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PC.DEL/742/21
20 May 2021

ENGLISH
Original: RUSSIAN

Delegation of the Russian Federation

**STATEMENT BY MR. ALEXANDER LUKASHEVICH,
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1314th MEETING OF THE OSCE PERMANENT COUNCIL
VIA VIDEO TELECONFERENCE**

20 May 2021

**On the deteriorating situation in Ukraine and the continued non-implementation by the
Ukrainian authorities of the Minsk agreements**

Madam Chairperson,

On this day exactly two years ago, President Volodymyr Zelenskyy was inaugurated. Yet another President of Ukraine who came with slogans about achieving peace and swiftly putting a stop to the armed violence in the east of the country. Five years earlier, though, in May 2014, his predecessor Petro Poroshenko promised to do the same just one week after assuming office. During his presidency, thousands of Ukrainians perished on both sides of the line of contact in the course of the conflict and a socio-economic blockade of certain areas of Donbas was introduced and enshrined in law.

After receiving his presidential mandate, Mr. Zelenskyy promised to achieve peace in just one year and to “reach out to the hearts and minds” of the people of Donbas. Today, two years on, one may draw the following conclusion: the current leadership of Ukraine has long since gone back on its election promises and is following a course that in reality hardly contemplates peace on the basis of direct and responsible dialogue between the country’s authorities and its inhabitants. The myth about “external aggression” that is being fostered serves the purpose of justifying reprisals against political opponents, the establishment of media censorship and the exclusion of dissidents from participation in public life. The “war” continues to be blamed for all failures to ensure decent standards of living for the population. By the same token, the lack of sovereignty amid all the signs of external management is accompanied by attempts to inculcate society with Russophobia and hatred towards Russia.

It is not surprising that in these circumstances the social tensions within Ukraine are merely intensifying, and that the process for settling the conflict in the east of the country remains deadlocked. Under all kinds of spurious and quite often absurd pretexts, the Ukrainian Government is dragging out the negotiation process and avoiding practical implementation of the Minsk agreements – among other things, by ducking out of direct dialogue with the representatives of certain areas of Donbas.

This once again made itself clear during the meetings of the Trilateral Contact Group (TCG) and its working groups on 18 and 19 May, where the representatives of the Ukrainian Government not only blocked a substantive discussion of issues but insisted on the representatives of Donetsk and Luhansk being excluded

from the discussions. As a result, not a single concrete decision was adopted. Yet another opportunity has been lost to give impetus to the settlement process. That Ukraine never had any intention in the first place of achieving progress in the TCG's work was made clear on the day before the meeting by the spokesperson of the country's delegation, Oleksiy Arestovych. In particular, he pointed out that it was "naive" to expect breakthroughs from the Ukrainian delegation on "aspects that the collective West is so far struggling with".

We may observe ever more frequent unfounded attempts – also by a number of the Ukrainian Government's foreign "minders" – to shift responsibility for implementation of the Minsk agreements on to the Russian Federation. We firmly reject these politicized exertions to divert attention from the crux of the settlement process. We stress that all obligations under the Minsk agreements fall exclusively within the remit of the authorities and armed forces of Ukraine on the one hand, and of the representatives of certain areas of the Donetsk and Luhansk regions and their armed formations on the other. The Minsk agreements provide for direct dialogue between the representatives of the Ukrainian Government and the authorities of Donetsk and Luhansk, such dialogue being essential for their implementation. One should not substitute one concept for another. It is quite obvious that the consultations with the representatives of Donbas provided for by the Package of Measures of 12 February 2015 and by numerous TCG decisions cannot take place without such direct dialogue.

On 11 March 2020, the Head of the Office of the President of Ukraine, Andriy Yermak, signed the minutes of a TCG meeting in which he confirmed in writing the authority of the current negotiators from certain areas of Donbas. In accordance with the text of the minutes, an advisory board was meant to have been set up with equal participation of the representatives of the Ukrainian Government and certain areas of Donbas for the implementation of the political aspects of the Minsk agreements. That board has in the end not been established, and the political strand of the settlement continues to be at a standstill.

