



Permanent Mission of Ukraine
to the International
Organizations in Vienna

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Statement on Russia's ongoing aggression against Ukraine and illegal occupation of Crimea

As delivered by Ambassador Ihor Prokopchuk,
Permanent Representative of Ukraine to the International Organizations in Vienna,
to the 1220th meeting of the Permanent Council,
14 March 2019

Mr. Chairperson,

Last Thursday within the Trilateral Contact Group yet another arrangement was reached with Russia on recommitment to the ceasefire in Donbas, starting from Friday, 8 March 2019. The previous recommitment was made effective from 29 December 2018. Since then and until 7 March 2019 the Russian armed formations carried out, in particular, 251 attacks with the use of proscribed weapons, firing over 2600 mortar and artillery rounds at the Ukrainian military positions and residential areas. Russian attacks after the announcement of the ceasefire in end December killed 12 Ukrainian servicemen and left 105 wounded. We therefore underline the importance of ensuring a reliable, sustainable and long-lasting ceasefire and share the respective call of the CiO Special Representative Amb. M.Sajdik. The Ukrainian side fully honours its commitments and observes the ceasefire regime to save lives and civilian infrastructure from the continuous Russia's armed attacks. Regretfully, the last few days again show the lack of intention of the Russian side to act likewise. We continue to register deliberate shellings by the Russian armed formations, including with the use of Minsk-proscribed weapons, although on a smaller scale. In particular, the use of mortars of 82mm and 120mm calibre against the Ukrainian military positions near Popasna and Lebedynske on 9 March, the second day of the agreed ceasefire, was confirmed by the SMM in its daily report of 11 March: the SMM observed "five to six fresh impact craters, assessed as caused by 82mm mortar rounds, in a field about 50m from the forward position of the Ukrainian Armed Forces in the eastern outskirts of Popasna" and heard "three explosions assessed as outgoing rounds and about 40 bursts and shots of small-arms fire" while positioned in Russia-occupied Pikuzy located close to government-controlled Lebedynske. It is notable that the Russian proxies attempted to prevent the SMM patrol from proceeding to Pikuzy through the checkpoint west of Verkhnochyrovivske earlier the same day and allowed the patrol to pass only after a significant delay. In the days that followed the Russian armed formations again used mortars of different calibre and other weapons to carry out their attacks. Yesterday 2 Ukrainian servicemen were

wounded. This repeats the previously witnessed pattern of Russian behaviour and violations. The SMM makes a correct assessment that despite “fewer ceasefire violations and fewer instances of the use of Minsk-proscribed weapons compared with the previous reporting period, the recommitment to a comprehensive, sustainable and unlimited ceasefire agreed within the TCG is still pending compliance”. We urge the Russian side to implement in good faith its commitments on security aspects of the Minsk agreements as establishment of the necessary security environment is the basic requirement for progress in other areas.

Mr. Chairperson,

We fully subscribe to the continued strong support of the SMM, expressed by the OSCE Chairperson-in-Office and Secretary General in a joint statement of 8 March 2019. It is the imperative for the SMM to have secure and unimpeded access to fulfil their mandate and strengthen the work of the monitors directly contributing to the prevention of further escalation. We all know where systematic restrictions of the SMM’s freedom of movement, threats and intimidations take place – in parts of the Donbas region illegally occupied by the Russian Federation. The respective SMM’s thematic report of 28 February 2019, which was discussed in the last PC meeting, presented a comprehensive summary of these restrictions alongside continuing alarming trends in Russia-controlled parts of Donbas. Among the most recent examples is the incident near Sakhanka, where “a civilian car with three armed men in military-style clothing inside manoeuvred towards the first SMM vehicle, almost colliding with it, and then stopped in front of the second SMM car, blocking its way”. We again remind that the whole Russia-occupied part of Ukraine between the city of Mariupol and the state border, adjacent to the Sea of Azov, remains an area, where the SMM is denied access by the Russian armed formations. Sakhanka, Verkhnohshyrokiivske, Pikuzy, Novoazovsk, Siedove – constant restrictions to the SMM at these locations are well known to the participating States from the SMM’s daily and weekly reports.

Throughout the occupied parts of Donbas, the aerial imagery available to the SMM reveals the presence of dozens of MLRS, tanks, mortars, and self-propelled and towed artillery near Miusynsk, Sadovyi, Khrustalnyi, Buhaivka, Shymshynivka and Ternove. These weapons are only a fraction of the large amount of Russian heavy weaponry and military equipment, moved by the Russian Federation into Donbas to advance the aggression against Ukraine. As long as the OSCE and the SMM are denied permanent monitoring at the border by the Russian armed formations, Russia continues to maintain uninterrupted resupplies of weapons and ammunition. The SMM’s ability to register Russia’s movements and weapons on the Ukrainian territory remains severely undermined by the ongoing attacks of the Russian armed formation on the Mission’s technical assets. The Russian side defies all calls by the participating States for explanations concerning two SMM’s long-range UAVs, downed in the Russia-occupied parts of Donbas in October 2018 and February 2019. We strongly urge Russia to provide respective explanations, including on the SMM-registered presence in Donbas of modern electronic warfare equipment, used exclusively by the Russian Armed Forces.

