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Global Leaders Respond to Coup in Myanmar

FEBRUARY 1, FEBRUARY 2, FEBRUARY 26, MARCH 10,
MARCH 31, AND APRIL 24, 2021

In February, the Myanmar military orchestrated a coup against the civilian-led government, detaining State Counsellor Daw Aung San Suu Kyi, President U Win Myint, and dozens of other senior officials and opposition members. The reimposition of military control over the country sparked protests at home and condemnation across the globe. Actions by the United Nations (UN), Association of Southeast Asian Nations (ASEAN), and Western countries sought to pressure the Tatmadaw to relinquish power and find a peaceful solution to the country's political crisis.

THE MILITARY TAKES CONTROL

The coup took place early in the morning of February 1. Officials from the ruling National League for Democracy (NLD) party confirmed that Suu Kyi, Myint, cabinet ministers, and the head ministers of several of the country's states and regions had been detained by the military, also known as the Tatmadaw. Various activists and opposition politicians were also arrested. Reports indicated that Internet and mobile service was interrupted, domestic flights were suspended, and the international airport in Yangon was closed as well.

Hours later, military-controlled media released a statement from the Tatmadaw announcing a one-year state of emergency and that all legislative, judicial, and executive authority had been transferred to the commander-in-chief of the army, Senior General Min Aung Hlaing. The statement cited an article of the Myanmar constitution that allows the Tatmadaw to take control if there is an emergency that threatens the country's sovereignty or may erode "national solidarity." According to coup leaders, the illegitimacy of Myanmar's 2020 election constituted that emergency.

"The voter lists which were used during the multi-party general election which was held on the 8th of November were found to have huge discrepancies and the Union Election Commission [UEC] failed to settle this matter," the Tatmadaw said, according to a Reuters translation. The statement continued, "Due to such acts, there have been a lot of protests going on in townships and cities in Myanmar to demonstrate their mistrust toward UEC. Other parties and people have also been found conducting different kinds of provocations including displaying flags which are very damaging to national security." These problems "would obstruct the path to democracy" and "must therefore be resolved according to the law." Transferring government power to the military was meant to allow for "scrutiny of the voter lists" and responsive action. Military leaders also promised that free and fair elections would be conducted once the state of emergency ended.

The coup's timing was strategic—the newly elected parliament was scheduled to sit for its first session the same day, and lawmakers were expected to select a new president later

that week. Instead, the Tatmadaw named Vice President U Myint Swe, a military appointee, interim president. On February 2, Hlaing announced the formation of the State Administrative Council as Myanmar's new primary governing body. The council has eleven members, eight of whom are military officers; the other three represent supportive political parties. On February 3, the Tatmadaw began filing charges against Suu Kyi, including illegal possession of walkie talkies, violation of COVID-19 restrictions, and corruption, and other arrested officials. Suu Kyi's supporters and international observers dismissed these as trumped-up charges designed to provide legal cover for the ongoing detentions.

THE PATH TO A COUP

Many observers said the potential for a coup had been telegraphed for months following the disputed 2020 election. In that poll, Suu Kyi's NLD achieved an overwhelming victory over the military-affiliated Union Solidarity and Development Party (USDP), winning 396 out of 476 seats in parliaments. The USDP and several smaller parties that represent ethnic minorities claimed the government committed election fraud, citing discrepancies in voter lists, irregularities in early voting for elderly citizens, and the detention of young opposition candidates on questionable charges. Additionally, about one month prior to election day, the UEC cancelled voting in districts where more than 1.5 million eligible voters lived due to clashes between the Tatmadaw and ethnic armies in those areas. The Rohingya, Myanmar's minority Muslim population, were also prevented from casting votes.

Hlaing insinuated that the NLD had influenced the UEC's decisions, while the government accused Hlaing of trying to foment instability. The UEC denied all claims of fraud and rejected appeals to review the vote. The Tatmadaw tried to file a challenge to the election results with the country's supreme court and to convene a lame duck session of the outgoing parliament to try to press the issue, but UEC decisions are final per Myanmar's constitution, so neither effort succeeded. Military and civilian government leaders held some talks to try and resolve the dispute; however, the government rejected the Tatmadaw's request that the next session of parliament be delayed until their election fraud claims were addressed.

Notably, the NLD's government had only been in place for about five years at the time of the coup, coming to power following the country's 2015 election. Prior to that vote, the Tatmadaw had governed Myanmar for about fifty years.

THE PEOPLE PUSH BACK

The Tatmadaw sought to prevent potential protests by declaring a curfew and banning gatherings of five or more people, but Myanmar's youth still organized major demonstrations in opposition to military governance. Tens of thousands of people took to the streets to demand a reversal of the coup, the release of NLD leaders, and the military's recognition of the 2020 election results. Some also called for the country's constitution to be repealed so the military could be completely removed from government. (The current constitution reserves one-fourth of parliament's seats and three key cabinet posts for the military.) Some government workers also demonstrated against the coup by striking. Hospital workers, teachers, and engineers were among the first to walk away from their jobs, but they were later joined by employees of union-level ministries, universities, and private companies. A separate campaign urged people to boycott products and services linked to the military.

The military responded harshly, conducting mass arrests of protestors and using excessive force to dispel demonstrations. By April 12, at least 700 people had been killed, according to the Office of the United Nations High Commissioner for Human Rights (OHCHR). Thousands more were reportedly injured. The Tatmadaw has also continued limiting Internet access, blocking social media platforms to impede protest organization, and cracking down on independent media.

Meanwhile, NLD politicians worked to establish a shadow government. Despite the transfer of power to the military, seventy NLD members held an oath-taking ceremony on February 4 and swore themselves into office and held an unsanctioned first session of parliament. (It did not legally qualify as a session since they lacked a quorum.) The next day, nearly 300 NLD lawmakers announced the creation of the Committee Representing the Pyidaungsu Hluttaw. The committee declared itself Myanmar's only representative body, stated its commitment to the country's constitution, and asserted that Myint was the lawful head of state. The Tatmadaw denounced the committee as illegal on February 26. "The organizations which are established under the names of respective parliamentary committees after 1st February 2021 are not in accordance with the constitution and parliamentary laws," it said in a statement, continuing on to maintain that the committee and other such groups "are a threat to the peace and stability of the country."

Committee members were undeterred. On March 31, the committee released the Federal Democracy Charter. The document outlined an agreement between members of parliament, pro-democracy political parties, leaders of the workers' strikes and civil society organizations, and some ethnic groups to form a national unity government. The government would be composed of a president, a state counselor, two vice presidents, a prime minister, and cabinet and deputy ministers, and it would use all means at its disposal to overthrow the military junta, the charter said. It would repeal the existing constitution and develop an interim document that could be applied until Myanmar could approve an all-new constitution. This new government later announced the creation of a "people's defense force" to protect its supporters and advance its opposition to the junta until a Federal Union Army could be formed. Offices for the unity government have since been established in the United Kingdom (UK), the United States, France, the Czech Republic, and Australia. To date, the European Parliament and the French Senate have voted to formally recognize it as Myanmar's government.

INTERNATIONAL RESPONSE

The coup was condemned across the globe. U.S. president Joseph R. Biden called it a "direct assault on the country's transition to democracy and the rule of law." He noted that the United States had lifted sanctions on Myanmar as it moved toward democracy, but the "reversal of that progress will necessitate an immediate review of our sanction laws and authorities, followed by appropriate action." (The United States recognizes the country as Burma.) The European Union (EU) also condemned the coup "in the strongest terms," according to a European Council statement: "Overturning the choice of the people of Myanmar by force is illegal, against the principles of democracy and takes the country backwards." The council further warned that the EU "expects that the safety of the citizens of both Myanmar and of its Member States be ensured at all times and will consider all options at its disposal to ensure that democracy prevails." The United States, the EU, the United Kingdom, and Canada all imposed sanctions on senior officials and select military-linked companies in Myanmar in response to the coup.

The UN responded to the coup on several fronts. On March 10, UN Security Council members unanimously approved a presidential statement that “strongly condemned” the Tatmadaw’s violence against peaceful protestors and “expressed deep concern” about military-imposed restrictions on free society. The council reaffirmed its support “for the democratic transition in Myanmar, and stress[ed] the need to uphold democratic institutions and processes,” in addition to reiterating a “strong commitment to the sovereignty, political independence, territorial integrity and unity” of the country. On June 18, the UN General Assembly voted to formally condemn the coup and urged member states to “prevent the flow of arms into Myanmar.” Such action is rarely taken by the General Assembly, but observers questioned the vote’s significance because it was nonbinding, did not constitute an arms embargo, and was not agreed to by China and Russia, which are Myanmar’s biggest weapons suppliers. OHCHR also closely followed developments on the ground. On September 23, it released a report calling the situation in Myanmar “a human rights catastrophe that shows no signs of abating.” The report found evidence of “serious violations . . . of the rights to life, liberty and security of person, the prohibition against torture, the right to a fair trial, as well as the rights to freedom of expression and freedom of peaceful assembly.” It cited “heavy use of lethal force and mass arrests” by the military, finding that more than 1,120 people had been killed and more than 8,000 people arrested between February 1 and mid-July. “There is no sign of any efforts by the military authorities to stop these violations nor implement previous recommendations to tackle impunity and security sector reform,” said Michelle Bachelet, the high commissioner for human rights. “This underscores the urgent need for strong accountability measures.”

ASEAN FIVE-POINT CONSENSUS

Regionally, ASEAN sought a mediating role in the conflict in Myanmar, which is one of the association’s ten member countries. ASEAN called a special meeting with Hlaing on April 24 to discuss the crisis, emerging with a “Five-Point Consensus” agreement outlining a path forward. The five points comprised “immediate cessation” of violence in Myanmar; an ASEAN-facilitated, constructive dialogue among all parties to find a peaceful solution “in the interests of the people”; humanitarian assistance to be provided by ASEAN; and a visit to Myanmar by an ASEAN special envoy and delegation to meet with concerned parties. After announcing the agreement, ASEAN leaders expressed “deep concern on the situation in the country, including reports of fatalities and escalation of violence.”

While the agreement appeared to be a step toward peace, statements from the Tatmadaw following the meeting called the consensus into question. Hlaing told Myanmar media that the Tatmadaw would “give careful consideration to constructive suggestions made by ASEAN leaders when the situation returns to stability in the country since priorities were to maintain law and order and to restore community peace and tranquility.” He also said that ASEAN’s visit to Myanmar would only be considered once the country had stabilized. ASEAN’s own internal struggles have delayed implementation of the five points as well. Member countries debated for months over who should be appointed as special envoy to Myanmar and did not name their selection until early August. The lack of progress to date has generated criticism that ASEAN is not doing enough to hold the Tatmadaw to account and that it needs to take a tougher stance against the junta.

In October, with international pressure building and the Tatmadaw refusing to allow the special envoy to meet with Suu Kyi and other detainees, ASEAN announced it would

block Hlaing from participating in an annual summit. ASEAN said “insufficient progress” on the five-point consensus and the situation in Myanmar “was having an impact on regional security as well as the unity, credibility and centrality of ASEAN.” The Tatmadaw responded by blaming ASEAN’s decision on “foreign intervention,” specifically by the United States and EU, and said it was made “without consensus and was against the objectives of the ASEAN, the ASEAN Charter and its principles.” Days later, the Tatmadaw announced plans to release more than 5,000 prisoners arrested since the coup. Many observers speculated this was in response to increased pressure by ASEAN. However, it was unclear how many people were actually released—the nonprofit Assistance Association for Political Prisoners Burma only confirmed about 320 freed prisoners—and dozens were reportedly re-arrested almost immediately.

At the end of 2021, many senior officials were still in detention, including Suu Kyi, who began facing trial for the charges against her in June.

—Linda Grimm

Following is a statement by U.S. president Joseph R. Biden on February 1, 2021, regarding the coup in Myanmar; a statement from the European Council on February 2, 2021, condemning the coup; an announcement by the Tatmadaw on February 26, 2021, that the Committee Representing the Pyidaungsu Hluttaw and similar committees are illegal; a presidential statement adopted by the UN Security Council on March 10, 2021, condemning the military takeover; the text of the Committee Representing the Pyidaungsu Hluttaw’s Federal Democracy Charter—Part I, released on March 31, 2021; and ASEAN’s announcement on April 24, 2021, of the Five-Point Consensus with Myanmar.



President Biden Issues Statement on the Situation in Burma

February 1, 2021

The military’s seizure of power in Burma, the detention of Aung San Suu Kyi and other civilian officials, and the declaration of a national state of emergency are a direct assault on the country’s transition to democracy and the rule of law. In a democracy, force should never seek to overrule the will of the people or attempt to erase the outcome of a credible election. For almost a decade, the people of Burma have been steadily working to establish elections, civilian governance, and the peaceful transfer of power. That progress should be respected.

The international community should come together in one voice to press the Burmese military to immediately relinquish the power they have seized, release the activists and officials they have detained, lift all telecommunications restrictions, and refrain from violence against civilians. The United States is taking note of those who stand with the people of Burma in this difficult hour. We will work with our partners throughout the region and the world to support the restoration of democracy and the rule of law, as well as to hold accountable those responsible for overturning Burma’s democratic transition.

The United States removed sanctions on Burma over the past decade based on progress toward democracy. The reversal of that progress will necessitate an immediate review of our sanction laws and authorities, followed by appropriate action.

The United States will stand up for democracy wherever it is under attack.

SOURCE: Executive Office of the President. "Statement on the Situation in Burma." February 1, 2021. *Compilation of Presidential Documents* 2021, no. 00105 (February 1, 2021). <https://www.govinfo.gov/content/pkg/DCPD-202100105/pdf/DCPD-202100105.pdf>.



European Council Condemns Coup in Myanmar

February 2, 2021

The European Union condemns in the strongest terms the military coup carried out in Myanmar.

It is an unacceptable attempt to forcibly overturn the will of the people of Myanmar. Through their high turnout, the people of Myanmar expressed their strong belief in the democratic process in the general election on 8 November 2020. The election marked an important milestone in the country's democratic transition. Any allegation of voting irregularities has to be settled within the proper legal and administrative channels. Overturning the choice of the people of Myanmar by force is illegal, against the principles of democracy and takes the country backwards.

