



## 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  
June 18, 2015

The United States remains deeply concerned about continued Russian aggression in eastern Ukraine. The SMM continues to report on intense fighting in Donetsk, where it logged nearly 600 explosions in the space of just two days earlier this week, and near Shyrokyne, where heavy artillery use continues. The SMM has also reported on evidence that combined Russian-separatist forces continue to operate Grad missile systems near the line of contact. Reports in the last 24 hours have come in of new attacks by separatists at Mariinka and Shyrokyne and several places along the line of contact. Earlier today the SMM briefed on its observation of renewed fighting at several hotspots. SMM reports recently have also highlighted concentrations of tanks in separatist controlled territory, and massing of weapons near railroad tracks, which could be evidence of a continuing resupply operation from Russia. This violence and use of heavy weaponry is in direct contravention of the Minsk agreements, including the February 12 Package of Measures. We reiterate our call for the signatories of the Minsk agreements to implement them fully and without delay, with a complete ceasefire and the withdrawal of all heavy weaponry from the line of contact.

Ukraine continues to push forward on Minsk implementation. It has participated in the four working groups in good faith and announced a readiness to discuss implementation of issues such as local elections. It has passed the law defining the "special status area," as agreed in the February 12 package of measures. It has invited ODIHR to perform a pre-election assessment in eastern Ukraine. It has moved forward with the constitutional reform process. We commend Ukraine's people and its government for all steps that have been taken toward implementing the Minsk agreements and otherwise demonstrating their commitment to peace and prosperity. We urge them to continue to devote maximum effort toward implementation of Minsk commitments, and not to let others distract them from good faith efforts within the working groups and the Trilateral Contact Group.

In contrast, Russia and the separatists it backs are dragging their feet and, in some cases, flouting their commitments in the Minsk agreements. A particularly dramatic example of this was on May 19 when the separatists inexplicably denied an ODIHR security assessment team access to areas under separatist control. This came after the SMM had secured an agreement with the separatists to allow the ODIHR team to visit these areas. It is unacceptable that the separatists are impeding ODIHR's ability to observe local elections in eastern Ukraine, as is called for in the February 12 Package of Measures. We call on Russia and the separatists its backs to allow unfettered access for ODIHR, the SMM, and other OSCE officials throughout

Ukraine.

If Russia and the separatists it backs obstruct access, they alone will be held responsible for denying the residents of Donbas the chance to participate in free and fair local elections as provided for in the Minsk agreements.

All of this comes as we have seen credible reports, relying on open-source information, documenting the continued presence of Russian soldiers in Ukraine. A report from the Atlantic Council showed detailed personal stories of individual Russian soldiers fighting in eastern Ukraine based on posts and the geolocation data on photographs shared by these soldiers on social media. Vice News then followed the trail of photographs provided by one Russian soldier, taking pictures at many of the same locations, demonstrating that a soldier in the Russian Army was physically present in Ukraine near Debaltseve last February. To be clear, these are not former Russian soldiers volunteering to fight in Ukraine. These are active duty Russian military personnel present on Ukrainian soil.

This is not new information. We have known for nearly a year now that Russian soldiers have been active in eastern Ukraine. We know that Russian forces were intimately involved in the attack at Ilovaisk last August, and the attack on Debaltseve last February. These reports merely serve as further confirmation of Russian military activity in eastern Ukraine.

We continue to see the Trilateral Contact Group of Russia, Ukraine, and the OSCE, and the associated working groups as the best available venue for working out implementation of the Minsk agreements. We note that there have been several meetings of the Trilateral Contact Group and the four working groups – most recently on Tuesday – which have been more productive than previous meetings. We urge Russia and the separatists in particular to approach the working groups in good faith and use them as a venue to resolve the crisis. We look to the working groups to make real progress in preparing for democratic elections in accordance with Ukraine's constitution and ODIHR's standards, most immediately by ensuring ODIHR full access to all of Ukraine, to get the entire international border monitored by the OSCE, to address the humanitarian needs of the people of Donbas, and to agree on an international inspection regime for all Russian cargo entering Ukraine.

We note the announcement by Ukraine today of new measures to facilitate passage for those living in separatist-controlled territory across the line of contact. International monitoring of the international border would lay the groundwork for further improvements.

Fully implementing the Minsk agreements includes releasing all hostages. We once again call on the Russian Federation to implement this commitment by releasing all of the Ukrainians it is detaining, including Nadiya Savchenko and Oleg Sentsov. Ms. Savchenko has been held hostage for one year, and each day she remains is a stain on Russia's record.

This council must also not lose sight of the fact that Russia continues openly and brazenly to occupy the Crimean peninsula, which remains part of Ukraine's territory within its internationally recognized borders. This flagrant violation of international law and disregard of OSCE principles and commitments must end.

Foreign Minister Lavrov told Secretary Kerry earlier this week that the way to solve the crisis

in Ukraine is to implement the Minsk agreements. We emphatically agree with the Russian foreign minister, and we challenge the Russian government to narrow the wide difference between Russia's words and Russia's actions.

Thank you, Mr. Chair.