Illegal transfers across the Ukrainian-Russian border continue. For instance, despite severe restrictions, the SMM patrol at a border crossing point near Uspenka managed to register again covered cargo trucks exiting Ukraine; the Border Observer Mission at Russian Checkpoints Gukovo and Donetsk registered 14 trains travelling to the Russian Federation and nine to Ukraine in one single week at one single checkpoint of Gukovo (based on information as of 5 March 2019). We underline the importance of unimpeded and permanent OSCE monitoring along the entire segment of the border, controlled on both sides by the Russian forces, to have transparency relating to cross-border movements. We strongly encourage the OSCE Chairmanship and the CPC to attach priority to the border as a matter of implementation of the Minsk agreements and an important measure for confidence-building. We would appreciate an update on the planned next steps in this regard.

Mr. Chairperson,

The status of the Ukrainian servicemen captured as prisoners of war by the Russian forces in the attack near the Kerch Strait on 25 November 2018 is protected by the norms of international humanitarian law. The Russian authorities breach the respective norms in an intentional and gross manner. Now the Russian authorities force the captured Ukrainian servicemen to undergo a psychiatric examination in a further flagrant breach of the applicable Geneva Conventions. We strongly urge Russia to release the captured Ukrainian sailors without delay and, until that happens, to respect unconditionally their status as prisoners of war. We also call upon the Russian authorities to release Ukrainian citizens illegally detained in the temporarily occupied Crimea and in the territory of the Russian Federation. We reiterate readiness of the Ukrainian side to release Russian citizens convicted for crimes in Ukraine against Ukraine and who appealed to the Russian President for their return to the home-country, in exchange for release by Russia of illegally detained Ukrainian citizens. For now Russia refuses to discuss this important issue. We request facilitation of the OSCE Chairmanship and Secretary General to achieve solution of this humanitarian priority.

Distinguished colleagues,

This week, the Office of the UN High Commissioner for Human Rights released its 25th report on the situation of human rights in Ukraine covering the period from 16 November 2018 to 15 February 2019. The report provides, in particular, factual evidence of deliberate and systematic violations of human rights, fundamental freedoms and norms of international humanitarian law by the Russian occupation authorities in Crimea and Sevastopol. This dire situation is aggravated by continuing failure of the Russian Federation to acknowledge its status as an occupying power in Crimea, which resulted in failure of Russia's state actors to recognize and ensure obligations related to applicable occupation law. Despite an explicit prohibition under international humanitarian law, the Russian Federation continues illegal deportations of protected persons from Crimea (at least 435 individuals in 2018) and compulsion of Crimean residents into its Armed Forces. During the latest conscription campaign, which ended in December 2018, approximately 2,800 men from Crimea were

enlisted, bringing the overall number of Crimean conscripts to at least 14,800 men. Moreover, as stated by the UN HR Mission, during 2018 the criminal prosecution of Crimean residents for evading Russian military drafts has intensified, with at least 21 guilty so called “verdicts”.

Specific communities in Crimea continued to be disproportionately affected by illegal actions of the Russian occupation authorities. They include Crimean Tatars who suffer from pattern of criminalization of affiliation to or sympathy towards religious Muslim groups, banned in the Russian Federation, including trials and long prison sentences, and human rights defenders, civic activists and journalists, who are perceived by Russia as critics of Crimea’s occupation. They face overall hostile attitude of the Russian occupation authorities, including persecutions and ban on entry.

The facts of gross human rights violations established by the UN HR Mission from its presence in mainland Ukraine remind us about ongoing denial by Russia of permanent monitoring presence of international organisations in Crimea. This denial also affects the OSCE, its institutions and the SMM, barring them from the peninsula for now 5 years since the beginning of the illegal occupation. We call on the OSCE participating States and executive structures to remain fully seized of particular threats to human security under foreign occupation, and to strengthen their pressure on the Russian Federation to make it stop its repressive policies in the occupied Crimea and to allow an international presence on the ground.

We again urge the Russian Federation to reverse its illegal occupation of Crimea and to stop its aggression against Ukraine, including by withdrawing its armed formations from the temporarily occupied territories of Ukraine and fully implementing its commitments under the Minsk agreements.

Thank you, Mr. Chairperson.