The EU has been a steadfast supporter of Myanmar's civilian and democratic transition, its peace process and national reconciliation, and its inclusive socio-economic development. We call upon the military to immediately and without any conditions release the President, the State Counsellor and all those who have been arrested, exercise maximum restraint, restore telecommunications, and respect human rights, freedom of expression, fundamental freedoms and the rule of law. We also call upon them to immediately end the state of emergency, restore the civilian government, to open the newly-elected Parliament, and to proceed with the subsequent appointments of the President, Vice-Presidents and of the new government. We stand ready to support dialogue with all key stakeholders who wish to resolve the situation in good faith, and to return to the constitutional order.

The European Union expects that the safety of the citizens of both Myanmar and of its Member States be ensured at all times and will consider all options at its disposal to ensure that democracy prevails.

The Candidate Countries Turkey, the Republic of North Macedonia, Montenegro, Serbia and Albania¹, the country of the Stabilisation and Association Process and potential candidate Bosnia and Herzegovina, and the EFTA countries Iceland, Liechtenstein and Norway, members of the European Economic Area, as well as Ukraine, the Republic of Moldova and Georgia align themselves with this declaration.

¹The Republic of North Macedonia, Montenegro, Serbia and Albania continue to be part of the Stabilisation and Association Process.

SOURCE: European Council. "Myanmar: Declaration by the High Representative on Behalf of the European Union." February 2, 2021. © European Union, 2021. <https://www.consilium.europa.eu/en/press/press-releases/2021/02/02/myanmar-declaration-by-the-high-representative-on-behalf-of-the-european-union>.



Tatmadaw Threatens Legal Action Against Unsanctioned Legislative Activity

February 26, 2021

1. According to the Section 417 of 2008 Constitution of the Republic of the Union of Myanmar, the state of emergency has been declared and the legislative, judicial and executive powers have been transferred to the Commander-in-Chief in accordance with the section 418 (A). Since then, it is assumed that all legislative functions of the parliaments and their related bodies have been suspended and the respective parliaments are automatically dissolved.
2. Currently, the Union Election Committee is conducting the investigation and publication of findings on voter frauds that arise during general election on 8th November 2020. The committee has already announced that the certificates of recognition as the member of parliamentary which are issued by them for relevant parliaments are not effective during the investigations of voter fraud.
3. While the Union Election Committee is conducting the investigations, the establishing of parliamentary representative committees by their own will, the holding of meetings and the press releases by those committees and their appointment of parliamentary representatives are not legal under the existing laws.
4. Therefore, the organizations which are established under the names of respective parliamentary committees after 1st February 2021 are not in accordance with the constitution and parliamentary laws, moreover, their statements are a threat to the peace and stability of the country, so do not proceed with these activities and the legal action will be considered for such activities otherwise.

SOURCE: Republic of the Union of Myanmar Union Election Commission. "The Announcement of Legal Action that Will be Taken Against the Establishing of Parliamentary Representative Committees." February 26, 2021. Translated from Burmese by SAGE Publishing. https://uec.gov.mm/news_preview_detail.php?action=news_detail1&news_id=QY97Esy8na5U7UDYRm6zHb7rL2zXhxITeEnLDDuEWfw%3D.



UN Security Council Responds to Situation in Myanmar

March 10, 2021

On 10 March 2021, in connection with the Council's consideration of the item entitled "The situation in Myanmar", in accordance with the procedure agreed in light of the extraordinary circumstances caused by the COVID-19 pandemic and set out in S/2020/372, the President of the Security Council issued the following statement on behalf of the Council:

“The Security Council, recalling its Press Statement SC/14430 of 4 February 2021, reiterates its deep concern at developments in Myanmar following the declaration of the state of emergency imposed by the military on 1 February and the arbitrary detention of members of the Government, including State Counsellor Aung San Suu Kyi and President Win Myint and others. The Security Council reiterates its call for their immediate release.

“The Security Council strongly condemns the violence against peaceful protestors, including against women, youth and children. It expresses deep concern at restrictions on medical personnel, civil society, labour union members, journalists and media workers, and calls for the immediate release of all those detained arbitrarily. The Council calls for the military to exercise utmost restraint and emphasises that it is following the situation closely.

“The Security Council expresses its continued support for the democratic transition in Myanmar, and stresses the need to uphold democratic institutions and processes, refrain from violence, fully respect human rights and fundamental freedoms and uphold the rule of law. It encourages the pursuance of constructive dialogue and reconciliation in accordance with the will and interests of the people of Myanmar.

“The Security Council reiterates its strong support for regional organisations, in particular the Association of Southeast Asian Nations (ASEAN) and its readiness to assist Myanmar in a positive, peaceful and constructive manner. It commends ASEAN’s continued efforts to engage with all relevant parties in Myanmar. The Council welcomes the recent informal ASEAN Ministerial meeting on 2 March, and the statements made by the ASEAN Chair on 2 March and 1 February, which recalled the purposes and principles of the ASEAN Charter, notably the principle of democracy, adherence to the rule of law, good governance, the protection of human rights and respect for fundamental freedoms, called on all parties to exercise utmost restraint and seek a peaceful solution through constructive dialogue and practical reconciliation in the interests of the people and their livelihood.

“The Security Council also reiterates its support to the Special Envoy of the Secretary-General on Myanmar for her good offices, encourages the Special Envoy to maintain communication and her efforts to engage intensively with all relevant parties in Myanmar, and to visit Myanmar as soon as possible.

“The Security Council continues to call for safe and unimpeded humanitarian access to all people in need, and highlights that the current situation has the potential to exacerbate existing challenges in Rakhine state and other regions. The Security Council expresses concern that recent developments pose particular serious challenges for the voluntary, safe, dignified, and sustainable return of Rohingya refugees and internally displaced persons. It is vital that the rights of minorities are fully protected.

“The Security Council reaffirms its support for the people of Myanmar and its strong commitment to the sovereignty, political independence, territorial integrity and unity of Myanmar.

“The Security Council remains seized of the matter.”

SOURCE: United Nations Security Council. “Statement by the President of the Security Council.” March 10, 2021. <https://usun.usmission.gov/statement-by-the-president-of-the-security-council-on-myanmar-march-10-2021>.



Committee Representing the Pyidaungsu Hluttaw Releases Federal Democracy Charter

March 31, 2021

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Federal Democracy Charter

Introduction

With the objective of building a Federal Democracy Union, organizations and individuals who accept and agree to this Federal Democracy Charter, hereafter referred to as “Charter,” make the commitment that we will try and build a Federal Democracy Union holding the following standards and values for the eradication of dictatorship and emergence of Federal Democracy Union with the political road map that will be implemented in steps, basic principles for the development of constitution and fundamental policies. With the firm belief that we will achieve the collective force, which will drive the collective actions and implementations through collective leadership of those who accept and agree to the Charter to reach the desired goal, we hereby validate and enact this Charter.

Chapter I

Goal and Objective

To bring an end to the conflicts and problematic root causes in the Union, to ensure all ethnic nationalities—population can participate and collaborate and to build a prosperous Federal Democracy Union where all citizens can live peacefully, share the common destiny and live harmoniously together; a Federal Democracy Union where democracy is exercised and equal rights and self-determination are guaranteed, all ethnic nationalities of the Union, all citizens enjoy mutual recognition and respect, mutual friendship and support and solidarity based on freedom, equality and justice, we intend to carry out the following activities:

1. Eradication of dictatorship;
2. Ultimate Abolishment of 2008 Constitution;
3. Building Federal Democracy Union; and
4. Emergence of Public Government.

Chapter II

Members of the Charter

The following entities collaborate and participate to collectively implement the vision and objective stated in this Charter:

1. Elected parliamentarian representatives;
2. Political Parties;
3. Civil Disobedience Movement (CDM), forces of General Strike Committee, Civil Society Organizations (CSOs) including Women and Youth organizations; and
4. Ethnic Armed Organizations (EAOs).

Chapter III

Implementation Process or Political Road Map

1. To collaborate according to respective sectors by establishing parliamentary representative committees with elected parliamentary representatives;
2. To create a platform/a structure where partner political parties, ethnic armed organizations and civil society organizations including women and youth organizations can work together to discuss and validate political agreements and future activities (activities for the way forward);
3. To develop and agree the Federal Democracy Charter;
4. To establish Interim National Unity Government, legislative and judiciary institutions in accordance with this Charter;
5. To determine a strategy for the eradication of dictatorship, abolishment of 2008 Constitution and building of Federal Democracy Union and to implement it;
6. To convene Constitutional Convention to develop and validate a new constitution;
7. To hold a national referendum to validate and enact the Federal Democracy Constitution developed by the Constitutional Convention; and
8. To establish legislative, executive and judiciary pillars according to the newly validated and enacted Federal Democracy Constitution and exercise constitutionalism.

Chapter IV

Development of Federal Democracy Union Constitution

The Constitution Drafting Committee established by the members who participate and collaborate in this Charter will develop the Constitution (draft) in accordance with the following guiding principles:

- Part 1: The vision and values of the Union;
- Part 2: The guiding principles for the building of Federal Democracy Union; and
- Part 3: Fundamental Policies.

Part I

Union Vision and Union Values

Union Vision

We shall build a peaceful Federal Democracy Union which guarantees freedom, justice and equality.

Union Values

To build the Union, we believe in and accept the following as values:

1. Democracy Rights, Gender Equality and basic Human Rights;
2. Equality and Self-Determination;
3. Collective Leadership;
4. Diversity, Social Harmony, Solidarity and Non-Discrimination; and
5. Protection of Minority Rights.

Part II

Guiding principles for building a Federal Democracy Union

1. The member states of the Union and the people in these states are the original owners of sovereignty.
2. The Federal Democracy Union is established with member states which have equal rights and right to self-determination in full. All the member states of the Union (all the federal units) are equal in terms of politics.
3. Member states of the Union have the right to enact their own respective State Constitution.
4. The Union exercises Power Sharing, Revenue Sharing and Fiscal Federalism. In doing so, it exercises the Subsidiary Principle where the system allows the government level closest to the people can act.
5. All Federal Union Security and Defense forces shall be under the supervision and administration of democratically elected civilian government. They shall exercise policy based on human security.

Part III

Fundamental Policies for Building Federal Democracy Union

Form of the Union

1. Federal Democracy Union shall be built to meet the characteristics of a federal union exercising full rights of democracy and equal rights and rights to self-determination in full.
2. Federal Democracy Union shall consist of member states which have full rights of democracy, equality and self-determination.
3. Every member state of the Union shall have separate legislative power, separate executive power and separate judicial power.

Power of the Union

4. The member states of the Union and the people in these states are the original owners of sovereignty.

5. The three pillars of sovereignty of Federal Democracy Union namely, legislative power, executive power and judicial power are clearly separated, exercised independently and exert reciprocal check and balance among themselves.

6. Power of the Union, power of the states and concurrent powers shall be determined and enacted. Only the powers necessary to exercise for the common interests of the member states of the Union shall be conferred to the Union. Residual powers which are not prescribed in the power of the Union, power of the States and concurrent power, shall remain with the member states of the Union.

Legislature of the Union

7. Federal Parliament is established with Federal Upper House and Federal Lower House which have equal powers. Upper House is established with the equal number of representatives selected and sent by various member states of the Federal Union. Lower House is established with representatives elected by the constituents in the elections which are based either on the number of population or townships. These two houses of parliament develop and enact union legislation.

Union Governance

8. The governance system of the Federal Union is Parliamentary System led by the Prime Minister. It is a system where a Head of State or President of the Union is in the parliamentary system.

Union Judiciary and Constitutional Tribunal

9. The supreme court of the Federal Union and Federal Union courts shall be established at various levels to exercise the judicial powers of the Federal Union. Federal Union Chief Justice nominated by the President of the Federal Union shall be reviewed examined and approved by the Federal Parliament.

10. Independent Constitutional Tribunal shall be formed to resolve and address the disputes related to the Constitution between the Federal Union and its member state or among member states.

11. Constitution of the Federal Union is the supreme law of the Union.

State Constitution

12. Member states of the Federal Union have the right to develop and enact State Constitutions.

13. Authority and power of local levels within the state shall be clearly and exactly prescribed in the State Constitution and the schedules of the taxes and revenue it can collect shall be exactly provided and enacted.

14. Rights of every ethnic nationalities in the State in various sectors namely political, social, economic, culture, tradition and customs etc. shall be protected, maintained and promoted.

Independent Commissions

15. The Federal Union shall have at least the following independent commissions:
- a. Anti-Corruption Commission;
 - b. Election Commission;
 - c. Anti-Discrimination and Human Rights Commission;
 - d. Right to information Commission; and
 - e. Anti-Gender based Violence Commission.

Politics and Religion

16. The Federal Union shall practice a political system that has separation between politics and religion and that is secular, not based on religion.

Fiscal Federalism

17. Exact and systematic tax and revenue collection schedule between Union level government and State level governments shall be precisely enacted as a law. The Union revenue collection mechanism and State revenue collection mechanism shall be specific and separate.
18. Fiscal management and sharing laws between Federal Union and States shall be developed and enacted. The Fiscal equality program for comprehensive and equitable development of the member states of the Union shall be developed and enacted.

Land and Natural Resources

19. Land and natural resources management and sharing law between Federal Union and member states shall be developed and enacted.
20. The original owner of all of land and natural resources within a State is the people who live in the State. The State shall have the right to independently manage the exploration, extraction, selling, trading, preservation, and protection etc. of the natural resources within the State.
21. In the Federal Union, the State shall have the full rights to the revenue stream coming from the natural resources that are produced in large quantities among the resource revenues. In extraction and production of natural resources, the consent of the local communities shall be obtained, and it shall have direct benefits to the development of that area. Separate taxes shall be collected, and a funds program shall be developed and enacted to remedy the negative impacts affecting the communities and the natural environment and the damages to the ecosystem due to the extraction of natural resources.

Fundamental Rights and Rights of Ethnic Minorities

22. Every person who lives in the Union shall be entitled to the fundamental human rights.

23. All the ethnic nationalities born in the Union shall have full rights to individual rights entitled as an individual person and ethnic nationalities shall have full rights to collective rights entitled as ethnic groups.

24. Every citizen who has adopted the citizenship of the Union although they are not ethnic nationalities born in the Union, shall have the full rights to fundamental rights of the citizens (citizen rights).

25. Direct, indirect or any forms of discriminations based on sex and gender shall be absolutely prohibited and there shall be promotion, protection, respect and compliance.

