terms of Article 10 of the North Atlantic Treaty (available [here](#)) which states that Allies “may, by unanimous agreement, invite any other European State in a position to further the principles of this Treaty and to contribute to the security of the North Atlantic area to accede to this Treaty.”

On six occasions, between 1952 and 2009, European countries made the choice to apply for membership based on a democratic process and respect for the rule of law. NATO Allies made the unanimous choice to accept them.

NATO and EU enlargement has helped the nations of Central and Eastern Europe to tackle difficult reforms, which were required prior to accession. It has helped their citizens enjoy the benefits of democratic choice, the rule of law, and substantial economic growth. These efforts have moved Europe closer to being whole, free, and at peace than at any other time in history.

Russia also subscribed to this vision in the Founding Act. It committed to “creating in Europe a common space of security and stability, without dividing lines or spheres of influence,” and to “respect for sovereignty, independence and territorial integrity of all states and their inherent right to choose the means to ensure their own security.”

Contrary to those commitments, Russia now appears to be attempting to recreate a sphere of influence by seizing a part of Ukraine, maintaining large numbers of forces on its borders, and demanding, as Russian Foreign Minister Sergei Lavrov recently stated, that “Ukraine cannot be part of any bloc.”



Russian claims that NATO promised not to enlarge

Russian officials claim that US and German officials promised in 1990 that NATO would not expand into Eastern and Central Europe, build military infrastructure near Russia’s borders or permanently deploy troops there.

No such pledge was made, and no evidence to back up Russia’s claims has ever been produced. Should such a promise have been made by NATO as such, it would have to have been as a formal, written decision by all NATO Allies. Furthermore, the consideration of enlarging NATO came years after German reunification. This issue was not yet on the agenda when Russia claims these promises were made.

Allegations about NATO pledging not to build infrastructure close to Russia are equally inaccurate. In the Founding Act, NATO reiterated “in the current and foreseeable security environment, the Alliance will carry out its collective defence and other missions by ensuring the necessary interoperability, integration, and capability for reinforcement rather than by additional permanent stationing of substantial combat forces. Accordingly, it will have to rely on adequate infrastructure commensurate with the above tasks. In this context, reinforcement may take place, when necessary, in the event of defence against a threat of aggression and missions in support of peace consistent with the United Nations Charter and the OSCE governing principles, as well as for exercises consistent with the adapted CFE Treaty, the provisions of the Vienna Document 1994 and mutually agreed transparency measures.”

NATO has indeed supported the upgrading of military infrastructure, such as air bases, in the countries which have joined the Alliance, commensurate with the requirements for reinforcement and exercises. However, the only combat forces permanently stationed on the territory of the new members are their own armed forces.

Even before the Ukraine crisis, the only routinely visible sign of Alliance forces in the new members were the NATO jets used in the Baltic States for the air policing mission. These minimal defensive assets cannot be described as substantial combat forces in the meaning of the Founding Act.

Since the crisis, NATO has taken steps to increase situational awareness and bolster the defences of our Eastern members. This, too, is entirely consistent with the Founding Act and is a direct result of Russia’s destabilizing military actions.

Finally, the Act also states, “Russia will exercise similar restraint in its conventional force deployments in Europe.” Russia’s aggression against Ukraine is a flagrant breach of this commitment, as is its unilateral suspension of compliance with the CFE Treaty.

Russian claims that NATO has ignored its concerns over missile defence

NATO has not ignored Russia's concerns. On the contrary, the Alliance has consistently sought cooperation with Russia on missile defence. At the Lisbon Summit of 2010, NATO Heads of State and Government "decided to develop a missile defence capability to protect all NATO European populations, territory and forces, and invited Russia to cooperate with us" (declaration [here](#)).

This was reiterated at the Chicago Summit in May 2012 ([here](#)), where leaders underlined that NATO "remains committed to cooperation on missile defence in a spirit of mutual trust and reciprocity", and stated explicitly that NATO missile defence "will not undermine Russia's strategic deterrence capabilities". NATO also proposed a transparency regime including the creation of two NATO-Russia joint missile-defence centres. Russia has declined these offers.

These Summit declarations are more than political promises: they define NATO's policies. Rather than taking NATO up on cooperation, Russia has advanced arguments that ignore physics as well as NATO's expressed policies. Independent Russian military experts have made clear that NATO's missile defence programme could not pose any threat to Russia or degrade the effectiveness of its strategic deterrent forces. The Russian government has used missile defence as an excuse for accusations rather than an opportunity for partnership.

