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PC.DEL/1582/20  
12 November 2020  
ENGLISH  
Original: RUSSIAN

Delegation of the Russian Federation

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DEPUTY PERMANENT REPRESENTATIVE OF THE RUSSIAN FEDERATION,  
AT THE 1289th MEETING OF THE OSCE PERMANENT COUNCIL  
VIA VIDEO TELECONFERENCE**

12 November 2020

**On the situation in Ukraine and the need to implement the Minsk agreements**

Madam Chairperson,

We express our appreciation to the Albanian Chairmanship for having facilitated the publication of the report of the OSCE Special Monitoring Mission to Ukraine (SMM) on the civilian casualties of the conflict. This review, which covers facts from the period 2017–2020, demonstrates as clearly as one could wish how high a price the residents of Donbas are having to pay for the Ukrainian Government’s ongoing military operation. Significantly, as a result of shelling and injuries caused by mine explosions on both sides of the line of contact from the start of 2017 to September of this year, 161 civilians have been killed and 785 maimed for life, while the fate of an additional 41 people has yet to be confirmed. There have been 100 child casualties.

The overwhelming majority of these incidents occurred in the territory of certain areas of the Donetsk and Luhansk regions. The most shocking figures pertain to the impact of artillery and mortar shelling: three times more casualties were recorded in those areas than on the other side of the line of contact. The trend data for several years merely confirm how cynical the propaganda of the representatives of the Ukrainian Government is when they make claims about alleged “aggressive” actions of a military nature to which the territories in Donbas controlled by the Ukrainian armed forces are purportedly exposed. It is in fact the other way round. What is more, the intensive shelling of residential areas by the Ukrainian armed forces cannot be dismissed entirely as suppression of enemy fire. One has only to recall, for example, how large-calibre artillery was used to shell the village of Roza in the south of the Donetsk region on 6 September 2019, as a result of which many houses in that settlement were destroyed or completely burned down and local inhabitants were injured (SMM daily reports dated 11 and 12 September 2019). As the SMM reports show, no military targets were observed in the vicinity of that settlement either on the day of the shelling or the day before.

Combining these facts with the reflections of officialdom in Kyiv on how Donbas is a “mentally sick” territory (as in the recent pronouncements by Deputy Prime Minister Oleksiy Reznikov, who is representing Ukraine at the Trilateral Contact Group (TCG)), one can get an idea of their real attitude towards the inhabitants of a region in which for several years now the Ukrainian Government, draping itself

in faux peace-loving rhetoric, has been persisting with its policy of military deterrence and intimidation of the people of Donbas.

Unfortunately, the baleful practices of the previous Ukrainian leadership have continued even after the change of power in the country in 2019. It would seem that the new Ukrainian elites have decided to “win back the hearts and minds” of the inhabitants of Donbas by sticking to the very same military operation and prolonging the socio-economic and transport blockade of the region, thereby making it difficult to preserve a stable legal bond between the people of Donbas and Ukraine. All this is accompanied by reflections on how keen they are to rewrite the Minsk agreements and establish military control over Donbas without giving its population any political guarantees whatsoever. The policy of suppressing the linguistic, educational and cultural rights of the Russian-speaking population, which is being conducted at the national level, is meant, it seems, to demonstrate the supposed attractiveness of the Ukrainian State’s post-Maidan model.

The authorities’ discriminatory approach towards the inhabitants of eastern Ukraine has been extended even to that part of Donbas that lies beyond certain areas of the Donetsk and Luhansk regions. For example, the civil and political rights of over half a million residents of the 18 areas there that are controlled by the Ukrainian Government were encroached upon during the local elections of 25 October, with the threat of the spread of the coronavirus and the unsatisfactory security situation cited as pretexts.

The Ukrainian Government continues to shirk from dialogue with the representatives of Donetsk and Luhansk even in the context of a universal threat, namely the coronavirus pandemic. A glaring example is the operation of checkpoints along the line of contact. Instead of agreeing within the TCG on specific arrangements for how these checkpoints are to operate during an epidemic, the authorities in Kyiv continue to resort to unilateral actions. This is the case, for example, with the closing of the Ukrainian checkpoint at Stanytsia Luhanska until 15 November under the pretext of the fight against the coronavirus and the sudden “opening” of all Ukrainian crossing points along the line of contact that occurred on 10 November in these circumstances. The checkpoints in the settlements of Shchastia and Zolote have been unable to operate in a simultaneous and fully effective manner on both sides of the line during this time window. For the Ukrainian Government at first dragged its feet over providing security guarantees for the construction work and then quite unilaterally decided to change the functional designation of the crossing point at Shchastia from one for vehicles to one for pedestrians. We reiterate that all these aspects need to be discussed and agreed on with the representatives of certain areas of Donbas at the TCG. We exhort the Ukrainian side to engage in such dialogue. This is necessitated above all by humanitarian considerations with regard to reducing the negative impact of the conflict on the civilian population.

Avowals by high-ranking Ukrainian representatives of their undisguised desire to abandon the logic of the settlement process stipulated by the Minsk Package of Measures keep on multiplying every week. We regularly cite quotations that attest to the Ukrainian Government’s new position: they have no intention of implementing fully that most important document, which was endorsed by United Nations Security Council resolution 2202 and is acknowledged to be the sole possible international legal basis for a settlement. The Ukrainian Government’s new course was confirmed yet again by the head of the Ukrainian delegation to the TCG negotiations, Leonid Kravchuk, in an interview with the TASS news agency on 8 November.

