



GOVERNMENT
OF THE PRINCIPALITY OF LIECHTENSTEIN

MINISTRY OF FOREIGN AFFAIRS,
EDUCATION AND SPORT

Princeton University
Address by
H.E. Dominique Hasler, Minister of Foreign Affairs, Education and Sport
of the Principality of Liechtenstein
16 March 2022

Freedom and Self-determination in times of aggression

Good morning and thank you for joining us today for a discussion at the Liechtenstein Institute on Self-Determination. These are challenging times. We are at a crucial point in history. Aggression and self-determination are two topics that have played a central role in our multilateral foreign policy over the past twenty years – and Princeton University has been a key partner on both. In Ukraine, these two issues come together in the most dramatic fashion.

We have witnessed a frontal aggression against Ukraine, a founding member of the United Nations, and an assault on the international rule of law of historic gravity. This has also been a direct attack against the founding principles of the United Nations – the ultimate guardian of State sovereignty also for Liechtenstein. The Liechtenstein government has strongly condemned this aggression. Together with our partners in the United States and Europe we will be steadfast and persistent in our solidarity with Ukraine, and in our resolve to ensure accountability for the crimes committed in this illegal war. I am shocked by the reports of atrocious war crimes committed by the Russian armed forces. But Liechtenstein is also keen to see the prosecution of the decision itself to launch the invasion of Ukraine – the crime of aggression. There is no more appropriate place to talk about this than here, in Princeton. The agreed definition of the crime of aggression was forged in arduous and year-long negotiations here in Princeton, in a process chaired by Liechtenstein and facilitated by the Liechtenstein Institute, which has played a key role in the process leading up to this consensus.

One question imposes itself these days, and that is whether we are witnessing a larger paradigm shift in international relations. Away from a rules-based international order towards a rule by force and military might. Away from the common and agreed principles enshrined in the UN Charter and the Helsinki Final Act, towards non-cooperative concepts of security, chaos and unpredictability. Away from a strict prohibition of the use of force in international relations to a new era of aggression in inter-state relations.

As grave as the violations we witness are - and let me be clear, Russia is breaking the rules in the most fundamental of ways - we are also seeing a very broad coalition of States ready to defend the established international order. When the United Nations General Assembly addressed the aggression against Ukraine on 2 March just four States voted with Russia: Eritrea, North Korea, Syria – and Belarus which is of course part of the aggression against Ukraine. The international isolation of Russia is striking.

As the augurs of a new imperialism become visible, the political power of the international community should not be underestimated. Nor should the power of the private sector, whose response has been unprecedented.

In addition to the unprovoked assault on a neighboring country, we are witnessing a systematic attempt to undermine international law by using established legal concepts in clearly absurd manners. Russia's recourse to the right to self-defense in accordance with article 51 of the UN Charter, or its misuse of the concept of genocide are a case in point. The question is: Will our collective action be commensurate to the challenge at hand, which is to save and reunite around the fundamental tenets of our post World War II international order. We are clearly all grappling with the long-term consequences of the ongoing turmoil, and we will be facing very fundamental questions in the coming months: How do we ensure that the United Nations remains the center of the rules-based international order? How can we move forward on disarmament, conventional and nuclear? How can we safeguard the central and fundamental role of international law? And how do we do this, without being distracted from the challenge of our time – climate change?

But let me give you Liechtenstein's perspective on the question, what the fundamental tenets of an international order actually are. At the very core, for us, stands international law – in particular the right of peoples to self-determination as the bedrock of any international order worth its name. The dramatic situation in Ukraine shows us how intimately self-determination is linked to the principles of the sovereign equality of States, of territorial integrity and of the friendly settlement of disputes – principles that have guided the creation of the United Nations from the ashes of World War II. Aggression, or the illegal use of force in inter-state relations, is its antithesis. It is sometimes forgotten that after World War II it was the world's super-powers that committed to these principles as guarantors of global stability and prosperity. Without any doubt, they have also been instrumental for States like Liechtenstein that do not wield either economic or military might in the conduct of their relations.

The implementation of the right of self-determination is one of the success stories of the United Nations. It has led millions of people into freedom. Think of the successful process of decolonizing large parts of the world. It has helped the creation of ground-breaking international law. Think of the two human rights covenants which are anchored in common article 1 on the right to self-determination, or the successful drive to outlaw aggression internationally. The Sustainable Development Goals - a generational achievement only possible at the United Nations – are nothing less than a program to realize the human right to development which is a primary expression of the right to self-determination. This does not mean that the United Nations does not suffer from flaws. Its most serious one has just become very obvious to all: The Security Council, the UN's main organ primarily in charge of peace and security, has been dysfunctional for a while - and could be much more so in the future. We have advocated for years that the General Assembly must step in where the Security Council is paralyzed, as it did in the case of Ukraine. We will need to be innovative and committed to keep the UN at the center of global governance. Some will of course question fundamentals such as who serves permanently on the Council, or whether the veto is anachronistic.

