



Permanent Mission of Ukraine
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**Statement on “Russia’s ongoing aggression against Ukraine
and violations of OSCE principles and commitments”**

As delivered by the Delegation of Ukraine
to the 1090th meeting of the Permanent Council,
18 February 2016

Mr. Chairman,

I must start by noting that disturbing security developments in Donbas have received further impetus over the past week as Russia and its proxies demonstrated no intention to stop armed provocations against the Ukrainian forces and peaceful civilians. The situation on the ground remains highly volatile and prone to further deterioration.

Unfortunately, confrontational messages delivered by the Russian high officials at the last week’s Munich Security Conference leave little doubt that fuelling conflict is viewed by Moscow as the main tool to underpin its warlike threats to the international community. There could hardly be a different conclusion when the aggressor demanded the victim of aggression to halt a conflict while fully rejecting its own responsibility.

We all agree that the Minsk Agreements are a roadmap to peaceful resolution of the conflict. Ukraine has faithfully embarked on implementation of the Minsk Agreements since the first documents were signed in September 2014. At the last Permanent Council meeting we reminded in details what has already been done by Ukraine to implement the Minsk Agreements specifically on security and political tracks.

The problem remains the same – the steps taken by Ukraine have not been reciprocated by other signatories and, as any unilateral steps, cannot ensure the desired effect and expected results. It is well past high time for Moscow to start delivering on de-escalation path towards sustainable peaceful resolution. Regrettably, the present Russian position leaves little room for optimism.

Moscow continues to distort the logic and sequence of steps, envisaged by the Minsk Agreements, and to ignore its own commitments. The basics – full and comprehensive ceasefire, withdrawal of heavy weapons and full and unfettered OSCE SMM monitoring and verification throughout the conflict-affected areas are not yet present.

Moreover, the reports from the SMM, the Ukrainian Armed Forces and state civil-military administrations testify to the serious aggravation on the ground with the number of ceasefire violations by the pro-Russian militants continuing to grow. During 12-14 February the illegal armed groups opened fire 207 times, often – from 82 mm and

120 mm mortars. Yesterday – the shelling of Pervomayskoye by GRAD systems from the “DPR”-controlled Staromykhailivka, 2 salvos of 10 missiles each. The main hotspots, where the most intensive militants’ attacks have been registered, are in the areas of Horlivka, the Donetsk airport, Marinka, Krasnohorivka, Zolote, Zaitseve and Mayorsk.

Militants’ shellings and attacks of their subversive groups aim at provoking the Ukrainian Armed Forces to open fire in response and at shifting the responsibility for military escalation and disruption of the Minsk Agreements. 3 Ukrainian servicemen were killed and 19 were wounded during 11-16 February as a result of these armed provocations.

Serious restrictions by the illegal armed groups to the SMM’s freedom of movement in the occupied territory of Donbas, including the border areas, continue to obstruct their work. As in the previous weeks, the vast majority of incidents, reported by the Mission last week, were caused by the pro-Russian militants. We note with concern that the illegal armed groups not only deny monitors’ access to the areas of concern but also ban their contacts with the local population, as follows from the Mission’s weekly report of 10 February. The impediments to the SMM run counter to Russia’s commitments, including at the Normandy Summit meeting of 2 October 2015. We call on Russia to allow for full freedom of movement of the SMM in the occupied areas.

The recent reports prove that Russia continues to use the uncontrolled sections of its border with Ukraine to reinforce its proxies in Donbas with weapons and manpower. According to available information, new trains with weapons, ammunition and fuel arrived last week to Luhansk, Illovaysk and Khartsyzsk. Resumption of effective control at the entire Ukrainian-Russian state border remains critical for ensuring the peaceful resolution in Donbas.

