



EUROPEAN UNION

**OSCE Permanent Council Nr 1012
Vienna, 24 July 2014**

**EU Statement on the Violation of OSCE Principles and
Commitments by the Russian Federation and the Situation
in Ukraine**

On 22 July the European Union Foreign Affairs Council expressed its shock and deep sadness at the downing of the Malaysian Airlines Flight MH17 in Donetsk, Ukraine and the tragic loss of so many innocent lives. Citizens from many nationalities including many from the European Union have been killed. The Council conveyed its deepest condolences to the people and governments of all affected nations and in particular to the families of the victims. It welcomed the unanimous adoption of the UNSC Resolution of 21 July and looked forward to its full implementation.

The Council called on the separatist groups in the area to ensure full, immediate, safe and secure access to the site and surrounding area, including a viable security corridor, in order to proceed with victim identification as well as to recover remains and possessions of those deceased in the downing and provide for swift, professional and dignified repatriation of the victims. The Council expressed its expectation that all those in the area preserve the crash site intact, including by refraining from destroying, moving, or disturbing remains, wreckage, equipment, debris or personal belongings.

Mr Chairman, the EU supports the call of the UNSC and the OSCE Permanent Council for a full, transparent and independent international investigation in accordance with the international civil aviation guidelines, in co-ordination with the ICAO, including with participation of technical and forensic experts from the Ukrainian, Malaysian and Dutch governments as well as other technical and

forensic experts. All relevant materials recovered from the site should be made available to the international investigation immediately and without interference.

The EU emphasises that those directly and indirectly responsible for the downing must be held accountable and brought to justice and calls on all States and parties to fully cooperate to this end.

The EU urges the Russian Federation to actively use its influence over the illegally armed groups in order to achieve full, immediate, safe and secure access to the site, full cooperation with the work on recovering remains and possessions and full cooperation with the independent investigation, including unhindered access to the site of the downing for as long as is needed for the investigation and possible follow up investigations. The OSCE Special Monitoring Mission (SMM) must be allowed to play its full role in facilitating and safe-guarding the access. In this context, we commend the SMM for its speedy deployment to the crash site, its monitoring efforts at the site as well as its facilitation of access to national and international experts.

Mr Chairman, we urge Russia to stop the increasing flow of weapons, equipment and militants across the border in order to achieve rapid and tangible results in de-escalation. We further urge Russia to withdraw its additional troops from the border area.

The 22 July Foreign Affairs Council also agreed to accelerate the preparation of targeted measures agreed at the Special meeting of the European Council on 16 July, in particular to establish immediately a list of entities and persons, including from the Russian Federation, to be listed under the enhanced criteria adopted by the Council on 18 July, then to expand the restrictive measures with a view to targeting individuals or entities who actively provide material or financial support to or are benefitting from the Russian decision makers responsible for the annexation of Crimea or the destabilisation of eastern Ukraine, and to adopt additional measures to restrict trade with and investment in Crimea and Sevastopol, at the latest by the end of July.

The Council expressed its readiness to introduce without delay a package of further significant restrictive measures, if full and immediate cooperation on the above mentioned demands failed to materialise. To this end, the Council requested the European Commission and the EEAS to finalise their preparatory work on possible targeted measures and to present proposals for taking action, including on access to capital markets, defence, dual use goods, and sensitive technologies, including in the energy sector. The results of this work will be presented today in Brussels.

Mr Chairman, we recall the four specific steps requested by the European Council in its 27 June conclusions. We strongly condemn the continuation of illegal activities by armed militants in eastern Ukraine and elsewhere, which has caused the loss of life of many innocent people. Further consideration will be given to the possible designation of these as terrorist organisations.

We stress our support for a peaceful settlement of the crisis in Ukraine, and the need to implement President Poroshenko's peace plan without any further delay. We also stress the urgent need to agree on a genuine and sustainable cease-fire by all parties on the basis of the Berlin Declaration of 2 July with the aim of restoring Ukraine's territorial integrity. To this end, we support the OSCE and the Trilateral Contact Group in their efforts to create conditions for a ceasefire. We also reiterate the importance of an effective border control, including through OSCE observers, and the swift release of all hostages.

We welcome the decision on the deployment of OSCE observers to two Russian checkpoints on the Russian-Ukrainian border, as a limited first step towards the implementation of the 2 July Berlin Declaration. We thank the OSCE Secretariat for producing the needs assessment report. We note that a number of important security measures need to be in place before deploying observers to the sites.

We call for the implementation of all elements of the 2 July Berlin Declaration, including access for Ukrainian border guards to participate in the control at these two checkpoints.

We commend and fully support the efforts of the OSCE as an essential facilitator in the conflict, as expressed in the 22 July Council conclusions. We welcome the decision last Tuesday on the extension of the SMM and reiterate our support for the use of its full potential. We underline the importance of ensuring safety for OSCE observers.

Mr Chairman, the EU stands firm in upholding Ukraine's unity, sovereignty, independence and territorial integrity within its internationally recognised borders, and calls upon Russia to do likewise. We urge Russia to recognise these fundamental principles that it has itself invoked many times and to contribute, by acts and public pronouncements, to stabilise the situation and reverse moves that contravene these principles. We reiterate our strong condemnation of the illegal annexation of Crimea and Sevastopol to the Russian Federation and we will not recognise it.

The Candidate Countries MONTENEGRO*, ICELAND+ and ALBANIA*, the Country of the Stabilisation and Association Process and Potential Candidate BOSNIA and HERZEGOVINA, and the EFTA country NORWAY, member of the European Economic Area, as well as UKRAINE and GEORGIA align themselves with this statement.

* Montenegro and Albania continue to be part of the Stabilisation and Association Process.

+ Iceland continues to be a member of the EFTA and of the European Economic Area.