26. There shall be rights to independently preserve, protect and promote the customs, traditional practices and languages of ethnic nationalities in accordance with fundamental human rights laws. National identity and cultural rights of ethnic nationalities as their inherent rights shall not be repealed or prevented in any context. There shall be priority or specific space provided for ethnic minorities in State governments, State parliaments and local governance so they can participate in politics and decision-making role.

27. Literature and languages of ethnic nationalities shall be officially applied and taught in practice. Higher education institutions, universities and institutions shall be established and implemented so that ethnic languages of the Union will be taught and learned in these facilities.

Federal security and defense principles

28. Security and defense policies of Federal Union shall be based on human security. All security and defense forces of Federal Union shall be under the supervision and administration of democratically elected civilian government.

29. Federal Parliament shall develop and enact security and defense policies and laws of the Union. Federal Parliament shall examine and approve the defense and security expenditures.

30. Federal Police Force and State Police Force shall be established separately. There shall be the right to form State Security Force. State Police Force and State Security Force are under the governance and control of respective State Government. The expenditures of State Police Force and State Security Forces shall be scrutinized and approved by respective State Parliament.

31. To respond effectively in the context of either Union security and State of Emergency or natural disasters and relief activities, the deployment of Security Forces shall be discussed and decided by Union Government and respective State Government.

32. National Defense and Security Council of Federal Union shall be established. This Council shall be composed of at least one person from State Defense and Security Councils and of Union level individuals whose total number is not more than 30% of the total members of the Council.

Federal Union Security System

33. Federal Union Security System shall be established to implement a system where organizations and various forces participate in all ethnic nationalities, and provide comprehensive coverage while guaranteeing the safety of the population, protection of communities from dangers and defense of the Union through development of strategies based on respective geographical situation and mandates of security authorities which reflect and shape the customs and traditions, concerns and needs of the local communities by exercising the distribution of powers among Union, State and local level civilian governments, distribution of rights and decision-making powers given to the specific entities or individuals.

Administration and Public Services

34. Public service training schools shall be opened to train and nurture the individuals who will serve in administration and public services. Union Government shall develop curriculum standards that will be taught in these training schools.

35. Respective States shall have the right to open administration and public services training schools in respective states for the individuals who will serve in the states.

Inter-Governmental Relations

36. Joint Committees shall be established such as Heads of State Joint Committee to address and resolve the disputes and issues and to collaborate and work together between Federal Union and the States or between the state; Sectoral Ministers Joint Committee to work in collaboration in respective sectors; Financial Joint Committee to manage the revenues that are designated to be shared. The term of the Committee shall be determined based on the need of the issue on collaboration.

37. Heads of member states are above Union Ministers in the hierarchy of Federal Union.

Chapter V

Commitment

We shall build peaceful Federal Democracy Union with freedom, justice and equality in line with the political road map which will be implemented along the vision and objectives of this Charter.

In doing so, we shall endeavor to give the right to decision-making to the people and the right to self-determination to the member states of the Union based on the Union values.

We shall ensure the fundamental rights, gender equality and the rights of ethnic minorities. For the security of social life of every citizen, we shall adopt security and defense policies of Federal Union based on human security.

We shall develop and adopt policies that encourage and support innovation and entrepreneurship to raise the living standards of the citizens.

We shall develop and adopt effective policies for universal education coverage, universal health coverage, rights of people with disabilities, children, elderly and women including pregnant mothers, harm reduction for abuse of narcotics and psychotropic substances, treatment and rehabilitation.

We shall repeal the powers of those who are not elected. We shall dismantle the governments that do not have accountability nor responsibility by the people power. We shall be able to guarantee that the original source of sovereignty is the people. We shall ensure that the powers of the State are in the hands of the people.

The themes, provisions and policies in this Charter are the basic guidance that shall be applied in the implementation of the issues relating to the interim government and interim constitutional arrangements that will emerge soon.

Conclusion

Ethnic leaders who built the Union have given up their right to build their own separate nationals and signed 1947 Panglong Agreement to build this Union as a federation where countries come together as a Union. They intended to hold freedom, equality, diversity, collective leadership and self-determination as the standards and values of the Union and build Federal Union where all ethnicities would share the common destiny peacefully and live together in harmony. They have collaborated to achieve independence together.

Thus, it is essential to implement once again the Panglong Agreement, Panglong Commitment and Panglong Principle which are the original convention of the Union in order to build peaceful and prosperous Federal Union. The Constitution of Federal Union shall be drafted once again. Constitutionalism where governance is exercised according to the Constitution shall be adopted. Necessary legislative, executive and judiciary reforms shall be undertaken. The necessary characteristics of the Union shall be fulfilled. We shall implement building of the union identity both in form and essence. Union shall be built collectively and it shall flourish with collective leadership in the world.

We hereby declare that this Charter has been developed, adopted and validated collectively to shape and create a new Federal Democracy Union of freedom, peace, prosperity and development where we believe in and comply with values and strong policies and we shall implement collectively with collective leadership.

NOTE: On March 27, 2021, this “Federal Democracy Charter,” Part I, “Declaration of Federal Democracy Union” has been discussed and validated at National Unity Consultation Council (NUCC).

SOURCE: Committee Representing Pyidaungsu Hluttaw. “Federal Democracy Charter—Part I” March 31, 2021, <https://crphmyanmar.org/wp-content/uploads/2021/04/Federal-Democracy-Charter-English.pdf>.



ASEAN Chair Summarizes Meeting about Myanmar

April 24, 2021

The ASEAN Leaders’ Meeting was convened on 24 April 2021 at the ASEAN Secretariat in Jakarta, Republic of Indonesia, and chaired by His Majesty Sultan Haji Hassanal Bolkia

Mu'izzaddin Waddaulah, Sultan and Yang Di-Pertuan of Brunei Darussalam. The Meeting was convened with the view to advance ASEAN Community building, hasten recovery from the Coronavirus Disease 2019 (COVID-19) pandemic, strengthen ASEAN's external relations and address pressing issues of common interest to all ASEAN Member States.

In the pursuit to strengthen our regional solidarity and resilience, we reiterated that the political stability in ASEAN Member States is essential to achieving a peaceful, stable and prosperous ASEAN Community. We underscored the need to maintain our unity, Centrality, and relevance in the region and to collectively address common challenges. We recognised that the strength of the ASEAN Community lies in putting people at its centre and fulfilling their desire to live in a region of lasting peace, security and stability, sustained economic growth, shared prosperity, and social progress. In this regard, we reaffirmed our commitment to the purposes and principles enshrined in the ASEAN Charter, including adherence to the rule of law, good governance, the principles of democracy and constitutional government, respect for fundamental freedoms, and the promotion and protection of human rights . . .

We, as an ASEAN family, had a close discussion on the recent developments in Myanmar and expressed our deep concern on the situation in the country, including reports of fatalities and escalation of violence. We acknowledged ASEAN's positive and constructive role in facilitating a peaceful solution in the interest of the people of Myanmar and their livelihoods, and therefore agreed to the "Five-Point Consensus" attached to this Chairman's Statement. We also heard calls for the release of all political prisoners including foreigners.

We also underscored the importance of Myanmar's continued efforts in addressing the situation in the Rakhine State, including commencing the repatriation process, in a voluntary, safe and dignified manner in accordance with its bilateral agreements with Bangladesh. In this regard, we looked forward to the resumption of repatriation of verified displaced persons as soon as possible. We reiterated our appreciation to the Secretary-General of ASEAN for his efforts in leading the implementation of the recommendations of the Preliminary Needs Assessment (PNA). We also looked forward to the conduct of the Comprehensive Needs Assessment (CNA) and encouraged the Secretary-General of ASEAN to continue identifying possible areas that can effectively facilitate the repatriation process for displaced persons from Rakhine State. We further underscored the importance of efforts to addressing the root causes of the situation in Rakhine State.

Five-Point Consensus

On the situation in Myanmar, the Leaders reached consensus on the following:

1. First, there shall be immediate cessation of violence in Myanmar and all parties shall exercise utmost restraint.
2. Second, constructive dialogue among all parties concerned shall commence to seek a peaceful solution in the interests of the people.
3. Third, a special envoy of the ASEAN Chair shall facilitate mediation of the dialogue process, with the assistance of the Secretary-General of ASEAN.
4. Fourth, ASEAN shall provide humanitarian assistance through the AHA Centre.
5. Fifth, the special envoy and delegation shall visit Myanmar to meet with all parties concerned.

SOURCE: Association of Southeast Asian Nations. "Chairman's Statement on the ASEAN Leaders' Meeting." April 24, 2021. <https://asean.org/wp-content/uploads/Chairmans-Statement-on-ALM-Five-Point-Consensus-24-April-2021-FINAL-a-1.pdf>.

OTHER HISTORIC DOCUMENTS OF INTEREST

FROM PREVIOUS *HISTORIC DOCUMENTS*

- International Court of Justice Announces Proceedings Against Myanmar, 2019, p. 630
- United Nations and Myanmar Leaders Respond to Rohingya Crisis, 2017, p. 99
- Pro-Democracy Leader Aung San Suu Kyi Wins Seat in Burmese Parliament, 2012, p. 197

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U.S. and Russian Officials Comment on Evolving Russia Relationship

FEBRUARY 3, MARCH 2, AND JUNE 16, 2021

President Joseph R. Biden showed early in his administration that he intended to take a different approach to U.S. relations with Russia than did his immediate predecessor, former president Donald Trump. Whereas Trump was criticized for an overly warm embrace of Russian president Vladimir Putin, Biden pledged to hold Putin accountable for everything from alleged election interference to human rights abuses, while maintaining a working relationship on issues where Russian and American interests aligned. In 2021, this balance not only involved an extension of the New START Treaty and a renewed strategic dialogue between the two countries but also the imposition of various sanctions on Russian individuals and entities.

NEW START TREATY EXTENDED

Putin was one of several world leaders Biden spoke with by phone during his first week in office. According to a White House readout of the January 26 call, Biden raised several concerns with Putin, including alleged Russian cyberattacks, interference in the 2020 election, and bounties offered for U.S. military casualties in Afghanistan, as well as escalating tensions between Russia and Ukraine. This appeared to signal the United States' return to a more traditional, cautious approach to Russian relations than that employed by Trump, who often demonstrated a reluctance to confront Putin on such issues.

At the same time, Putin and Biden agreed to work together to extend the New START Treaty for another five years. The treaty represents the last remaining nonproliferation agreement between the United States and Russia and is the third iteration of a treaty originally signed in 1991, as the Cold War was ending. New START places equal limits on the number of deployed nuclear warheads, intercontinental ballistic missiles, and missile delivery systems each country may have. It also limits Russian deployment of intercontinental-range nuclear weapons and two types of long-range nuclear weapons capable of reaching the United States.

The agreement to extend New START, as well as a broader agreement to explore the possibility of bilateral strategic discussions on other arms control and security issues, underscored the Biden administration's need and desire to continue collaborating with Russia. "Especially during times of tension, verifiable limits on Russia's intercontinental-range nuclear weapons are vitally important," said U.S. secretary of state Antony Blinken. "Extending the New START Treaty makes the United States, U.S. allies and partners, and the world safer." However, Blinken added that the United States would "remain clear eyed about the challenges that Russia poses" to the country and to the world. "Even as we work with Russia to advance U.S. interests, so too will we work to hold Russia to account for adversarial actions as well as its human rights abuses, in close coordination with our allies and partners," he said.

U.S. SANCTIONS RUSSIA FOR ATTACK ON OPPOSITION LEADER

The Biden administration provided an example of how it planned to keep Russia accountable on March 2. That day, in coordination with the European Union (EU), the U.S. Departments of State and the Treasury announced sanctions against seven Russian officials and fourteen Russian entities in response to the “attempted assassination” and imprisonment of Aleksey Navalny.

Navalny emerged as the most prominent opposition voice in Russia since he began blogging about allegations of malpractice and corruption at state-controlled corporations in 2008. Navalny claims Putin’s government and his United Russia party is rife with corruption and is highly critical of the president’s efforts to strengthen the central government, comparing it to tsarist Russia. Navalny established the Anti-Corruption Foundation to help local politicians defeat Putin allies in regional elections and has successfully organized major anticorruption protests. (Because these protests are not authorized by the state, they regularly prompt sharp crackdowns by Russian police.) In 2011, for example, Navalny was one of the main leaders of mass demonstrations that saw 50,000 people take to the streets in Moscow to protest Putin’s resumption of the presidency after one term as prime minister and evidence a legislative election had been rigged in United Russia’s favor. Navalny was labeled an extremist by the government and had been arrested multiple times, including for charges of embezzlement and fraud in 2013 and 2014, respectively. These charges were widely dismissed as politically motivated by Navalny, his supporters, and outside observers.

In August 2020, Navalny was on a flight from Serbia to Moscow when he became seriously ill. After an emergency landing, he was brought to a hospital in Omsk, Russia, and treated by doctors who Navalny’s family claimed were covering up the true cause of his illness. (The doctors said Navalny was suffering from a “metabolic disorder” that made his blood sugar drop.) A German foundation ultimately convinced Russian officials to transfer Navalny to Berlin. There, tests found “unequivocal proof of a chemical nerve warfare agent of the Novichok group” suggesting Navalny had been poisoned. These findings were affirmed by the independent Organisation for the Prohibition of Chemical Weapons. Navalny’s associates accused Putin of ordering an assassination attempt. Western officials did not go as far as naming Putin, but they did attribute the apparent attack to Russian intelligence operatives. Russia rejected the findings and denied any involvement.

Navalny returned to Moscow after several months of recovery in Berlin. He was immediately arrested after landing at the airport on January 17, 2021. Officials said Navalny had violated the terms of the suspended sentence he received in 2014, following the fraud charges. Specifically, authorities said Navalny was supposed to regularly report to police. Navalny and his aides argued that was impossible for him to do while he was recuperating—and, for some time, in a coma—and that he had faithfully checked in with authorities when he was in Russia. Navalny was later sentenced to two and a half years in prison for his alleged violations.

