



Permanent Mission of Ukraine
to the International
Organizations in Vienna

Statement in response to the CiO Special Representative in Ukraine and the TCG Heidi Grau and the SMM Chief Monitor Yaşar Halit Çevik

As delivered by Ambassador Yevhenii Tsymbaliuk,
Permanent Representative of Ukraine to the International Organizations in Vienna,
to the 1284th meeting of the Permanent Council,
8 October 2020

Mr. Chairman,

We join other delegations in welcoming Special Representative Heidi Grau and Chief Monitor Halit Çevik back to the Permanent Council.

Ambassadors, your personal presence today in Vienna, in the turbulent times of pandemic, demonstrates that the OSCE has not lost its focus on the ongoing Russia's aggression against Ukraine. We thank the Albanian Chairmanship and participating States for keeping this issue high on the OSCE agenda, despite new challenges which emerged in the OSCE area in the last few months.

We share assessments provided by Chief Monitor and Special Representative on the effectiveness of ceasefire lasting since 27 July and its beneficial impact on the civilian population. The decrease of the number of ceasefire violations by 97 per cent, reported by the SMM, is a remarkable achievement. It demonstrates that progress on the ground is possible, when Russia's political will is in place.

As noted by many delegations in this hall, the security situation in Donbas still remains fragile and unpredictable. During the reporting period, the SMM recorded 485 weapons in violation of their respective withdrawal lines, 94 per cent of which in Russia-occupied parts of Donetsk and Luhansk regions of Ukraine. In two+ months since the start of implementation of the package of additional measures to consolidate ceasefire, the Ukrainian side registered more than 130 cases of ceasefire violations by the Russian armed formations in different locations, 21 cases of operation of UAVs, one case of changing the positioning of the troops, and 20 cases of additional engineering improvement of positions, all done by the illegal armed formations. We consider these actions as flagrant violations of the Minsk agreements and the TCG-agreed additional measures to strengthen the ceasefire.

The humanitarian situation, despite being improved after 27 July, continues to be marked by illegal detentions, systematic suppression of anything Ukrainian, dire conditions for civilians crossing the contact line, and a looming ecological disaster in the occupied parts of Donbas. The Russian representatives in the TCG blocked any progress on mutual release of detainees. Ukrainian language and culture are squeezed out and replaced with Russian ones. Civilians, including children and the elderly, have to spend days or weeks in hazardous conditions in the areas between the EECs and the corresponding checkpoints of the Russian armed formations, while waiting for approval by the Russian occupation authorities. Irresponsible attitude towards heavily industrialized Donetsk and Luhansk regions, demonstrated by the Russian side, leads to flooding of mines, contamination of groundwater and violation of social and economic rights of people residing in the occupied territories of Ukraine, including the right to safe drinking water and basic sanitation.

Our major concern, however, is that in the past three months, we have seen deliberate efforts by the Russian side to obstruct TCG's activities and even delay the application of already agreed - including at the expert level - arrangements within TCG. Here I would like to mention:

- the updated plan on demining activities in the 19 agreed areas, which has a clear humanitarian nature. In large part, it covers the areas around the existing Entry-Exit Checkpoints and other critical civilian infrastructure;
- disengagement of forces and hardware in 4 additional areas;
- mutual exchange of lists of the identified detainees according to the four agreed categories (Ukraine submitted its lists back on 10 July).

The Russian side uses various pretexts for obstructing the TCG work, primarily demanding to amend the procedural Resolution of the Ukrainian Parliament setting off the process of local elections, allegedly to "bring it in line" with Minsk agreements.

Other pretexts are also used, like the demand to conduct inspections of our positions along the Line of Contact, notwithstanding the OSCE monitoring mandate. The latest pretext to disrupt the TCG was the demand to make audio and video recordings of TCG proceedings.

Naked blackmail like threats to discontinue the ceasefire unless Ukraine removes alleged "violations", despite OSCE written reports to the contrary, to renegotiate the package of additional measures to consolidate ceasefire has become a regular practice. In the last meeting of the Permanent Council, we informed participating States in detail on the utterly unacceptable situation in the TCG.