Distinguished colleagues,

To our surprise last week the Russian Prime Minister spoke about the ceasefire violations in “southeastern Ukraine”. Such terminology reflects the geographical scope of planned aggression, encompassing 8 Ukrainian regions, as outlined by President Putin in March 2014. Fortunately, the Russian aggressive plans failed due to the courage of Ukrainian soldiers and the patriotic stance of the Ukrainian people throughout the country. Most of Ukraine’s south and east, except occupied Crimea and part of Donbas, enjoy peaceful life as Russian soldiers and weapons have been barred from there.

In contrast, the situation in the occupied areas of Donbas is worsened by Russia-backed militants. Crossing points along the line of contact and critical infrastructure get targeted by militants’ deliberate shellings. On 12 February the illegal armed groups shelled from the 120 mm caliber mortars the new crossing point “Zolote”, which was prepared for opening. As a result, the opening of the crossing point is delayed until security of the civilians could be guaranteed. Because of continuous shelling the work of crossing point “Maryinka” has been suspended. The militants shelled the area of

repair work on the gas pipeline in Maryinka, which resulted in its suspension, as reported by SMM on 13 February.

The lack of progress in release of hostages and illegally detained persons is a matter of utmost concern for Ukraine. More than 130 Ukrainians, who remain in captivity of the militants, face torture and other ill-treatment, including execution-style killings. At the last Normandy Ministerial meeting in Munich we again called on Russia to speed up their release on the basis of “all-for-all” principle, as it was agreed in Minsk.

Two days ago the Delegation of Ukraine circulated the Report «Surviving Hell: Testimonies of Victims on Places of Illegal Detention in Donbas» which documents gross and systemic violations of human rights of illegally detained persons by Russia-backed militants in the occupied areas of Donbas, including inhumane conditions, cruel treatment and tortures. The findings also testify to the direct involvement of the Russian regular troops in hostilities in Donbas, as well as to the military support the illegal armed groups receive from the Russian Federation.

We also take note of the recently issued Human Rights Watch Report “Studying under fire”, which contains a number of recommendations to the parties of conflict, including the Russian Federation.

Mr.Chairman,

We again draw attention to the extremely worrisome human rights situation in the Autonomous Republic of Crimea and the city of Sevastopol, illegally occupied by Russia.

We condemn the continuation of repressive actions of the Russian occupation authorities against the Crimean Tatar community, as its representatives were exposed to illegal searches on 11-12 February. 13 Crimean Tatars were detained under fabricated charges. The bid by the occupation authorities to ban the Crimean Tatar Mejlis to complement other repressions resembles the Soviet 1930’s repressive policies and 1944 genocide of the Crimean Tatars.

We take note that the Russian “Memorial” human rights center has recognized the Crimean Tatars illegally detained under the “case of 26 February”, in particular Ahtem Chygoz, Ali Asanov and Mustafa Degermendzhy, as political prisoners. The human rights experts point out to the political motivation of repressions and conclude that Russia has violated the 1949 Geneva Convention Relative to the Protection of Civilian Persons in Time of War.

We call on the Russian Federation to exercise its responsibility, as an occupying power, for stopping all human rights violations and repressions on the peninsula. We urge to allow free and unconditional access of international monitors to Crimea.

Distinguished colleagues,

As Ukraine and the OSCE community continue to be confronted by the Russian aggressive policy, there are also attempts made for creating “alternative Europe with alternative values”, as the President of Ukraine said in his speech in Munich. This Russia-promoted alternative has nothing in common with the values, which have made Europe the area of democracy, security, rule of law and economic prosperity and which underpin the OSCE.

It is our firm belief that in these challenging circumstances it is necessary to keep the unity of purpose and commitment to full respect of the fundamental principles and commitments as agreed in the Helsinki Final Act and other OSCE documents. As we urge Russia’s return to the tenets of international law, we urge it to halt its aggression against Ukraine and reverse the illegal occupation and annexation of the Autonomous Republic of Crimea and the city of Sevastopol.

Thank you, Mr.Chairman.

In response to the statement of the Russian delegation:

Mr.Chairman,

In response to the statement of the Russian delegation we wish to make the following remarks.

