

Delegation of the Russian Federation

**STATEMENT BY MR. ALEXANDER LUKASHEVICH,
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AT THE 1093rd MEETING OF THE
OSCE PERMANENT COUNCIL**

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**On Crimea, the situation in Ukraine and the need to implement
the Minsk agreements**

Mr. Chairperson,

Two years ago Russia responded to the request by the overwhelming majority of the inhabitants of Crimea, who in a free expression of their will voted to become part of the Russian Federation. The people of Crimea did this at a time when they were under a real threat following the forcible seizure of power in Kyiv, while ultranationalists were repeatedly trying to invade Crimea by force. Everyone on the peninsula had heard Right Sector's slogan: "Crimea will be Ukrainian or will be depopulated".

The proclamation of the independence of the Republic of Crimea and its incorporation into the Russian Federation is a legitimate expression of the Crimean people's right to self-determination at a time when Ukraine, with outside support, was in the throes of a *coup d'état*.

Incidentally, Ukraine itself justified its declaration of independence in 1991 by making reference to the attempted coup in the USSR in August 1991.

I should remind you that the right of peoples to self-determination, alongside other fundamental principles of international law, is enshrined in Article 1 of the Charter of the United Nations. It was reaffirmed in Article 1 of the 1966 International Covenant on Civil and Political Rights and also in Article 1 of the 1966 International Covenant on Economic, Social and Cultural Rights. The right to self-determination is also one of the ten principles of the 1975 Helsinki Decalogue.

To implement the provisions of the Charter of the United Nations, Member States unanimously adopted the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations in 1970. Under this Declaration, "The establishment of a sovereign and independent State, the free association or integration with an independent State or the emergence into any

other political status freely determined by a people constitute modes of implementing the right of self-determination by that people.”

The right to self-determination has been reaffirmed on several occasions in United Nations General Assembly resolutions, International Court of Justice rulings and Human Rights Committee general comments.

On 16 March 2016, the people of Crimea and Sevastopol celebrated the second anniversary of joining the rest of Russia. It is absolutely clear now that this event of historic significance is entirely in keeping with the will of the people living on the peninsula. A national referendum is the most democratic way of determining the real hopes and needs of the people.

We realize that many Ukrainian politicians and Western countries clearly did not like the decision by the people of Crimea and Sevastopol and wanted to punish them for choosing something that does not square with the idea of a Euro-Atlantic future for Ukraine.

The Ukrainian Government turned off the water supply to the residents of Crimea, blocked freight traffic, cut off the electricity supply, switched off communications facilities and began training combatants in a completely absurd bid to force the Crimean people to bow down to the Ukrainian Government.

We consider all this extremely disrespectful to the residents of Crimea. Some people may like their decision and some may not, but they will have to come to terms with it.

I might add that attitudes in Europe and the United States of America are, however, slowly changing in favour of recognizing the new situation. Let me provide you with the findings of some recent public opinion polls in a number of countries conducted by the prominent Western market research companies Populus and Ifop.

In response to the question “Do you believe that Crimea is part of Russia or not?” 39 per cent of those surveyed in Italy and 37 per cent of respondents in Germany answered that Crimea is part of Russia. In the United Kingdom and the Netherlands, the figures were 33 per cent and 32 per cent respectively, and in the United States and France – 26 per cent. The United States had the largest percentage of “I don’t know” responses (42 per cent).

We are seriously concerned at the threat of an escalation of hostilities in Donbas. Systematic steps by the Ukrainian military to seize “neutral territory” along the line of contact is causing positions to become dangerously close and provoking heavier clashes, to say nothing of the fact that this is contrary to the Minsk Package of Measures. The most volatile situation is unfolding near Yasynuvata. During the recent briefing by the Principal Deputy Chief Monitor of the OSCE Monitoring Mission to Ukraine (SMM), Alexander Hug, delegations were shown the build-up of Ukrainian armed forces in Avdiivka, the shelling of Yasynuvata and damage to civilian infrastructure in Kashtanove.

We support the efforts of the SMM and the Joint Centre for Control and Co-ordination to defuse the tension along the line of contact. We trust that the Ukrainian security forces will be ordered to return to their initial positions. The performance of the Donetsk filtration plant, which provides water to the entire region on both sides of the line of contact, is jeopardized as a result of shelling.

We draw attention to the fact that during the massive shelling of Zaitseve on 14 March journalists working for Russian television channels and the Chinese Xinhua News Agency were targeted by Ukrainian security forces. This cannot be put down to shelling one's own lines. We expect an appropriate response from colleagues who care about the rights of journalists.

