



Permanent Mission of Ukraine
to the International Organizations in Vienna

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**Statement on “Russia’s on-going aggression against Ukraine
and illegal occupation of Crimea”**

As for delivery by the Delegation of Ukraine
to the 1144th meeting of the Permanent Council,
4 May 2017

Mr. Chairman,

As in the last week’s special Permanent Council, the Delegation of Ukraine wishes to reiterate Ukraine’s high appreciation and strong support for the activities of the Special Monitoring Mission to Ukraine, aiming to fulfill its mandate on fostering peace, stability and security in the east of Donbas region according to the OSCE principles and commitments. We attach high importance to the Permanent Council Declaration adopted last week which, in particular, reaffirmed the SMM’s freedom of movement throughout Ukraine and condemned any threats against the mission’s monitors. It is a matter of deep disappointment that the Russian Federation obstructed inclusion in the document of specific and highly relevant provisions that the SMM’s freedom of movement must be granted without any reservations and hindrance or that together with the threats we equally condemn harassment and intimidation of the SMM monitors. In this way the Russian Federation resisted departing from its position which earlier instilled a sense of impunity among the Russian hybrid forces fighters in the Donbas region and significantly restricted the monitoring capabilities of the SMM in the non-government controlled areas.

The SMM weekly report of 26 April provided a clear picture of overwhelming majority of violations of the Minsk agreements taking place in the areas controlled by the hybrid Russian forces. As stated in the report, the SMM observed “weapons in violation of the respective withdrawal lines in 85 instances (67 in non-government controlled areas and 18 in government-controlled areas)” and “almost 100 weapons proscribed by the Minsk agreements beyond respective withdrawal lines but outside designated storage sites (of which 11 were in government-controlled areas and the rest were in non-government-controlled areas)”. These findings are particularly valuable as they were received in the conditions of significant restrictions to the SMM’s freedom of movement in the non-government controlled areas – 76% of the recorded instances.

Distinguished colleagues,

We condemn that after the tragic loss of life by the SMM member on 23 April and injury of two monitors, which took place in certain areas of Luhansk region, the SMM continues to be threatened in the non-government controlled areas, as it happened on 28 April with explosion and small-arms fire occurring close to SMM patrols near Molodizhne and Kruta Hora respectively, as stated in the SMM spot report. I wish to underscore that the ceasefire regime was strictly observed by the Ukrainian Armed Forces when the incidents occurred, and the full responsibility for undermining the security of the monitors in the above cases rests with the Russian hybrid forces in Donbas. Similar incident took place inside Stanytsia Luhanska disengagement area (non-government controlled area) on 30 April, as indicated by the SMM report of 2 May.

Responsibility and the lack of responsibility is what distinguishes the attitude towards the SMM monitors in government and non-government controlled areas of Donbas. In the non-government controlled areas Russia and its proxies are consistent in their unwillingness to investigate numerous cases of threats, intimidation and seizure of OSCE property. In contrast, following the regrettable incident of 23 April near Staryi Aidar, reported by the SMM, the Ukrainian Armed Forces command launched an investigation and based on its findings decided to dismiss the two soldiers from service with subsequent legal proceedings as well as imposed penalties on their commanders. These developments were duly reflected in the SMM weekly report of 26 April.

Mr. Chairman,

The security situation in Donbas remains volatile and unpredictable as the hybrid Russian forces disregard the cease-fire arrangements and the commitments on the withdrawal of weapons. The SMM continues to register a high number of ceasefire violations on a daily basis even under extensive limitations self-imposed by the SMM on its patrolling activities on security grounds. The hybrid Russian forces use mortars, artillery and Grad-P systems. The toll of military and civilian casualties regularly mounts: 9 Ukrainian servicemen were killed and 33 were wounded only in one week from 27 April till 3 May. Between 28 April to 2 May one civilian was killed and five were wounded in the Donetsk oblast. It is of paramount importance that safety and security of the SMM be ensured in the non-government controlled areas of Donbas, so that the mission can resume its full operation in fulfillment of the mandate. Notably, as stated by the SMM, about 50 per cent of the total number of violations are regularly observed by monitors on patrol. We underscore that the Russian Federation, as a party to the conflict, bears a particular responsibility for delivering on commitments concerning the safety, security and freedom of movement of the SMM in the occupied areas of Donbas. We urge Russia to exercise this responsibility in full.

