



Permanent Mission of Ukraine
to the International Organizations in Vienna

PC.DEL/305/17

9 March 2017

ENGLISH only

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

As for delivery by the Delegation of Ukraine
to the 1136th meeting of the Permanent Council,
9 March 2017

Mr. Chairman,

I regret to inform the Permanent Council that the last meeting of the Trilateral Contact Group of 1 March 2017, which registered the renewed commitments to ceasefire, withdrawal of heavy weapons, security guarantees for the SMM monitors and protection of the civilian population and critical infrastructure, did not lead to de-escalation as Moscow and its proxies continue to flagrantly violate the undertaken commitments.

In particular, intensive attacks took place on 5 March, when the illegal armed formations targeted Avdiivka suburbs, Ukrainian Armed Forces positions and critical infrastructure facilities firing 27 tank shells of 125 mm, 23 mortar rounds of 120 mm and 49 mortar rounds of 82 mm.

Those shellings have once again left Avdiivka without electricity and disrupted the functioning of the Donetsk filtration station, which had been resumed only one day before that, after nearly week of cut-off as a result of previous shellings by the hybrid Russian forces from proscribed heavy weapons. The staff of the station had to be again evacuated from the facility.

The persistent attacks by the Russia-backed illegal armed formations deliberately undermine the extensive efforts exerted by the Ukrainian authorities to normalize the humanitarian situation in Adviiivka and nearby areas, to which the SMM monitors had contributed greatly by facilitating repair works to restore life-sustaining utilities.

Distinguished colleagues,

Despite the focus placed in the last and previous meetings of the Permanent Council on unacceptability of restrictions, pressure and intimidations effecting the SMM monitors in the occupied areas of Donbas, the Russian Federation and its proxies maintain the measures of preventing the monitors from fulfilling their mandate and reporting fully and objectively on the situation on the ground. The increased pressures on the SMM activities in that area were clearly identified by the Deputy Chief Monitor A.Hug during his briefing in Vienna on 6 March 2017.

Only in one day of 3 March, the SMM reported about two incidents which added to a large worrying picture of impediments and intimidation. In one incident, the

monitors encountered the warning shots by the hybrid Russian forces near non-government controlled Khreshchatytske, when they were observing two self-propelled howitzers (2S1 Gvozdika, 122mm) in violation of withdrawal lines and one command vehicle. The same day, the SMM lost its UAV near the Donetsk Water Filtration Station after the shots from non-government controlled areas when the monitors had tried to gather information to facilitate access for repair work. We recall that a week earlier the fighters of the hybrid forces forcefully seized the SMM UAV when the monitors attempted to launch it near the Donetsk Water Filtration Station.

It is utterly unacceptable that the illegal armed formations prevent the necessary repairs for resumption of functioning of the SMM camera at the “Oktyabr” mine.

The incidents of monitors’ intimidation are compounded by the information campaign against the SMM. The SMM weekly report of 1 March informs on the “comments and unfounded allegations made by senior “LPR” and “DPR” members, which at a minimum served to undermine public confidence in the SMM, if not create hostility towards it”.

The restrictions, impediments and growing number of intimidations perpetrated by Russia-backed illegal armed formations are bred by the total absence of any measures by the Russian side to take the responsible to account. As the SMM states in its report as of 3 February, a Russian Federation officer of the JCCC did not indicate what steps, if any, were taken in relation to any of those involved in response to an incident in Yasynuvata on 24 February, in which armed men had fired in the direction of SMM monitors and seized one of the Mission’s UAVs.

At every Permanent Council meeting in the last two weeks we also informed the participating States about targeting of Ukrainian JCCC officers by the hybrid Russian forces. These attacks continue. On 3 March, the illegal armed formations targeted by tank fire the building in Avdiivka, where the monitoring post of the Ukrainian side of the JCCC is stationed. As the SMM camera is installed on the very same building, the SMM monitors observed all impacts, including the one 1.5m below a static SMM camera.

We again reiterate our condemnation of incidents of intimidation of the SMM monitors. The existing numerous restrictions and impediments to the SMM activities in the non-government controlled areas prevent the SMM from effective discharge of its mandate agreed by all participating States, including Russia. We urge Russia to take the necessary measures that would allow safe and unimpeded activity of the SMM in the occupied areas of Donbas.

Mr. Chairman,

We highly appreciate it that even in these challenging circumstances the SMM seeks to duly monitor the situation and provide us with the relevant updates that contribute to understanding a broader context of severe impact of Russia’s ongoing aggression against Ukraine. Just one report of the SMM of 6 March registered in Avdiivka the impacts and damage from heavy artillery or tank fire in four different streets. In particular, on Haharin Street 10 the SMM observed two fresh impacts, respectively four and 20m from a kindergarten, as well as shattered windows of the kindergarten building and a nearby house. On Komunalna Street 10 the SMM observed a large crater about 10-15m from the main entrance of School No.7, and saw shrapnel damage to the school’s walls, fence, and a broken window. On 5 March, the SMM monitors registered in government-controlled Loskutivka (72km west of Luhansk) the

fresh impacts near a water pumping station caused by 152mm artillery rounds fired from the areas controlled by the hybrid Russian forces.

