



**Permanent Mission of Ukraine**  
to the International  
Organizations in Vienna

PC.DEL/1308/18

2 November 2018

ENGLISH only

## **Statement on “Russia’s ongoing aggression against Ukraine and illegal occupation of Crimea”**

As delivered by Ambassador Ihor Prokopchuk,  
Permanent Representative of Ukraine to the International Organizations in Vienna,  
to the 1199<sup>th</sup> meeting of the Permanent Council,  
1 November 2018

**Mr. Chairperson,**

The recent developments in the Donbas region of Ukraine demonstrate that not only the Russian Federation continues its aggression against Ukraine, but the Russian armed formations deliberately target the SMM assets and restrict the SMM patrols to impede the OSCE observation in occupied parts of Donbas. In essence, what the Russians do is they impede chances of progress towards resolution of the conflict, started by Russia, and derail full implementation of the Minsk agreements beginning with its security provisions.

On 21 October, an SMM long-range UAV “spotted a surface-to-air missile system (9K33 Osa), which was turned on and operating, north-west of a non-government-controlled area near the border with the Russian Federation where the SMM had previously observed convoys entering and exiting Ukraine”. Six days later, on Saturday, 27 October, the SMM issued a Spot report that it “lost all communications” with a long-range UAV flying in the same area at an altitude of about 7000 ft, half an hour after this UAV spotted the similar “9K33 Osa” system and another convoy of trucks “on a dirt road near the border with the Russian Federation where there are no border crossing facilities”. The UAV is considered lost. “Since 7 August 2018, the SMM has observed convoys, including trucks, on seven occasions on the same abovementioned unpaved road in the area near the border”.

The circumstances of the loss of the SMM’s long-range UAV, including based on the information of the Spot report of 30 October, leave no doubt that it became a target of deliberate actions to eliminate this monitoring capability of the OSCE which “takes into daylight” the Russian nightly covert military resupply operations. These actions were undertaken by Russia-controlled military units with the use of Russia-supplied military equipment. We therefore hold the Russian authorities fully responsible for targeting the SMM assets that belong to the entire OSCE community and for the loss of the long-range UAV on 27 October. It was a gross breach by Russia of its commitments. We also point out to the loss of the SMM’s mini-UAV on 26 October near the occupied village of Dachne due to “signal interference”. We urge

the Russian Federation to instruct its military commanders on the ground in Donbas to return to the SMM the wreckage of the long-range UAV and to financially compensate its loss. We urge the Russian Federation to desist from any further attacks on or limitations to the use of the SMM UAVs throughout the conflict-affected area of Donbas, particularly at the border.

**Mr. Chairperson,**

The SMM implements its mandate by monitoring and establishing facts, in particular concerning violation of OSCE principles and commitments. The facts, established by the mission and reported to the OSCE participating States, prove the flagrant and ongoing violation by the Russian Federation of the founding OSCE principles of respect for the sovereignty and territorial integrity of states and inviolability of their frontiers. Among the most recent SMM observations was again the spotting on 25 October of the modern TORN radio intelligence system, which only in recent years was adopted on the inventory of the Armed Forces of the Russian Federation. On the same day, the SMM saw a convoy of 45 vehicles of so called “humanitarian assistance”, mainly covered cargo trucks, which illegally arrived from the Russian Federation. Russia continues to refuse the Ukrainian proposal to send genuine humanitarian aid through the border check points controlled by the Government of Ukraine. A week before that, the SMM observed nine stationary gasoline tank railcars with inscription “RZhD” (meaning “Russian Railways”, the Russian government-owned company) and 70 stationary coal railcars on tracks in Rovenky, the railway station near the uncontrolled state border, where illegal supplies of fuel and lubricants have repeatedly been registered in the past.

The experience of the past years underscores that it is necessary, but not sufficient to know the facts reported by the mission. It is incumbent upon all of us to seek action adequate to dealing with reported facts. In this light we request the Chairmanship to offer to the participating States a course of action, through adoption of a Ministerial decision in Milan, that would introduce transparency, permanent OSCE monitoring and verification together with establishment of security zone in the border areas of Ukraine and the Russian Federation, as required by the Minsk agreements.

