



Original: ENGLISH

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
December 15, 2016

Thank you, Mr. Chair. Combined Russian-separatist forces continue to sustain the violence in eastern Ukraine, with hundreds of explosions registered daily and proscribed heavy weapons used, including multiple launch rocket systems. Despite overwhelming evidence that Russia arms, trains, and fights alongside so-called "separatists," Moscow continues to deny involvement. On December 9, fighters in the separatist-held town of Sakhanka -- carrying AK-47 rifles and driving a vehicle with Russian license plates -- told SMM monitors they were Russian citizens.

Combined Russian-separatist forces are responsible for the majority of restrictions on SMM monitors' access, as the Mission's Deputy Chief Alexander Hug told the press on Monday. Those access restrictions occur not just along the line of contact, but all the way up to the border area not controlled by Ukraine, as Mr. Hug said. The SMM's ability to document the troops and equipment that move freely between Russia and separatist-controlled Ukraine is further hindered by tampering and interference in the SMM's technical assets. Last week, the SMM inexplicably lost control of a mini-UAV in Stanytsia Luhanska, where it crashed in separatist-held territory and has yet to be recovered. Once again, we call again on Russia to allow monitors safe and unhindered access throughout the entire territory of Ukraine, as required by the Minsk Agreements.

Russian aggression places a heavy toll on the lives of civilians in the conflict area. Monitors report damage to homes, and combined Russian-separatist forces' efforts to conceal weapons in civilian areas put civilians at risk. This practice must stop. All forces have a responsibility under international humanitarian law to exercise the principles of discrimination and proportionality in the conduct of hostilities.

We remain gravely concerned about the humanitarian conditions in separatist-held territory. Despite collecting money from civilians for utilities, separatist authorities refuse to pay utility bills, jeopardizing water supply. We call on Russia and the separatists it backs to finalize a payment mechanism quickly so that civilians living in territory they control retain access to water. We thank the International Committee of the Red Cross for its intervention two months ago to provide emergency payments, averting a humanitarian crisis and giving combined Russian-separatist forces an opportunity to work out a payment mechanism, which they have thus far failed to do. We call on Russia to use its influence with the separatists to make their utility payments for the well-being of the people living in areas under their control.

Winter has made for treacherous crossing conditions at the wooden footbridge at Stanytsia Luhanska, where civilians have fallen while attempting to cross. Repairs to the bridge cannot be made until disengagement is achieved and respected. We call on combined Russian-separatist forces to immediately comply with the seven-day ceasefire that is a prerequisite to disengagement. We are concerned that on December 7, SMM cameras recorded small-arms fire originating from territory under separatist-control within the Stanytsia Luhanska disengagement area. It is cynical for Russia and the separatists to signal their readiness to disengage during the day and commit ceasefire violations at night.

Russia and the separatists it backs must fulfill the pledge they made a year ago in the Humanitarian Working Group to open the crossing point at Zolote. Every participating State that has taken the floor in the Permanent Council on this issue, save Russia, has expressed strong support for the reopening of the Zolote crossing point, which would be a lifeline to the conflict-affected people of eastern Ukraine. Even as it blames Ukraine for the dire humanitarian situation in eastern Ukraine, Russia and the separatists it backs refuse to open civilian crossing points, block humanitarian aid, and prevent international humanitarian organizations from working in territory under their control.

Colleagues, the oppression of Crimean Tatars and ethnic Ukrainians among others continues unabated in Russian-occupied Crimea. Since Russia's occupation and attempted annexation of Crimea began, human rights organizations have documented at least 269 cases of serious abuses against the residents of this part of Ukraine, including kidnappings, arbitrary searches of offices and apartments, arrests, and politically-motivated criminal prosecutions. We note with concern that on December 12, authorities searched the home of Ukrainian activist Volodymyr Balukh for the third time, again in retaliation for his frequent placement of pro-Ukrainian symbols and slogans outside his home. We also condemn the fining of Tatar activist Enver Sherfiev for taking part in a so-called "illegal gathering" for his actions in May to bear witness to FSB raids in Bakhchisaray.

Crimea-related sanctions will remain in place until Russia ends its occupation and attempted annexation of Crimea and returns control of this territory to Ukraine. We 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 commitments in the Minsk Agreements. Thank you, Mr. Chair.

###