

113TH CONGRESS
2D SESSION

S. RES. 378

Condemning illegal Russian aggression in Ukraine.

IN THE SENATE OF THE UNITED STATES

MARCH 11, 2014

Mr. DURBIN (for himself, Mr. COATS, Mr. MENENDEZ, Mr. CORKER, Mr. BROWN, Mr. KAINE, Mr. WARNER, Mr. WICKER, Mr. MURPHY, Mrs. SHAHEEN, Mr. BARRASSO, Mr. INHOFE, Ms. COLLINS, Mr. KIRK, Mr. CARDIN, Mr. COONS, Mr. BOOZMAN, Mr. JOHNSON of Wisconsin, Mrs. FEINSTEIN, Mr. MARKEY, Ms. KLOBUCHAR, Mr. PORTMAN, Mr. JOHANNES, Mr. RUBIO, Mr. ISAKSON, Ms. AYOTTE, Mr. CORNYN, Mr. SCHUMER, Mr. CRUZ, Mr. MCCAIN, Mrs. BOXER, Mr. ROBERTS, and Mr. RISCH) submitted the following resolution; which was considered and agreed to

RESOLUTION

Condemning illegal Russian aggression in Ukraine.

Whereas the recent unprovoked Russian military occupation of the Crimea region of Ukraine, and further military threats against additional Ukrainian territory, are an affront to international norms and agreements and a threat to global peace and security;

Whereas, under President Vladimir Putin, the Russian Federation has a history of bullying neighboring countries in an attempt to rebuild Russian dominance on its borders—often under the guise of protecting Russian citizens—including forcibly seizing the South Ossetia and

Abkhazia regions of the independent Republic of Georgia in 2008;

Whereas the Russian Federation continues to illegally occupy South Ossetia and Abkhazia and has erected fences along administrative boundary lines and permanent military bases in violation of the cease fire agreement negotiated with the European Union;

Whereas, during 2013, then-President of Ukraine Viktor Yanukovych faced similar Russian coercion to not sign a long-negotiated Association Agreement with the European Union, including threats to gas contracts, the supply of which the Russian Federation turned off in 2006 and 2009;

Whereas, in November 2013, President Yanukovych abruptly canceled plans to sign the Association Agreement, saying Ukraine could not afford to sacrifice trade with the Russian Federation as a result;

Whereas, for three ensuing months, hundreds of thousands of protesters in Ukraine endured cold and government harassment and violence to protest the decision and demand closer ties to the West;

Whereas, on February 20, 2014, Ukrainian security forces, including heavily armed snipers, fired on demonstrators in Kyiv, leaving dozens dead and the people of Ukraine reeling from the most lethal day of violence since the Soviet era, and many of Yanukovych's political allies, including the mayor of the Kyiv, resigned from his governing Party of Regions to protest the bloodshed;

Whereas, on February 22, 2014, the Ukrainian parliament found then-President Yanukovych unable to fulfill his duties, exercised its constitutional powers to remove him

from office, and set an election for May 25, 2014, to select his replacement;

Whereas, amid Ukraine's economic hardships, President Yanukovich amassed a lavish secret estate that included a private zoo, exotic gardens, numerous automobiles, and a tall ship;

Whereas, on February 27, 2014, heavily armed soldiers without identification or insignia began securing key facilities in the Crimea, including its regional parliament and two airports, and in the ensuing days encircled Ukrainian military facilities and gained effective control of the region;

Whereas the military forces are clearly Russian troops, and on March 1, 2014, President Putin sought and received rubber stamp parliamentary approval to use military force against greater Ukraine, having argued that the Government of the Russian Federation acted because of the "threat of violence from ultranationalists";

Whereas there has been no credible evidence of serious threats to Russian citizens in Crimea or elsewhere in Ukraine, and the Russian Federation's military invasion has been widely condemned internationally;

Whereas the Russian Federation, as a signatory to the 1994 Budapest Memorandum, reaffirmed its commitment to Ukraine, to respect the independence and sovereignty and the existing borders of Ukraine, to refrain from the threat or use of force against the territorial integrity or political independence of Ukraine, to refrain from economic coercion to subordinate Ukraine to Russia's interests, and to consult in the event a situation arises that raises a question concerning these commitments;

Whereas, in 1997, the Russian Federation and Ukraine signed a friendship treaty, during which time Russian President Boris Yeltsin said in Kyiv, “We respect and honor the territorial integrity of Ukraine.”;

Whereas the Russian Federation, as a participating state in the Final Act of the Conference for Security and Cooperation in Europe in 1975 (Helsinki Final Act), committed to respect the sovereign equality and individuality of other participating states, including the right of every state to territorial integrity and to freedom and political independence, to refrain from the threat or use of force against the territorial integrity or political independence of any state, to regard as inviolable all one another’s frontiers as well as the frontiers of all states in Europe, and to refrain from making each other’s territory the object of military occupation;