**Mr. Chairperson,**

Witnessing various signs of Russia’s intentions to escalate the situation, we strongly condemn Russia’s plans to conduct fake so-called “elections” in the occupied areas of Donetsk and Luhansk regions of Ukraine in ten days time. As Russian authorities are aware and what again was made very clear to Moscow in the UN Security Council debate on Tuesday, the conduct of this illegal exercise will be a flagrant breach of the Minsk agreements by the Russian Federation and will seriously undermine their implementation. The Russian authorities will bear responsibility for the violation and its consequences. To avoid aggravations we again urge the Russian side to cease preparations for these illegal “elections”, but instead show readiness to work for establishment of a proper security environment necessary for organizing and holding local elections in those territories in accordance with

Ukrainian legislation and OSCE/ODIHR standards as stipulated by the Minsk agreements. Establishment of such environment requires, in particular, Russia's withdrawal of its armed formations from the occupied territories of Ukraine and disarmament of illegal armed groups. It also requires to ensure that the OSCE SMM full, safe and unhindered freedom of movement and access in the Russia-occupied territories in accordance with its mandate, the tasks of the monitoring and the respective provisions of the Minsk agreements. However, what is witnessed on the ground is the ongoing and systematic campaign of denial of the SMM's access, intimidation of monitors and targeting of the SMM's technical assets in Russia-occupied parts of Donbas. The overwhelming majority of non-mine related restrictions continues to take place in the territories controlled by the Russian armed formations. SMM patrols have no access to those areas where they can register Minsk-proscribed weapons owned by the Russian proxies: all but one such weapons in the SMM weekly reports of 17 and 24 October were registered with the use of UAVs. On 27 October, an SMM mini-UAV was shot at near the occupied settlement of Metalist. On 21 October, an SMM patrol was intimidated at the checkpoint in the occupied Horlivka by a member of the Russian armed formations who claimed that "he had the authority to shoot at the lead vehicle because it did not stop" immediately after he indicated to the vehicle to proceed.

All these trends affecting the SMM activities and prospects of implementation of the Minsk agreements are extremely alarming. We took note of the announced meeting of the OSCE Secretary General with the Russian Foreign Minister this week. We expect the Secretary General to convey to the Russian side in very clear terms the issues of breach by Russia of its Minsk commitments if it does not abandon the plans of holding illegal so-called "elections" in the occupied parts of Donbas, of compensation for the lost OSCE long-range UAV and return of its wreckage, of removing all restrictions to the SMM's freedom of movement and monitoring in Russia-occupied parts of Ukraine.

### **Distinguished colleagues,**

Apart from Donbas, the Russian aggression against Ukraine encompasses the Crimea, the Black Sea and the Sea of Azov. Since April 2018, over 200 vessels bound for the Ukrainian ports of Mariupol and Berdyansk were stopped by the Russian border guards. Ukrainian ports incurred losses amounting to dozens of millions and caused by Russia-imposed systematic disruptions of freedom of international navigation for Ukrainian and foreign ships, including due to illegal construction of a bridge across the Kerch Strait. The number of Russian military vessels continues to grow in the Azov Sea. Against this worrisome backdrop, we welcome the resolution on the situation in the Sea of Azov adopted by the European Parliament on 25 October. The document clearly defines actions of the Russian Federation in the Sea of Azov as breaching international maritime law and Russia's international commitments. We expect the SMM to monitor closely the developments in this area and report to the participating States.

In the illegally occupied Crimean peninsula the Russian Federation continues to act contrary to its obligations under applicable international law as an occupying

Power, in particular by compelling local population to serve in its armed or auxiliary forces. These actions also contravene the UN GA Resolution A/RES/72/190 “Situation of human rights in the Autonomous Republic of Crimea and the city of Sevastopol, Ukraine”. The MFA of Ukraine has expressed its resolute protest and urged the Russian Federation to cancel military conscription in the occupied Crimean Peninsula and to stop persecutions of the Ukrainian citizens. These persecutions continue to target, in particular, the human rights defenders from the “Crimean solidarity” association. On 27 October representatives of the Russian occupation forces stormed into a meeting of members of the association and accused the lawyer E.Semedlyayev, human rights defender L.Gemedzhi and the co-ordinator of “Crimean solidarity” D.Memetov of violating anti-terrorist and anti-extremist legislation. Notably, all three of them participated and spoke earlier in the OSCE events, whereas E.Semedlyayev and L.Gemedzhi did so most recently in Rome on the subject of religion-based discrimination. We must know these facts to act and prevent disappearance of all forms of protection of human rights in the occupied Crimea as a result of systematic repressions and intimidation by the occupation authorities.

The Kremlin regime spares no effort to deflect attention from its illegal actions and denial of human rights and fundamental freedoms to dissenting voices. Letting Russia succeed in these efforts will be a big loss for democracy and the values of freedom. In this regard we note with high appreciation the decision of the European Parliament to award the Ukrainian film director Oleg Sentsov with this year’s Sakharov Prize for Freedom of Thought. It sends a powerful signal of support to Oleg and over 70 other Ukrainian citizens who were taken hostage by the Russian authorities as political prisoners. We urge the Russian side to release Oleg Sentsov and other Ukrainian political prisoners without delay and conditions.

We again urge the Russian Federation to reverse its illegal occupation of Crimea and to stop its aggression against Ukraine, including by withdrawing its armed formations from the temporarily occupied territories of Ukraine and fully implementing its commitments under the Minsk agreements.

**Thank you, Mr. Chairperson.**