SMM monitors also reported shelling on the outskirts of Horlivka on 9 March, repeated shelling of Kominternove resulting in damage to residential buildings, an artillery strike on Mykolaiv, where on 10 March an elderly man was injured and a house destroyed, and attacks on the outskirts of Zaitseve (in the Donetsk People's Republic). It is clearly noted in the SMM reports that in all cases the fire came from a "westerly direction", i.e. from positions held by the Ukrainian security forces.

Over the past week (9 to 15 March), a significant number of violations by the Ukrainian armed forces of the Minsk Package of Measures and the Addendum on the withdrawal of weapons were recorded. Within the security zone, there were 18 howitzers in Kurakhove, 7 howitzers in Kostiantynivka, 2 Osa surface-to-air missile systems in Raihorodok, 2 anti-tank guns in Zaitseve, 2 mortars in Popasna and 1 tank in Berezove. Three multiple-launch rocket systems, 22 howitzers, 21 mortars, 74 anti-tank guns and 66 tanks have gone missing from Ukrainian depots. The SMM also draws attention to the fact that the Ukrainian military equipment in the depots is in a state of combat readiness: howitzers are attached to trucks, which have already been loaded with shells. In violation of the agreements on the prevention of the threat posed by landmines, the Ukrainian armed forces are laying new minefields. On 10 March, monitors witnessed Ukrainian soldiers unloading mines close to the line of contact near Zolote. Despite the agreement reached in the Trilateral Contact Group to put a stop to live-fire exercises, the Ukrainian armed forces are continuing them, including in Novoaidar and Spivakivka.

Under the current circumstances, the security zone should remain the priority for SMM patrols. Weapons that go missing from depots are usually taken to the front line and might be used for shelling. Particular attention needs to be paid to tracking the movements of this equipment.

According to the SMM's reports, visits to the segments of the border not controlled by the Ukrainian Government are now regular. However, we cannot say the same about the monitoring of the Ukrainian army's logistical communications. There is no information in the reports on the transfer to Donbas of weapons from the Zaporizhia, Kharkiv and Dnipropetrovsk regions, although it is here that it might be possible to identify a link between deliveries of new weapons and ammunition to the conflict zone and the worsening security situation.

We note that the positive trend observed earlier as regards the easing of the permit regime on the line of contact and the opening of additional crossing points has been reversed by Ukraine. A further crossing point, the one at Stanytsia Luhanska, is threatened with closure. The Ukrainian officials have themselves noted that there has recently been a considerable increase in the scale of corruption among the security forces controlling the crossing of the line of contact. It is no secret that they extort money from local residents and truck drivers. We urge the SMM monitors to visit the crossing points more frequently.

Overall, the policy embarked upon by the Ukrainian Government of sealing off Donbas and dragging out the political process means that the forms of self-government in certain areas of the Donetsk and Luhansk regions are being systematically strengthened. The language used by our Western colleagues also helps to further isolate these regions from Ukraine – calling the residents of Donbas separatists only confirms their views regarding the need to break away from Ukraine. There is, however, no mention of this in the Minsk agreements.

The Ukrainian Government's direct dialogue with Donetsk and Luhansk is the key to resolving the internal Ukrainian conflict on the basis of the Minsk Principles (preservation of the territorial integrity of Ukraine with the adoption of a new constitution providing for decentralization as a key element and taking into account the specific features of certain areas of the Donetsk and Luhansk regions, agreed upon with the representatives of those regions). External parties should provide all the support to this process that they can. We have also talked about this within the Normandy format and in dialogue with our United States colleagues at the relevant levels. We expect such assistance to continue, including on the part of the OSCE.

Kyiv and Washington may of course have their preferences as to who they would like to see in the role of the other party to the negotiations. However, I should refer you once more to point 12 of the Package of Measures: "questions related to local elections shall be discussed and agreed upon with representatives of certain areas of the Donetsk and Luhansk regions in the framework of the Trilateral Contact Group."

We urge our colleagues to do all they can to accelerate the process of reaching an agreement on modalities for the elections in Donbas within the Trilateral Contact Group's subgroup on political issues.

The fact that agreements have been reached on demining and the end of live-fire exercises in the security zone shows that progress is possible. The most recent exchange of prisoners had taken place the day before. We can thus say that the exchange mechanism has been successfully revived. In recent weeks, several dozen people have been released on both sides. Nevertheless, it is essential to switch to achieving the principle set out in the Package of Measures regarding the exchange of detained persons on the basis of the principle "all for all" and to comply with the paragraph providing for pardon and amnesty by enacting the law prohibiting the prosecution and punishment of persons in connection with the events that took place in certain areas of the Donetsk and Luhansk regions.

In conclusion, we ought to remind you once more that the Ukrainian crisis can be resolved solely by peaceful and political means through the implementation of the Minsk Package of Measures, to which there is no alternative, in full and in good faith.

Thank you for your attention.