



## **United States Mission to the OSCE**

### **Reply 1 to the Russian Federation on the 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  
February 18, 2016

Before responding to a couple of the specific points made by our distinguished Russian colleague, I just want to offer a general observation. Having listened to our distinguished Russian colleague, and having listened to the statements that represent the views of so many others around this table today, I think it is important for the Russian delegation to be able to convey to Moscow that we understand what Moscow is doing: We all understand that there has been a consistent approach of turning up the kinetic heat, turning up the fighting, when Moscow wants to disrupt or is dissatisfied with political or diplomatic work. We are not confused. We are concerned, but we are not confused.

We know that because this is a Russian tactic, Russia is to blame for the escalation in fighting. Russia is also to blame for the disruption it causes to the political and diplomatic tracks. And that is why you hear consistently from partners around this table, our insistence on the full implementation of Minsk; and step one of the Minsk Protocol, and step one of the Package of Measures, is a complete ceasefire. That is why you hear consistently a call for the full implementation of Minsk, and the reaffirmation that the duration of sanctions is linked to that full implementation.

I couldn't possibly respond to all of the things in today's statement from our distinguished Russian colleague but I wanted to pick up a couple specifics that were raised.

First, Russia expressed concern for the impact of fighting on civilian areas. We share that concern as expressed in our statement. I appreciated the Ukrainian Ambassador's noting the recent Human Rights Watch report about the use of schools which had recommendations for both the Russian Federation and Ukraine. And I appreciate the Ukrainian Ambassador's noting this report, and obviously that signal that Ukraine is reviewing it. I would encourage the same thing that the Ukrainian Ambassador encouraged: for Moscow to review the report and the recommendations for Russia in that report.

I would also note that as recently as the last couple of weeks we have seen reporting from the SMM that Russia's proxies are using a school in Zaitseve as a military installation. That is a specific instance of endangering a civilian institution that Russia could follow up on.

I want to pick up again on our distinguished Russian colleague's assertions on engagement relating to the border. First of all, I didn't hear any hysteria from anyone about the border. I hear a clear understanding that having confidence about what is going on at the border is both

necessary to reducing the fighting and to building confidence in the ceasefire and, eventually, to making free and fair local elections possible.

So you've heard a consistent call to implement the provisions of the Minsk Protocol, a call for international monitoring of both sides of the international border. That is not a political point, it is a pragmatic point. It's necessary to achieve what we all say is our common objective. And the distinguished Russian Ambassador has once again pointed out that the SMM can episodically, unpredictably and conditionally, sometimes make visits to certain parts of the border. That is not comprehensive monitoring.

If somebody wanted to hear the Russian Ambassador's speech in this forum, and they only showed up for a random one-minute segment, they would have a very low probability of hearing that speech. Selective, episodic presence does not equal comprehensive monitoring. Comprehensive monitoring is what is needed.

Finally, to answer the question of what the distinguished Russian Ambassador put to me and several other colleagues: how would our law enforcement authorities react to certain incidents? Well I have to say that when those incidents occur on the territory of another state, our law enforcement authorities would think that those were the business of the law enforcement authorities of that other state, first and foremost.

And while certainly we might raise political concerns if those law enforcement authorities weren't doing their job, our law enforcement authorities would assume that if it is not on the territory of our state, the first responsibility lies with the state in question-- Which in this case is Ukraine.

Thank you Mr. Chair.