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AT THE 1271st MEETING OF THE OSCE PERMANENT COUNCIL**

11 June 2020

On the situation in Ukraine and the need to implement the Minsk agreements

Mr. Chairperson,

The latest round of consultations within the Trilateral Contact Group (TCG) in Minsk and its working groups confirms the lack of determination on the part of the Ukrainian authorities to work constructively to settle the internal Ukrainian crisis. The tactic of dragging out the negotiation process, avoiding discussion of pressing issues amidst the faltering implementation of the Minsk agreements, and attempting to keep discussions on almost all issues going around in circles – all of this is only making the prospect of achieving peace in Donbas less likely.

The campaign launched by the Ukrainian authorities several weeks ago to discredit the representatives of the authorities in Donetsk and Luhansk does not contribute to a positive dynamic either. At the same time, it is as representatives of certain areas of the Donetsk and Luhansk regions that they are invited by the relevant OSCE co-ordinators to participate in the work of the TCG, and they have been present on the Minsk negotiation platform for several years now – at live meetings and in videoconferences – at the same table as the delegation representing the Ukrainian Government. Their contribution includes a number of initiatives submitted in writing for implementation of the Minsk Package of Measures and “Normandy format” decisions, many of which the Ukrainian Government has been ignoring for years.

Let us turn to the only international legal framework for resolving the crisis in Ukraine, namely the Package of Measures for the Implementation of the Minsk Agreements of 12 February 2015 approved by United Nations Security Council resolution 2202. It calls for a comprehensive political settlement to be implemented through direct dialogue between the parties to the conflict in eastern Ukraine – the representatives of the Ukrainian Government and of the authorities in Donetsk and Luhansk. The relevance of that document was confirmed in the statement by the President of the United Nations Security Council of 6 June 2018 and the outcome document of the Normandy Four summit on 9 December 2019.

However, instead of real efforts to reach a compromise and an early settlement, the Ukrainian authorities decided simply to pretend to “revitalize” the negotiation process. Among other things, they tried to involve people in the process whom they considered to be more convenient for them but who have not lived in certain areas of Donbas for a long time. The fact that the tactics currently employed by the Ukrainian Government are simply a way of pretending to negotiate with a view to buying time was also

publicly confirmed a few days ago by the former Minister for Foreign Affairs of Ukraine, Pavlo Klimkin, who used to excel at this. As for whether the Ukrainian Government's so-called beefing up of its team of negotiators has contributed to progress on the Minsk platform, the facts speak for themselves: more than a month after President Zelenskyi made that decision, the shooting continues in Donbas, and the negotiation process is almost at a standstill. Having decided to disrupt the implementation of the Minsk agreements and having rejected dialogue with the representatives of Donbas, the Ukrainian authorities are actually pushing the situation towards a new wave of armed violence. A timely and effective response from the OSCE is very much needed in these circumstances.

On 1 June, the world celebrated International Children's Day. A little over six years ago, on 8 June 2014, the first child, an eight-year-old girl, was killed in Donbas. According to data from the United Nations Children's Fund, since the start of this year at least ten children have been injured as a result of shelling, which is twice as many as in the same period last year. Observations made by the OSCE Special Monitoring Mission to Ukraine (SMM) last year indicate that mines pose a particular threat to children. As we know, the need to develop and implement an updated mine clearance plan is a priority task set forth in the jointly approved outcome of the "Normandy format" summit in Paris in December 2019. The representatives of the authorities in Donetsk and Luhansk submitted their proposals on that issue to the TCG immediately following the summit meeting, whereas Ukraine has not yet provided written proposals. Against this background, vast areas of Donbas controlled by the Ukrainian armed forces are still inaccessible for full-scale monitoring by the Mission under the pretext of the presence of mines. All this not only threatens the safety of civilians and of the SMM's work at the line of contact but, as we can see from incoming reports, has also given rise to incidents involving Ukrainian military personnel.

We regret that the authorities in Kyiv have not responded to the global appeal by the United Nations Secretary-General, António Guterres, to stop the armed violence during the coronavirus pandemic, at least as a humanitarian gesture. This also comes on top of the Ukrainian Government's socio-economic measures to make daily life in Donbas more difficult.