Russian criticism of the legitimacy of NATO military actions – Libya

In seeking to defend its illegal actions in Crimea, Russia has attacked the legitimacy of some of NATO's operations.

This includes the NATO-led operation of 2011 to protect civilians in Libyan. The NATO-led operation was launched under the authority of two UN Security Council Resolutions (UNSCR), UNSCRs [1970](#) & [1973](#), both quoting Chapter VII of the UN Charter, and neither of which was opposed by Russia. President Putin recently accused NATO of violating the resolutions by bombing Libya. This is entirely inaccurate.

UNSCR 1973 authorized NATO "to take all necessary measures" to "protect civilians and civilian populated areas under threat of attack", which is what NATO did, with the political and military support of regional states and members of the Arab League.

After the conflict, NATO cooperated with the UN International Commission of Inquiry on Libya, which found no breach of UNSCR 1973 or international law, concluding instead that "NATO conducted a highly precise campaign with a demonstrable determination to avoid civilian casualties."



Russia criticism of the legitimacy of NATO military actions – Kosovo

The NATO operation related to Kosovo followed over a year of intense efforts by the UN and the Contact Group, of which Russia was a member, to bring about a peaceful solution. The UN Security Council on several occasions branded the ethnic cleansing in Kosovo and the mounting number of refugees driven from their homes as a threat to international peace and security. NATO's Operation Allied Force was launched despite the lack of Security Council authorisation to prevent the large-scale and sustained violations of human rights and the killing of civilians.

Following the air campaign, the subsequent NATO-led operation, KFOR, which initially included Russia, has been under UN mandate (UNSCR [1244](#)), with the aim of providing a safe and secure environment for Kosovo. This led to nearly ten years of diplomacy, under UN authority, to find a political solution and to settle Kosovo's final status, as prescribed by UNSCR 1244.

The Kosovo operation was conducted following exhaustive discussion involving the whole international community dealing with a long-running crisis. In Crimea, with no evidence of a crisis and no attempt to negotiate any form of solution, Russia bypassed the whole international community, including the UN, and simply occupied a part of another country's territory.

Russian claims that the Ukrainian authorities are illegitimate

The current Ukrainian president and government were approved by an overwhelming majority in the Ukrainian parliament (371 votes out of 417 registered) on 27 February 2014, including members of the Party of Regions.

That parliament was elected on 28 October 2012. The Russian Foreign Ministry at the time declared that the elections were held “peacefully, without any excesses and in line with generally-accepted standards” and “confirmed Ukraine’s commitment to democracy and the rule of law.” The statement can be read in Russian [here](#).

The parliament which Russia called legitimate then can hardly be called illegitimate now.

Russian claims that the so-called referendum in Crimea was legal

Russian officials claim that the so-called referendum in Crimea on 16 March was legal.

The referendum was illegal according to the Ukrainian constitution (available in Ukrainian [here](#), Russian [here](#), English [here](#)), which states that questions “of altering the territory of Ukraine are resolved exclusively by an All-Ukrainian referendum.” Crimea, as part of Ukraine, has the status of an autonomous republic, but any issues about its authority have to be resolved by the Ukrainian parliament (article 134) and its constitution has to be approved by the Ukrainian parliament (article 135).

Additionally, the so-called referendum was organized in a matter of weeks by a self-proclaimed Crimean leadership that was installed by armed Russian military personnel after seizing government buildings.

Russian claims that the annexation of Crimea was justified by the opinion of the International Court of Justice on the independence of Kosovo

Russian leaders claim that the precedent for the so-called declaration of independence of Crimea was the advisory opinion of the International Court of Justice on the independence of Kosovo (online [here](#)).

However, the court stated clearly that their opinion was not a precedent. The court said they had been given a “narrow and specific” question about Kosovo’s independence which would not cover the broader legal consequences of that decision.

The court highlighted circumstances in which claims for independence would be illegal. This would include if “they were, or would have been, connected with the unlawful use of force”. An example of “an unlawful use of force” would be an invasion and occupation by a neighbouring country – which is exactly what Russia has done.

Furthermore, the process leading to Kosovo’s declaration of independence spanned years and included an extensive process led by the United Nations. Russian claims ignore all of these facts.



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