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**STATEMENT BY MR. ALEXANDER LUKASHEVICH,
PERMANENT REPRESENTATIVE OF THE RUSSIAN FEDERATION,
AT THE 1281st MEETING OF THE OSCE PERMANENT COUNCIL**

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

Mr. Chairperson,

The situation in Ukraine continues to remain complicated. The country has entered a new election cycle, and political expedience is in these circumstances taking its toll on the likelihood of progress in the settlement of the internal Ukrainian conflict.

Relative calm continues to prevail in Donbas, as confirmed by the observations of the OSCE Special Monitoring Mission to Ukraine (SMM): over the past two weeks there have been, in all, around 200 violations of the ceasefire regime. At the same time, though, one cannot describe the situation along the line of contact as being completely satisfactory. There is a continuing risk of tensions growing again as a result of the instances that have been recorded of infringement of the measures to strengthen the ceasefire regime that were agreed on by the representatives of the Ukrainian Government and of the authorities in Donetsk and Luhansk during the meeting of the Trilateral Contact Group (TCG) held, via videoconference, on 22 July. Among other things, this refers to the fortification of positions and to attempts to change the original positioning of forces.

Let us now turn to the situation around the settlement of Shumy (in the Donetsk region), which is controlled by the Ukrainian military. I would remind you that the Ukrainian armed forces entered that settlement in August 2018 as part of a so-called “creeping offensive”: Shumy had previously been in the “grey zone” on the line of contact. In an interview that was broadcast on Ukrainian television at the time, the Chief of Staff of the 24th Separate Mechanized Brigade of the Ukrainian Armed Forces, Roman Mamarko, confirmed that the operation to establish military control over that area had been premeditated and planned in advance. This year, too, Ukrainian units have continued to consolidate and expand their positions there – even after 27 July, the date on which the measures to enhance the “silence regime” came into effect. That this is so is clearly attested – despite the written assurances to the contrary circulated at the OSCE by the distinguished Permanent Representative of Ukraine – by the facts which the SMM has established. For example, a new military position has been spotted (SMM report issued on 9 September) and an extension to an existing trench has been confirmed (report of 12 September). As is known, the fortification works carried out by the Ukrainian armed forces in this area, which is immediately adjacent to a vital civilian infrastructure facility, led to a rise in local military tensions last week.

The situation in the area of Shumy was the focus of attention during the extraordinary TCG meeting held (via videoconference) on 9 September. Although the representatives of the Ukrainian Government and of the authorities in certain areas of the Donetsk region agreed at that meeting to study the situation on the ground in those places where fortification works by the Ukrainian armed forces had been spotted, that agreement has ultimately come to nought. For the Ukrainian authorities initially indicated their agreement, but then at the very last moment they revoked, under far-fetched pretexts, their consent to the organization of a joint visit to the area, in which representatives of Donetsk and of the SMM were to have taken part. Moreover, on that same day, an SMM unmanned aerial vehicle that had been conducting monitoring activities near the Ukrainian armed forces' positions was lost as a result of jamming (report of 11 September). The regular TCG meeting that took place (via videoconference) on 16 September was unable to help resolve these existing discrepancies.

The meeting of the advisers to the Heads of State of the Normandy Four countries that was held in Berlin on 11 September was also intended to assess the current status of the settlement process. However, instead of presenting a plan with specific steps for the implementation of the Minsk Package of Measures of 12 February 2015, the Ukrainian negotiators once again started expatiating on the possibility of some shifts in perspective.

Further progress on the political and humanitarian aspects of the settlement has effectively been blocked by Ukraine's departure from the letter and the spirit of the Minsk agreements. This refers above all to the way in which the whole of Donbas, including certain areas of the Donetsk and Luhansk regions, has been excluded from the process of the local elections that are being organized and are due to be held in Ukraine on 25 October. No legal solutions have been forthcoming as yet with regard to bringing the Verkhovna Rada resolution (no. 795-XI) on the scheduling of regular local elections in 2020 in line with the provisions of paragraphs 4, 9, 11 and 12 of the Package of Measures, which that resolution clearly runs counter to. In particular, the said provisions call for a meaningful dialogue to be conducted at the TCG with the representatives of certain areas of Donbas on the modalities for holding elections. The stance adopted by our French and German partners in the "Normandy format" is also puzzling: in these circumstances they continue to harp on about the Ukrainian Government displaying a "constructive approach" towards the settlement process.

The real attitude of the Ukrainian TCG delegation, however, can be inferred from a noteworthy comment made by its head, Leonid Kravchuk. In an interview with Radio NV on 11 September, he stated that the Minsk agreements "cannot be implemented for understandable reasons, because it was already clear when they were being signed that they would not be implemented".

All this is hampering the measures on other aspects agreed on by the Ukrainian Government and the authorities in Donbas, including the exchange of detainees. By the way, the Ukrainian authorities have still not provided evidence confirming that criminal charges have been dropped (legal clearance) against the individuals handed over to the Donbas authorities as part of the previous exchanges in December 2019 and April of this year.

It is becoming evident that further progress in the settlement process is, so to say, being held hostage to the lack of political will on the part of the Ukrainian leadership. In this context, the reduction in the number of instances of shelling and the relative calm along the line of contact could easily prove not to be durable.

The remarks made a few days ago by President Volodymyr Zelenskyy in an interview with the newspaper *Wiener Zeitung* in the run-up to his State visit to the Austrian capital are most revealing. He referred to the situation in certain areas of Donbas as a "humanitarian catastrophe" in view of the economic

problems and the coronavirus epidemic, claiming shortly afterwards that “once the patience of the people there has been exhausted, there may well be uprisings”. Yet, it is precisely in the current difficult context that the Ukrainian authorities are continuing to impose a socio-economic blockade on Donbas – at the height of the epidemic they are playing out a local version of the Iron Curtain by separating the inhabitants of a single country. One may legitimately ask whether the “plan B” that has been spoken of in connection with solving “the Donbas problem” does not in fact simply mean continuing the policy of strangling the region that was launched by Petro Poroshenko a few years ago. Indeed, does the Ukrainian Government actually have a “plan A”, which should consist in level-headed and faithful implementation of the provisions of the Package of Measures in a full and co-ordinated manner?

The Ukrainian authorities continue deliberately to widen the social divisions across the whole country by conducting a baneful policy of suppressing everything that has to do with the culture of Russia and with Russian-language culture. On 21 August, Tatyana Kuzmich, a teacher of Russian language and literature and head of the organization “Russian National Community ‘Rusich’”, was arrested in Kherson on the absurd charge of high treason. She was taken into custody and it was demanded of her that she confess that, after returning from a visit to Russia, she had begun carrying out tasks she had been set as part of a mission to undermine Ukrainian sovereignty. It is not only her personal freedom that has come under threat but also the very future of the entire Russian ethnic and cultural community of the Kherson region. In several other regions of Ukraine many Russian-speaking community-based organizations have previously been evicted from their premises and prevented from going about their work freely as a result of the authorities’ systematic oppression.

Once again, we note that the ongoing crisis in Ukraine is the result of the February 2014 coup d’état, which was orchestrated, funded and organized from abroad and has led to the armed confrontation in Donbas and the wholesale suffering of millions of civilians.

We call on the international community, including the OSCE and Ukraine’s external “mindes”, to bring maximum influence to bear on the Ukrainian leadership in order to induce it to take steps in the interests of peace and civil harmony, that is, steps towards swift implementation of the Package of Measures on the basis of direct and meaningful dialogue between the Ukrainian Government and the authorities in Donetsk and Luhansk.

Thank you for your attention.