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**STATEMENT BY MR. ALEXANDER LUKASHEVICH,
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AT THE 1279th MEETING OF THE OSCE PERMANENT COUNCIL**

3 September 2020

On the situation in Ukraine and the need to implement the Minsk agreements

Mr. Chairperson,

More than a month has passed since the entry into effect of the measures for enhancing the ceasefire regime – measures aimed at ensuring a complete, comprehensive and unlimited ceasefire – that were agreed on by the representatives of the Ukrainian Government and of Donetsk and Luhansk at the meeting of the Minsk-based Trilateral Contact Group (TCG) held on 22 July 2020. Now that they have begun to be put into practice, these measures have contributed to a noticeable reduction in military tensions along the line of contact in Donbas, with the number of ceasefire violations currently down to very low figures. For seven days in August the OSCE Special Monitoring Mission to Ukraine (SMM) did not record a single instance of shelling. Since 27 July, no damage to civilian infrastructure has been recorded and there have been no civilian casualties of shelling whatsoever. That being said, the situation is far from ideal: a complete “silence regime” has yet to be established. During the aforementioned period, the SMM counted around 900 instances of weapons being fired near the line of contact.

We are concerned about signs that the agreed measures are not quite being fully implemented. One such sign, for example, was the killing of a member of the militia near Lohvynove (in the Luhansk region) on 15 August. As reported by the authorities in Luhansk, he was killed by sniper fire. A ban on firing, including sniper fire, is one of the most important points covered by the measures to strengthen the “silence regime” that are now in place.

On a number of occasions in July and August, the SMM cited evidence of fortification works taking place near the line of contact. Any attempts to change the positioning of troops, including additional fortification of positions, are also banned under the terms of the ceasefire regime and are to be regarded as offensive operations. Among the most conspicuous examples of such works are: the fortification of active positions of the Ukrainian armed forces on the southern border of the Petrivske area for the disengagement of forces and hardware and on the northern border of the Stanytsia Luhanska disengagement area; the digging of a 900-metre-long trench system near the settlement of Pyschchevyk in the Donetsk region; and trench extensions totalling several hundreds of metres carried out by the Ukrainian military near the settlements of Vodiane, Zolote-4/Rodina and Zhelezne. In certain areas of the Luhansk region – for example, near Zolote-4 and also between Novotoshkivske and Holubivske – the distance between the sides’ forward positions has decreased.

The situation near the settlement of Shumy in the Donetsk region has yet to be reflected in the SMM reports. There, as reported by the media, the Ukrainian armed forces are continuing their fortification works near a water supply facility, which is bound to lead to a rise in local tensions. Reports have come in on the Ukrainian armed forces intensifying their use of unmanned aerial vehicles along the line of contact – something that also contravenes the existing terms of the “silence regime”. We call on the SMM to continue its active monitoring near the line of contact.

During the period that the measures to strengthen the ceasefire regime have been in place, some new faces have appeared in the Ukrainian Government’s delegation at the negotiations within the TCG. The delegation is now headed by the first President of Ukraine, Leonid Kravchuk, while a former Prime Minister, Vitold Fokin, has been appointed Mr. Kravchuk’s first deputy. However, a number of rather contradictory statements have been heard from that quarter ever since they both took up their duties – statements that fail to shed light on whether the Ukrainian leadership really does intend to implement the Minsk agreements.

For example, Mr. Kravchuk has referred to these agreements as impossible to implement and proposed changing the discourse from one on a special status for Donbas, as provided for by the Package of Measures of 12 February 2015, to one on a “special regime of administrative management”, the idea being to establish a free economic zone in that region. His deputy Mr. Fokin, in contrast, has called for a swift implementation of the Minsk agreements, including the proclamation of a general amnesty, the holding of local elections and the granting of special status to Donbas on the basis of the Package of Measures. I am sure that you need no reminding of how the other deputy head of the Ukrainian delegation at the TCG, Mr. Oleksiy Reznikov, has for a long time been repeatedly calling for the Package of Measures, which was endorsed by United Nations Security Council resolution 2202, to be rewritten.

Significantly, Mr. Fokin’s words, with their emphasis on the imperative need to implement the Minsk agreements for the sake of establishing peace in Donbas, were quickly disavowed by the Head of the Office of the President of Ukraine, Mr. Andriy Yermak. As the latter put it, “certain comments” made in an interview by the deputy head of the Ukrainian delegation at the TCG “do not reflect Ukraine’s official position”. On the same day, Mr. Fokin’s personal details were published on the despicable Mirotvorets website, which is under the tutelage of Ukrainian government bodies: he is now described there as “a provocateur who is knowingly taking part in anti-Ukrainian propaganda activities”. The Minister for Foreign Affairs of Ukraine, Mr. Dmytro Kuleba, added his take on things, too, claiming that this Ukrainian representative’s words “correspond solely to Mr. Fokin’s own views”.