The U.S. sanctions effectively expanded measures implemented in 2018, following a similar incident in which Russia allegedly poisoned one of its former spies with Novichok. The sanctions terminated foreign assistance to Russia, except for humanitarian and food aid; ended sales of “defense articles” or defense services to Russia, with the exception of items supporting commercial space cooperation; denied Russia any credit or other financial assistance from the U.S. government; and added Russia to a list of countries “subject to a policy of denial” for national security-related goods and technology. The sanctions

also prohibited any Americans from transacting with or holding the assets of any of the sanctioned individuals, and it blocked any transactions with entities “50 percent or more owned” by a designated person.

“The U.S. government has exercised its authorities to send a clear signal that Russia’s use of chemical weapons and abuse of human rights have severe consequences,” said Blinken. “Any use of chemical weapons is unacceptable and contravenes international norms.” The secretary reiterated the United States’ position that Russia’s legal efforts against Navalny were “politically motivated” and called for his immediate and unconditional release.

These sanctions indicated a meaningful change in the United States’ dealings with Russia. The Trump administration had more willingly embraced Putin and his government, often setting aside allegations of malign actions to emphasize friendship and collaboration. This was perhaps most famously on display following Trump’s meeting with Putin in 2018, when he publicly dismissed the U.S. intelligence community’s conclusion that Russia had interfered in the 2016 election. Biden administration officials denied they were seeking to reset the U.S.–Russia relationship or cause an escalation in tensions between the two countries, saying the sanctions and other such measures were a necessary consequence for behavior that went against international norms and American values. Officials also pointed to a planned U.S.–Russia summit as evidence of the administration’s desire to maintain a cooperative relationship with Putin.

Another round of sanctions was announced in April in response to Russia’s suspected interference in the 2020 election, involvement in the SolarWinds cyberattack (through which hackers gained access to U.S. government networks), and buildup of military forces along the Ukrainian border. This time the sanctions prohibited U.S. banks from buying sovereign bonds from Russia’s central bank, national wealth fund, and finance ministry, in addition to blacklisting thirty-two entities and individuals involvement in election meddling and “acts of disinformation and interference.” Ten Russian diplomats were also expelled from the United States. “There is an interest in the United States to work with Russia. We should and we will,” said Biden. But he added, “When Russia seeks to violate the interests of the United States, we will respond.”

Russia responded by expelling ten U.S. diplomats and suggesting the U.S. ambassador return home. Eight high-ranking current and former U.S. officials were banned from entering Russia as well.

U.S.–RUSSIA SUMMIT

Russian officials also suggested they may not participate in the U.S.–Russia summit due to the sanctions, but the meeting took place in Geneva, Switzerland, as planned on June 16. The three-hour summit began with a meeting between Putin, Biden, Blinken, and Russian minister of foreign affairs Sergey Lavrov, before expanding to include a broader range of policy advisors. Agenda items spanned cybersecurity, human rights, military threats, climate change, arms control, and Russian and U.S. nationals detained by the other country. Both Biden and Putin spoke to reporters following the summit, though in a break with custom, they did so separately. This was reportedly a deliberate decision by the White House, intended to avoid a competitive or combative joint press conference or an appearance that Biden was giving Putin too much credibility.

The two parties did issue a joint statement that declared, “The United States and Russia have demonstrated that, even in periods of tension, they are able to make progress

on our shared goals of ensuring predictability in the strategic sphere, reducing the risk of armed conflicts and the threat of nuclear war.” The two countries would embark “on an integrated bilateral Strategic Stability Dialogue” that would “lay the groundwork for future arms control and risk reduction measures,” the statement added, which was one of only two concrete commitments produced by the summit. The other was an agreement to return ambassadors and expelled diplomats to their postings.

Putin and Biden both characterized the summit as productive during their respective news conferences. “I believe there was no hostility at all,” Putin said. “Our meeting was, of course, a principled one, and our positions diverge on many issues, but I still think that both of us showed a willingness to understand each other and look for ways of bringing our positions closer together. The conversation was quite constructive.” He cited both an agreement for the State Department and Russian Ministry of Foreign Affairs to “begin consultations on the entire range of cooperation on the diplomatic track” and the strategic stability dialogue as examples of the meeting’s success, noting that the United States and Russia “bear special responsibility for global strategic stability” because they are the two largest nuclear powers.

Biden said the “tone of the entire meeting . . . was good, positive” and that the United States and Russia “should be able to cooperate where it’s in our mutual interests.” Where differences exist, Biden said, he wanted Putin to “understand why I say what I say and why I do what I do, and how we’ll respond to specific kinds of actions that harm America’s interests,” including attempts to “violate our democratic sovereignty or destabilize our democratic elections.” Biden also said he made it clear to Putin that “human rights is going to always be on the table” when it comes to U.S.–Russia dialogue, because “no President of the United States could keep faith with the American people if they did not speak out to defend our democratic values, to stand up for the universal rights and fundamental freedoms that all men and women have, in our view.”

Biden’s comment regarding human rights was one of several that indicated persistent differences between the two leaders. While Biden spoke of the importance of pushing Russia on human rights concerns, Putin deflected questions about the issue by repeating his claims that the United States supports opposition groups and leaders—like Navalny—to weaken his government, and reiterated his position that Russia’s domestic politics are not up for international discussion. There also appeared to be some disagreement on cybersecurity. Putin denied that Russia was involved in cyberattacks against the United States and claimed that most cyberattacks actually originated from the United States. However, he did agree with Biden on the need for “rules for behavior” in cybersecurity and other areas. (Biden wanted sixteen sectors of critical infrastructure to be “off-limits” to cyberattacks.)

RELATIONS MOVING FORWARD

Friction between the two countries persisted through year end, including after the United States imposed another round of sanctions against individuals involved in Navalny’s poisoning. However, Russian and American delegations successfully initiated the Strategic Stability Dialogue Putin and Biden had promised, meeting once in July and once in September to discuss arms control and risk reduction issues. A joint statement issued following the September meeting described the discussion as “intensive and substantive” and noted working groups of interagency experts would be formed to help continue the discourse.

—Linda Grimm

Following is a statement issued by U.S. secretary of state Antony Blinken on February 3, 2021, announcing the five-year extension of the New START Treaty; a statement issued by Blinken on March 2, 2021, about the imposition of sanctions on Russia in response to the attempted assassination of Aleksey Navalny; a joint statement released by U.S. and Russian officials on June 16, 2021, about agreements reached during the U.S.–Russia summit in Geneva; and remarks by U.S. president Joseph R. Biden and Russian president Vladimir Putin, respectively, during separate, post-summit news conferences on June 16, 2021.



U.S. Extends New START Treaty

February 3, 2021

President Biden pledged to keep the American people safe from nuclear threats by restoring U.S. leadership on arms control and nonproliferation. Today, the United States took the first step toward making good on that pledge when it extended the New START Treaty with the Russian Federation for five years.

Extending the New START Treaty ensures we have verifiable limits on Russian ICBMs, SLBMs, and heavy bombers until February 5, 2026. The New START Treaty's verification regime enables us to monitor Russian compliance with the treaty and provides us with greater insight into Russia's nuclear posture, including through data exchanges and onsite inspections that allow U.S. inspectors to have eyes on Russian nuclear forces and facilities. The United States has assessed the Russian Federation to be in compliance with its New START Treaty obligations every year since the treaty entered into force in 2011.

Especially during times of tension, verifiable limits on Russia's intercontinental-range nuclear weapons are vitally important. Extending the New START Treaty makes the United States, U.S. allies and partners, and the world safer. An unconstrained nuclear competition would endanger us all.

President Biden has made clear that the New START Treaty extension is only the beginning of our efforts to address 21st century security challenges. The United States will use the time provided by a five-year extension of the New START Treaty to pursue with the Russian Federation, in consultation with Congress and U.S. allies and partners, arms control that addresses all of its nuclear weapons. We will also pursue arms control to reduce the dangers from China's modern and growing nuclear arsenal. The United States is committed to effective arms control that enhances stability, transparency and predictability while reducing the risks of costly, dangerous arms races.

Just as we engage the Russian Federation in ways that advance American interests, like seeking a five-year extension of New START and broader discussions to reduce the likelihood of crisis and conflict, we remain clear eyed about the challenges that Russia poses to the United States and the world. Even as we work with Russia to advance U.S. interests, so too will we work to hold Russia to account for adversarial actions as well as its human rights abuses, in close coordination with our allies and partners.

SOURCE: U.S. Department of State. "On the Extension of the New START Treaty with the Russian Federation." February 3, 2021. <https://www.state.gov/on-the-extension-of-the-new-start-treaty-with-the-russian-federation>.



United States Imposes Sanctions on Russia for the Poisoning and Imprisonment of Aleksey Navalny

March 2, 2021

The United States joins the European Union in condemning and responding to the Russian Federation's use of a chemical weapon in the attempted assassination of Russian opposition figure Aleksey Navalny in August 2020 and his subsequent imprisonment in January 2021. We share the EU's concerns regarding Russia's deepening authoritarianism and welcome the EU's determination to impose sanctions on Russia under its new global human rights authorities.

The U.S. government has exercised its authorities to send a clear signal that Russia's use of chemical weapons and abuse of human rights have severe consequences. Any use of chemical weapons is unacceptable and contravenes international norms.

The United States has consistently characterized the legal offensive against Mr. Navalny as politically motivated, an assessment shared by our G7 partners and the European Court of Human Rights. We reiterate our call for the Russian government to immediately and unconditionally release Mr. Navalny.

In today's actions, the Department of State, under the U.S. Chemical and Biological Weapons Control and Warfare Elimination Act of 1991, will expand existing sanctions first imposed on Russia after its 2018 chemical weapon attack against Sergei Skripal in the United Kingdom, three years ago this week. The Department of State has also implemented measures under Executive Order (E.O.) 13382, which targets weapons of mass destruction proliferators, as well as the Countering America's Adversaries Through Sanctions Act (CAATSA) against multiple Russian individuals and entities associated with the Russian Federation's chemical weapons program and defense and intelligence sectors. In addition, the Department will amend Section 126.1 of the International Traffic in Arms Regulations to include Russia in the list of countries subject to a policy of denial for exports of defense articles and defense services, with certain exceptions for exports to Russia in support of government space cooperation. Exports in support of commercial space cooperation, however, will be restricted following a six-month transition period.

The Department of the Treasury is designating seven Russian government officials, five of whom were previously designated by the EU and UK for their role in Navalny's poisoning and two whom the EU designated in response to Mr. Navalny's arrest and imprisonment. The Department of Commerce is adding 14 entities to the Entity List based on their proliferation activities in support of Russia's weapons of mass destruction programs and chemical weapons activities.

SOURCE: U.S. Department of State. "Imposing Sanctions on Russia for the Poisoning and Imprisonment of Aleksey Navalny." March 2, 2021. <https://www.state.gov/imposing-sanctions-on-russia-for-the-poisoning-and-imprisonment-of-aleksey-navalny>.



U.S. and Russian Presidents Issue Joint Statement on Strategic Stability

June 16, 2021

We, President of the United States of America Joseph R. Biden and President of the Russian Federation Vladimir Putin, note the United States and Russia have demonstrated that, even in periods of tension, they are able to make progress on our shared goals of ensuring predictability in the strategic sphere, reducing the risk of armed conflicts and the threat of nuclear war.

The recent extension of the New START Treaty exemplifies our commitment to nuclear arms control. Today, we reaffirm the principle that a nuclear war cannot be won and must never be fought.

Consistent with these goals, the United States and Russia will embark together on an integrated bilateral Strategic Stability Dialogue in the near future that will be deliberate and robust. Through this Dialogue, we seek to lay the groundwork for future arms control and risk reduction measures.

SOURCE: Executive Office of the President. "Joint Statement by President Biden and President Vladimir Vladimirovich Putin of Russia on Strategic Stability." June 16, 2021. *Compilation of Presidential Documents* 2021, no. 00512 (June 16, 2021). <https://www.govinfo.gov/content/pkg/DCPD-202100512/pdf/DCPD-202100512.pdf>.



Remarks by President Biden Following U.S.–Russia Summit

June 16, 2021

THE PRESIDENT: . . . Well, I've just finished the—the last meeting of this week's long trip, the U.S.-Russian Summit.

And I know there were a lot of hype around this meeting, but it's pretty straightforward to me—the meeting. One, there is no substitute, as those of you who have covered me for a while know, for a face-to-face dialogue between leaders. None. And President Putin and I had a—share a unique responsibility to manage the relationship between two powerful and proud countries—a relationship that has to be stable and predictable. And it should be able to—we should be able to cooperate where it's in our mutual interests.

And where we have differences, I wanted President Putin to understand why I say what I say and why I do what I do, and how we'll respond to specific kinds of actions that harm America's interests.

Now, I told President Putin my agenda is not against Russia or anyone else; it's for the American people: fighting COVID-19; rebuilding our economy; reestablishing our

relationships around the world with our allies and friends; and protecting our people. That's my responsibility as President.

I also told him that no President of the United States could keep faith with the American people if they did not speak out to defend our democratic values, to stand up for the universal rights and fundamental freedoms that all men and women have, in our view. That's just part of the DNA of our country.

So, human rights is going to always be on the table, I told him. It's not about just going after Russia when they violate human rights; it's about who we are. How could I be the President of the United States of America and not speak out against the violation of human rights? . . .

And so, at the forum, I pointed out to him that that's why we're going raise our concerns about cases like Aleksey Navalny . . .

And I raised the case of two wrongfully imprisoned American citizens: Paul Whelan and Trevor Reed.

I also raised the ability of Radio Free Europe and Radio Liberty to operate, and the importance of a free press and freedom of speech.

I made it clear that we will not tolerate attempts to violate our democratic sovereignty or destabilize our democratic elections, and we would respond.

The bottom line is, I told President Putin that we need to have some basic rules of the road that we can all abide by.

I also said there are areas where there's a mutual interest for us to cooperate, for our people—Russian and American people—but also for the benefit of the world and the security of the world. One of those areas is strategic stability.

You asked me many times what was I going to discuss with Putin. Before I came, I told you I only negotiate with the individual. And now I can tell you what I was intending to do all along, and that is to discuss and raise the issue of strategic stability and try to set up a mechanism whereby we dealt with it.

We discussed in detail the next steps our countries need to take on arms control measures—the steps we need to take to reduce the risk of unintended conflict.

And I'm pleased that he agreed today to launch a bilateral strategic stability dialogue—diplomatic speak for saying, get our military experts and our—our diplomats together to work on a mechanism that can lead to control of new and dangerous and sophisticated weapons that are coming on the scene now that reduce the times of response, that raise the prospects of accidental war. And we went into some detail of what those weapons systems were.

