



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
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One year ago today, Russia signed the Minsk Package of Measures, pledging an end to hostilities in eastern Ukraine within 72 hours-- at midnight on February 15. Instead, Russian-led separatist forces escalated their aggression, and a week later, combined Russian-led separatist forces captured Debaltseve, a city Russia recognized as in Kyiv's control under the Minsk agreements. Over the ensuing 12 months, little has changed. Several new ceasefires and weapons pullbacks have been negotiated, only to be ignored by Russia and the separatists it backs.

In this Permanent Council, Russia continues its rhetorical game of arguing that Kyiv is escalating the conflict and delaying implementation of its Minsk commitments. Russia regularly calls on fellow participating States to urge Kyiv to reverse course, as if Russia itself has not instigated the conflict and repeated escalations and has no influence over the situation. The facts indicate otherwise.

On February 3, the OSCE Special Monitoring Mission to Ukraine reported a "massive increase in violence." The next day, ceasefire violations reached their highest level since September 1. Heavy weapons have been moved out of designated storage sites and put into action in areas off limits under the Minsk agreements. According to the Special Monitoring Mission's own reports, weapons violations and SMM movement restrictions often go hand-in-hand and have overwhelmingly occurred on the separatist side of the line of contact. Since January 1, the SMM reported that Russia-backed separatists have physically targeted or threatened monitors in at least three separate incidents. We condemn these acts that place the lives of monitors from 45 participating States at risk. Furthermore, the tragic incident on February 10 where a bus hit a landmine, reportedly killing four people and injuring 15, demonstrates the pressing need for a sustained ceasefire to enable demining efforts.

The United States reiterates its call on Russia to fully implement the Minsk agreements. Russia's appeals to Kyiv to de-escalate the conflict ring hollow when combined Russian-separatist forces concentrate weapons near the line of contact, deny access to SMM monitors and their UAVs, and intensify their attacks against Ukrainian positions. If Russia is serious about making 2016 the year the Minsk agreements are fulfilled, Russia must direct the separatists it supports and supplies to immediately honor the ceasefire, withdraw heavy weapons visibly and verifiably, return these weapons to their designated storage sites, and end restrictions on the movements and activities of the SMM.

Security remains essential if free and fair elections are to be held in certain areas of Donetsk and Luhansk, in line with Ukrainian law and OSCE standards, without which the Minsk agreements will remain unfulfilled. Yet, free and fair elections are nearly impossible in the prevailing environment. Even if an agreement on local election modalities is reached, for elections to be held in keeping with Ukrainian law or OSCE standards, the existing security situation must be dramatically improved.

That is why in both the Minsk Protocol and the Package of Measures to support the Minsk Protocol and Memorandum, a ceasefire comes first-- it is the number one point in both documents.

In the last several weeks, separatist forces appear to have implemented a crackdown on human rights activists and organizations in several areas of Donetsk. According to media reports and human rights organizations, separatist forces detained two prominent human rights activists, Ihor Kozlovsky and Merina Cherekova, on January 27 and 29. We note disturbing comments reported by civil society that an “official” with the so-called “Donetsk People’s Republic” said all those in its custody will be tried and could be sentenced to death.

These statements are particularly chilling following the recent admission by former separatist leader and former Russian military intelligence officer Igor Girkin Strelkov that the “DPR” had executed people. We are also concerned by social media reports that showed over 100 miners were fired from the Kholodnaya Balka mine in Makiyivka after a January 16 strike, and organizers were accused of being provocateurs and traitors. We call for an immediate end to these practices, and urge the Special Monitoring Mission to enhance its reporting on human rights and the treatment of the population in the conflict zone.

The United States remains deeply concerned over the situation in Crimea, and once again calls upon the Russian Federation to end its occupation of Ukrainian territory. Russian de facto authorities must end human rights abuses. We are troubled by the January 20 announcement by Russian occupation authorities that they intend to prosecute yet another Maidan activist in Crimea, Andriy Kolomiets, for supposed violence against the Berkut riot police, which allegedly took place in Kyiv in January 2014. This case recalls that of Ukrainian activist Olexander Kostenko, who was sentenced in May 2015 to four years in prison on the same absurd charges.

Russia continues to violate its international obligations and commitments under the Helsinki Final Act, including respect for sovereignty and territorial integrity, as long as its aggression against Ukraine – including its occupation of Crimea – continues. We call on Russia to end its aggression now and implement the Minsk agreements, and we join the European Union in recalling that the duration of the sanctions is linked to the full implementation of the Minsk Agreements.

Thank you, Mr. Chair.