Despite restrictions which impede comprehensive reporting, the SMM continues to report about proscribed heavy weapons in non-government controlled territory. In particular, on 3 March the monitors registered the presence, in violation of the respective withdrawal lines, of 18 multiple-launch rocket systems (BM-21 Grad, 122mm) near Miusynsk. The SMM report of 6 March clearly indicates on the example of Yasynuvata that not only the hybrid Russian forces use dark hours for intensified attacks, but also for movement of their weaponry.

The security situation on the ground marked by intensive use of the proscribed heavy weapons by the hybrid Russian forces makes it painfully clear that two and a half years after signing the Minsk agreements, the Russian Federation has not fulfilled and is not fulfilling a single security provision of those agreements. It constantly undermines a comprehensive and sustainable ceasefire by military provocations; it refuses to withdraw the heavy weapons and its hybrid armed formations from the territory of Ukraine; it objects the establishment of permanent monitoring and verification by the OSCE at the uncontrolled sections of the Ukrainian-Russian state border where the replenishments of fighters, weaponry and ammunition are supplied from Russia to Donbas.

Distinguished colleagues,

In parallel with a total disregard to the security provisions of the Minsk agreements, the Russian Federation also intentionally undermines the prospects of the political track of peaceful resolution. The last Permanent Council meeting registered a strong condemnation of Russia's decision on recognition of the so called "documents" and "vehicle registration plates" issued by illegal structures in Donbas. This Russia's decision violates Ukraine's sovereignty and territorial integrity and fundamentally breaches the Minsk agreements. It further emboldened Russia's proxies in Donbas who announced from the first days of March the full switch to circulation of Russian rubles, the forceful seizure of companies which continued to operate within Ukraine's legislative framework, the introduction of "blockade of Ukraine". Given Russia's direct role in the conflict in Donbas, it bears responsibility for these aggravations and derailing of the process of peaceful resolution. The Russian representative may wish to explain to the Permanent Council whether rubles will be printed in Donetsk and Luhansk, or the entire money mass of Russian currency will be transferred from Russia.

As we have repeatedly witnessed in the past, the Russian side is not preoccupied over dire economic and humanitarian consequences of its decisions and illegal actions, which compound the plight of the population in the conflict-affected areas. As the Ukrainian authorities can maintain trade and economic interaction only with those enterprises working under the Ukrainian legislation, the seizure of businesses by the illegal armed formations in Donbas will cause the disruption of the chains of supply and production and leave dozens of thousands of people without job and income. The first consequences were reported by the SMM on 4 March that the employees of "DTEK Sverdlovanratsyt" stayed home until further notice. The SMM report of 3 March informed about the swith-off of the landline phone connection and internet to the government-controlled areas from 1 March. As reported by the SMM, a large centre of humanitarian assistance in Donetsk with many branches in other locations was seized by the illegal armed formations and stopped functioning.

In order to clarify the procedures and enhance transparency, the Ukrainian Government adopted on 1 March the Resolution “On approval of the Procedure of movement of goods to/from the area of anti-terrorist operation”. The document determines a legal regime of trade with certain areas of the Donetsk and Luhansk regions, humanitarian deliveries and activities of humanitarian logistical centres alongside the contact line in Donbas.

Mr. Chairman,

At the last Permanent Council meeting we dedicated significant attention to the gross human rights violations by Russia in the illegally occupied Autonomous Republic of Crimea and city of Sevastopol. However, in one week since then we have witnessed further attempts of the Russian occupation authorities to erase the Ukrainian national identity in Crimea as on 6 March the Ukrainians were banned from holding the commemorative events in Simferopol city on the occasion of Taras Shevchenko Days.

As we informed the participating States, on 16 January 2017 Ukraine submitted to the International Court of Justice a case in connection with Russia’s violation of the UN Convention on the Elimination of All Forms of Racial Discrimination and the UN Convention on Suppression of Financing of Terrorism. This week, on 6 March, the ICJ started the hearings on provisional measures requested by Ukraine which would enable to protect lives of the Ukrainians and their human rights in the conflict-affected areas as well as in the illegally occupied Crimea.

Mr. Chairperson,

The Russian Federation remains in clear, gross and uncorrected violation of the OSCE principles and commitments. The OSCE participating States have assumed the responsibility to uphold these principles and have a joint commitment “not to support participating States that threaten or use force in violation of international law against the territorial integrity or political independence of any participating State”. It remains critically important to stay firm on these positions to make Russia abandon its ongoing aggression against Ukraine and implement its international commitments and obligations and withdraw from Ukraine.

We urge Russia to return to the tenets of international law and reverse the illegal occupation of the Crimean peninsula which is an integral part of Ukraine.

Thank you, Mr. Chairman.