Another area we spent a great deal of time on was cyber and cybersecurity. I talked about the proposition that certain critical infrastructure should be off limits to attack—period—by cyber or any other means. I gave them a list, if I'm not mistaken—I don't have it in front of me—16 specific entities; 16 defined as critical infrastructure under U.S. policy, from the energy sector to our water systems.

Of course, the principle is one thing. It has to be backed up by practice. Responsible countries need to take action against criminals who conduct ransomware activities on their territory.

So we agreed to task experts in both our—both our countries to work on specific understandings about what's off limits and to follow up on specific cases that originate in other countries—either of our countries.

There is a long list of other issues we spent time on, from the urgent need to preserve and reopen the humanitarian corridors in Syria so that we can get food—just simple food

and basic necessities to people who are starving to death; how to build it and how it is in the interest of both Russia and the United States to ensure that Iran—Iran—does not acquire nuclear weapons. We agreed to work together there because it's as much interest—Russia's interest as ours. And to how we can ensure the Arctic remains a region of cooperation rather than conflict.

I caught part of President's—Putin's press conference, and he talked about the need for us to be able to have some kind of modus operandi where we dealt with making sure the Arctic was, in fact, a free zone.

And to how we can each contribute to the shared effort of preventing a resurgence of terrorism in Afghanistan. It's very much in—in the interest of Russia not to have a resurgence of terrorism in Afghanistan.

There are also areas that are more challenging. I communicated the United States' unwavering commitment to the sovereignty and territorial integrity of Ukraine.

We agreed to pursue diplomacy related to the Minsk Agreement. And I shared our concerns about Belarus. He didn't disagree with what happened; he just has a different perspective of what to do about it . . .

I did what I came to do: Number one, identify areas of practical work our two countries can do to advance our mutual interests and also benefit the world.

Two, communicate directly—directly—that the United States will respond to actions that impair our vital interests or those of our allies.

And three, to clearly lay out our country's priorities and our values so he heard it straight from me.

And I must tell you, the tone of the entire meetings . . . was good, positive. There wasn't any—any strident action taken. Where we disagreed—I disagreed, stated where it was. Where he disagreed, he stated. But it was not done in a hyperbolic atmosphere. That is too much of what's been going on.

Over this last week, I believe—I hope—the United States has shown the world that we are back, standing with our Allies. We rallied our fellow democracies to make concert—concerted commitments to take on the biggest challenges our world faces.

And now we've established a clear basis on how we intend to deal with Russia and the U.S.–Russia relationship.

There's more work ahead. I'm not suggesting that any of this is done, but we've gotten a lot of business done on this trip . . .

We'll find out within the next six months to a year whether or not we actually have a strategic dialogue that matters. We'll find out whether we work to deal with everything from release of people in Russian prisons or not. We'll find out whether we have a cyber-security arrangement that begins to bring some order.

Because, look, the countries that most are likely to be damaged—failure to do that—are the major countries. For example, when I talked about the pipeline that cyber hit for \$5 million—that ransomware hit in the United States, I looked at him and I said, "Well, how would you feel if ransomware took on the pipelines from your oil fields?" He said it would matter.

This is not about just our self-interest; it's about a mutual self-interest . . .

Q: U.S. intelligence has said that Russia tried to interfere in the last two presidential elections, and that Russia groups are behind hacks like SolarWinds and some of the ransomware attacks you just mentioned. Putin, in his news conference just now, accepted no responsibility for any misbehavior . . . So what is something concrete, sir, that you

achieved today to prevent that from happening again? And what were the consequences you threatened?

THE PRESIDENT: Whether I stopped it from happening again—he knows I will take action, like we did when—this last time out. What happened was: We, in fact, made it clear that we were not going to continue to allow this to go on. The end result was we ended up withdrawing—they went withdrawing ambassadors, and we closed down some of their facilities in the United States, et cetera. And he knows there are consequences . . .

I suspect you may all think doesn't matter, but I'm confidence it matters to him . . . and other world leaders of big nations: his credibility worldwide shrinks.

Let's get this straight: How would it be if the United States were viewed by the rest of the world as interfering with the elections directly of other countries, and everybody knew it? What would it be like if we engaged in activities that he is engaged in? It diminishes the standing of a country that is desperately trying to make sure it maintains its standing as a major world power.

And so it's not just what I do; it's what the actions that other countries take—in this case, Russia—that are contrary to international norms. It's the price they pay. They are not—they are not able to dictate what happens in the world . . .

Q: You said, just now, that you spoke to him a lot about human rights. What did you say would happen if opposition leader Aleksey Navalny dies?

THE PRESIDENT: I made it clear to him that I believe the consequences of that would be devastating for Russia . . .

I pointed out to him that it matters a great deal when a country, in fact—and they asked me why I thought that it was important to continue to have problems with the President of Syria. I said, "Because he's in violation of an international norm. It's called a Chemical Weapons Treaty. Can't be trusted."

It's about trust. It's about their ability to influence other nations in a positive way . . .

And understand, when you run a country that does not abide by international norms, and yet you need those international norms to be somehow managed so that you can participate in the benefits that flow from them, it hurts you . . .

Q: In the run-up to this discussion, there's been a lot of talk about the two countries spilling down into a Cold War. And I'm wondering if there was anything that you emerged from in the discussion that made you think that Mr. Putin has decided to move away from his fundamental role as a disrupter, particularly a disrupter of NATO and the United States?

And if I could also just follow up on your description of how you gave him a list of critical infrastructure in the United States. Did you lay out very clearly what it was that the penalty would be for interfering in that critical infrastructure? Did you leave that vague? Did he respond in any way to it?

THE PRESIDENT: Let me answer your first—well, I'll second question, first.

I pointed out to him that we have significant cyber capability. And he knows it. He doesn't know exactly what it is, but it's significant. And if, in fact, they violate these basic norms, we will respond with cyber. He knows . . .

Number two, I—I think that the last thing he wants now is a Cold War . . .

But that does not mean he's ready to, quote, figuratively speaking, "lay down his arms," and say, "Come on." He still, I believe, is concerned about being, quote, "encircled." He still is concerned that we, in fact, are looking to take him down, et cetera. He still has those concerns, but I don't think they are the driving force as to the kind of relationship he's looking for with the United States . . .

I'm not sitting here saying because the President and I agreed that we would do these things, that all of a sudden, it's going to work. I'm not saying that. What I'm saying is I think there's a genuine prospect to significantly improve relations between our two countries without us giving up a single, solitary thing based on principle and/or values . . .

Q: Can you share what you asked him about Afghanistan? What was your particular request for Afghanistan and the U.S. troops?

THE PRESIDENT: No, he asked us about Afghanistan. He said that he hopes that we're able to maintain some peace and security, and I said, "That has a lot to do with you." He indicated that he was prepared to, quote, "help" on Afghanistan—I won't go into detail now; and help on—Iran; and help on—and, in return, we told him what we wanted to do relative to bringing some stability and economic security or physical security to the people of Syria and Libya . . .

Q: Mr. President, when President Putin was questioned today about human rights, he said the reason why he's cracking down on opposition leaders is because he doesn't want something like January 6th to happen in Russia. And he also said he doesn't want to see groups formed like Black Lives Matter. What's your response to that, please?

THE PRESIDENT: My response is kind of what I communicated—that I think that's a—that's a ridiculous comparison. It's one thing for literally criminals to break through cordon, go into the Capitol, kill a police officer, and be held unaccountable than it is for people objecting and marching on the Capitol and saying, "You are not allowing me to speak freely. You are not allowing me to do A, B, C, or D."

And so, they're very different criteria . . .

Q: And now that you've talked to him, do you believe you can trust him?

THE PRESIDENT: Look, this is not about trust; this is about self-interest and verification of self-interest. That's what it's about. So, I—virtually almost—almost anyone that I would work out an agreement with that affected the American people's interests, I don't say, "Well, I trust you. No problem." Let's see what happens.

You know, as that old expression goes, "The proof of the pudding is in the eating." We're going to know shortly . . .

SOURCE: Executive Office of the President. "The President's News Conference in Geneva, Switzerland." June 16, 2021. *Compilation of Presidential Documents* 2021, no. 00513 (June 16, 2021). <https://www.govinfo.gov/content/pkg/DCPD-202100513/pdf/DCPD-202100513.pdf>.



Remarks by President Putin Following Russia–U.S. Talks

June 16, 2021

Friends, ladies and gentlemen,

Good afternoon.

I am at your service. I think there is no need for long opening remarks since everyone is familiar with the topics of discussion in general: strategic stability, cyber security,

regional conflicts, and trade relations. We also covered cooperation in the Arctic. This is pretty much what we discussed . . .

Question: Perhaps, you can name the topics that were discussed especially closely? In particular, Ukraine is of great interest. In what context was it touched upon, was the situation in Donbass and the possibility of Ukraine joining NATO discussed?

One more thing: before the talks, there were great expectations about the ambassadors of the two countries returning to their stations in the respective capitals. In particular, your assistant, Yury Ushakov, said that this was possible. Have these decisions been made? How did the talks go in general?

Thank you.

Vladimir Putin: With regard to the ambassadors returning to their stations—the US ambassador to Moscow, and the Russian ambassador to Washington, we agreed on this matter, and they will be returning to their permanent duty stations. When exactly—tomorrow or the day after tomorrow—is a purely technical issue.

We also agreed that the Foreign Ministry of the Russian Federation and the US State Department would begin consultations on the entire range of cooperation on the diplomatic track. There are things to discuss, and an enormous backlog [of unresolved issues] has piled up. I think both sides, including the American side, are committed to looking for solutions.

With regard to Ukraine, indeed, this issue was touched upon. I cannot say that it was done in great detail, but as far as I understood President Biden, he agreed that the Minsk agreements should be the basis for a settlement in southeastern Ukraine . . .

Question: Mr. President, you said strategic stability was one of the topics. Could you tell us in more detail what decisions were made on this issue? Will Russia and the United States resume or start talks on strategic stability and disarmament, and, in particular, on the New START Treaty? Do they plan to start talks on extending New START, perhaps revising its parameters or signing a new treaty altogether?

Thank you.

Vladimir Putin: The United States and the Russian Federation bear special responsibility for global strategic stability, at least because we are the two biggest nuclear powers—in terms of the amount of ammunition and warheads, the number of delivery vehicles, the level of sophistication and quality of nuclear arms. We are aware of this responsibility.

I think it is obvious to everyone that President Biden made a responsible and, we believe, timely decision to extend New START for five years, that is, until 2024.

Of course, it would be natural to ask what next. We agreed to start interdepartmental consultations under the aegis of the US Department of State and the Foreign Ministry of Russia. Colleagues will determine at the working level the line-up of these delegations, the venues and frequency of meetings.

Question: . . . First of all, could you characterise the dynamic between yourself and President Biden? Was it hostile or was it friendly?

And secondly, throughout these conversations did you commit to ceasing carrying out cyberattacks on the United States? Did you commit to stopping threatening Ukraine's security? And did you commit to stop cracking down on the opposition in Russia?

Vladimir Putin: I will begin with a general assessment. I believe there was no hostility at all. Quite the contrary. Our meeting was, of course, a principled one, and our positions

diverge on many issues, but I still think that both of us showed a willingness to understand each other and look for ways of bringing our positions closer together. The conversation was quite constructive.

As for cyber security, we have agreed to start consultations on this issue. I consider this very important.

Now about the commitments each side must make. I would like to tell you about things that are generally known, but not to the public at large. American sources—I am simply afraid to mix up the names of organisations (Mr. Peskov will give them to you later)—have said that most cyberattacks in the world come from US cyberspace. Canada is second. It is followed by two Latin American countries and then the United Kingdom. As you can see, Russia is not on the list of these countries from whose cyberspace the most cyberattacks originate. This is the first point.

Now the second point. In 2020 we received 10 inquiries from the United States about cyberattacks on US facilities—as our colleagues say—from Russian cyberspace. Two more requests were made this year. Our colleagues received exhaustive responses to all of them, both in 2020 and this year.

In turn, Russia sent 45 inquiries to the relevant US agency last year and 35 inquiries in the first half of this year. We have not yet received a single response. This shows that we have a lot to work on.

The question of who, on what scale and in what area must make commitments should be resolved during negotiations. We have agreed to start such consultations. We believe that cyber security is extremely important in the world in general, for the United States in particular, and to the same extent for Russia.

For example, we are aware of the cyberattacks on the pipeline company in the United States. We are also aware of the fact that the company had to pay 5 million to the cyber-criminals. According to my information, a portion of the money has been returned from the e-wallets. What do Russia's public authorities have to do with this?

We face the same threats. For example, there was an attack on the public healthcare system of a large region in the Russian Federation. Of course, we see where the attacks are coming from, and we see that these activities are coordinated from US cyberspace. I do not think that the United States, official US authorities, are interested in this kind of manipulation. What we need to do is discard all the conspiracy theories, sit down at the expert level and start working in the interests of the United States and the Russian Federation. In principle, we have agreed to this, and Russia is willing to do so . . .

With regard to our obligations regarding Ukraine, we have only one obligation which is to facilitate the implementation of the Minsk Agreements. If the Ukrainian side is willing to do this, we will take this path, no questions asked.

By the way, I would like to note the following. Back in November 2020, the Ukrainian delegation presented its views about how it was planning to implement the Minsk Agreements. Please take a look at the Minsk Agreements—they are not a confidential document. They say that, first, it is necessary to submit proposals on the political integration of Donbass into the Ukrainian legal system and the Constitution. To do so, it is necessary to amend the Constitution—this is spelled out in the agreements. This is the first point. And second, the border between the Russian Federation and Ukraine along the Donbass line will begin to be occupied by the border troops of Ukraine on the day following election day—Article 9.

What has Ukraine come up with? The first step it proposed was to move Ukraine's armed forces back to their permanent stations. What does this mean? This means

Ukrainian troops would enter Donbass. This is the first point. Second, they proposed closing the border between Russia and Ukraine in this area. Third, they proposed holding elections three months after these two steps.

You do not need a legal background or any special training to understand that this has nothing to do with the Minsk Agreements. This completely contradicts the Minsk Agreements. Therefore, what kind of additional obligations can Russia assume? I think the answer is clear.