During the briefing by the Co-ordinator of the TCG Economic Working Group, Ulrich Brandenburg, in Minsk on 8 June, it was clearly stated that the prospects for restoring socio-economic ties between eastern Ukraine and the rest of the country depend on a settlement of the political aspects of the internal Ukrainian crisis. Political will on the part of the Ukrainian Government and effective dialogue with the authorized representatives of Donbas who actually reside in certain areas of the Donetsk and Luhansk regions are needed to achieve this.

For the time being, the Ukrainian leadership continues to pursue a policy aimed at completely cutting off the region. All commercial, economic and financial ties have been severed, and there are no regular transport services. Meanwhile, instead of urging the Ukrainian Government to lift the inhumane blockade, all that we hear from our Western partners are bizarre reproaches directed at Donetsk and Luhansk about their supposed unwillingness to be integrated into Ukraine's economic and legal space. Our partners somehow forget about paragraph 8 of the Package of Measures, which calls for the definition of modalities for full resumption of socio-economic ties directly with the representatives of Donbas, including social transfers, such as pensions and other benefits, to the most vulnerable sections of the population. The procedure for applying for such payments remains discriminatory, and the temporary relaxation of some of the requirements does nothing to alleviate the problem.

The latest report by the Office of the United Nations High Commissioner for Human Rights (OHCHR) for the period from November 2019 to February 2020 notes that: "Linking the payment of pensions to IDP [internally displaced persons] registration deprives hundreds of thousands of pensioners [of] access to their pensions." The OHCHR regrets that the Verkhovna Rada has still not adopted legislation that

would allow pensioners permanently residing in certain areas of Donbas to receive their social benefits without having to register as IDPs and to regularly verify their IDP registration. In December 2018, the Supreme Court of Ukraine ruled such a link to be unconstitutional, but it has still not been formally revoked.

The reasonable restrictions that were required to prevent the spread of COVID-19 have compounded the socio-economic blockade of Donbas. Now statements are being made by the authorities in Kyiv about relaxing the quarantine measures at the line of contact. In that connection, it is important that the plans for resuming the operation of checkpoints on the line of contact are not used for propaganda purposes. The checkpoints cannot be reopened unilaterally, and preparation is needed on both sides. We expect the Ukrainian Government to co-ordinate all the modalities for the functioning of the crossing points with the representatives of the authorities in Donetsk and Luhansk in the TCG. All steps should be taken, first and foremost, in the best interests of the people and their safety.

We note once again that the continuing crisis in Ukraine with all its grave humanitarian consequences is the result of the February 2014 coup d'état, which was inspired, funded and organized from abroad and has led to the armed confrontation in Donbas and the suffering of millions of civilians in Ukraine on a massive scale.

In these circumstances, the United States of America, Canada, the United Kingdom and a number of European Union countries continue to train and supply arms to the Ukrainian army and incite it to engage in further violence against the people of Donbas. For example, a training complex called Operations in Urban Terrain is being built near the International Peacekeeping and Security Centre of the National Land Forces Academy of Ukraine in the Lviv region, where foreign instructors train Ukrainian military personnel in the "art of war". What specific combat conditions they are preparing for at this miniature model city built for training purposes is obvious from the objects being constructed there, which include, among other things, a coal mine. According to the Ukrainian Land Forces Command, 8 to 12 battalion task forces of different branches of the Ukrainian armed forces are to take a course on urban warfare this year. This was announced at the end of last year by Lieutenant Colonel Vladislav Ponomarev, deputy head of combat training at the Main Directorate of Training of the Ukrainian Armed Forces, citing the General Staff of the Ukrainian Armed Forces.

We call on the OSCE to make a constructive contribution to stopping violence in Donbas, to facilitate the settlement process as much as possible and to exert an influence on the authorities in Kyiv so that the Ukrainian leadership switches from continued shelling and pretending to negotiate a settlement to real practical implementation of the Minsk agreements and the agreed instructions of the Normandy Four summit in Paris.

Thank you for your attention.