



United States Mission to the OSCE

Response to the OSCE's Chief Monitor in Ukraine, Ambassador Ertugrul Apakan and the OSCE Chairperson-in-Office's Special Representative in Ukraine and in the Trilateral Contact Group Ambassador Martin Sajdik

As delivered by Chargé d'Affaires, a.i. Harry Kamian
to the Permanent Council, Vienna
November 30, 2017

Thank you, Mr. Chair.

Ambassadors Sajdik and Apakan, we welcome you back to the Permanent Council. And let me join our colleagues here in extending our warmest condolences for the loss of your colleague. The United States again commends your persistence in seeking a lasting peace in eastern Ukraine – one in harmony with the commitments that this Organization is based upon, including respect for the sovereignty and territorial integrity of States.

Ambassador Sajdik, when you last reported to the Council, the “Back to School” renewed ceasefire effort had led to a significant reduction in violations. At the time, we were optimistic of further progress in Minsk implementation. The Ukrainian government took the politically difficult step of extending its law on special status, paving the way for Minsk implementation once Russia fulfills its required security conditions. By comparison, Russia has failed to rein in the forces it leads, arms, trains, and fights alongside. Ceasefire violations have now returned to higher levels than those recorded before the August 25 truce.

From the SMM's November 22 weekly report, recorded ceasefire violations in the Donbas increased by about 60 percent, compared with the previous week – the highest weekly number recorded since mid-June 2017. The report also notes roughly 360 instances in which weapons proscribed in the Minsk agreements were used, compared with 67 the previous week.

The United States finds the continued shelling in the vicinity of the Donetsk Water Filtration Station of urgent concern. Since the beginning of November, the SMM has regularly reported explosions dangerously close to critical infrastructure that contains chlorine gas tanks. SMM analysts can often determine the point of origin and direction of fire, based on camera footage, because the rounds come from direct fire weapons systems. The data overwhelmingly shows that this fire originates from the area controlled by Russia-led forces. Any substantive damage to chlorine storage containers would result in severe health and environmental hazards, in addition to disrupting the water supply to hundreds of thousands of people on both sides of the contact line.

Unfortunately, the Trilateral Contact Group (TCG) to date has been unable to come to agreement on the establishment of safety zones around such infrastructure. At this rate, it is only a matter of time before we will be confronted by a catastrophic humanitarian crisis in the Donbas. Russia must take the first steps and order its proxies to refrain from firing in the vicinity of critical infrastructure. Russia must also engage in good faith in TCG discussions and constructively work towards improving security conditions in the Donbas. This includes disengagement, another part of the Minsk agreements which remains stalled due to Russia's intransigence.

And Ambassador Sajdik, we welcome the positive news that you briefed us on yesterday's agreement regarding the exchange of detainees.

Mr. Chair, the United States continues to believe that the Minsk agreements are the best path to peace in eastern Ukraine. We remain firm supporters of the TCG, as well as of the Normandy Quartet, as the mechanisms established to achieve the objectives set out in the Minsk agreements. We wait for Russia to deliver on its commitments to build, not subvert, a Europe that is whole, free, and at peace.

Ambassador Apakan, the United States remains committed to supporting a robust, effective SMM whose work is integral to resolving the conflict in Ukraine. As the eyes and ears of the international community, your monitors are the world's unbiased source of information on the conflict and on conditions in Ukraine. As you know, in mid-November, I had the opportunity to travel to Ukraine where I had the occasion to meet with several members of the SMM staff, including several monitors from a variety of nations. Across the board, they are all incredibly committed, want to do their job, and need the support of the international community. I take great offense at the suggestion by at least one participating State that somehow the monitors on the ground are not doing their job. Those of us that follow the situation extremely closely and those of us who contributed monitors and stand by you and your team know full well -- we know full well -- the reason why the SMM is not able to fully implement and carry out its mandate. So Ambassador Apakan, when you return to Kyiv, rest assured that you take back with you the strong support from the United States for not just your mission, but for your monitors. And I know I speak on behalf of several of the participating States who share that view. Please pass that on to your monitors and to your team there. The United States supports efforts to safeguard monitors' safety and security, and backs measures to ensure their effectiveness. We appreciate the SMM's leadership and periodic informal updates to the 57 participating States. We appreciate the updates that you provided today, sir, on steps to strengthen the internal effectiveness and security of the system, and we look forward to further updates included in your response plan to the OSCE Office of Internal Oversight's findings on the tragic incident last April that killed SMM paramedic, and American citizen, Joseph Stone.

Ambassador Apakan, the United States notes with continued concern the restrictions placed upon our monitors as they attempt to move about the area controlled by Russia-led forces. These restrictions, as I've noted, directly undermine the SMM's ability to build confidence on the ground. Your mandate clearly calls for safe and secure access throughout the territory of Ukraine, but one State seeks to impede it and prevent your monitors and you from fulfilling these duties, with regular and casual disregard for its commitments. Russia must allow the SMM to establish forward patrol bases on non-Ukrainian government-controlled

territory near the Russian border. The United States reiterates its call for the safe and unfettered access of SMM monitors throughout all of Ukraine, including Crimea. We also call for the SMM to be allowed to monitor unimpeded the Ukrainian-Russian international border, as called for in the Minsk agreements, and in accordance with the mandate Moscow approved.

The United States remains concerned with the continued casualties caused by mines in the conflict zone. The latest SMM weekly report notes six civilian casualties, including two fatalities, caused by mines. Among the many tragedies of this conflict is the unfortunate truth that hundreds of thousands of civilians are subject to the random and volatile nature of the violence. Adding to this terror is the pervasive presence of mines. The United States calls on all sides to fulfill their commitment to mine action, which would help lessen the risk of death or injury to civilians caught in the conflict zone.

The United States is deeply saddened by the news that Vedzhie Kashka, an 83-year old Crimean Tatar activist, died on November 23 when FSB officers tried to detain her and her companions at a restaurant. Cynical claims by the occupation authorities that she was engaged in extortion and possessed machine guns and drugs should be viewed in the context of other fabricated charges against Crimean Tatar defendants and ongoing efforts to intimidate and smear Crimean Tatar leaders. On November 24, media reported new charges against Crimean Tatar protesters, with three new administrative cases initiated against the alleged organizers of a peaceful protest in early October.

Mr. Chair, the United States again calls upon Russia to end its campaign of repression in occupied Crimea, and return control of Crimea to Ukraine. The United States is resolute in its support for Ukraine's sovereignty, independence, unity, and territorial integrity within its internationally-recognized borders. We do not, nor will we ever, recognize Russia's purported annexation of Crimea. Crimea-related sanctions on Russia will remain in place until Russia returns full control of the peninsula to Ukraine. We join our European and other partners in restating that our sanctions against Russia for its aggression in eastern Ukraine will remain until Russia fully implements its commitments under the Minsk agreements.

Thank you, Mr. Chair.

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