



United States Mission to the OSCE

Response to Chief Monitor of the OSCE Special Monitoring Mission to Ukraine, Ambassador Ertugrul Apakan

As delivered by Chargé d'Affaires a.i. Kate M. Byrnes
to the Permanent Council, Vienna
March 26, 2015

The United States thanks Ambassador Apakan and Ambassador Tagliavini for joining us today. The Permanent Council always benefits from your reports on the effort to find a peaceful resolution to the crisis in and around Ukraine.

The Special Monitoring Mission, now entering its second year, has done remarkable work in difficult, and at times unacceptable, circumstances. Ambassador Apakan, your duties have evolved markedly since you first arrived in Kyiv a year ago. With the signing of the February 12 Package of Measures, the SMM has been asked to monitor a ceasefire, verify the withdrawal of heavy weapons from the conflict zone, and verify the withdrawal of foreign forces from Ukraine entirely. These tasks are in addition to the SMM's mandate to monitor and support respect for human rights and fundamental freedoms and to facilitate dialogue on the ground in order to reduce tensions.

Ambassador Apakan, we welcome your team's efforts to identify the resources needed – both in terms of equipment and personnel – in order to fulfil the SMM's expanded responsibilities. The United States fully supports the SMM, and we are exploring ways to get you the necessary tools and people, including planners and analysts, while maintaining the 50 monitors we have already seconded to your mission. The United States urges all participating States to provide the SMM with the financing, material, and personnel that the mission requires.

Ambassador Apakan, we have to be honest with ourselves that providing the SMM with all the expertise and equipment that it needs will not matter if the parties do not implement the commitments they made in the September 2014 Minsk Protocol and Memorandum. We are concerned that more than a month after you sent a letter to the signatories of the February 12 Package of Measures, none of the signatories have provided the SMM with all of the information needed to verify the withdrawal of heavy weapons. It is also unacceptable that your monitors are unable to travel freely throughout Ukraine, including along the border with Russia. And it is unconscionable that SMM monitors are put in harm's way by cease-fire violations and threats directed at the monitors themselves.

Secretary General Zannier has called the SMM a "quasi-peacekeeping operation" due to the nature of the mission and the challenging environment in which the SMM operates. We have heard the Ukrainian government's call for an actual peacekeeping operation to be deployed in eastern Ukraine to provide the SMM with needed support. Ambassador Apakan, I would be interested to hear your perspective on this proposal.

The Permanent Council has benefited from the regular SMM reports, and we greatly appreciate the effort to improve these reports so that they provide the OSCE, policymakers, and the public with the information needed to understand what is actually happening on the ground in Ukraine. The inclusion of a map showing the location of incidents mentioned in the daily reports and the summary of restrictions to the SMM's freedom of movement are positive steps. We suggest including a map that clearly shows which areas of Ukraine the SMM is unable to access. This would enhance the clarity of the reports and prevent them from being used to draw a false equivalence between the level of access granted to the SMM by the Ukrainian government and that granted by the Russia-backed separatists.

Ambassador Apakan, I would like to reiterate a point that cannot be repeated often enough. The SMM's mandate, as contained in PC decision 1117, authorizes you to operate throughout Ukraine. Crimea is part of Ukraine, and you should be able to observe the situation there. We urge Russia, as the occupying power in Crimea, to facilitate SMM monitoring of the peninsula.

Ambassador Tagliavini, we look forward to the establishment of the working groups called for in the Package of Measures, and stand ready to assist you in this process. We encourage you to ensure that the right international actors participate in the relevant working groups. For example, the UN Office for the Coordination of Humanitarian Affairs is already playing a significant role in leading the humanitarian response in Ukraine, and we would recommend that they be considered for inclusion in the working group on humanitarian assistance.

Thank you again, Ambassadors Tagliavini and Apakan, for briefing us today. We wish you all the best in your challenging work.

Thank you, Mr. Chair.