



Permanent Mission of Ukraine
to the International Organizations in Vienna

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Statement
in Response to Ambassador Martin Sajdik, Special representative of the
Chairperson-in-Office, and Ambassador Ertuğrul Apakan,
Chief Monitor of the OSCE Special Monitoring Mission to Ukraine

As delivered by the Delegation of Ukraine
to the 1111th meeting of the Permanent Council,
28 July 2016

Mr. Chairman,

The Delegation of Ukraine welcomes Ambassador Martin Sajdik, the OSCE Chairperson-in-Office Special Representative, and Ambassador Ertuğrul Apakan, Chief Monitor of the OSCE Special Monitoring Mission to Ukraine, back to the Permanent Council and thanks them for the comprehensive updates on their work.

Ukraine remains consistent in its support of the activities of the SMM and the Trilateral Contact Group aimed at facilitating implementation of the Minsk agreements. It is a matter of deep concern that despite intensive diplomatic efforts armed provocations by the Russian hybrid forces continue unabated, leading to a sharp deterioration of the security situation in the conflict-affected areas.

The combined Russian-separatist forces violate ceasefire along the entire contact line by regular shelling and attacks on the Ukrainian positions and residential areas. As follows from the SMM reports they use a wide array of heavy weapons, including mortars, high caliber artillery and tanks. On 24 July the SMM registered the MRLS shelling from the occupied Yasynuvata.

As a result, the toll of casualties among the Ukrainian servicemen and civilians continues to steadily grow day after day. Only on 23-24 July 9 Ukrainian soldiers were killed and 16 wounded. The civilian population of the region also pays an ultimate price for violent actions of the Russian hybrid forces and their cynical practice of firing heavy weapons from residential areas.

Disturbing reports from Donbas prove how much more needs to be done to place the peaceful process on a solid ground. Implementation of the initial security provisions of the Minsk agreements, including the comprehensive and sustainable ceasefire, verified withdrawal of heavy weapons, and unfettered OSCE monitoring, in particular in the border areas, remains a basic requirement for stabilization and progress on all other

tracks.

Meeting this basic requirement is an urgent and immediate priority. For its part, Ukraine remains committed to implementing the Minsk commitments fully and in good faith. We put forward specific proposals on verifiable de-escalation, however they remain without reaction from Moscow. Our armed forces are under strict instruction to observe the Minsk commitments and open fire only in response and in case of direct life threat. To our profound regret, such threats are deliberately generated by the Russian hybrid forces on a daily basis.

At today's meeting the Russian Ambassador again offered Moscow's selective interpretation of the Minsk agreements, effectively setting political demands for stopping Russia-driven hostilities. These demands defy the agreed sequence and logic of the Minsk agreements. Notably, the Russian Ambassador did not even mention the withdrawal of Russian troops, weaponry and fighters from Ukraine's territory or disarmament of the illegal armed formations, which are all part of the Minsk agreements. It tells a lot about Russia's intentions.

Distinguished colleagues,

Ukraine strongly supports the SMM in accomplishing its mandate and tasks relating to monitoring the implementation of relevant provisions of the Minsk agreements. It is unacceptable that the recent months were marked by unprecedented attacks of the Russian hybrid forces on the SMM and its technical equipment aimed at undermining its monitoring capabilities and significantly limiting the scope of reported information.

Since May the SMM lost 4 long range UAVs. In its spot reports the Mission clearly linked these attacks to the findings, made by the UAVs during the flights over the occupied areas of Donbas, notably concentration of large amounts of heavy weapons in the security zone and the military equipment, used exclusively by the Russian Armed Forces.

We believe that the SMM report prepared for this Permanent Council would have benefitted from inclusion of such specific information. Some generalizations observed in different parts of the report, unfortunately, obscured a number of blatant violations of the Minsk agreements by the Russian hybrid forces as clearly registered in daily reporting. In particular, it concerns the violation of the established contact line near Stanytsya Luhanska bridge.

