



## **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 Chargé d'Affaires a.i. Kate Byrnes  
to the Permanent Council, Vienna  
November 26, 2015

We gather at a time in which combined Russian-separatist forces are ratcheting up the violence in eastern Ukraine; their attacks on Ukrainian positions result in almost daily casualties. In a 12-hour period on Monday and Tuesday of this week, separatists launched 30 provocations, and the SMM has noted the use of heavy weapons supposedly withdrawn from the line of contact. Last week, I highlighted that combined Russian-separatist forces sent as many as 800 fighters to Horlivka and deployed a tank platoon and 10 armored personnel carriers just east of the city. Since these deployments, the SMM has registered numerous ceasefire violations around Horlivka, including explosions, anti-tank weapon attacks, and small arms fire. SMM and other reports reveal unpredictability in the conflict zone: one day is quiet, the next marked by extreme violence. These escalating attacks and the concentration of troops threaten the ceasefire and progress on Minsk implementation.

Russia and the separatists must immediately stop further attacks and end their provocations. Rather than deploying more forces, providing more heavy weaponry, and initiating attacks, the Russian Federation must honor its commitment to the ceasefire by moving all heavy weapons back into storage sites, removing personnel from the line of contact, and observing Minsk withdrawal lines as well as the ceasefire.

Combined Russian-separatist forces continue to interfere actively in SMM operations. The SMM continues to report repeated denials of access to areas in separatist-controlled Donetsk. For the last several weeks, armed members of the so-called "Luhansk People's Republic" ("LPR") prevented the SMM from checking the serial numbers of weapons at two training sites, which is necessary to verify their withdrawal. During his briefing here this week, Deputy Chief Monitor Hug confirmed that the "LPR" tried to have two monitors expelled from their posts in separatist-controlled territory. Russian-backed separatists continue to prevent the SMM from having full, unrestricted access to the border. This deliberate pattern of obstruction by the separatists, supported by the Russian Federation, must stop. Combined Russian-separatist forces must grant the SMM full access, including access to Ukraine's border with Russia, and stop jamming OSCE UAVs, as Russia committed to do at the Normandy leaders meeting in October.

The separatists, again supported by the Russian Federation, must also stop blocking the SMM from fulfilling a previously approved mission—the opening of forward patrol bases in separatist-controlled territory. The SMM has already opened two forward patrol bases in

government-controlled territory and one in separatist-controlled territory. For weeks, it has sought to open five more, but Russia and the separatists have blocked this effort. The SMM has the buildings, the logistical support, and the monitors. It only requires security guards, which the Russian-backed separatists have failed to provide, rebuffing several SMM requests that they do so. If the Russian Federation is serious about the calls it has made repeatedly in this Council for the SMM to establish fixed positions near the line of contact, it must instruct the separatists it backs to provide security guards and security guarantees to the SMM immediately.

Transparency in and around the security zone is fundamental to building confidence and progress toward a peaceful settlement. Compliance with the requirements of Chief Monitor Apakan's October 16 letter on weapons withdrawal measures is essential; weapons should not be ready to be deployed at a moment's notice; rather, they should be securely stored. The Russian Federation and the separatists initiated the violence in Ukraine, and they should take the first steps toward compliance in order to build confidence among the parties. Russia and the separatists must comply with the weapons withdrawal and verification measures outlined in the Minsk agreements.

Removing weapons from the battlefield is necessary to create a secure environment for elections free from intimidation and coercion. It is also time for Russia and the separatists it backs to engage meaningfully on Ukraine's proposal to hold genuine local elections in certain areas of Donetsk and Luhansk. These elections must be fully in line with Ukrainian law, international obligations, and OSCE commitments. They must be conducted in an environment that guarantees the free participation of Ukrainian political parties, civil society, and media. Ensuring genuine elections requires a secure environment free from coercion and the threat of violence. ODIHR will require unescorted, unrestricted, and unannounced access for its observers at all times – as was the case in Ukraine's October 25 and November 15 local elections. The Normandy foreign ministers agreed in Berlin that the political working group should address five key elements: IDP and refugee voting, formation of electoral commissions, media freedom, participation of political parties, and the security environment. All of these items are covered in Ukraine's proposal. We reiterate our call on Russia and the separatists to agree with Ukraine in the political working group of the Trilateral Contact Group on local election modalities for the special status zone as soon as possible.

Mr. Chair, we remain deeply concerned about the humanitarian situation in the conflict zone. Russia's and the separatists' disregard for the residents of separatist-controlled territory is demonstrated by their continuing limitations on the distribution of humanitarian assistance in the Donbas. They must lift these restrictions and provide access to all UN and government humanitarian agencies and humanitarian NGOs. This need is all the more acute as freezing temperatures set in and communities remain without adequate shelter. There is no excuse or justification for further delay, and we call on the Russian Federation to act now to avert the coming humanitarian crisis.

Finally, Mr. Chair, the Permanent Council must not lose sight of the fact that Russia continues to occupy Crimea, which remains part of Ukraine within its internationally recognized borders. Russia must end its occupation of Crimea now.

Thank you, Mr. Chair.