A lot of ink has been spilled lately on whether or not the USA and its NATO alliance promised the USSR that NATO would not expand into the space evacuated by the withdrawal of the Red Army from Europe. It is clear those promises were repeatedly made and clear they were repeatedly broken. There is no historical dispute. Claims to the contrary are propaganda to excuse NATO’s aggressive strategy against Russia.

The Americans and their satellites states go further and claim a right to expand their alliance, but on what legal, moral or security grounds this right is based they cannot say. They claim that nations have the right to join NATO of their own free will, but this again is a distortion of the facts. The NATO Treaty states that accession to the Treaty is by invitation only. So there is no right of any nation to freely choose to join NATO. That is a decision ultimately controlled by NATO, by the United States in fact, not the nation seeking to join. This contradiction in their propaganda is never addressed. Nor do they answer why, of all nations, Russia’s request to join was rejected. But the meaning of the rejection was clear at the time and is clear now.

The contradiction is never addressed because that would lead to questions on the methods used by NATO to obtain the requests by countries to join in the first place; which in turn would lead to an examination of the threats, intimidation, bribery, and extortion used to coax these otherwise peaceful nations, with no apparent or real enemy facing them, to join an American controlled military machine.

This all this begs the question why the Americans want to expand their military alliance into those countries. There is only one possible answer, not as a means of defence, as they claim, but as preparation for aggression, which they have been conducting against Russia openly now since NATO attacked, without any justification whatsoever, the
Federal Republic of Yugoslavia in 1999 gained control of the Balkan states and built its biggest military base, Camp Bondsteel, threatening Russia’s southwest flank.

The economic warfare has been constant since then, disguised as “sanctions” accompanied by hostile diplomatic moves, provocations along Russia’s borders, from Georgia to the Baltic, from the Black Sea to the Pacific all accompanied by a constant barrage of anti-Russian propaganda. The NATO aggression and invasion of Libya can be seen as part of their strategy to control the Mediterranean and the oil supplies in North Africa, to cause insecurity to Egypt, and the world has not forgotten their invasions of Iraq, Afghanistan, and, Syria, where American forces still refuse to leave, a fact ignored by the western media and politicians complaining about alleged threats of “Russian aggression.”

The Americans and their allies in NATO are the experts of hypocrisy, for not only do their constant aggressions violate all international law, including, inter alia, the UN Charter, and the Nuremberg Principles, their actions are also in absolute violation of NATO’s own treaty.

Article 1 of the NATO Treaty states,

*The Parties undertake, as set forth in the Charter of the United Nations, to settle any international dispute in which they may be involved by peaceful means in such a manner that international peace and security and justice are not endangered, and to refrain in their international relations from the threat or use of force in any manner inconsistent with the purposes of the United Nations.*

The USA and its NATO satellites are not attempting to settle disputes with Russia (or China for that matter) by peaceful means. Instead they are using the entire spectrum of hybrid warfare, total warfare, against Russia. Yet no NATO member nation has demanded of NATO that the alliance and its members comply with Article 1. None of them demand that it complies with the stated adherence to the UN Charter.

The NATO alliance is also in contravention of Article 7 and 8, which state,

*Article 7*

*This Treaty does not affect, and shall not be interpreted as affecting in any way the rights and obligations under the Charter of the Parties which are members of the United Nations, or the primary responsibility of the Security Council for the maintenance of international peace and security.*

*Article 8*

*Each Party declares that none of the international engagements now in force between it and any other of the Parties or any third State is in conflict with the provisions of this Treaty, and undertakes not to enter into any international engagement in conflict with this Treaty.*

The contradiction between the NATO Treaty and the security architecture created by the UN Charter is clear. Chapter VII of the Charter governs all nations with respect to international security. There can be no legal basis for the establishment of any military alliances such as NATO whose clear political objectives are aggression and American hegemony over the world.

Article 8 requires NATO member nations not to enter into any international “engagement” in conflict with this Treaty. Yet they had already done so becoming members of the United Nations. So, not only is the NATO Treaty a violation of the UN Charter, in fact, a negation of it, its own members are in violation of the NATO Treaty by being members of the UN.

In consequence, the Americans and their allies have, to all intents and purposes, abandoned the United Nations as the final arbiter of international security and now promote their private club of aggressors as its replacement, not to establish peace, but to conduct war.

The NATO Treaty is not the only document to be considered. There is the Kellogg-Briand Pact of 1928 which states,

*“Article 1*

*The High Contracting parties solemnly declare in the names of their respective peoples that they*
condemn recourse to war for the solution of international controversies, and renounce it, as an instrument of national policy in their relations with one another."

"Article II

The High contracting parties agree that the settlement or solution of all disputes or conflicts of whatever nature or of whatever origin they may be, which may arise among them, shall never be sought except by pacific means."

The Kellogg–Briand Pact, otherwise known as the General Treaty For Renunciation of War As An Instrument of National Policy, signed by many nations, including the USA and its NATO members and the USSR, is still in force as established by this exchange in the British House of Commons on December 16, 2013.