Today Ambassador Apakan has again been compelled to report about significant impediments to the SMM's monitoring and verification activities, imposed by combined Russian-separatist forces. It is worth noting that based on the Mission's daily reports between 22 April and 19 July, the number of denials of access in the occupied areas of Donbas is significantly higher than the figure indicated in the current report, amounting to over 82% of such incidents.

I would like to reiterate that the Ukrainian authorities follow up on all incidents of restrictions, if such happen on the part of the Ukrainian servicemen. For instance, the soldiers, who made small arms shot at the SMM UAV near Stanytsya Luhanska on 17 May were subjected to disciplinary proceedings, as the SMM was informed by the Ukrainian representative in the JCCC afterwards.

We note new intimidation practices that the Russian hybrid forces apply against the SMM in the form of so-called “mass protests” on the occupied territories with anti-OSCE slogans. In its daily reports the Mission clearly pointed out that these events were well organized and orchestrated. Such actions have nothing in common with freedom of expression or freedom of assembly. It is from the UN Human Rights mission report that we find out that people are forced to join such actions under the threat of losing jobs or humanitarian aid.

It is important therefore to continue to make sure that the SMM reports are accurate, comprehensive and clear and do not provide any pretext for manipulation. The Russian military intervention into the territory of Ukraine – in Crimea and in Donbas – has been underpinned by the strategy of deceptions and denials. It is necessary that the SMM takes measures not to fall for such deceptions in the occupied areas of Donbas where the Russian hybrid forces took action to “blind” the SMM and restrict the monitoring to areas of their choice.

The Minsk agreements assign to the SMM a specific role in monitoring the withdrawal from Donbas of foreign troops, weaponry and fighters. This task has not yet been implemented. We again encourage the SMM’s considerations in this regard.

For now, we observe the opposite movements as Russia strengthens its military grip in Donbas by maintaining the steady flow of military supplies. Only in July 19 train echelons and 9 vehicle convoys with personnel, weaponry, ammunition and fuel illegally crossed the uncontrolled sections of the Ukrainian-Russian state border from Russia into Ukraine. Amongst the deliveries – 19 tanks T-72, 3 MRLS “Grad”, 2 self-propelled artillery systems, 11 armoured vehicles, hundreds of tons of fuel. At the same time, the SMM’s access to the border areas remains restricted and strictly conditioned.

We are convinced that the agreed Minsk provision on establishment of a security zone in border areas of Ukraine and Russia, with the OSCE permanent monitoring and verification at the border, requires urgent implementation. We again encourage the SMM to pay priority attention to the transport routes and railway hubs in the occupied areas of Donbas, which often serve as destination points for military trains and convoys. We regret that such information was not included in the present report. It would be useful if a specific section on the matter were included in the SMM daily reports. Any impediments or obstacles should be duly and regularly reported to all participating States.

As reported by the UN High Commissioner for Human rights, the population in the occupied territories of Donbas “has been effectively denied basic protection and

deprived of basic human rights and freedoms”. We encourage the SMM to provide objective, comprehensive and regular reporting on human rights situation in the occupied parts of Donbas in order to help people, who greatly suffer from this deprivations.

Given that the SMM mandate covers the entire territory of Ukraine, which includes Crimea and Sevastopol, we expect the situation in the occupied peninsula to receive due attention of the SMM as a subject of regular monitoring. We regularly inform the OSCE Permanent Council of dire human rights situation there in view of persisting repressive policies of the Russian occupying authorities, targeting mostly the representatives of the Ukrainian and the Crimean Tatar communities.

Ukrainian journalist Mykola Semena remains illegally detained under fabricated charges of “separatism”. His health has deteriorated behind bars. The whereabouts of abducted Ervin Ibragimov, member of the Executive Committee of the World Congress of Crimean Tatars and member of Mejlis, remains unknown since May. The Mejlis – a representative body of the Crimean Tatar people – was banned by the Russian occupying authorities. These are only few recent cases in a long list of human rights abuses, which prove the urgent need to step up the joint efforts to protect human rights in the occupied Crimea, to seek unfettered access of international organizations to monitor the human rights situation on the peninsula. While such access is denied, all other available instruments must be used for permanent monitoring.