Ambassador Grau, allow me to express my delegation's full support to your important activities, the spirit of impartiality and professionalism that guide your work as OSCE moderator in the TCG and CiO Special

Representative in Ukraine. We fully share your view, expressed in the press-release of 30 September, that it is unacceptable that political considerations are preconditions for resolving humanitarian issues. We likewise believe that release of prisoners of war and other conflict-related detainees, disengagement and demining must continue without any artificial preconditions on the political track.

We condemn and reject any pressure on Ambassador Grau in an effort to ruin the work of the TCG and urge the Russian side to demonstrate constructive approach – both in this hall and within the TCG framework.

Chief Monitor Çevik,

As in the past, we wish to reconfirm our full trust in SMM activities and extend our support to your important mandate. As a host country, Ukraine followed very closely the Mission's efforts to overcome the challenges brought by the ongoing COVID-19 pandemic. We regret that the Russian side used this situation as a pretext to further limit the SMM's activities in Russia-occupied parts of the Donetsk and Luhansk regions of Ukraine. We trust the SMM that its precautionary measures represented a proper balance between the need to protect monitors and the population among which they work from COVID-19, on the one hand, and the need to fulfil its mandate, on the other. For instance, the increased use of technical means has indeed allowed to compensate, at least partially, the reduced footprint on the ground.

We are seriously concerned by the fact that even after the Russian armed formations permitted some members of the Mission to return to the occupied parts of Donbas, the restrictions on movement across the contact line and between the occupied areas of the Donetsk and Luhansk regions remain in place. We share your position that the SMM must not be forced to function as three separate entities, but act as one unified Mission. We again remind the Russian side that the SMM mandate, adopted by all participating States including Russia, provides for safe and secure access throughout Ukraine. The Russian Federation confirmed its obligation in this regard also by signing the Paris N4 Summit Agreed Conclusions on 9 December 2019.

We thank the SMM for responding to the requests by Ukraine and many participating States to pay more attention to monitoring the segments of the border outside the control of the Government of Ukraine. Dozens of vehicles and trains, as well as persons observed by the Mission during night hours near the border with the Russian Federation in the Donetsk and Luhansk regions, where there are no border crossing facilities, contribute to better understanding of the international community of the ongoing illegal Russia's military activities on both sides of the border. The facts, established and verified by the SMM, represent an inconvenient truth for the Russian side.

It is no wonder that the Russian armed formations continue to deny the necessary security assurances to open the SMM forward patrol bases in areas near the border outside of government control. In this regard, we welcome the Mission's efforts to find alternative ways to expand its patrolling reach in those areas, including by overnight stays, enabling reduced transit times. This becomes even more relevant in view of the forthcoming winter season with its shorter daylight hours.

We also appreciate the SMM's response to our numerous calls to shed more light on Russia's consistent policy of widening the gap between the government-controlled and Russia-occupied parts of Donbas. The ongoing replacement of Ukrainian language, official symbols, media, legislation and currency constitutes a major threat to the future reintegration of certain areas of the Donetsk and Luhansk regions of Ukraine. The SMM report presented today to the Permanent Council highlights such cases as fear of speaking Ukrainian in public, ban on conducting business without using a flag imposed by the Russian occupation administration, and de-facto removal of Ukrainian language from schools, where it is allowed to be taught just one hour per week outside of school hours. Those are, again, the facts representing an inconvenient truth for the Russian side, which continues to violate the norms of international humanitarian law, human rights and fundamental freedoms in the occupied parts of Ukraine. I believe that the abovementioned issues really deserve to be summarized, systematized and highlighted in a separate thematic report by the SMM.

We encourage the SMM to extend its comprehensive monitoring to the Autonomous Republic of Crimea and the city of Sevastopol, which, as parts of Ukraine's internationally recognized territory, also belong to the Mission's mandate. If the Russian Federation continues to deny access of the SMM patrols to the temporarily occupied Crimean peninsula, this should be reflected in the SMM reports. Let me recall that the Mission's mandate tasks it to report on any restrictions of the freedom of movement or other impediments to fulfilment of its mandate. We also reiterate our position that there exist no obstacles to the launch of SMM's remote monitoring of the situation in Crimea, based on the evidences of and communication with the local residents and their families, similar to what the Mission already does in Donbas.

I wish to thank again Ambassador Grau and Ambassador Çevik, as well as the entire SMM team, for their hard and dedicated work of contributing to peaceful resolution of the Russia-ignited conflict, as well as to upholding the OSCE principles and commitments.

Thank you, Mr. Chairman.