‘Steve Baker: To ask the Attorney-General if he will make an assessment of whether the General Treaty for Renunciation of War as an Instrument of National Policy remains binding on the UK.

The Solicitor-General: I am advised by the Foreign and Commonwealth Office that the General Treaty for the Renunciation of War as an Instrument of National Policy (also known as the Kellogg-Briand Pact) remains in force and that the United Kingdom remains a party.’

Of course despite this being a fundamental element of international law, the United States of America has engaged in continuous warfare as an instrument of national policy since the date they signed it.

Russia has acted consistently in accordance with international law and humanity in response to the American threats and actions but is met with the boorish behaviour and insults of thugs.

Earlier this year President Putin sent to the American president a proposal for a Treaty which would guarantee the peace in Europe. The offer was rejected out of hand by the Americans who played games with the text and offered to negotiate on peripheral items, while ignoring Russia’s demands that NATO cease its expansion, withdraw American nuclear weapons from Europe, dismantle the bases and equipment it has placed all over eastern Europe in preparation for war on Russia and agree not to place missile systems close to Russia’s borders.

In further reply to the Russian request to negotiate a Treaty, the Americans hyped up their propaganda against Russia and now provoke its puppets in Kiev to mount an offensive against the Donbass Republics. The result the world now sees as civilians are attacked by artillery bombardments, a war crime in itself, resulting in the evacuation of large numbers of people from the Republics into Russia. This mass movement of refugees is hardly mentioned in the western press, nor that it is due to their actions; nor the attempted assassination of Donbass leaders.

The Russian Duma voted last week to recommend to the President that the Republics be recognised as sovereign states. On Monday, February 21st President Putin, also acting on the request of the Donbass Republics, and the recommendation of the Russian Security Council, made the momentous and logical decision to do exactly that. The Minsk Agreements, though supported by Russia, were being impeded and sabotaged by some European nations, by the Kiev regime and the USA. They were at a dead end. The recognition by Russia was immediately followed by the signing of agreements of mutual cooperation between Russia and the Republics. The meaning and importance of this is obvious to everyone and will be seen clearly in the coming days. NATO and the US of course condemned the decision, though their recognition of the Serbian province of Kosovo as an independent state after they attacked Yugoslavia, occupied Kosovo and tore it out of the heart of Serbia, set the precedent; they have no right to complain about anything.

President Putin’s recent meetings with President Macron of France are a positive development as well as his talks with the new German Chancellor. In France, almost every party from the communists to the far right and everyone in between are calling for France to leave NATO and state Russia is the friend of France. Macron plays both sides against the middle but he knows which way the wind blows, and so is very active in order to be seen as a voice of reason and peace in Europe.

The French are also angry with the Americans over the submarine fiasco, in which the Americans kicked the French in the teeth by getting the Australians to cancel their purchase of French submarines to be replaced with American submarines, while the Germans see that the Americans, who still have occupation forces in Germany, are set on forcing them to buy expensive US liquefied gas, of doubtful supply, instead of the cheaper, secure supplies of
Russian gas promised by the NordStream 2 pipeline.

In its reply to the Americans, handed to their ambassador in Moscow on February 17, Russia stated that,

“In the absence of the readiness of the American side to agree on firm, legally binding guarantees to ensure our security from the United States and its allies, Russia will be forced to respond, including through the implementation of military-technical measures.”

This has the Americans in a panic, which may partly account for the hysteria of their propaganda because they have no idea what those military-technical measures will be. We can though look at the actions taken to date to have some idea of the possibilities, with the Chief of the Russian Defence Staff travelling to Syria to meet with President Assad, and the transfer of Russian advanced bombers and jet fighters to their bases in Syria. This has implications for control of the Mediterranean as well the illegal, and brutal occupation of Syrian territory by American forces. In the past week Russian military exercises have wound down in Crimea and region but continue in Belarus and President Putin himself is reported to have overseen nuclear force drills the past several days. The US has been placed on notice; your aggression stops here.

In regard to the situation in Ukraine the Russian document states,

‘To de-escalate the situation around Ukraine, it is fundamentally important to take the following steps. These are forcing Kiev to implement a set of measures, stopping the supply of weapons to Ukraine, withdrawing all Western advisers and instructors from there, refusing NATO countries from any joint exercises with the Armed Forces of Ukraine and withdrawing all previously delivered Kiev of foreign weapons outside the Ukrainian territory.

In this regard, we draw attention to the fact that Russian President Vladimir Putin, at a press conference following the talks in Moscow with French President Emmanuel Macron on February 7, 2022, stressed that we are open to dialogue and call for “thinking about stable security conditions for all, equal for all participants in international life.

Once again, Russia wants peace. Europe wants peace. But the United States wants its way and is willing to go to war. But if they go down that road, it will be their final act of aggression because as I wrote above, the Russians, have, as do the Chinese and North Koreans, now told the Americans, “we want peace, and are willing to achieve it, but your aggression stops here.’

Christopher Black is an international criminal lawyer based in Toronto. He is known for a number of high-profile war crimes cases and recently published his novel Beneath the Clouds. He writes essays on international law, politics and world events, especially for the online magazine “New Eastern Outlook”.