With regard to military exercises, we conduct them on our territory, just like the United States conducts many of its exercises on its territory. But we are not bringing our equipment and personnel closer to the state borders of the United States of America when we conduct our exercises. Unfortunately, this is what our US partners are doing now. So, the Russian side, not the American side, should be concerned about this, and this also needs to be discussed, and our respective positions should be clarified.

With regard to our non-systemic opposition and the citizen you mentioned, first, this person knew that he was breaking applicable Russian law. He needed to check in with the authorities as someone who was twice sentenced to a suspended prison time. Fully cognizant of what he was doing, I want to emphasise this, and disregarding this legal requirement, this gentleman went abroad for medical treatment, and the authorities did not ask him to check in while he was in treatment. As soon as he left the hospital and posted his videos online, the requirements were reinstated. He did not appear; he disregarded the law—and was put on the wanted list. He knew that going back to Russia. I believe he deliberately decided to get arrested. He did what he wanted to do . . .

With regard to the people like him and the systemic opposition in general, unfortunately, the format of a news conference precludes a detailed discussion, but I would like to say the following . . .

So, the United States declared Russia an enemy and an adversary. Congress did this in 2017 . . . Now let's ask ourselves a question: if Russia is an enemy, what kind of organisations will the United States support in Russia? I think not the ones that make the Russian Federation stronger, but the ones that hold it back, since this is the goal of the United States, something that has been announced publicly. So, these are the organisations and the people who are instrumental in the implementation of the United States' policy on Russia.

How should we feel about this? I think it is clear: we must be wary. But we will act exclusively within the framework of Russian law.

Question: I wanted to continue with this subject. We still see that the Americans keep talking about the so-called political prisoners in Russia. Did you discuss the matter of Navalny at all during your talks with President Biden? In what manner did you discuss it, if at all?

Here is one more important topic. We are all aware, of course, that, let's say, a new stage in Russia–US relations after President Biden took office began with a very harsh statement aimed at you. Have you settled this matter in any way?

Thank you very much.

Vladimir Putin: President Biden touched upon the matter of human rights and those who, as they believe, represent these issues in the Russian Federation. Yes, we talked about that at his initiative. This is the first thing.

Second, regarding harsh statements. What can I say? All of us are aware of these statements. President Biden called me after that and we discussed the matter. I accepted his

explanation. He also suggested that we meet—it was his initiative. We have met, and, as I have already mentioned, we had a very constructive conversation . . .

Generally speaking, responsibility for everything that takes place in our countries ultimately rests with the political leadership and top officials, that is, regarding who is guilty of what and who is the killer. You see, people, including the leaders of various organisations, are killed in American cities every day. You can barely say a word there before you are shot in the face or in the back, regardless of who is nearby, children or other adults. I recall a situation when a woman left her car and started running, and she was shot in the back. All right, these are criminal matters. Take a look at Afghanistan: as many as 120 people were killed there in one blow; entire wedding parties were wiped out. Yes, this could have been a mistake; such things happen. But using drones to shoot people who are obviously civilians in Iraq—what was that? Who is responsible? Who is the killer?

Or take human rights. Listen, Guantanamo is still open. This is contrary to all imaginable rules, to international law or American laws, but it is still functioning. The CIA prisons that were opened in many countries, including in Europe, where they subjected people to torture—what is this? Is this respect for human rights? I don't think so, do you?

Hardly anyone in this room will agree that this is how human rights must be protected. But this is the existing political practice. Taking into account this practice and knowing that this was done and can still be done shapes our attitude to what I have mentioned here, and to the people who receive foreign funding to protect the interests of those who pay them.

Question: . . . If all of your political opponents are dead, in prison, poisoned, doesn't that send a message that you do not want a fair political fight?

Vladimir Putin: Speaking of who can be killed or thrown in prison. People went to Congress with political demands after the election. Criminal cases have been opened against 400 people, who face up to 20 or even 25 years in prison. They have been declared domestic terrorists and accused of other crimes. As many as 70 people were detained immediately after those events, and 30 of them are still under arrest. It is unclear on what grounds, because the US authorities have not provided us with this information. Several people died; a woman rioter was fatally shot by a police officer on the spot, although she was not threatening him with a weapon. What is happening in our country is also taking place in many other countries. I would just like to point out once again: we feel for the Americans, but we don't want the same to happen in our country . . .

Question: We all saw that you shook hands with Joe Biden at the very beginning of the meeting. My question is: did you reach a new level of mutual understanding and, most importantly, a new level of trust with the US President? Do you consider it possible at this stage to reach a new phase in bilateral relations, when they will be absolutely clear and transparent, that is, what both countries are striving to achieve?

Vladimir Putin: You know, Leo Tolstoy said once, there is no happiness in life, only flashes of it—cherish them. I believe that there cannot be family trust in this situation, but I think we have seen flashes of it . . .

SOURCE: Office of the President of Russia. "News Conference Following Russia-US Talks." June 16, 2021. <http://en.kremlin.ru/events/president/news/65870>.

OTHER HISTORIC DOCUMENTS OF INTEREST

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- Tensions Escalate between Ukraine and Russia, p. 245

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Space Agencies Provide Update on Mars Missions

FEBRUARY 9, FEBRUARY 18, AND MAY 17, 2021

Mars was a focus of global interplanetary exploration in 2021, with spacecraft from three countries reaching the red planet early in the year. Launched by the United Arab Emirates (UAE), China, and the United States, each mission involved unique technology and scientific objectives, and each represented a historic first for its country. All were driven by an overarching desire to learn more about the planet's geologic and atmospheric history.

UAE BECOMES FIRST ARAB NATION TO REACH RED PLANET

The UAE was the first to make history, becoming the first Arab country to get to Mars—and only the fifth entity to claim this achievement—when its *Hope* probe reached the planet on February 9, 2021. Timed to coincide with the UAE's fiftieth anniversary, *Hope* also represented the Arab world's first interplanetary mission.

The probe launched from the Japan Aerospace Exploration Agency's (JAXA) Tanegashima Space Center on July 19, 2020, just six years after the UAE Space Agency was founded and five years after it finished construction of the Mohammed bin Rashid Space Centre, where engineers built *Hope*. Scientists and engineers from American institutions including Arizona State University, the University of Colorado, Boulder, and the University of California, Berkeley helped the UAE build *Hope*, and JAXA provided the rocket that boosted the probe into space.

Hope's core mission is to contribute to investigations of how Mars lost most of its atmosphere. It will build on the work of NASA's Mars Atmosphere and Volatile Evolution (MAVEN) spacecraft, which has been orbiting the planet and studying its atmosphere since 2014. The UAE Space Agency placed *Hope* in a significantly higher orbit than MAVEN so it can better examine Mars's upper atmosphere, how it interacts with the lower atmosphere, and how oxygen and hydrogen have been driven out of both. It will also collect data on Martian weather and the planet's climate with the goal of developing “deeper insights into the past and future of Earth and the potential of life on Mars and other distant planets.” UAE officials have said, for example, that *Hope's* observations could be used to model the future effects of climate change on Earth. Mission scientists expect to collect more than 1,000 gigabytes of data about Mars, starting with the first images of the planet it sent back to Earth on February 14. This data will be shared with 200 scientific and educational institutions worldwide. The length of *Hope's* mission—an initial two years with the potential for a two-year extension—provides the first opportunity for researchers to examine how Martian weather varies daily, by season, and over the course of a year. (Existing weather data generally covers only a short period of time.)

Beyond its scientific objectives, UAE officials said the *Hope* mission intended to help modernize the Arab world and return it to the forefront of science and astronomy. Sheikh

Mohammed bin Rashid Al Maktoum, UAE vice president and prime minister and ruler of Dubai, said *Hope* represents the UAE's "boundless" ambitions. "We dedicate our Mars achievement to the people of the UAE and the rest of the Arab world," he said. "Our success proves that Arabs are capable of reviving the region's legacy and status in the scientific sphere." Yousef al Otaiba, the UAE's ambassador to the United States, described the mission as "the Arab world's version of President John F. Kennedy's moonshot—it's a vision for the future that can engage and excite a new generation of Emirati and Arab youth."

CHINA LANDS ITS FIRST ROVER ON MARS

China followed the UAE, announcing the arrival of its *Tianwen-1* spacecraft at Mars on February 10 after seven months of travel through the solar system. The spacecraft entered its "preset parking orbit" around the planet on February 24, where officials said it would remain for about three months before releasing a capsule containing the rover *Zhurong*. *Tianwen-1* spent those three months studying the geography and weather of the rover's prospective landing site. On May 14, Chinese officials celebrated *Zhurong's* successful landing in Utopia Planitia, a wide plain inside a large impact basin on Mars's surface.

"Each and every step during the entry, descent and landing processes was executed with perfect accuracy," said Wu Yanhua, deputy director of the China National Space Administration. President Xi Jinping congratulated the team involved in the successful landing. "Thanks to your courage in the face of challenges and pursuit of excellence, China is now among the leading countries in planetary exploration," he said. "The country and people will always remember your outstanding achievements."

Tianwen-1's primary goal is to search for water and ice under the planet's surface. Additionally, both the rover and the orbiting spacecraft are equipped with a magnetometer, an instrument that measures magnetic forces. Data collected by these tools may help scientists understand how Mars lost its magnetic field, which would have contributed to its loss of atmosphere and liquid water. *Zhurong* is the first Martian rover to carry such a device. The rover will also serve as a technology demonstration that will inform more ambitious Chinese missions to Mars in the future. (For example, China has set a goal of completing a sample return mission by 2028 or 2030.)

In addition to being China's first interplanetary exploration mission, and making it only the second country to reach Mars's surface, *Tianwen-1* is notable because it represents the Chinese space program's significant and rapid advancement. Within the past two years, China finished placing its own network of global navigation satellites in Earth's orbit, returned lunar samples to Earth for the first time in more than forty years, and began construction of its first permanent space station. Commenting on China's latest accomplishment, experts in the field highlighted the added difficulty of successfully sending both an orbiting spacecraft and a rover to the red planet, particularly on a country's first-time Mars mission. "It's a big day for China," said Mark McCaughrean, senior scientific adviser for science and exploration at the European Space Agency (ESA). "We know better than anyone how hard it can be to get safely down to the surface."

A HELICOPTER ON MARS

NASA's *Perseverance* rover landed on Mars eight days after *Tianwen-1* reached the planet. Launched from Cape Canaveral Air Force Station in Florida on July 30, 2020, the rover weighed more than 2,200 pounds and was roughly the size of a car. *Perseverance*

is scheduled to spend two years exploring an ancient lakebed and river delta in Mars's Jezero Crater. The rover will examine rocks and sediment in the area to gather data about its geology and past climate while seeking "signs of ancient life" and assessing the crater's "ancient habitability."

Perseverance is NASA's fourth Martian rover and its seventeenth successful mission to Mars, but it still involves some notable firsts. *Perseverance* is part of NASA and ESA's joint Mars Sample Return campaign, which, if successful, will mark the first time samples from another planet are brought back to Earth for further study. (To date, samples have been returned from Earth's moon and several asteroids.) Previous rovers and other types of Martian landers have used onboard instruments to collect and analyze various samples, but the tests scientists want to conduct to advance the search for ancient microbial life require tools that are too large or complex to send to Mars. *Perseverance* is equipped to store the samples it gathers from the planet's surface so that they can be picked up and returned to Earth by a different spacecraft on a future mission. The rover conducted its first successful sample collection on September 1.

Perseverance is also unique because it carried the *Ingenuity* Mars Helicopter. The small robotic craft was used to complete the first powered, controlled flight on another planet, which occurred on April 19. *Ingenuity* rose about ten feet in the air, hovered briefly, turned, and then landed. It completed another four successful flights as part of its initial demonstration phase, traveling higher and farther each time. Since the helicopter exceeded performance expectations, NASA added an operations mission for *Ingenuity* that began in late May. The helicopter has since completed seven additional flights, each of which is intended to further test how *Ingenuity*'s underlying technology could be used to scout landing sites for other missions or work with rovers to explore terrain on other planets. Engineers have even speculated that similar craft could support future space settlements, for example, by making deliveries between astronauts at a home base and those working on a planet's surface.

"This landing is one of those pivotal moments for NASA, the United States, and space exploration globally—when we know we are on the cusp of discovery and sharpening our pencils, so to speak, to rewrite the textbooks," said acting NASA administrator Steve Jurczyk.

—Linda Grimm

Following is an article published by state-run Emirates News Agency on February 9, 2021, about the United Arab Emirates' Hope probe arriving at Mars; a press release issued by NASA on February 18, 2021, announcing Perseverance's landing on Mars; and a press release from the China National Space Administration on May 17, 2021, marking the Zhurong rover's landing.



UAE Announces Hope Probe's Arrival at Mars

February 9, 2021

UAE President His Highness Sheikh Khalifa bin Zayed Al Nahyan congratulated UAE citizens and residents and people of the wider region for the success of the UAE's *Hope*

Probe arrival to Mars in the first-ever Arab interplanetary mission that marks the Arab world's entry in the global race of space exploration.

The UAE made history on Tuesday evening, Feb. 9, as the first Arab nation, and the fifth in the world, to reach Mars after the *Hope* Probe successfully entered the Red Planet's orbit, at 7:42 pm. . . .

Hailing the historic breakthrough, Sheikh Khalifa bin Zayed Al Nahyan said, "This historic achievement would not have been possible without the persistence and determination to implement the idea that emerged at the end of 2013 by His Highness Sheikh Mohammed bin Rashid Al Maktoum, Vice President and Prime Minister of UAE and Ruler of Dubai, who followed it up closely until its success."

He also praised the efforts of His Highness Sheikh Mohamed bin Zayed Al Nahyan, Crown Prince of Abu Dhabi and Deputy Supreme Commander of the UAE Armed Forces, in dedicating all kinds of support needed to make the dream come true. "Thanks to both leaders and the team of scientists and engineers behind the project for proving to the world that the UAE is capable of achieving the impossible."

Sheikh Khalifa bin Zayed hailed the space project, which was the outcome of solid institutional collaboration and a bold vision that aimed to serve mankind and the international science community . . .

Hope Probe's arrival to Mars, after travelling 493 million kilometres in a seven-month journey in space, marks the UAE's 50th anniversary celebrations.

Now that it has entered the Martian orbit, the Probe will transition to the Science phase—transmitting its first image of Mars back to Earth within just one week.

