



Delegation of the United States of America to the Parliamentary Assembly of the Organization for Security and Cooperation in Europe

April 25, 2022

Margareta Cederfelt, President of the OSCE Parliamentary Assembly
Riksdagen
100 12 Stockholm
Sweden

Dear President Cederfelt,

Last week, the parliament of Ukraine, the Verkhovna Rada, adopted the enclosed declaration that recognizes the atrocities committed by Russian military forces against the Ukrainian people and their nationhood as acts of genocide. As leaders of the United States Helsinki Commission and within the OSCE Parliamentary Assembly, we endorse this declaration. It is clear to us that Russian dictator Vladimir Putin and his military regime are engaging in acts of genocide against Ukraine and its people and we urge the OSCE PA to also endorse the Rada's declaration and issue a similar statement.

We do not come to this conclusion lightly, and we recognize the importance of precision in employing such terminology. However, given the overwhelming evidence—from Putin and his regime's many comments denying the existence of Ukrainian nationhood and the deliberate targeting of civilians, to the wholesale destruction of Mariupol, the mass graves that now pockmark Ukrainian lands, and reports of forced deportation of Ukrainian people including children to Russia where they are being indoctrinated in "reeducation camps" in attempts to destroy Ukrainian identity—we cannot be silent. The OSCE PA must raise its voices and speak with unity and unmitigated clarity about the unspeakable horrors that are unfolding in Ukraine and be truthful about what is happening there.

Genocide is defined by the UN Convention on the Prevention and Punishment of the Crime of Genocide as an act "committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group." Recently, United States President Joseph Biden described Russian atrocities against Ukrainians as genocide and explained that "it has become clearer and clearer that Putin is just trying to wipe out the idea of even being able to be a Ukrainian." Dr. Timothy Snyder, the acclaimed historian of mass killings, has observed that it is rare "where states explicitly advertise the genocidal character of their own actions right at the moment those actions become public knowledge [as Russia has done] ... Russia has done the deed and confessed to the intention." Respected genocide scholar Dr. Eugene Finkel similarly notes that the "combination of official statements denying Ukraine and Ukrainians the right to exist, and mounting evidence of deliberate, large-scale targeting of Ukrainian civilians, leaves little room for doubt. The threshold from war crimes to genocide has been crossed."

Furthermore, the recently released *Report on Violations of International Humanitarian and Human Rights Law, War Crimes and Crimes Against Humanity* by the OSCE Office of Democratic Institutions and Human Rights following the invocation of the Moscow Mechanism by 45 participating States found that Russia's ongoing, indiscriminate and widespread attacks against civilian populations demonstrate both "clear patterns" of violations of International Humanitarian Law and "patterns of violent acts" that breach

International Human Rights Law. Patterns are indicative of intent, and Russia's obvious intentions with these patterns are the destruction and elimination of Ukrainian identity and existence. We support the mandate for these findings to be used by accountability mechanisms including national or regional international courts or tribunals to investigate and prosecute the individuals responsible for Russia's war crimes, including genocide.

The OSCE, as the organization mandated with ensuring and monitoring compliance with the Helsinki Principles, has an obligation to act during this moral and humanitarian catastrophe. However, given Russia's disregard for the 10 Helsinki principles guiding relations between participating States, its manipulation of OSCE rules for its own destructive ends, and its encouragement of neighboring Belarus to be complicit in its war crimes and genocidal actions, the Parliamentary Assembly should make clear where we as a credible body stand. Russia's horrific war of choice in Ukraine and this unfolding genocide must be described just as it is.

Thank you for your consideration and leadership during this pivotal period.

Sincerely,



Steve Cohen
Co-Chairman, US Helsinki Commission
Head of the U.S. Delegation to the OSCE PA



Ben Cardin
Chairman, US Helsinki Commission
OSCE PA Special Representative on Anti-Semitism, Racism and Intolerance



Roger F. Wicker
Senate Ranking Member, US Helsinki Commission
OSCE PA Vice-President



Joe Wilson
House Ranking Member, US Helsinki Commission



Richard Hudson
US Helsinki Commission
Chair of the OSCE PA General Committee on Political Affairs and Security

cc: Roberto Montella, OSCE PA Secretary General