We also urge Russia to remove impediments to SMM's communication with the local residents, which is an essential part of implementation of the mandate. These impediments remain, as was again highlighted by the SMM report of 27 April

about the medical staff at the Kalinina Hospital in Donetsk city refusing to provide the SMM information “without written permission by senior so-called “DPR” members”.

A path to de-escalation is inextricably linked to stopping supplies of weapons and ammunition from Russia to Donbas and establishment of permanent OSCE monitoring at the uncontrolled sections of the Ukrainian-Russian border. On 28 April, the Ukrainian military recovered another Russian-made UAV “Orlan” near Volknovakha in Donetsk region of Ukraine. On 2 May the Ukrainian military disabled two Russian-made anti-personnel mines “MON-50” (produced in 1997) which had been planted near Shyrokyne.

Distinguished colleagues,

We welcome that on 28 April the verification process has finally started, with the OSCE representatives, in relation to persons who may be pardoned within the Ukrainian legislative framework as a part of the Minsk agreements provision on the release of individuals on the “all for all” principle. As pointed out last week, there are several hundred persons to undergo this process. At the same time we condemn that the illegal armed formations in Donbas increase the number of civilians as hostages in their captivity: by now the number grew to 128.

We also reiterate that the respective provision of the Minsk agreements covers Ukrainian citizens who are held behind bars in Russia as political prisoners and hostages of the Russian authorities. There are numerous reports that they have been subjected to torture and degrading treatment to self-incriminate or incriminate others. Two of them, Mykola Karpyuk and Stanislav Klykh, were tortured until they were forced to give a false testimony to confirm Russia’s absurd allegations against former Prime Minister of Ukraine Arseniy Yatsenyuk. It is wrong to think that Russia’s law-enforcement extort witness accounts under torture on most absurd allegations only for the purposes of domestic propaganda. It is worth noting in this regard that a request submitted by Russia to post an international search alert for Arseniy Yatsenyuk was dismissed by Interpol on 28 April.

As we stressed before, the Russian hybrid aggression against Ukraine takes different forms and manifestations. One of them is deliberate persecution of Ukraine’s political figures and ordinary Ukrainians on fake and unfounded charges concocted by the Russian authorities. It requires a strong international position and continued pressure to make Russia stop these persecutions and release the political prisoners already in detention of the Russian authorities.

Mr. Chairman,

We already informed the Permanent Council that on 19 April the International Court of Justice decided to order provisional measures in the case “Ukraine against Russia” with a view to ceasing violation by the Russian Federation of the Convention on the Eradication of all Forms of Racial Discrimination. In particular, with regard to the situation in Crimea the Court ordered that the Russian Federation must ensure the availability of education in the Ukrainian language. This order concerns the Russian

policy of russification in the temporarily occupied Crimea, whereby since 2014 the number of pupils receiving education in Ukrainian language has been drastically reduced by 36 times, from more than thirteen thousand to less than four hundred young people. This current figure represents only 0.2% of the overall number of pupils attending schools in the occupied Crimean peninsula, while ethnic Ukrainians constitute over 15% of its population.

We urge Russia to stop human rights abuses in the occupied peninsula, to observe provisions of international law, applicable to situations of occupation, and fulfil the order of the International Court of Justice. The temporarily occupied territory must not be an “exclusion zone” concerning respect for human rights and fundamental freedoms.

We urge Russia to stop its aggression against Ukraine, to implement in good faith its commitments under the Minsk agreements, to reverse the illegal annexation of the Crimean peninsula, which remains an integral part of Ukraine.

Thank you, Mr. Chairman.