Whereas, under United Nations Charter Article 2, all members shall settle international disputes by peaceful means in a manner that international peace and security are not endangered and refrain from the threat or use of force against the territorial integrity or political independence of any state;

Whereas President Putin himself wrote in 2013, “Under current international law, force is permitted only in self-defense or by the decision of the Security Council. Anything else is unacceptable under the United Nations Charter and would constitute an act of aggression.”;

Whereas the North Atlantic Council stated that Russian military action against Ukraine is a breach of international law and contravenes the principles of the NATO-Russia Council and the Partnership for Peace and that Russia must respect its obligations under the United Nations

Charter and principles of the Organization for Security and Co-operation in Europe (OSCE), on which peace and stability in Europe rest;

Whereas leaders of Canada, France, Germany, Italy, Japan, the United Kingdom, and the United States and the presidents of the European Council and the European Commission condemned the Russian Federation’s clear violation of Ukrainian sovereignty and territorial integrity, in contravention of the Russian Federation’s obligations under the United Nations Charter and its 1997 basing agreement with Ukraine;

Whereas, on February 28, 2014, President Barack Obama stated that the United States is “deeply concerned by reports of military movements taken by the Russian Federation inside of Ukraine” and that it “would be a clear violation of Russia’s commitment to respect the independence and sovereignty and borders of Ukraine, and of international law”; and

Whereas President Obama pledged that “the United States will stand with the international community in affirming that there will be costs for any military intervention in Ukraine”: Now, therefore, be it

1 *Resolved*, That the Senate—

2 (1) condemns the unprovoked and illegal Rus-
3 sian military seizure of the Ukrainian Crimea and
4 demands the immediate withdrawal of Russian
5 forces except as specifically allowed for by treaty;

6 (2) demands the immediate release of besieged
7 Ukrainian security forces in Crimea, who have
8 shown remarkable restraint under threat;

1 (3) warns that failure to do so or any additional
2 military action against other areas of Ukraine will
3 lead to swift and significant consequences in the
4 Russian Federation's relations with the United
5 States and those nations who share our views;

6 (4) urges the President to use all appropriate
7 economic elements of United States national power,
8 in coordination with United States allies, including
9 loan guarantees matched with requirements of inter-
10 national financial institutions regarding Ukrainian
11 economic reforms and transparency, to strengthen
12 the Ukrainian economy and protect the independ-
13 ence, sovereignty, and territorial and economic integ-
14 rity of Ukraine;

15 (5) urges the President to use appropriate eco-
16 nomic and diplomatic measures, including calibrated
17 sanctions, against those responsible for the illegal
18 seizure of Crimea;

19 (6) urges the President to propose to G-8 na-
20 tions to suspend the Russian Federation, and to pro-
21 pose to our NATO allies to suspend operation of the
22 NATO-Russia Council and suspend the Russian
23 Federation's military and diplomatic representation
24 at NATO;

1 (7) condemns the economic coercion pursued by
2 the Russian Federation beginning in July 2013
3 against Ukraine, Moldova, Lithuania, and other
4 countries in the region in order to obstruct closer
5 ties between the European Union and the countries
6 of the Eastern Partnership and supports the people
7 of Ukraine in their desire to forge closer ties with
8 Europe;

9 (8) supports assisting Ukraine and United
10 States allies in the region in gaining energy security
11 in order to alleviate their vulnerability to the Rus-
12 sian Federation's threats and manipulations;

13 (9) expresses its continuing support for demo-
14 cratic allies who regularly face aggression on their
15 borders from the Government of the Russian Fed-
16 eration and supports enhanced security cooperation
17 with, and security assistance to, states in Central
18 and Eastern Europe, including Ukraine;

19 (10) encourages governments in Europe to take
20 similar and coordinated actions to make it clear to
21 the Government of the Russian Federation that vio-
22 lating the territorial integrity of sovereign nations
23 will have swift and significant consequences;

1 (11) calls for the immediate acceptance of a
2 credible international observer mission in Crimea
3 and other parts of the Ukraine;

4 (12) calls on the Government of the Russian
5 Federation to seriously engage with the Government
6 of Ukraine in a political dialogue on a political and
7 diplomatic path that respects Ukrainian sovereignty
8 and the Crimea's complex historic and ethnic make-
9 up;

10 (13) supports the efforts of the Government of
11 Ukraine to bring to justice those responsible for the
12 acts of violence related to the anti-government pro-
13 tests that began on November 21, 2013;

14 (14) supports the efforts of the Government of
15 Ukraine to recover and return to the Ukrainian
16 state funds stolen by former President Yanukovich,
17 his family, and other current and former members
18 of the Government of Ukraine and elites; and

19 (15) calls upon the leadership of the Fédération
20 Internationale de Football Association (FIFA) to re-
21 consider its decision to place World Cup 2018
22 matches in Russia.

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