Mr.Chairman,

We fully support the efforts of the Trilateral Contact Group, made up of Ukraine, Russia and the OSCE as a facilitator, aimed at seeking practical implementation of the commitments, undertaken in Minsk. We note the regular character of meetings in the TCG’s framework, supported by discussions in working groups, however the practical outcomes are yet far from the expectations.

Even the agreed steps, like the most recent initiative on the pilot disengagement areas, face immediate impediments from Russia and its proxies. This again highlights the fundamental difference in approaches of Russia and Ukraine towards the international frameworks, assigned to address the conflict in Donbas. What Ukraine considers as mechanisms and instruments of peaceful resolution on the basis of the Minsk agreements and full respect for international norms and principles, Russia attempts to exploit for exerting pressure on Ukraine and the international community and legitimizing the gains of its armed aggression against Ukraine.

To implement the first agreed provision of all Minsk documents, the WSG on security issues must focus on a comprehensive and sustainable ceasefire. At the Normandy Ministerial in Berlin Ukraine presented comprehensive proposals on urgent steps towards de-escalation. We expect these proposals to be translated into practical steps through the framework of the Trilateral Contact Group. As the uncontrolled sections of the Ukrainian-Russian border remain a constant source of destabilization and fuelling

the conflict, it is necessary to establish a working sub-group on border issues without delay.

In the political area security is a must for establishing necessary conditions for holding local elections in certain areas of Donbas. De-occupation and disarmament of the illegal armed formations, which have Russian officers in the command positions, are needed to establish a safe environment for a free expression of will of the local population in fair elections.

The release of hostages and illegally detained persons remains blocked by Russia and its proxies. All Ukrainian initiatives, in particular those aimed at releasing those in poor health condition, have been rejected. We urge the SMM to seek access to the hostages as the destiny and condition of many of them remain unknown. Progress in release of all hostages and illegally detained persons constitutes a crucial benchmark for assessing the efficiency and effectiveness of the TCG framework.

The economic and humanitarian situation in the occupied areas of Donbas remains a matter of deep concern. Equipment of at least 23 most profitable industrial facilities has been dismantled, including for transportation to Russia. So-called “nationalization” campaign in the occupied areas will seriously undermine the invested efforts at seeking solutions. Reports on serious crimes, committed by the militants against the civilians and their property, emerge on a regular basis. We encourage the SMM to follow up on these reports.

We call for focused effort on ensuring implementation of the Normandy Ministerial agreement that all restrictions on operation of the international humanitarian organizations in the occupied part of Donbas must be lifted, which has not yet happened after many months.

Distinguished colleagues,

Sharp deterioration of security in Donbas makes clear the importance of stimulating Russia towards implementing the undertaken commitments on peaceful resolution by maintaining the sanctions and strengthening them, if Russia opts for further dangerous escalation. The international engagement and toolbox, assigned to respond to the conflict, should be further improved. We consider an armed police mission, deployed throughout the conflict-affected area, in particular, on the state border, can address the needs for establishing a safe and secure environment, which is critically important in terms of progress on all tracks of the Minsk agreements. This will require the willingness of Russia to follow the path of peaceful resolution.

In conclusion, I would like to once again reiterate Ukraine’s support to the work done by Ambassador Apakan and Ambassador Sajdik. We remain hopeful that our collective efforts will result in sustainable de-escalation and peaceful resolution in Donbas with full respect to Ukraine’s sovereignty and territorial integrity within its internationally recognized borders.

Ambassador Apakan, finalizing your today's presentation you well captured the sentiment of the people of Ukraine who wanted peace in their country. Let me quote in this regard the words of the President of Ukraine that "we would have had peace in Donbas long ago if Moscow wanted peace as much as Kyiv does".

Thank you, Mr.Chairman.