



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 Harry Kamian
to the Permanent Council, Vienna
November 1, 2018

We, the participating States of the OSCE, responded to Russia's manufactured conflict in eastern Ukraine by creating the Special Monitoring Mission to Ukraine (SMM) and charging it with gathering information on the security situation throughout the country. During the nearly five years of the conflict, the SMM has exposed numerous incidents in which Russia-led forces sought to undermine this mandate and neutralize the Mission's powers of observation. This happened again on October 27 when an SMM long-range UAV flew close to the internationally recognized Russia-Ukraine border near the town of Nyzhnokrynske and **observed for the seventh time** trucks violating the sovereignty of Ukraine and crossing the Russian border where no crossing facility exists.

Within moments, the UAV experienced jamming, lost contact with its control station, and it is now presumed lost. At this point, we know the following: 1) Russia-led forces shot down the SMM's last two long-range UAVs in 2016; 2) Russia-led forces targeted an SMM long-range UAV with a surface-to-air missile (SAM) system in June 2018; 3) on October 27, before it was jammed, the long-range UAV spotted a SAM missile system; 4) according to the SMM, the most likely cause of the loss was an impact to the airframe which "disrupted" its flight; 5) that eight individuals reported hearing an explosion in the area around the time of the incident; and 6) the forces that Russia arms, trains, leads, and fights alongside **consistently** attempt to render the SMM blind by restricting, threatening, blocking, and harassing patrols. In light of these facts, Mr. Chair, unless evidence comes forth to the contrary, the United States will expect Russia to account for the downing of the SMM's UAV on October 27.

Since August, Russia-led forces have become increasingly uncomfortable with the SMM's ability to unmask their state sponsor to the east. These efforts to blind the SMM are intended to conceal a buildup of Russian-led forces in eastern Ukraine, the advanced Russian weaponry in their arsenal, and the military personnel and materiel that regularly cross the border. This is part of the Russian strategy to cover up its aggression against Ukraine. We witness this strategy during the Permanent Council, when Russia denies its involvement in the conflict – despite the overwhelming evidence to the contrary – and seeks to distract us by blaming Ukraine for the failure to implement the Minsk agreements.

Despite the Kremlin's efforts, the SMM regularly documents Russian military equipment, personnel, and weapons, in areas controlled by forces Moscow claims to be Ukrainian

“separatists.” In the October 23 weekly report, in areas controlled by Russia-led forces, the SMM spotted 43 Minsk-proscribed weapons within withdrawal lines and 122 pieces of equipment within the security zone. Most often, this equipment is new or nearly new and maintained and supplied as a modern, proper fighting force. Such equipment could not possibly be fielded by so-called “separatist” units made up of the Russian speakers in Donetsk and Luhansk. This equipment crosses the Russia-Ukraine border under the cover of darkness along routes that the SMM’s UAV spotted on October 27, or inside cargo trucks like the 80th so-called “humanitarian aid” convoy that crossed the border without inspection on October 25 in violation of Ukrainian sovereignty. This equipment could also come to Ukraine along the railways that Russia prevents the OSCE Border Observation Mission from observing. What is clear, Mr. Chair, is that Russia both stokes and directs this conflict against sovereign Ukraine.

Instead of implementing the Minsk agreement steps that would lead to local elections under Ukrainian law, Russia’s “proxy authorities” are staging illegal “elections” on November 11. The United States condemns this plan. The Minsk agreements state that the OSCE must supervise elections, which are to be held in accordance with Ukrainian law and OSCE standards. These illegal elections will satisfy none of the Minsk conditions.

Mr. Chair, as the instigator of this conflict, Russia must take the first steps in bringing the conflict to a close in accordance with its Minsk commitments, including: a real, comprehensive, and sustained cease-fire in eastern Ukraine; full OSCE access to the area affected by the conflict; elections under Ukrainian law that are consistent with OSCE commitments and relevant international obligations and are observed by ODIHR; the withdrawal of Russian forces and equipment; and the return of Ukrainian control over its international border.

Mr. Chair, the United States is concerned with Russia’s militarization of the Kerch Strait and the Sea of Azov, where it has delayed hundreds of commercial vessels, including some under flags of OSCE participating States, attempting to exercise their freedom of navigation to reach Ukrainian ports. These delays have damaged the Ukrainian economy and are yet another example of Russia’s efforts to destabilize the country. The United States condemns Russia’s harassment of international shipping and supports Ukraine’s sovereignty and territorial integrity within its internationally recognized borders, extending to its territorial waters.

Mr. Chair, we recall that Russia’s aggression against Ukraine is not limited to the Donbas, but began with its occupation and attempted annexation of Crimea. Last week’s report by the Crimean Tatar Resource Center illustrated the scope of Russian abuses in the occupied region. The report stated that since the beginning of the year, they have recorded 138 individuals arrested on politically-motivated charges, 107 of whom were Crimean Tatars and 79 police raids, 68 of which were on Crimean Tatars. Mr. Chair, just this past Saturday in Simferopol, officials from the prosecutor general’s office accompanied by a contingent of armed men in masks and uniformed police reportedly raided a meeting of the human rights group Crimean Solidarity, several members of which have already been imprisoned on baseless pretexts. The officials issued formal warnings to two Crimean Tatar lawyers and an activist, whom authorities claimed were poised to violate “counter-terrorism and counter-extremism” legislation by purportedly planning to hold a series of single-person pickets. Subsequently, the Crimean Tatar activists commented that these intimidation tactics are

directed at Crimean Tatars that speak out publicly and target individuals whom we have previously cited at multiple OSCE fora.

Mr. Chair, the United States fully supports Ukraine's sovereignty, independence, and territorial integrity within its internationally recognized borders. We do not, nor will we ever, recognize Russia's purported annexation of Crimea. We join our European and other partners in affirming that our Minsk-related sanctions against Russia will remain in place until Russia fully implements its Minsk commitments. The separate, Crimea-related sanctions will remain in place until Russia returns full control of the peninsula to Ukraine.

Thank you, Mr. Chair.