The statement delivered by the distinguished Russian representative gave every ground to conclude that not only the Russian Federation had not implemented the Minsk agreements until now, but that so far it has no intention to do so. Unfortunately, the Russian Federation does not demonstrate readiness to assume responsibility for delivering on the commitments it has undertaken. Notably, a general from the Armed Forces General Staff of the Russian Federation, who participated in the OSCE High-level seminar on Military Doctrines over the last two days, did not deny the presence of the Russian military in Donbas when asked with a specific question. To resolve the conflict in Donbas it remains imperative that Russia stops the supply of ammunition to the area, withdraws its military, fighters and weaponry as prescribed by the Minsk agreements.

Re-establishment of effective control at the Ukrainian-Russian state border in conflict-affected area is critical for sustainable de-escalation and resolution of the conflict. Para. 9 of the Minsk Package of measures provides for the start of resumption of the border control by the Government of Ukraine on the first day after the local elections in that area. As dialogue is underway in the Trilateral Contact Group to agree upon modalities of those elections, we see it as essential to launch a dialogue on resumption of border control by the Government of Ukraine. A Ukrainian proposal to establish a respective sub-working group in the TCG has so far been dismissed by Russia, we encourage Moscow to reconsider this position.

In the meantime, para. 4 of the Minsk Protocol contains an agreement on permanent monitoring and verification by the OSCE at the Ukrainian-Russian state border with the establishment of a security zone in border areas of Ukraine and, let me stress, the Russian Federation. This agreed provision has not yet been implemented. We would like to request the Chairmanship, and through the Chairmanship the OSCE Secretariat, to develop and present proposals on how this important measure can be practically realized.

The distinguished Russian representative alleged with dissatisfaction that Russian “big generals” from the JCCC were inspected when crossing the Ukrainian-Russian border. Let me point out that border controls is a normal practice which does not distinguish the rank of the officers while, in fact, no generals were present in the group of Russian officers from the JCCC. I would like to provide some more details about the border controls in question. On 27 January the military instruction materials, classified as “for restricted use”, were retrieved from the Russian JCCC officers captain S.Kutsenko and major A.Kornik on such topics: the conduct of explosive works and demining; mounting of vehicle machine-guns; set-up of fortification and defence facilities. On 2 February again numerous military instruction materials were found in the possession of colonel I.Kirsanov, lieutenant-colonel E.Anisimov, major D.Shangareyev, major A.Andriushkin. The topics included: the use of hand grenades, mines, explosives to destroy bridges, houses and other facilities; the use of MRLS “Smerch”, “Uragan” and “Grad”; recommendations on conduct of combat operations in residential areas; combat engagement of tank units in special conditions and many other specialized military topics. Contrary to the tasks of the JCCC, all of these materials are directly related to the training and conduct of military operations by the illegal armed formations in the occupied area. Lieutenant-colonel E.Popov, major S.Trofimenko and major Y.Frolov carried certified originals of their decoration by medals “Soldier-internationalist” of the so called “DPR”.

My last remark concerns the unfounded interpretations by the Russian representative on non-implementation of the Memorandum of 21 February 2014 aimed at resolving the political crisis in Ukraine at that time. I wish to remind that a representative of the Russian Federation participated, along with three ministers from the European countries, in discussions in Kyiv which led to the agreement on the provisions of the Memorandum. However, unlike other participants, he did not place his signature on the Memorandum. As became known later, on 20 February-18 March 2014 the Russian Federation launched a special military operation against Ukraine to illegally occupy and attempt annexation of the Crimean peninsula. Thus, as discussions with participation of the international mediators were underway in Kyiv on 20-21 February 2014, the Russian Federation resorted to an armed aggression against the sovereignty and territorial integrity of Ukraine. Two years since, we continue to grapple with the unabated aggression, which also fuelled a conflict in Donbas, and urge Russia to return to the tenets of international law, to abandon its aggressive policies and fulfill the commitments it has undertaken as means for peaceful resolution based on the norms of international law and the OSCE core principles.

Thank you, Mr. Chairperson.