



Permanent Mission of Ukraine
to the International
Organizations in Vienna

Statement on Russia's ongoing aggression against Ukraine and illegal occupation of Crimea

As delivered by Ambassador Yevhenii Tsymbaliuk,
Permanent Representative of Ukraine to the International Organizations in Vienna,
to the 1268th meeting of the Permanent Council,
21 May 2020

Mr. Chairperson,

Last week, the SMM registered about 50 per cent fewer ceasefire violations in Donetsk and Luhansk regions after three previous consecutive weeks of increase of such violations. The number of shellings from Minsk-proscribed weapons has at the same time grown from 70 to 121. Security situation in Donbas remains unstable and unpredictable. Russia's military presence in the temporarily occupied parts of Donetsk and Luhansk regions continues to be a considerable security threat to Ukraine. Even in the current conditions of most severe restrictions of freedom of its movement by the Russian side, the SMM spotted 63 weapons in violation of their withdrawal lines and 110 weapons designated storage sites. Almost all of them, 95 per cent, were recorded in Russia-occupied areas. The SMM continues to report on Russian modern electronic warfare systems and anti-personnel mines in Donbas.

All this testifies to Russia's persistent ignorance of numerous calls by the international community to meet the Minsk commitments. Instead, the Russian side has not abandoned hope to replace itself as a party to the conflict, which it had initiated six years ago, with its proxies from Donetsk and Luhansk, who would obey Kremlin's instructions and let Russia take the place of so-called "peacekeeper and mediator". This would help Kremlin to get rid of sanctions, which continue to serve as a stark reminder of the unacceptability of flagrant violations of international law and OSCE core principles of territorial integrity and sovereignty of states.

For six years, the Russian side has been inviting participants from the temporarily occupied parts of Donetsk and Luhansk region to attend the meetings of the Trilateral Contact Group, which includes Russia, Ukraine and the OSCE. This composition is clearly outlined in the very first sentence of the Minsk Protocol, let me quote: "After considering and discussing proposals, introduced by the participants of consultations in Minsk on 1 September 2014, the Trilateral Contact Group, which includes representatives of Ukraine, Russian Federation and OSCE, reached an understanding on the necessity to implement the following steps", end of quote.

I would ask all delegations to keep this quotation in mind each time when the Russian delegation attempts to present its own perverted vision of the TCG composition, for example as a five-party body (Ukraine, Donetsk, Luhansk, OSCE and Russia) or most recently as a three-party body (Ukraine, that includes also CADR and CALR, Russia and OSCE).

Those from the temporarily occupied parts of Donetsk and Luhansk region, who have been invited by the Russian side, do not represent local residents. Local residents can only be represented by local authorities, elected at the legitimate local elections, organized according to the Constitution of Ukraine and laws of Ukraine.

The invitees to the consultations with the TCG from Donetsk and Luhansk have **Russian passports** (both domestic and for travelling abroad), they were brought to power by Russian guns, mercenaries and money, and they were not elected at democratic, fair and transparent elections.

They have no legitimate right to speak on behalf of people forced to live under Russia's occupation.

As you are well aware, and the Russian delegation always reminds of it, the Minsk Package of Measures stipulates consultations with representatives of certain areas of the Donetsk and Luhansk regions in the framework of the TCG. In this vein, we need to find the way for local residents, but not the members of Russian occupation authorities with Russian passports, to be represented in the TCG. We continue the efforts to reach this goal.

Let me say a few words on the issue of the so-called "simplified passportization" by the Russian Federation. As of mid-May 2020, around 190 000 – 200 000 passports of the Russian Federation have been issued to the Ukrainian citizens living in the temporarily occupied areas of the Donetsk and Luhansk regions.

Such actions by the Russian Federation violate the Constitution and the Laws of Ukraine that do not recognize any other citizenship, than the Ukrainian one, and are absolutely unacceptable for the Ukrainian Side.

In this regard, we strongly urge the Russian Federation to repeal all legal acts on the so-called "simplified passportization".

Now let me highlight some of the results of the most recent TCG meeting, which took place on 14 May with the participation of the renewed Ukrainian delegation.

The Ukrainian side reiterated the need to fulfil the "Normandy Four" arrangements, starting with their security provisions, in particular on observance of ceasefire. We continue to urge the Russian side to allow unconditional and unimpeded access of SMM monitors and ICRC representatives to the entire territory of Ukraine within internationally recognized borders, including temporarily occupied areas. As we reiterated before to the participating States, the Ukrainian authorities continue to ensure such access, despite the quarantine measures. Discussions on the new EECs at the contact line continue. Zolote checkpoint remains ready to be opened at any time.

The TCG Working Group on Humanitarian Issues continued its work on the formation of lists for the next stage of mutual release of detainees and lists of missing persons. We remain committed to the exchange of all conflict-related persons and call on Russia to comply with the European Convention for the Prevention of Torture and

Inhuman or Degrading Treatment or Punishment (1987) and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1984).

Within the Working Group on Political Issues, the Ukrainian side reiterated that elections in the temporarily occupied territories of Donbas may be held in accordance with the Constitution and legislation of Ukraine, and on the basis of the OSCE Copenhagen criteria. The Ukrainian delegation has once again ruled out the possibility of enshrining the special status of Donbas in the Constitution of Ukraine.

In the economic Working Group, the Ukrainian side raised the issues of resumption of taxation and payments within the Ukrainian legislation in the occupied parts of Donbas and stressed the need to verify the property of Ukraine located in those territories together with international partners. In this context, we remind the OSCE SMM of numerous requests by the delegation of Ukraine to verify reports on Russian currency, tax system and legislation imposed by the occupation authorities in Donbas, and to provide results of such verification to the participating States.

At the next meeting of the TCG, planned for 27 May, we expect the Russian side to participate at the higher level. This would demonstrate Russia's real commitment to implement the Minsk agreements and "Normandy Four" arrangements.

We will inform on Crimea-related developments in our next statements today.

We again urge the Russian Federation to reverse its illegal occupation of Crimea, militarization of the Black Sea and the Sea of Azov, and to stop its aggression against Ukraine, including by withdrawing its armed formations, militants and their hardware from the temporarily occupied territories of Ukraine and fully implementing its commitments under the Minsk agreements.

Thank you, Mr. Chairperson.