All this raises legitimate concerns as to whether the Ukrainian Government’s authorized representatives actually have a negotiating position as such, which is very much the principal indicator of being able to negotiate successfully. It is unclear whether the Ukrainian Government has the political will and a well-defined strategy for proceeding with implementation of the Minsk agreements, or whether it is simply once again trying to hold up the TCG’s work in order to achieve some other objectives.

The TCG videoconference held yesterday served to confirm that the aforementioned contradictions make it impossible to progress towards a comprehensive political settlement that would become a solid foundation for peace. One of the key aspects of such a settlement, namely the holding of local elections in Donbas, continues to remain unrealizable in view of the Verkhovna Rada’s adoption, on 15 July, of a resolution on the scheduling of regular local elections in 2020. That resolution rules out the possibility of holding local elections in Donbas, which goes completely against the Minsk agreements, as was publicly acknowledged by Mr. Fokin, too. The request submitted by Mr. Kravchuk to the Verkhovna Rada for an assessment of whether the resolution is in conformity with the Package of Measures has remained

unanswered and so is not much help either. Moreover, the Ukrainian authorities have refused to organize elections on 25 October, the uniform election date, not only in certain areas of Donbas but also throughout the whole territory of the region, including those parts that are controlled by the Ukrainian armed forces. Yet, in the past, elections at various levels were held there despite the ongoing conflict. Such blatant disregard by the Ukrainian Government for the opinion of the residents of the whole of Donbas is hardly conducive to nationwide harmony and resolution of the conflict.

In view of all this, it was rather puzzling to listen to the distinguished Permanent Representative of Ukraine while he offered, almost exactly a week ago and in this very room, his advice to a neighbouring State on the need to respect human rights and to resolve tensions in society on the basis of dialogue taking into account the views of the country's inhabitants. Where Ukraine itself is concerned, the representatives of the Ukrainian Government prefer, for some reason, to forget about these principles.

As it happens, the basic legal foundations of a State continue to be dismantled in Ukraine, accompanied by the stirring into action of ultranationalist elements. In early August, yet another nationalistic paramilitary organization was set up: Centuria, whose backbone is formed by radicals from the associations National Squad and National Corps. They have already announced preparations for a "war of liberation". It is not difficult to guess what they mean by such a "war". On 21 August, members of Centuria filed through the streets of Kyiv and set up a symbolic gallows on the city's central square, complete with nooses to (symbolically) hang those whose differing opinions are unacceptable to their understanding of things. This act of incitement of hatred did not elicit any legal assessment on the part of the Ukrainian law enforcement agencies.

It is not surprising that radicals are perpetrating their excesses in a markedly ostentatious manner. On 27 August, a bus carrying members of the public opposition movement "Patriots for Life" was attacked near Kharkiv by a group of aggressively minded individuals shouting nationalistic slogans, in full view of a large crowd of witnesses. The bus was stopped by a barricade set up on a busy road and then came under fire, as a result of which at least four people were wounded, with many of them maimed. Just a few days later, on 31 August, a veritable arsenal of weapons was discovered in an area not far from the scene of that incident – a cache comprising more than 600 grenade launcher rounds of various types, 121 rocket launchers, 49 rocket-propelled anti-tank grenades and much more besides. We urge the SMM not to lessen its attention and to reflect in its reports information on manifestations of aggressive nationalism, neo-Nazism and xenophobia in Ukraine. That being said, what is required is not merely for this problem to be monitored by the Mission but for an adequate response to be provided by the whole of the OSCE and by relevant international bodies, which must bring their influence to bear on the Ukrainian authorities.

The rise in manifestations of nationalism in Ukraine has been accompanied by a consistent policy on the part of the authorities to deprive non-Ukrainian-speaking citizens of their rights. Thus, on 1 September, Knowledge Day (that is, the start of the school year), implementation got under way of two discriminatory laws that were adopted back in the days of Petro Poroshenko's presidency at his instigation: the Education Act and the Act on Full General Secondary Education. In accordance with these laws, many children have been stripped of the right to be taught at State secondary schools in the Russian language and in the languages of national minorities. Moreover, to this day a dedicated law to protect the linguistic rights of national minorities has yet to be drafted. We exhort the OSCE executive structures to keep a most vigilant eye on all aspects relating to the observance of the linguistic, educational and cultural rights of the non-Ukrainian-speaking inhabitants of Ukraine.

The current situation in Ukraine does not inspire optimism, yet at the same time it is not hopeless. Much, if not everything, depends on the Ukrainian authorities being genuinely prepared – rather than simply declaring their intention – to go down the path of striving for social harmony, notably by abandoning the

logic of war and putting a stop to their discriminatory policies. Implementation of the Package of Measures as the sole available “road map” for resolving the internal Ukrainian crisis continues to be of cardinal importance.

Thank you for your attention.