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**OSCE Permanent Council N° 1215 (Special)
Vienna, 1 February 2019**

EU Statement in Response to Briefings by the Special Representative in Ukraine of the OSCE Chairperson-in-Office and in the Trilateral Contact Group, Ambassador Martin Sajdik and the Chief Monitor of the OSCE SMM, Ambassador Ertugrul Apakan

Mr. Chairperson, the European Union welcomes Ambassadors Sajdik and Apakan to the Permanent Council and commends them for their perseverance, dedication and tireless efforts in working towards sustainable peace in Ukraine. During the latest reporting period, the already tense and unpredictable security situation in eastern Ukraine was regrettably exacerbated by Russia's violation of international law in the Kerch Strait and Azov Sea as well as the illegal so-called "elections" in November 2018 in areas held by Russia-backed armed formations. The EU strongly calls on Russia to release the illegally detained Ukrainian crew and return their vessels, unconditionally and without delay.

Ambassador Apakan, in this context, we welcome the decision to increase monitoring of the coastal area of the Sea of Azov and encourage you to continue reporting on the socioeconomic consequences of the impediments put by Russia on ships passing through the Kerch Strait, targeting ships heading to and departing from Ukrainian ports of the Azov Sea. It is deeply regrettable that Russia-backed armed formations are repeatedly denying SMM monitors access to the coastal line east of Mariupol in violation of the SMM mandate.

Ambassador Sajdik, the EU fully supports the efforts of the TCG and its working groups. We welcome the most recent recommitments to ceasefire that you and your team managed to secure in December. Regrettably, it took only three weeks before ceasefire violations reverted to pre-commitment levels. We echo your continued appeals to the sides to withdraw heavy weapons, to disengage and to undertake comprehensive demining. We condemn that, in violation of their commitments, the

sides continue to fire weapons and fortify their military positions inside the disengagement areas. Regrettably, as the SMM reports, rather than comprehensive demining there is a growing presence of mines and UXOs, also close to populated areas.

Ambassador Apakan, in your report you point to the fact that civilians are the ones paying the price when the sides do not adhere to the ceasefire, when they do not withdraw heavy weapons and when they do not remove mines, but instead are laying new ones. At the same time, the freedom of movement of civilians remains severely restricted throughout eastern Ukraine with only five Entry Exit Checkpoints open. Civilians suffer in harsh weather conditions waiting for hours to cross at these points in order to meet their basic human needs such as seeing family members, collect medicine and food. At times people lose their lives while waiting. We share your profound concern for their sufferings and support the calls for opening additional entry-exit checkpoints, ensuring security in their vicinity and improving transportation options.

We thank the SMM for their report on the Gender Dimensions of SMM Monitoring. The report highlighted the different impact that the conflict has on men and women, and challenges that are exacerbated by the conflict such as gender-based violence and trafficking in human beings, as well as the important role women play in Ukrainian civil society. We regret that the SMM's ability to monitor these issues in areas held by Russia-backed armed formations remained limited and we look forward to continued SMM reporting on gender.

Ambassador Apakan, we strongly condemn the continued threats and restrictions to the SMM, which occur predominantly in areas held by Russia-backed armed formations. This hampers the SMM from fulfilling its mandate. The SMM must have safe, secure, unconditional and unimpeded access throughout Ukraine. This includes the Crimean peninsula and along the Ukraine-Russia state border to which the SMM is systematically denied access by Russia-backed armed formations. Numerous reports underline that the human rights situation on the Crimean peninsula has been deteriorating. As the Russian Federation refuses to grant access to the peninsula, contrary to the SMM's mandate, we encourage you to remotely monitor the human rights situation in the peninsula illegally annexed by Russia, through interviews with victims, their families and lawyers.

We share the concern expressed in your report that the ability to target SMM assets without serious consequences contributes to creating an atmosphere of impunity which negatively impacts the SMMs effectiveness and the safety and security of SMM staff and assets. Let me take this opportunity to reiterate our position, that the operational, security and financial consequences of all obstructions must be assessed. Those responsible for any willful damage, destruction or loss of SMM UAVs and other assets should be held accountable, both politically and financially.

The EU reiterates its call on Russia to urgently release Ukrainian citizen Pavlo Hryb who has been detained by Russian authorities without any clear charges since he was abducted on 24 August 2017. There are worrying reports about his deteriorating health. We reiterate our call for him to be granted immediate access to the special medical treatment that he needs.

The EU remains firm in its call on all sides to swiftly and fully implement the Minsk agreements and honor their commitments in full in order to achieve a sustainable political solution to the conflict in line with OSCE principles and commitments. We call on Russia to fully assume its responsibility in this regard and to use its considerable influence over the armed formations it backs to meet the Minsk commitments in full. Respect for these principles and commitments must be restored. We again call on Russia to immediately stop fueling the conflict by providing financial and military support to the armed formations, and we remain deeply concerned about information on the presence of Russian military equipment and personnel in areas held by Russia-backed armed formations. The duration of the European Union's economic sanctions against Russia is linked to the complete implementation of the Minsk agreements.

The EU recalls its unwavering support to the sovereignty, territorial integrity, unity and independence of Ukraine within its internationally recognised borders, and calls upon Russia to do likewise. We urge Russia to uphold these fundamental principles that it has itself invoked many times and to contribute, by acts and public pronouncements, to stabilising the situation and reversing moves that contravene these principles. We strongly condemn the clear violation of Ukrainian sovereignty and territorial integrity by acts of aggression by the Russian armed forces since February 2014 and the illegal annexation of the Autonomous Republic of Crimea and the city of Sevastopol to the Russian Federation, which we will not recognise. The

European Union will remain committed to fully implement its non-recognition policy, including through restrictive measures.

The Candidate Countries the FORMER YUGOSLAV REPUBLIC OF MACEDONIA*, MONTENEGRO* and ALBANIA*, and the EFTA countries ICELAND and LIECHTENSTEIN, members of the European Economic Area, as well as UKRAINE and GEORGIA align themselves with this statement.

* The Former Yugoslav Republic of Macedonia, Montenegro and Albania continue to be part of the Stabilisation and Association Process.