The Ukrainian authorities have not done the necessary work to make the law on a special status for Donbas permanent or to reflect the specificities of self-government for the region in the country's Constitution. The mechanism for the enactment of the status law under the "Steinmeier formula" is in abeyance, despite the calls from the "Normandy format" summit held in Paris on 9 December 2019 to incorporate that formula into Ukrainian legislation, rather than simply agreeing on it. There has been no progress on an amnesty for those involved in the events in Donbas, which would not only pave the way for a comprehensive political settlement, but would also make it possible to implement the agreement on the exchange of detained persons according to the principle of "all for all". Nor has the prosecution of persons released earlier been stopped.

The Ukrainian Government is justifying its inaction on implementing the political and legal aspects of the Minsk agreements by invoking the unsatisfactory security situation and, in particular, non-compliance with paragraph 1 of the Package of Measures, as the Minister for Foreign Affairs, Dmytro Kuleba, for example, once again tried to do during an interview with Radio Svoboda on 1 May.

Let us take a closer look at that paragraph. It refers to an "immediate and comprehensive ceasefire" in Donbas. The around twenty truces declared by the parties proved unable to fulfil that task. Despite the agreement on a full and comprehensive ceasefire that entered into force on 21 July 2019, the OSCE Special Monitoring Mission to Ukraine (SMM) has been recording numerous violations. A complete "silence" did not set in even after ceasefire-strengthening measures were agreed upon and signed on 22 July 2020. The text of that document clearly indicates that compliance with it falls within the remit of the Ukrainian armed forces and the armed formations of certain areas of Donbas, which were meant to issue corresponding orders.

In accordance with these measures, it is precisely orders issued specifically by these parties to the conflict that are meant to determine, among other things, the various aspects relating to the “creation and involvement of a co-ordination mechanism for responding to ceasefire violations through the facilitation of the Joint Centre for Control and Co-ordination (JCCC) in its current setting”. In other words, as part of direct co-operation between the Ukrainian military and the representatives of certain areas of Donbas in the JCCC. However, the Ukrainian Government is persistently blocking such co-operation.

It is against this backdrop that the Ukrainian military continues to deploy large-calibre heavy weapons against the civilian sector in Donbas, including critical public facilities, as confirmed by the SMM’s observations in May.

We are concerned about attempts to hinder the SMM’s monitoring activities, including the operations of its long-range unmanned aerial vehicles (UAVs), thanks to which hundreds of units of weaponry being transported by the Ukrainian military have been spotted in the past at railway stations in Donbas. As reported by the SMM, since 21 March the UAVs of this type have been experiencing considerable signal interference during take-off and landing in the vicinity of the settlement of Stepanivka (Donetsk region), which is controlled by the Ukrainian armed forces and is located approximately 30 km from the line of contact. This month, UAVs were forced to conduct emergency landings twice, namely on 6 and 17 May: on the latter occasion the UAV in question was damaged. In April, the SMM pointed out that the jamming was being done at the ground level (spot report dated 7 April). We would stress that within a radius of several tens of kilometres around Stepanivka there are only Ukrainian military and armed Ukrainian nationalists.

Over all the years of the conflict no clear explanations have been forthcoming as to how exactly Ukraine intends to resolve it by peaceful, non-military means and how the Ukrainian Government envisages the future status of Donbas within Ukraine. These are key questions to which Ukraine should, in accordance with the Package of Measures and United Nations Security Council resolution 2202, have responded on the day following the start of the withdrawal of heavy weapons, that is, from 9 March 2015.

For the time being, the representatives of Ukraine are taking a “consistent and principled position”, which involves not considering or even touching any proposals coming from Donetsk and Luhansk. As a result, the work at the TCG on the settlement process has been paralysed.

We call on the international community, including the OSCE and Ukraine’s external “minders”, to make maximum use of their capacities in order to induce the Ukrainian authorities to act in the interests of peace and civil accord on the basis of the implementation in good faith of existing commitments.

Thank you for your attention.