



United States Mission to the OSCE

Ongoing Violations of International Law and Defiance of OSCE Principles and Commitments by the Russian Federation in Ukraine

As delivered by Ambassador Daniel B. Baer
to the Permanent Council, Vienna
April 16, 2015

It has been more than two months since the ceasefire agreed in the February 12 Package of Measures was supposed to go into effect. We need to face reality - this ceasefire began with massive violations by Russian forces and separatists attacking Debaltseve, and this has been a ceasefire in name only in many locations in eastern Ukraine, like the area around Donetsk airport, where violence has never ceased since February 12.

Mr. Chair, in your opening today you referred to the 'line of conflict'. I think it was a Freudian slip, which is appropriate in this city, but indeed the 'line of contact' has remained a 'line of conflict' for the last two months. While there are places where fighting has stopped, it continues unabated in a lethal, slow burn in other key strategic locations. And this slow burn is heating up again because of the actions of the Russia-backed separatists and the Russian military.

The failure by Russia and the separatists to back to implement Minsk has not stopped there. The SMM has shared with all of us a map that graphically illustrates that it has systematically been denied full access to wide swathes of territory under control of the Russia-backed separatists. And its reports make clear that in other areas of separatist controlled territory it can only proceed escorted by the very forces it is expected to monitor. In contrast, the SMM reports generally free access to territory under the control of the Government of Ukraine. There have been some incidents reported where Ukrainian forces have stopped SMM monitors at checkpoints. The vast majority of these have been delays that were resolved on site. These should stop. But they don't compare to the outrageous restrictions and obstructions in separatist-held territory.

There is no mystery as to why the ceasefire has been continuously violated, beginning with the brutal attack on Debaltseve and continuing through the fighting we are currently seeing in Shyrokyne and near Donetsk. The ceasefire has been violated because Russia continues to maintain a military presence in eastern Ukraine and continues to provide the separatists with training and weapons.

The number one goal of the international community right now needs to be ensuring that Russia and the separatists implement the commitments they made in Minsk, which they can begin doing right away by stopping the fighting and supporting the ceasefire. There are clear steps that can be taken toward that goal.

First, Russia must cease arming and training the separatists, and must withdraw all of its own military resources from Ukraine, including its advanced surface-to-air missile systems near the front line and its command and control elements in eastern Ukraine.

Second, all actors, including all of us around this table, should continue to support the OSCE efforts to end fighting at particular hotspots, including by arranging local ceasefires, increasing SMM patrols, and providing more focused SMM coverage of the hotspots. The SMM continues to do remarkable work, including its efforts this week to establish a de-militarized zone in Shyrokyne, and deserves the full support of each and every OSCE participating State.

Third, the working groups under the Trilateral Contact Group called for in the Package of Measures should be launched in line with Ambassador Tagliavini's plan. The three members of the contact group – Russia, Ukraine, and the OSCE – need to identify who will represent them on the working groups so they can get to work. We understand the members are ready to name representatives and we urge them to do so as soon as possible.

Fourth, in line with Ukraine's invitation, ODIHR experts should be ready to engage with the political working group, and ODIHR should prepare to monitor elections in the designated areas of eastern Ukraine according to Ukrainian law and OSCE standards, as called for in the February Package of Measures. Ukraine has already invited ODIHR to perform a pre-election assessment, and we call on Russia and the separatists to allow ODIHR the access it will need.

Fifth, the international community needs to work with international humanitarian organizations, in conjunction with the humanitarian working group, to identify methods for the delivery and distribution of humanitarian assistance to those in need, in line with international standards and with respect for Ukraine's sovereignty.

These are the immediate steps that must be taken. These steps will not solve the crisis on their own, but they will put us on a trajectory toward a peaceful solution. A full resolution of the conflict will require Russia to take action.

Russia must end support and training for the separatists. Russia must fully support the Package of Measures, including the ceasefire and withdrawal of heavy weapons. Russia must allow full and substantive international observation of its border with Ukraine. Russia must leave Crimea, where the human rights situation continues to deteriorate, including the shutting down of ATR TV, as part of a broader effort of the Russian Federation as occupying power to persecute Tatars. And Russia must release all hostages.

A peaceful end to this crisis depends on Russia taking these steps that, until now, it has failed to do.

Thank you, Mr. Chair.