



EUROPEAN UNION

OSCE Permanent Council Nr 1019 Vienna, 16 October 2014

EU Statement on the Violation of OSCE Principles and Commitments by the Russian Federation and the Situation in Ukraine

The European Union remains deeply concerned that shooting and shelling has continued in parts of eastern Ukraine despite the ceasefire agreed in Minsk. We note with concern the SMM reports of ceasefire violations against areas of strategic importance mainly controlled by the Ukrainian army. We condemn the recent GRAD missile attack near Mariupol that caused a number of civilian casualties. We express our deep concern about the escalation on the ground by pro-Russian armed groups as reported by the SMM. We call on all parties to fully comply with the ceasefire.

We reiterate that a lasting ceasefire remains the key to the success of the current efforts to reach a sustainable political solution in line with President Poroshenko's Peace Plan and based on respect for Ukraine's sovereignty and territorial integrity. Effective and comprehensive monitoring of the Russian-Ukrainian international border and withdrawal of illegal armed groups and Russian forces illegally operating on Ukrainian territory are integral to implementation of the Minsk Protocol and should be acted on swiftly. We continue to strongly urge all parties to ensure immediate, safe and unrestricted access for international investigators to the MH17 crash sites.

We recall that the Minsk Protocol called for continuous monitoring by the OSCE of the Russian-Ukrainian international border as well as of the ceasefire.

While important efforts are ongoing within the Trilateral Contact Group and bilaterally aimed at implementing and monitoring the ceasefire, we deeply regret the lack of progress towards substantial OSCE monitoring of the Russian-

Ukrainian international border. We urge Russia not to delay steps to address border monitoring, while making progress on other elements in parallel. The Minsk Protocol should be implemented in its entirety. Border monitoring and ceasefire monitoring are closely interlinked and mutually dependent and we urge the parties to agree a coherent overall approach.

In order to contribute to an effective, comprehensive and bilateral control of the international border a significant expansion of the OSCE Observer Mission, combined with monitoring of the Ukrainian side of the border by the SMM, is needed. The ultimate goal of these efforts must be to assist Ukraine to regain control of its own border.

We welcome the Chairmanship's draft addendum to the mandate of the Observer Mission as a good basis for further discussions and note that all the delegations that have made their voices heard, with the exception of Russia, have called for an expansion. In order to demonstrate a genuine resolve to fulfil the commitments it made under the Minsk Protocol of which continuous border monitoring is an integral part, Russia should agree to an expansion of this mission. Given the short time-frame until the current mandate expires, we trust that the discussions on a possible expansion will be further taken forward with priority. We stand ready to contribute additional staff and resources for the implementation of this expansion. We furthermore note with concern that the mission has not been provided with proper protection and immunities, and we call on the Russian Federation to provide this as soon as possible. We reiterate our call on the full implementation of the Berlin Declaration including by the participation of Ukrainian border guards in border control at the respective Russian checkpoints.

We reiterate our strong support for the efforts of the Chairmanship and the OSCE in Ukraine, including the SMM, the Project Coordinator and the current ODIHR election mission.

Last week's visit to Ukraine by a group of OSCE ambassador's was an opportunity to get a first-hand insight in the work of OSCE structures in Ukraine and their professional and very dedicated staff.

The visit was a further reminder of the need to ensure the OSCE SMM has the resources necessary to fulfil its mandate fully and safely. We take this opportunity to urge all participating States to respond quickly and generously to the call for contributions to expand the SMM, including financing, essential equipment, and qualified monitors and operational staff. For our part, the EU and its Member States will continue to strongly support the mission, including by providing qualified staff and appropriate equipment.

We reiterate our call on all parties to ensure free and safe access for SMM monitors, including in all parts of the Donetsk and Luhansk Oblasts. We rely on the SMM to report on the situation in the areas controlled by the armed separatists and on the implementation of the Minsk Protocol and memorandum. We reiterate our interest in hearing more about the planned operations and mandate of the Joint Centre on Control and Coordination and its relationship with the OSCE SMM. We call on all parties to ensure secure conditions for the free operation of UAVs, as a useful contribution to the OSCE's work in monitoring the ceasefire and border, including in all parts of Donetsk and Luhansk Oblasts and along the border with Russia.

Mr. Chairman, we welcome ODIHR's Interim Report on the Parliamentary Elections in Ukraine on 26 October. While we welcome that preparations for the elections are well underway, we also share the concerns raised, that despite that freedom of assembly has been largely respected, cases of physical assaults on candidates and election commissioners were reported. We regret that there will be no elections conducted in Crimea due to Russia's illegal annexation, and that elections are unlikely to be held in more than half of the election districts in Donetsk and Luhansk Oblasts due to the actions of illegal pro-Russian armed groups. However, we welcome that the Ukrainian authorities have put in place arrangements for citizens from these areas to vote in other parts of the country under simplified procedures.

The EU underlines the importance of holding early local elections in parts of Donetsk and Luhansk Oblasts within the Ukrainian legislative framework. We recall that the EU does not recognise the holding of so-called "parliamentary

elections” in the self-proclaimed “Donetsk and Luhansk People’s Republics” in November.

We remain deeply concerned about the reports of enforced disappearances and un-investigated deaths of Crimean Tatars in Crimea that seem to be part of a campaign of harassment and intimidation. We note that another recently disappeared Crimean Tatar has reportedly been found dead this week.

We note the announcement on October 12 that President Putin has ordered troops deployed at the Ukrainian border to return to their bases. If verified and fully implemented, this would be a welcome step in the right direction. At the same time we hope that this is not simply part of a force rotation.

The EU recalls its unwavering support to the sovereignty, territorial integrity, unity and independence of Ukraine, and calls upon Russia to do likewise. We urge Russia to recognise these fundamental principles that it has itself invoked many times and to contribute, by acts and public pronouncements, to stabilise the situation and reverse moves that contravene these principles. We reiterate our strong condemnation of the illegal annexation of Crimea and Sevastopol to the Russian Federation and we will not recognise it.

The Candidate Countries the FORMER YUGOSLAV REPUBLIC OF MACEDONIA*, MONTENEGRO*, ICELAND+ and ALBANIA*, the Country of the Stabilisation and Association Process and Potential Candidate BOSNIA and HERZEGOVINA, and the EFTA countries LIECHTENSTEIN and NORWAY, members of the European Economic Area, as well as UKRAINE, the REPUBLIC OF MOLDOVA, and GEORGIA align themselves with this statement.

* The Former Yugoslav Republic of Macedonia, Montenegro and Albania continue to be part of the Stabilisation and Association Process.

+ Iceland continues to be a member of the EFTA and of the European Economic Area.