



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
July 16, 2015

Thank you for beginning this meeting by marking the first anniversary of the tragic death of the 298 people who perished when their aircraft was shot down over eastern Ukraine. These 298 individuals – passengers and crew, men, women, children, parents, brothers, sisters – all are among the thousands who have been killed in eastern Ukraine since Russia instigated this conflict. Each and every death – whether on this flight or on the ground, military or civilian, Ukrainian or Russian – is a senseless tragedy. We are committed to supporting the Dutch-led investigation and holding those accountable for the destruction of MH17 to justice. We owe it to the survivors of all who have perished to do everything possible to end the violence, to press all parties to implement the Minsk agreements, to allow peace to return to eastern Ukraine, to end the occupation of Crimea, and to support the people of Ukraine in achieving their democratic ambitions.

Unfortunately, Russia continues to neglect its commitment to implement the Minsk agreements. Russia committed in the Minsk agreements to take specific steps that would lead to a de-escalation of the conflict and reduction in violence. In the Minsk Protocol of September 5, 2014, and in the Package of Measures of February 12, 2015, Russia committed to an immediate ceasefire. Instead, combined Russian-separatist forces regularly carry out attacks on Ukrainian positions. In the Package of Measures, Russia committed to withdraw all heavy weapons from the contact line. Instead, Russia continues to falsely insist it has no heavy weapons in Ukraine while combined Russian-separatist forces routinely use rocket and artillery systems to attack Ukrainian positions.

In the Minsk Protocol, Russia committed, “to ensure the permanent monitoring of the Ukrainian-Russian border and verification by the OSCE with the creation of security zones in the border regions of Ukraine and the Russian Federation.” We hear from Ambassador Apakan and Deputy Chief Monitor Hug, however, that large areas of the border region -- territory controlled by combined Russian-separatist forces -- remain off limits to the SMM. Furthermore, combined Russian-separatist forces have conducted widespread jamming of SMM UAVs that are used to monitor the border areas and other places where SMM monitors cannot physically patrol. On July 10, the SMM reported that “its monitoring was restricted by third parties and security considerations; persistent jamming of SMM UAVs over ‘DPR’-controlled areas was, during the reporting period, a major hindrance to monitoring in those areas.” Russia must fulfill the commitments it made in the Minsk

Protocol to OSCE monitoring and verification of the border area. This can be done by allowing the SMM free and unfettered access to the territory on the Ukrainian side of the Russia-Ukraine border that is controlled by combined Russian-separatist forces, and by expanding the mandate of the Observer Mission to cover the entire length of the Russian side of the border.

The Russian government continues to deny there are Russian soldiers operating in eastern Ukraine. The situation on the ground shows the world the truth: a well-coordinated and well-equipped combined Russian-separatist fighting force on Ukrainian territory.

Mr. Chair, Russia must implement its Minsk agreements. Russia must end the senseless violence in eastern Ukraine. Russia must adhere to a genuine ceasefire. Russia must withdraw all heavy weaponry from the line of contact and remove all of its military forces and equipment from Ukraine. Russia must end its support for the separatists. Russia must release all Ukrainian hostages, including Nadiya Savchenko, Oleg Sentsov, and Oleksander Kolchenko, and Russia must end its occupation of Crimea.

I wish to emphasize, Mr. Chair, that all parties must implement Minsk. On February 12, 2015, OSCE Ambassador Heidi Tagliavini was joined by other Trilateral Contact Group representatives, Russian Ambassador Mikhail Zurabov, and Ukraine's former President Leonid Kuchma, as they signed the Package of Measures for the Implementation of the Minsk Agreements, each making commitments to establish a lasting peace in Ukraine. We take violations of the Minsk agreements by any party seriously; we take violations of international law by any party seriously. We must also remember the context. This is not two equally aggrieved sides fighting over disputed territory. It wasn't the Ukrainian government that sent in troops, occupied, and attempted to annex Crimea. It wasn't the Ukrainian government that fomented unrest because the people of Ukraine made a democratic choice to associate with the European Union. It wasn't the Ukrainian government that continued shelling Debaltseve and Ukrainian territory for a full seven days after it signed the Package of Measures. Ukraine is defending itself against Russia-backed military action on its sovereign territory. There is an aggressor here, and it is the Russian Federation acting directly, and through its proxies.

Mr. Chair, incidents such as the deplorable violence over the weekend in Mukacheve, where members of Right Sector shot at Ukrainian police, show that there is still work to be done before the people of Ukraine achieve their goal of a stable, secure, and prosperous country for all. We support the measures Ukraine has taken to achieve that goal and commend the government of Ukraine for continuing its good faith efforts to implement the Minsk agreements. The latest implementation steps came this week, when President Poroshenko submitted draft constitutional amendments, just today, on decentralization to Ukraine's parliament. We also recognize Ukraine's efforts to embark on an ambitious economic reform agenda designed to root out corruption and put Ukraine's economy on a stable footing.

Thank you, Mr. Chair.