In particular, he said that the sequence of steps in the settlement process provided for by the Minsk agreements could not be implemented, and that the agreements, having been concluded in 2015, were, as he argued, obsolete and needed to be revised. He added that the Ukrainian Government had submitted to the TCG its “Joint Action Plan”, in which it pointed to how “the conditions have changed” and to how it was “necessary to alter the order of the actions”. Mr. Kravchuk emphasized that this referred above all to the

Ukrainian Government's wish to establish control over the border before the holding of local elections in certain areas of Donbas.

The Ukrainian representatives' hankering to gain control of the border – and thereby also military control over the region – without taking any action on the political aspects of the settlement is completely at odds with paragraph 9 of the Package of Measures. I would remind you that this paragraph clearly stipulates that the reinstatement of the Ukrainian Government's full control of the border throughout the conflict zone is to occur after a comprehensive political settlement. These provisions of the Minsk Package notwithstanding, another Ukrainian negotiator, Deputy Prime Minister Reznikov, openly asserted during a live broadcast on Radio Svoboda on 7 November: "[T]he fact that in paragraph 9 of the Package of Measures the order of priority is elections first, followed by taking control of the border, is a mistake." Moreover, he added that the Ukrainian Government would henceforth "change its tactics".

By the way, during his briefing at the OSCE exactly one month ago, namely on 12 October, the Co-ordinator of the TCG's Political Working Group, Pierre Morel, emphasized that the issue of organizing and holding local elections in certain areas of Donbas (paragraph 4 of the Package of Measures) is key to the entire political settlement. Apart from elections, other crucial features of such a settlement are an amnesty (paragraph 5), the adoption of permanent legislation on a special status for certain areas of Donbas and carrying out constitutional reform so that the specificities of certain areas of Donbas are reflected in the country's Constitution (paragraph 11). Six and a half years after the conflict in eastern Ukraine broke out, not a single one of these points has been fulfilled.

Quite the opposite in fact: the head of the Ukrainian delegation, Mr. Kravchuk, is stating openly that the sabotage will continue. In the aforementioned interview with TASS he announced that the Ukrainian Government had no intention of enshrining a special status for Donbas in the Constitution and that a law on an amnesty would be considered only after the local elections – that is, in accordance with the plans it is advancing, after the reinstatement of control over the territory of certain areas of the Donetsk and Luhansk regions. In the meantime, it is evidently proposed to apply Mr. Reznikov's concept of so-called "transitional justice", which means putting on trial those who are not to the liking of the Ukrainian authorities, rather than declaring a general amnesty.

The document presented by the Ukrainian side at the TCG meeting of 11 November is therefore in fact an action plan for rewriting the Minsk agreements, and not at all for their implementation. In its present form that document can only be regarded as yet another step towards the repudiation of the Minsk agreements. It is also remarkable that in these circumstances the Ukrainian Government ignored the draft road map, based on the Package of Measures, for overcoming the existing deadlock in the settlement process that the authorities in Donetsk and Luhansk had submitted previously. To this day there has been no written response whatsoever to that draft, even though the Donbas representatives circulated the text of that document at the TCG as long ago as 14 October.

We recall that at the "Normandy format" summit of 9 December 2019 the President of Ukraine, Volodymyr Zelenskyy, declared his commitment to full implementation of the Package of Measures. The latter provides for direct dialogue between the Ukrainian Government and the authorities in Donbas. Furthermore, the jointly agreed outcomes of the consultations between the Normandy Four leaders in Paris called for a number of specific tasks to be tackled. Analysis of their implementation status indicates that, of the seven practical steps, it has proved possible to implement just two over the past year, yet even those two only partly – namely, on measures to support a ceasefire and on the exchange of detained persons. However, skirmishes continue to take place in Donbas to this day and an exchange on the basis of the "all for all" principle is very far from completion. Neither has the issue of "legal clearance" for already released individuals been resolved yet.

The other five decisions of the Paris summit remain completely unrealized for now. The Ukrainian Government is ducking out of the task of reaching agreement with the authorities in Donbas on all legal aspects of a special status for the region. No decisions have been presented on the incorporation of the “Steinmeier formula” (on the procedure for giving effect to the “status law”) into Ukrainian legislation. Discussions at the TCG have stalled and no documents have been signed to determine new areas for the disengagement of forces and hardware along the line of contact or to agree on demining areas. As already pointed out, the Ukrainian Government’s shirking from dialogue with the people of Donbas and its tactic of unilateral actions have led to the derailment of the agreement on simultaneously opening new checkpoints along the line of contact.

The intensification of attempts by the Ukrainian representatives to repudiate implementation of its obligations under the Package of Measures and to rewrite the Minsk agreements is cause for great alarm. In these circumstances a response by our French and German partners in the “Normandy format”, as co-mediators alongside Russia in the process for settling the crisis in Ukraine, would be highly desirable. We are counting on an effective response to the communication addressed by the Russian Minister for Foreign Affairs, Sergey Lavrov, to his French and German counterparts, Jean-Yves Le Drian and Heiko Maas, in which he drew attention to the latest remarks by the representatives of the Ukrainian Government.

We also call on the OSCE and Ukraine’s external “minders” to exercise the necessary influence on the Ukrainian authorities with a view to inducing them to engage in direct and meaningful dialogue with the representatives of Donbas and to strive for swift implementation of the Minsk agreements.

Thank you for your attention.