The Rulers of Dubai and Abu Dhabi celebrated the project as a great success for the UAE, the wider Arab region and the global scientific community following six years of technical and logistical efforts to complete the project. They hailed the team of engineers and scientists behind the project who made the Arab team come true after relentless efforts.

Hailing the success of the mission, His Highness Sheikh Mohammed bin Rashid Al Maktoum, Vice President and Prime Minister of the UAE and Ruler of Dubai, said: "The *Hope* probe's historic arrival to Mars is the greatest celebration of the 50th anniversary of our country. It sets the beginning of the next 50 years with boundless ambitions and dreams." He added, "Our next accomplishments will be even bigger and greater."

Sheikh Mohammed bin Rashid noted that "Our biggest success is building national scientific expertise who will contribute to the international science community."

He added, "we dedicate our Mars achievement to the people of the UAE and the rest of the Arab world. Our success proves that Arabs are capable of reviving the region's legacy and status in the scientific sphere."

"We mark our country's 50th anniversary by our Mars stop, and invite Arab youth to join the UAE's science movement that marched at high speed."

His Highness Sheikh Mohamed bin Zayed Al Nahyan, Crown Prince of Abu Dhabi and Deputy Supreme Commander of the UAE Armed Forces, said: "the *Hope* Probe's successful arrival to Mars is an Arab and Islamic achievement that was made possible by the relentless efforts of our youth. The mission marks our entry in the global race to space." He added that "The probe's arrival to the Red Planet celebrates our journey of 50 years in the best image that fits the UAE and captures its true story to the world."

He noted that the "Emirates Mars Mission paves the way for the next 50 years of sustainable scientific development in the UAE."

“The human capital is the true wealth of our nation. Investing in our people forms the main pillar of all our development strategies and policies.”

Sheikh Mohamed bin Zayed stressed that “the Emirati youth will be the ones leading our development for the next 50 years with their acquired knowledge and skills. The Emirates Mars Mission contributed to building highly-qualified Emirati capabilities equipped to make more accomplishments in the space sector.”

H.H. Sheikh Hamdan bin Mohammed bin Rashid Al Maktoum, Crown Prince of Dubai, and Chairman of the Mohammed Bin Rashid Space Centre, said: “The Hope probe’s historic space journey to Mars is a significant Arab and Emirati achievement.” He noted that “the Emirates Mars Mission drafts a new chapter in the UAE’s record of achievements in the space science sector and supports the efforts of our country to build a sustainable knowledge-based economy driven by advanced technologies.” . . .

Beamed live around the world by international television stations, the Probe successfully entered the orbit of the second-smallest planet in the Solar System on February 9 at 7:42 pm UAE time.

The moment was marked by a dazzling laser show on the façade of the Burj Khalifa reviewing the journey of the *Hope* Probe, the stages of the project, and the efforts of the Emirati scientists who participated in the realisation of the country’s space dream. . .

The core mission will involve capturing more than 1,000 GB of new data over one Martian year (687 Earth days), which will be shared with 200 scientific and educational institutions around the world. The mission can be extended for another two years, to provide the first-ever complete picture of the Martian atmosphere . . .

The probe’s entry to Mars’ orbit marks the end of four of the six stages of its space journey that started in July 20, 2020: launch, early operations, cruise and the Mars Orbit Insertion. The probe is currently entering the ‘transition to science’ phase, before it commences the ‘science’ phase to study the Martian atmosphere . . .

The last phase of the probe’s journey is set to begin in April 2021. The probe will officially enter the Science phase to complete the first-ever planet-wide, 24x7 picture of Mars’ atmospheric dynamics and weather daily, throughout all seasons for one full Martian year (687 earth days) until April 2023 . . .

The mission will provide deeper insights on the climatic dynamics of the Red Planet through observing the weather phenomena in Mars such as the massive famous dust storms that have been known to engulf the Red Planet, as compared to the short and localized dust storms on earth. It will focus on better understanding the link between weather changes in Mars’ lower atmosphere, with the loss of hydrogen and oxygen from the upper layers of the atmosphere.

The probe, for the first time, will study the link between weather change and atmospheric loss, a process that may have caused the Red Planet’s surface corrosion and the loss of its upper atmosphere.

Exploring connections between today’s Martian weather and the ancient climate of the Red Planet will give deeper insights into the past and future of Earth and the potential of life on Mars and other distant planets.

SOURCE: Emirates News Agency. “*Hope* Probe Successfully Arrives to Mars After Complex Maneuver.” February 9, 2021. <https://www.wam.ae/en/details/1395302908611>.



NASA's Perseverance *Rover Lands on Mars*

February 18, 2021

The largest, most advanced rover NASA has sent to another world touched down on Mars Thursday, after a 203-day journey traversing 293 million miles (472 million kilometers). Confirmation of the successful touchdown was announced in mission control at NASA's Jet Propulsion Laboratory in Southern California at 3:55 p.m. EST (12:55 p.m. PST).

Packed with groundbreaking technology, the Mars 2020 mission launched July 30, 2020, from Cape Canaveral Space Force Station in Florida. The *Perseverance* rover mission marks an ambitious first step in the effort to collect Mars samples and return them to Earth.

"This landing is one of those pivotal moments for NASA, the United States, and space exploration globally—when we know we are on the cusp of discovery and sharpening our pencils, so to speak, to rewrite the textbooks," said acting NASA Administrator Steve Jurczyk. "The Mars 2020 *Perseverance* mission embodies our nation's spirit of persevering even in the most challenging of situations, inspiring, and advancing science and exploration. The mission itself personifies the human ideal of persevering toward the future and will help us prepare for human exploration of the Red Planet."

About the size of a car, the 2,263-pound (1,026-kilogram) robotic geologist and astrobiologist will undergo several weeks of testing before it begins its two-year science investigation of Mars' Jezero Crater. While the rover will investigate the rock and sediment of Jezero's ancient lakebed and river delta to characterize the region's geology and past climate, a fundamental part of its mission is astrobiology, including the search for signs of ancient microbial life. To that end, the Mars Sample Return campaign, being planned by NASA and ESA (European Space Agency), will allow scientists on Earth to study samples collected by *Perseverance* to search for definitive signs of past life using instruments too large and complex to send to the Red Planet.

"Because of today's exciting events, the first pristine samples from carefully documented locations on another planet are another step closer to being returned to Earth," said Thomas Zurbuchen, associate administrator for science at NASA. "*Perseverance* is the first step in bringing back rock and regolith from Mars. We don't know what these pristine samples from Mars will tell us. But what they could tell us is monumental—including that life might have once existed beyond Earth." . . .

"*Perseverance* is the most sophisticated robotic geologist ever made, but verifying that microscopic life once existed carries an enormous burden of proof," said Lori Glaze, director of NASA's Planetary Science Division. "While we'll learn a lot with the great instruments we have aboard the rover, it may very well require the far more capable laboratories and instruments back here on Earth to tell us whether our samples carry evidence that Mars once harbored life."

Paving the Way for Human Missions

"Landing on Mars is always an incredibly difficult task and we are proud to continue building on our past success," said JPL Director Michael Watkins. "But, while

Perseverance advances that success, this rover is also blazing its own path and daring new challenges in the surface mission. We built the rover not just to land but to find and collect the best scientific samples for return to Earth, and its incredibly complex sampling system and autonomy not only enable that mission, they set the stage for future robotic and crewed missions.”

The Mars Entry, Descent, and Landing Instrumentation 2 (MEDLI2) sensor suite collected data about Mars’ atmosphere during entry, and the Terrain-Relative Navigation system autonomously guided the spacecraft during final descent. The data from both are expected to help future human missions land on other worlds more safely and with larger payloads . . .

Currently attached to the belly of *Perseverance*, the diminutive Ingenuity Mars Helicopter is a technology demonstration that will attempt the first powered, controlled flight on another planet.

Project engineers and scientists will now put *Perseverance* through its paces, testing every instrument, subsystem, and subroutine over the next month or two. Only then will they deploy the helicopter to the surface for the flight test phase. If successful, Ingenuity could add an aerial dimension to exploration of the Red Planet in which such helicopters serve as scouts or make deliveries for future astronauts away from their base.

Once Ingenuity’s test flights are complete, the rover’s search for evidence of ancient microbial life will begin in earnest.

“*Perseverance* is more than a rover, and more than this amazing collection of men and women that built it and got us here,” said John McNamee, project manager of the Mars 2020 *Perseverance* rover mission at JPL. “It is even more than the 10.9 million people who signed up to be part of our mission. This mission is about what humans can achieve when they persevere. We made it this far. Now, watch us go.” . . .

SOURCE: National Aeronautics and Space Administration. “Touchdown! NASA’s Mars *Perseverance* Rover Safely Lands on Red Planet.” February 18, 2021. <https://www.nasa.gov/press-release/touchdown-nasas-mars-perseverance-rover-safely-lands-on-red-planet>.



Tianwen-1 Lands on Mars

May 17, 2021

A Chinese spacecraft successfully landed on the surface of Mars on Saturday morning, marking a historic accomplishment in China’s space endeavors and making it the second country in the world to achieve the feat.

President Xi Jinping, who is also general secretary of the Communist Party of China Central Committee and chairman of the Central Military Commission, sent a letter soon after the successful landing was announced at the Beijing Aerospace Control Center, extending congratulations and greetings to all those involved in the landmark mission.

The letter read that the *Tianwen 1* mission has left the nation’s first mark on the Red Planet and is another landmark achievement in the development of China’s space industry.

“Thanks to your courage in the face of challenges and pursuit of excellence, China is now among the leading countries in planetary exploration,” Xi said in the message. “The country and people will always remember your outstanding achievements.”

He encouraged those involved to continue working hard in the mission’s next steps.

Vice-Premiers Han Zheng and Liu He were at the Beijing Aerospace Control Center in the capital’s northwestern suburbs on Saturday morning and met those involved in the landing operation after Xi’s letter was read.

The touchdown of *Tianwen 1* on Mars was the latest example of China’s rapidly expanding presence in outer space, following a string of recent accomplishments that include putting the first section of the country’s permanent space station into orbit, returning the first lunar samples to Earth in more than four decades and completing a global navigation satellite network.

“Each and every step during the entry, descent and landing processes was executed with perfect accuracy,” Wu Yanhua, deputy director of the China National Space Administration, told *China Daily* at the Beijing Aerospace Control Center after the spacecraft’s touchdown.

Wu said that more than half of the over 20 Mars landing attempts made by spacefaring nations so far failed due to the exceptionally difficult nature of such maneuvers.

Tianwen 1’s rover, which is named Zhurong, after an ancient Chinese god of fire, is scheduled to observe and map the landing site and to perform diagnostic tests in the coming days, he said.

Zhurong will move from its landing module onto the Martian soil to begin scientific surveys, the official said, adding that the first photos to be taken by the rover are expected to be transferred back to Earth around the end of this month.

Geng Yan, a senior planner for China’s deep-space exploration programs at the space administration, said Saturday’s landing was a serious test for the country’s capabilities in science, technology and engineering.

“Such a challenging attempt is characterized by a succession of complex activities that must be conducted completely by the spacecraft within a very short period of time,” he said. “What added to the difficulties was that we don’t know much about the Martian atmosphere, which brought a lot of uncertainties to the mission.” . . .

If it rolls safely onto the Martian soil and works as planned, Zhurong will become the sixth rover deployed on Mars—following five US spacecraft—and will give Chinese scientists their first opportunity to closely observe Mars . . .

Zhurong is 1.85 meters tall and weighs about 240 kilograms. It has six wheels and four solar panels, and can move at 200 meters an hour on the Martian surface. Among the six scientific instruments it carries are a multispectral camera, a meteorological sensor and ground-penetrating radar.

If the semi-autonomous vehicle functions efficiently, it will work for at least three months and undertake comprehensive surveys of the planet.

Its success would mark the completion of all of *Tianwen 1*’s mission objectives— orbiting Mars for comprehensive observation, landing on the planet and deploying a rover to conduct scientific operations. This would make *Tianwen 1* the first Mars expedition to accomplish all three goals with one probe.

The *Tianwen 1* orbiter has returned to its parking orbit and will continue circling the planet for mapping and measurement with seven scientific instruments, including a high-resolution imager and magnetometer. It also relays signals between ground control on Earth and Zhurong.

Lengthy journey

Tianwen 1, named after an ancient Chinese poem, was launched by a Long March 5 heavy-lift carrier rocket on July 23 from the Wenchang Space Launch Center in the southernmost island province of Hainan, kick-starting China's first mission to another planet in our solar system.

Propelled by a mixture of 48 large and small engines, the spacecraft rocketed more than 470 million km and carried out four midcourse corrections and a deep-space trajectory maneuver before entering the orbit of Mars on Feb 10. At that time, Mars was 193 million km from Earth. Because the two celestial bodies keep moving in their own orbits, a Mars-bound spacecraft must fly in a carefully calculated, curved trajectory to reach Mars.

On Feb 24, *Tianwen 1* entered a preset parking orbit above Mars. The spacecraft was programmed to maintain that orbit for about three months to examine the preset landing site . . .

SOURCE: China National Space Administration. "Probe Makes Historic Landing on Mars." May 17, 2021. <http://www.cnsa.gov.cn/english/n6465652/n6465653/c6812005/content.html>.

OTHER HISTORIC DOCUMENTS OF INTEREST

FROM PREVIOUS *HISTORIC DOCUMENTS*

- President Trump, Vice President Pence, and NASA Remark on Space Program Efforts, 2019, p. 58
- NASA Announces Launch of New Mission to Mars; European Scientists Find Martian Lake, 2018, p. 28
- NASA, SpaceX Announce Milestones in Space Exploration; Congress Sets Timeline for Mission to Mars, 2017, p. 128

U.S. and Saudi Governments Respond to Report on Khashoggi Killing

FEBRUARY 11 AND FEBRUARY 26, 2021

In February 2021, the U.S. Office of the Director of National Intelligence (DNI) released an assessment concluding that Saudi Crown Prince Muhammad bin Salman had directly approved the murder of Jamal Khashoggi, a Saudi journalist and political analyst who was a staunch critic of the prince and a vocal advocate for democratic reforms. At the time of his death in October 2018, Khashoggi was writing for the *Washington Post* and living in self-imposed exile in the United States, where he relocated after experiencing government-sanctioned harassment in his home country. The DNI's findings were not surprising, since prior news reports indicated the Central Intelligence Agency (CIA) had reached a similar conclusion. President Joseph R. Biden's administration responded by imposing new sanctions and visa restrictions on Saudis allegedly involved in the killing but declined to take punitive action against the prince to preserve the U.S.–Saudi relationship.