In these difficult discussions we cannot lose focus. Self-determination holds the key to mitigate tension, strengthen accountability and good governance and uphold international law. We are

deeply convinced this to be true as the nature of warfare evolves towards more frequent intra-state conflicts and towards hybrid, high-tech and low-threshold attacks in the cyber realm.

As Liechtenstein became a member of the United Nations, we saw the need to codify the right to self-determination. We have since moved to more practice-oriented approaches and continue to invest politically and financially in strengthening the principle of self-determination in international relations. I am grateful that since its inception, the Liechtenstein Institute on Self-Determination here at Princeton University has been a close and trusted partner in this endeavor. It has provided the space to have open-minded and academic discussions on aspects of self-determination and to serve as an interface to feed those discussions back into the policy discourse. It has contributed to policy advancements in such varied fields as international criminal law; Women, Peace and Security; Children and Armed Conflict; mediation and conflict prevention and, recently, on sea-level rise, climate change and migration. The Institute ought to continue to be on the forefront when we address the current challenges to the established international order. As Liechtenstein's Minister of Foreign Affairs and Education, I am proud to have in the LISD a partner that exemplifies so strongly the fruitful synergies between academia and foreign policy.

Let me take a moment here to talk about how we in Liechtenstein think about self-determination and sovereignty. Liechtenstein has existed for more than three centuries and has been continuously sovereign as a nation for over 200 years. No forced changes to the border, no occupation, no wars on our territory, and all of this during extreme turmoil in Europe, the specter of which we see reappear. In the conduct of our relations to other States we do not rely on military power or defense agreements. International law has always been the foundation of our security and of our ability to execute our sovereign right to determine our own future and our relationships with other countries. Attempts to take away that right from a country will always amount to grave violations of international law, and Ukraine is a tragic and telling example of that.

We as Liechtenstein can only think of our sovereignty in terms of cooperation, multilateralism, integration and the rule of law, never in terms of isolation, confrontation or aggression towards other nations. Integration has been our path to stability, prosperity and freedom, first in the form of a customs union with Switzerland, then as part of the EEA and the European single market. In the same vein, we have always rejected the view that the sovereignty of one nation can be advanced as a reason to infringe on the sovereignty of other nations. To say otherwise is wrong conceptually, as the principle of sovereignty includes that it be recognized by others. Conceptual clarity on that point provides good guidance when we listen to attempts by Russia to justify its aggressive behavior against its neighbors.

There are those who think today that the post-World War II multilateral order no longer reflects the realities of the 21st century and that its inadequacies make it disposable. To them I respond that aggression has led us straight into global warfare several times before. This should teach us not to abandon the principles and tools we have developed in response, including holding perpetrators of the gravest international crimes to account. This is our call to double down on our efforts to support the rules-based international order.

International solidarity is key in addressing grave violations of international law and we support all efforts at policy coordination across the Atlantic. For Liechtenstein there is no question that we fully apply the strong and comprehensive sanctions imposed by the European Union on Russia and Belarus, in close coordination with the United States. On the very day Russian troops began attacking Ukraine I had an important exchange with Deputy Secretary of State Wendy Sherman and I am grateful for the efforts the US Administration puts into reaching out to its partners. The bottom line of our discussion? The US is fully committed to defending the values of freedom and democracy, to securing a strong, peaceful and resilient Europe and to advancing the transatlantic partnership. Liechtenstein welcomes that commitment as the current crisis makes it abundantly clear how important the partnership with United States is for the European continent.

At the same time, Liechtenstein consistently advocates for keeping doors open and discussion formats alive. As long as there is a chance to come back to a form of cooperative security in Europe, it is worth investing in it. The OSCE remains the format for security policy and for a European security architecture.

We stand for diplomacy – which has played a key role in securing our existence as a State. But diplomacy must not be accompanied by the threat of use of force, by a simultaneous campaign of brutalizing a civilian population. The world demands that Russia stop hostilities and withdraw its troops, completely and unconditionally. This will create the necessary space for diplomacy and perhaps mediation. And diplomacy is also based on a basic level of mutual trust – a genuine negotiation with an interlocutor who engages in public disinformation and obvious and absurd falsehoods is hardly imaginable.

Finally, it is well known that Liechtenstein has been a staunch supporter of international criminal justice, with the International Criminal Court in a central role. It has never been more obvious why we need the ICC than today. We have called, together with others, that the Court expedite its proceedings on Ukraine – while of course continuing its ongoing investigations. War crimes are committed systematically and before our eyes. Those responsible must be prosecuted. But so must those who have made the decision to launch this illegal war in the first place. The General Assembly has with overwhelming support called this an act of aggression. Individual criminal responsibility results from this under international law. We are working with others to find a way to apply this law in an internationally backed format. There can be no peace without justice – not in any situation, and certainly not the case of Ukraine.

Liechtenstein will stand with international law. Liechtenstein will stand with Ukraine.