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**STATEMENT BY MR. ALEXANDER LUKASHEVICH,
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AT THE 1227th MEETING OF THE OSCE PERMANENT COUNCIL**

9 May 2019

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

Mr. Chairperson,

The situation in Ukraine remains worrying. The Ukrainian armed forces show no sign of stopping their shelling of Donbas. Over the past week, the OSCE Special Monitoring Mission to Ukraine (SMM) recorded damage to residential buildings in Zolote-5/Mykhailivka and Dokuchaievsk. Ukrainian soldiers continue intensively to lay mines around their positions. In the Luhansk region, more than 150 anti-tank mines were discovered in the vicinity of Prychepylivka and more than 100 mines close to the village of Krymske, while in the Donesk region more than 100 mines were spotted near the village of Pyshevyk.

The Ukrainian armed forces continue to amass large-calibre weaponry in Donbas. On 3 May, four 152 mm calibre Giatsint-B towed howitzers were spotted in the Donetsk region near the village of Pryvillya, and on 6 May five Buk surface-to-air missile systems near the railway station in Bakhmut (formerly Artemivsk). On 6 May, four 220 mm calibre Uragan multiple-launch rocket systems were discovered in the Luhansk region in the village of Starobilsk, and six 152 mm calibre Giatsint-B towed howitzers near the railway station in Rubizhne. The monitors were unable to account for 63 artillery systems at withdrawal sites and storage facilities belonging to the Ukrainian armed forces.

As before, Ukrainian soldiers are flagrantly sabotaging their commitments under the Framework Decision on Disengagement of Forces and Hardware of 21 September 2016 in the three pilot areas. Over the past week, the SMM has again reported violations of the ceasefire regime inside the area at Zolote and near the disengagement area in Petrivske. In Stanytsia Luhanska, although the conditions for starting the process are in place, the Ukrainian armed forces are simply ignoring this fact. Under these circumstances, it is not surprising that the ceasefire regime is not being respected in Donbas.

Despite the opposition by the authorities of Ukraine, today its inhabitants are commemorating Victory Day of the Soviet people against Nazism in the Great Patriotic War. Elena Berezhnaya, the organizer of the march in honour of the war heroes, was detained in Kyiv this morning. In Dnipropetrovsk a bus bringing people to the celebrations was pelted with stones. Some people are unfortunately bad at learning lessons. Last week, the Ukrainian media reported a Nazi banner that had been erected near Ukrainian armed forces' positions in Marinka. As you are aware, in early February armed formations of Ukrainian nationalists from Right Sector and Azov returned to the line of contact. Members of these

organizations are behaving no less provocatively in other regions. Last week, they insulted citizens who had come to pay their respects to the victims on the fifth anniversary of the tragedy of 2 May 2014 at Trade Union House in Odessa. The next day, incidentally, unknown persons set fire to the flowers and commemorative plaques brought by citizens to Trade Union House. This is simply outrageous, especially against the background of recent statements by some radical deputies in the Verkhovna Rada, who described the brutal murder by nationalists of dozens of peaceful citizens of Odessa on 2 May 2014 as a “day marking victory over separatism”.

At the end of April, at the behest of the local authorities, a series of events was held in towns in western Ukraine to coincide with the anniversary of the creation of the Ukrainian Galicia SS Division. Themed children’s competitions and sporting events were organized. Particular attention is being paid to the younger generation: a distorted perception of history is being aggressively imposed on this generation, forcing them to worship Nazi collaborators. It is well known what such experiments with historical and moral brainwashing of the people can lead to. It is extremely dangerous to turn a blind eye to this and pretend that everything is in order.

We once again urge the SMM to prepare a thematic report on the manifestations of aggressive nationalism, neo-Nazism and xenophobia in Ukraine and to attentively monitor the situation in this field. This appeal is especially relevant today, at a time when a huge number of people across Ukraine are attending peaceful marches in memory of the heroes of the Great Patriotic War.

We trust that the SMM, in accordance with its mandate, will intensify its efforts to monitor and support respect for human rights, including the rights of national minorities. Despite the fact that during the recent election the voters rejected the ill-starred and destructive policy pursued by Petro Poroshenko, the outgoing authorities are forcing through the approval of discriminatory legislative norms. The law recently adopted by the Verkhovna Rada on ensuring the functioning of Ukrainian as the State language contravenes Ukraine’s national legislation and international commitments. In particular, it is at odds with the Constitution (Part 2, Article 10 “free development, use and protection of Russian and other minority languages”) and the law on national minorities (Article 6 – the opportunity “to study in one’s native language at State educational institutions”). The selective biases laid down in that law in favour of individual languages contravene Part 1, Article 1, of the law on national minorities, which states that “citizens shall enjoy equal protection of the State”. The document, which is aimed at total Ukrainization, is not in keeping with the spirit and the letter of the Minsk Package of Measures, Point 11 of which establishes the right of Donbas to linguistic self-determination. Procedural violations were also permitted during the consideration of the draft law. The recommendations of the main specialist department of the Verkhovna Rada on the need to clarify a number of formulations that do not meet the requirements of legal certainty were ignored.

There is a need for a clear response from the OSCE to such legislative initiatives on the part of the Government of Ukraine, which create new dividing lines in Ukrainian society. We call on international institutions, including the Council of Europe’s Venice Commission and the OSCE High Commissioner on National Minorities, to assess whether the language law is in conformity with international legal standards. It is telling that the Ukrainian authorities, despite the recommendations, did not want to have this law examined by the relevant experts.

The situation of journalists in Ukraine remains difficult. The authorities continue to persecute the head of the RIA Novosti Ukraine portal, Kirill Vyshinsky, for his professional activities. On 7 May, the court extended his period of detention until 22 July. On 15 May, it will be exactly one year since he was arrested in Kyiv by the Ukrainian intelligence services on trumped-up charges. The level of physical aggression towards reporters also remains high. On 4 May, local journalist Vadim Komarov, who was

investigating corruption by the authorities, was beaten up in the centre of Cherkasy. His skull was fractured, and he is in a coma in intensive care. The OSCE Representative on Freedom of the Media, Mr. Harlem Désir, has already responded to this brutal attack, calling for everything possible to be done to investigate this crime.

In view of all these aforementioned considerations, it is not surprising that the Ukrainian Government has been deliberately blocking a political settlement of the crisis in the east of the country. Ahead of the “change” in the highest echelons of power in Kyiv, there is a high risk of an unwarranted pause in the settlement process, which various hotheads may take advantage of. In these conditions, the OSCE has an even greater responsibility for ensuring implementation of the Minsk agreements. We urge that all possible influence be exerted on the Ukrainian Government to make Ukraine fulfil its ceasefire commitments, synchronize the resolution of security issues with progress on the political track, and strictly implement all the provisions of the Minsk Package of Measures of 12 February 2015 on the basis of direct dialogue with the representatives of Donetsk and Luhansk – the only framework for a viable settlement of the crisis in Ukraine.

Thank you for your attention.