KHASHOGGI'S DISAPPEARANCE

Khashoggi disappeared on October 2, 2018, after entering the Saudi consulate in Istanbul, Turkey, for an appointment to obtain marriage paperwork. His fiancée reported him missing that day. At first, Saudi officials claimed Khashoggi left the consulate unharmed, but their position changed as Turkish investigators released mounting evidence that he had been killed inside the building by a Saudi “hit squad.” In mid-October, Saudi officials said Khashoggi was accidentally strangled when security staff tried to detain him; by the end of the month, they agreed with Turkish investigators' conclusion that the incident had been a premeditated assassination but said he was killed by “rogue” Saudi agents. Seeking to demonstrate accountability for the matter, the Saudi government brought criminal charges against eleven men and dismissed several high-ranking officials for their involvement in Khashoggi's death.

In the United States, then-president Donald Trump's administration revoked the visas of or placed on a visa blacklist twenty-one Saudis believed to have been involved in the killing. Sanctions were also imposed on seventeen individuals. News outlets soon began reporting, based on administration leaks, that a CIA assessment concluded Muhammad bin Salman had ordered Khashoggi's killing as part of his harsh crackdown on dissent at home and abroad. This determination aligned with the Turkish investigation findings, which suggested that approval for the assassination came from the highest levels of Saudi government. (A subsequent United Nations investigation also found credible evidence that the prince and other senior officials were involved.) Saudi officials dismissed the assessment's claims as false, and Trump denied there was conclusive evidence linking the prince to the crime. He also said that regardless of Khashoggi's death, the U.S.–Saudi allyship was critical.

DNI SUBMITS ITS ASSESSMENT

The DNI report was completed on February 11 and declassified on February 26. “We assess that Saudi Arabia’s Crown Prince Muhammad bin Salman approved an operation in Istanbul, Turkey, to capture or kill Saudi journalist Jamal Khashoggi,” it read. Analysts had reached this conclusion based on several factors, including that the prince has “absolute control of the Kingdom’s security and intelligence organizations, making it highly unlikely that Saudi officials would have carried out an operation of this nature without the Crown Prince’s authorization.” The assessment also noted the involvement of members of the Rapid Intervention Force, which is Muhammad bin Salman’s protective detail and “answers only to him,” as well as the prince’s support for “using violent measures to silence dissidents abroad.”

Coinciding with the report’s release, the U.S. State Department announced a new visa restriction policy dubbed the “Khashoggi Ban.” The ban allows the State Department to restrict the visas of individuals acting on behalf of a foreign government who “are believed to have been directly engaged in serious, extraterritorial counter-dissident activities, including those that suppress, harass, surveil, threaten, or harm journalists, activists, or other persons perceived to be dissidents for their work, or who engage in such activities with respect to the families or other close associates of such persons.” Seventy-six Saudis became the first subjects of this ban—a list that included individuals allegedly involved in the Khashoggi incident. “Perpetrators targeting perceived dissidents on behalf of any foreign government should not be permitted to reach American soil,” said Secretary of State Antony Blinken. He added that the United States “remains invested in its relationship with Saudi Arabia” but that the partnership “must reflect U.S. values.” The U.S. Treasury Department also imposed sanctions against members of the Rapid Intervention Force and Ahmad Hassan Mohammed al Asiri, Saudi Arabia’s former deputy head of the General Intelligence Presidency, for their direct involvement in the “the abhorrent killing of Jamal Khashoggi.”

Notably, neither action targeted Muhammad bin Salman, prompting Democratic lawmakers and human rights groups to criticize them as insufficient. News reports indicated that administration officials had debated punitive action against the prince but ultimately decided there were more effective ways to address the issue without risking the loss of a crucial ally in the Middle East. The administration also said it did not plan to invite the prince to visit the United States and that officials would only deal with him in his capacity as defense minister. This represented a divergence from the Trump administration’s approach to Saudi relations: Trump’s first visit abroad had been to Saudi Arabia, and Jared Kushner, his son-in-law and senior advisor, had regularly communicated with the prince on a variety of matters.

SAUDI GOVERNMENT RESPONDS

In a statement released on Twitter, the Saudi Ministry of Foreign Affairs said the government “completely rejects the negative, false and unacceptable assessment” and claimed the report “contained inaccurate information and conclusions.” The statement called Khashoggi’s killing “an abhorrent crime and a flagrant violation of the Kingdom’s laws and values” but maintained the assassination was carried out by a group of transgressors. “The relevant authorities in the Kingdom took all possible measures within our legal system to ensure that these individuals were properly investigated, and to ensure that justice was

served,” it added. The ministry also rejected measures that infringed on the Saudi government’s “leadership, sovereignty, and the independence of its judicial system”—an apparent reference to the U.S. response—but concluded by affirming the “robust and enduring” partnership between the Saudi government and the United States.

—Linda Grimm

Following is the declassified text of the Office of the Director of National Intelligence’s (DNI) assessment of the Saudi government’s role in Jamal Khashoggi’s killing, as released on February 11, 2021; the statement tweeted by the Saudi Ministry of Foreign Affairs on February 26, 2021, in response to the DNI report; and a statement from U.S. secretary of state Antony Blinken on February 26, 2021, in which he describes the “Khashoggi Ban.”



DNI Releases Report on Killing of Jamal Khashoggi

February 11, 2021

Executive Summary

This report is provided by the ODNI. Questions should be directed to the NIO for Near East.

We assess that Saudi Arabia’s Crown Prince Muhammad bin Salman approved an operation in Istanbul, Turkey to capture or kill Saudi journalist Jamal Khashoggi.

- We base this assessment on the Crown Prince’s control of decisionmaking in the Kingdom, the direct involvement of a key adviser and members of Muhammad bin Salman’s protective detail in the operation, and the Crown Prince’s support for using violent measures to silence dissidents abroad, including Khashoggi.
- Since 2017, the Crown Prince has had absolute control of the Kingdom’s security and intelligence organizations, making it highly unlikely that Saudi officials would have carried out an operation of this nature without the Crown Prince’s authorization.

Assessing the Saudi Government’s Role in the Killing of Jamal Khashoggi

We assess that Saudi Arabia’s Crown Prince Muhammad bin Salman approved an operation in Istanbul, Turkey to capture or kill Saudi journalist Jamal Khashoggi. We base this assessment on the Crown Prince’s control of decisionmaking in the Kingdom since 2017, the direct involvement of a key adviser and members of Muhammad bin Salman’s protective detail in the operation, and the Crown Prince’s support for using violent measures to silence dissidents abroad, including Khashoggi. Since 2017, the Crown Prince has had absolute control of the Kingdom’s security and intelligence organizations, making it highly

unlikely that Saudi officials would have carried out an operation of this nature without the Crown Prince's authorization.

- At the time of the Khashoggi murder, the Crown Prince probably fostered an environment in which aides were afraid that failure to complete assigned tasks might result in him firing or arresting them. This suggests that the aides were unlikely to question Muhammad bin Salman's orders or undertake sensitive actions without his consent.
- The 15-member Saudi team that arrived in Istanbul on 2 October 2018 included officials who worked for, or were associated with, the Saudi Center for Studies and Media Affairs (CSMARC) at the Royal Court. At the time of the operation, CSMARC was led by Saud al-Qahtani, a close adviser of Muhammad bin Salman, who claimed publicly in mid-2018 that he did not make decisions without the Crown Prince's approval.
- The team also included seven members of Muhammad bin Salman's elite personal protective detail, known as the Rapid Intervention Force (RIF). The RIF—a subset of the Saudi Royal Guard—exists to defend the Crown Prince, answers only to him and had directly participated in earlier dissident suppression operations in the Kingdom and abroad at the Crown Prince's direction. We judge that members of the RIF would not have participated in the operation against Khashoggi without Muhammad bin Salman's approval.
- The Crown Prince viewed Khashoggi as a threat to the Kingdom and broadly supported using violent measures if necessary to silence him. Although Saudi officials had pre-planned an unspecified operation against Khashoggi we do not know how far in advance Saudi officials decided to harm him.

We have high confidence that the following individuals participated in, ordered, or were otherwise complicit in or responsible for the death of Jamal Khashoggi on behalf of Muhammad bin Salman. We do not know whether these individuals knew in advance that the operation would result in Khashoggi's death.

- Saud al-Qahtani
- Maher Mutreb
- Naif al-Arifi
- Mohammed al-Zahrani
- Mansour Abahussain
- Badr al-Utaybah
- Abdul Aziz Al Hawsawi

SOURCE: Office of the Director of National Intelligence. "Assessing the Saudi Government's Role in the Killing of Jamal Khashoggi." February 11, 2021 (declassified February 25, 2021). <https://www.dni.gov/files/ODNI/documents/assessments/Assessment-Saudi-Gov-Role-in-JK-Death-20210226v2.pdf>.



Saudi Ministry of Foreign Affairs

Comments on Khashoggi Killing Report

February 26, 2021

#STATEMENT | The Ministry of Foreign Affairs has followed the report submitted to the United States' Congress regarding the heinous murder of Saudi citizen Jamal Khashoggi.

#STATEMENT | The Ministry notes that the government of the Kingdom of Saudi Arabia completely rejects the negative, false and unacceptable assessment in the report pertaining to the Kingdom's leadership, and notes that the report contained inaccurate information and conclusions.

#STATEMENT | The Ministry reiterates what was previously announced by the relevant authorities in the Kingdom, that this was an abhorrent crime and a flagrant violation of the Kingdom's laws and values.

#STATEMENT | This crime was committed by a group of individuals that have transgressed all pertinent regulations and authorities of the agencies where they were employed.

#STATEMENT | The relevant authorities in the Kingdom took all possible measures within our legal system to ensure that these individuals were properly investigated, and to ensure that justice was served.

#STATEMENT | The concerned individuals were convicted and sentenced by the courts in the Kingdom, and these sentences were welcomed by the family of Jamal Khashoggi, may he Rest In Peace.

It is truly unfortunate that this report, with its unjustified and inaccurate conclusions, is issued while the Kingdom had clearly denounced this heinous crime, and the Kingdom's leadership took the necessary steps to ensure that such a tragedy never takes place again.

#STATEMENT | The Kingdom rejects any measure that infringes upon its leadership, sovereignty, and the independence of its judicial system.

#STATEMENT | The Ministry of Foreign Affairs affirms that the partnership between the Kingdom of Saudi Arabia and the United States of America is a robust and enduring partnership.

#STATEMENT | This partnership has thrived for nearly eight decades on the basis of mutual respect, and the institutions in both countries have worked diligently to deepen these ties in all aspects, through increased cooperation and consultations to bolster security and stability in the region and the world. We look forward to maintaining the enduring foundations that have shaped the framework of the resilient strategic partnership between the Kingdom and the United States.

SOURCE: Ministry of Foreign Affairs of the Kingdom of Saudi Arabia (@KSAmofaEN). Twitter post (thread). February 26, 2021. <https://twitter.com/KSAmofaEN/status/1365407761350217742>.



Secretary Blinken Addresses Khashoggi Report Findings

February 26, 2021

In October 2018, the world was horrified by the murder of journalist Jamal Khashoggi, a long-term resident of the United States, in the Saudi Arabian Consulate in Istanbul, Turkey. Individuals should be able to exercise their human rights and fundamental freedoms without fear of government retribution, retaliation, punishment, or harm. Jamal Khashoggi paid with his life to express his beliefs. President Biden said in a statement released last October on the second anniversary of the murder that Mr. Khashoggi's death would not be in vain, and that we owe it to his memory to fight for a more just and free world.

Today, the Biden-Harris Administration submitted an unclassified report to Congress, providing transparency on this horrific killing. Alongside the transmission of that report, and as part of the President's pledge, the United States Government is announcing additional measures to reinforce the world's condemnation of that crime, and to push back against governments that reach beyond their borders to threaten and attack journalists and perceived dissidents for exercising their fundamental freedoms.

To that end, today I am announcing the "Khashoggi Ban," a new visa restriction policy pursuant to section 212(a)(3)(C) of the Immigration and Nationality Act. The Khashoggi Ban allows the State Department to impose visa restrictions on individuals who, acting on behalf of a foreign government, are believed to have been directly engaged in serious, extraterritorial counter-dissident activities, including those that suppress, harass, surveil, threaten, or harm journalists, activists, or other persons perceived to be dissidents for their work, or who engage in such activities with respect to the families or other close associates of such persons. Family members of such individuals also may be subject to visa restrictions under this policy, where appropriate.

To start, the U.S. Department of State has taken action pursuant to the Khashoggi Ban to impose visa restrictions on 76 Saudi individuals believed to have been engaged in threatening dissidents overseas, including but not limited to the Khashoggi killing. When identifying individuals for purposes of the Khashoggi Ban, we will also review them for designation under Section 7031(c) of the Department of State, Foreign Operations, and Related Programs Appropriations Act of 2020, as carried forward by the CA Act of 2021, which authorizes the denial of visas to them and their immediate family members as well as their public identification.

As a matter of safety for all within our borders, perpetrators targeting perceived dissidents on behalf of any foreign government should not be permitted to reach American soil.

I also have directed that the State Department fully report on any such extraterritorial activities by any government in our annual Country Reports on Human Rights Practices. The United States will continue to shine a light on any government that targets individuals, either domestically or extraterritorially, merely for exercising their human rights and fundamental freedoms.

While the United States remains invested in its relationship with Saudi Arabia, President Biden has made clear that partnership must reflect U.S. values. To that end, we have made absolutely clear that extraterritorial threats and assaults by Saudi Arabia against activists, dissidents, and journalists must end. They will not be tolerated by the United States.

SOURCE: U.S. Department of State. "Accountability for the Murder of Jamal Khashoggi." February 26, 2021. <https://www.state.gov/accountability-for-the-murder-of-jamal-khashoggi>.

OTHER HISTORIC DOCUMENTS OF INTEREST

FROM PREVIOUS *HISTORIC DOCUMENTS*

- Turkish President, U.S. Leaders Remark on Journalist Killed in Saudi Arabia, 2018, p. 600

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