



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

### **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  
November 3, 2016

The United States is deeply concerned about the recent uptick in violence in eastern Ukraine, which includes the use of heavy artillery and multiple-launch rocket systems, as documented by the Special Monitoring Mission to Ukraine (SMM). The increase in attacks by combined Russian-separatist forces have claimed the lives of 11 Ukrainians and wounded 119 during the month of October. Russia's role in this most recent escalation, and the costs it imposes on the people of Ukraine, cannot be denied.

On October 27, the OSCE Observer Mission at Gukovo and Donetsk noted yet again a funerary ambulance marked with "200," a code for Russian military casualties, crossing between Russia and separatist-held Ukraine. This is the latest of more than twenty such vehicles reported in the last two-and-a-half years, and these are only the ones that have been seen. And while Russia has made discussion of its military casualties in Ukraine a crime at home, that doesn't change the fact that sons of Russia continue to die in a conflict in which their government continues to deny its causal and central role.

Russia must stop the violence and fully implement the disengagement agreements. We applaud the sides for withdrawing forces from two of the designated sites. The Government of Ukraine has stated its readiness to disengage at the third site, Stanytsia Luhanska, once combined Russian-separatist forces implement the seven-day ceasefire that all parties agreed was a prerequisite for disengagement. We urge Ukraine to maintain its readiness to act quickly when the requisite local ceasefire is achieved. The presence of mines and other obstacles at the Stanytsia Luhanska disengagement site make it extremely difficult, if not impossible, for the SMM to verify ceasefire conditions. We note that the SMM reported encountering such restrictions on its movement at least twice as often on the separatist-side of the contact line at Stanytsia Luhanska over the past week. We commend Ukrainian armed forces for removing mines along the road from Zolote to Pervomaisk, and hope this precedent will not only lead to full demining of the disengagement sites but will hasten agreement by the sides on the next tranche of sites for disengagement. We continue to call on combined

Russian-separatist forces to grant the SMM full access to all disengagement sites in order to establish transparency and build confidence.

Transparency is urgently needed to document violations of heavy weapons withdrawal agreements. Yet combined Russian-separatist forces continue to be responsible for the majority of access restrictions against the SMM, which prevent this from occurring. We note that once again that only a tiny fraction of the arsenal used by combined Russian-separatist forces was ever declared to the SMM and properly deposited in storage sites. The SMM cannot fully report on weapons it is not allowed to see.

As the EU has highlighted, the shutdown and jamming of long-range UAVs has diminished the SMM's technical capabilities. It has also reflected a systematic effort by Russia and the Russian-led separatist forces to blind the SMM, and further confirmed that they continue to have much to hide.

Monitors must be given full, unfettered and safe access throughout Ukraine. We strongly condemn the October 24 incident in which an SMM patrol came under fire near the contact line. This attack bore the hallmarks of earlier incidents in which fire originated from separatist-held positions. Threats, intimidation, and violence against the SMM are completely unacceptable. Such actions put the lives of our monitors at risk, and contravene commitments that participating States made when they approved the SMM's mandate.

Residents of the Donbas deserve to live in peace. The practice of placing military positions near civilians must cease. On October 24, the SMM observed armed men in camouflage and military vehicles, including an armored personnel carrier, within the premises of a hospital in separatist-held Komosomolske. A fighter told the SMM that armed men have been present in the hospital since 2015. This is not an isolated case. The SMM reported last week on a "higher concentration of 'DPR' positions in civilian areas, in contrast with the positioning of Ukrainian Armed Forces, which are mostly located outside populated settlements."

Other vital steps to be taken include the lifting of all restrictions on international humanitarian assistance, which includes guaranteeing the ICRC full, safe and unconditional access to detainees; releasing hostages according to the formula of all for all; and facilitating the crossing of the line of contact by civilians. We urge that the crossing point at Zolote be swiftly reopened for civilian use, and that repairs be made to the footbridge in Stanystsia Luhanska before it deteriorates to the point of collapse.

We once again remind Russia that the decision by the Russian Supreme Court to uphold the ban on the Crimean Tatars' self-governing body, the Mejlis, carries no legitimacy over Crimea, Ukraine, per United Nations Resolution 68/262. We reject the characterization of the Mejlis as an "extremist" organization and condemn its suspension. This decision is particularly troubling given Russia's systematic mistreatment of Crimean Tatars, who are subjected to arbitrary arrests, abductions, politically motivated prosecutions, restrictions on freedom of movement, and police raids on their homes and mosques.

We call on the Russian Federation to respect the rights of detained Ukrainians in Russian custody, such as Oleg Sentsov and Oleksandr Kolchenko, who are serving prison sentences of 20 years and 10 years, respectively, for protesting Russia's occupation and attempted annexation of Crimea. Both Ukrainians were taken hostage on Ukrainian territory, transported to and imprisoned in Russia, and had Russian citizenship imposed on them against their will. They have reported abuses by Russian authorities, who also restricted their access to lawyers, family, and others. Russia also continues to hold Stanislav Klich, who has been denied medical evaluation and treatment despite credible reports that he was tortured while in Russian custody. The United States calls on Russia to cease these unacceptable practices immediately.

In closing, let me reiterate that our Crimea-related sanctions will remain in place until Russia ends its occupation and attempted annexation of Crimea and returns this land to Ukraine. We also join our European and other partners in restating that our sanctions against Russia for its aggression in eastern Ukraine will remain until Russia fully implements its Minsk commitments.

Thank you, Madam Chair.