



United States Mission to the OSCE

Ongoing Violations of International Law and Defiance of OSCE Principles and Commitments by the Russian Federation in Ukraine

As delivered by U.S. Chargé d'Affaires a.i. Kate M. Byrnes
to the Permanent Council, Vienna
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Two weeks ago, Ambassador Apakan warned the Permanent Council that the ceasefire in eastern Ukraine was “defined more in its breach than its observance.” Tragically, his words are proving true. The OSCE’s Special Monitoring Mission to Ukraine (SMM) has recorded thousands of explosions over the past few days. This is the heaviest fighting since combined Russian-separatist forces captured Debaltseve in January 2015.

We are particularly concerned that fighting continues unchecked in Avdiivka, despite efforts by Ukrainian authorities to end the violence. Ukraine called for the restoration of the ceasefire, and for security guarantees to be provided to OSCE monitors, so that repair teams can work to restore electricity, water, and heat to 17,000 people in Avdiivka. Efforts undertaken yesterday to get critical infrastructure working again had to be suspended when repair teams were fired upon. Ukraine has taken significant steps to provide emergency heating and evacuate residents from Avdiivka if necessary. Similarly, Ukraine called for an emergency Permanent Council meeting, as well as an emergency Trilateral Contact Group meeting, in an effort to find a way forward. Combined Russian-separatist forces have not demonstrated an intention to end the fighting or alleviate the humanitarian crisis in Avdiivka.

We must not forget the fact that this is a conflict that has already claimed more than 10,000 lives. The Special Monitoring Mission confirmed the loss of six more Ukrainian civilians last week. On January 15, in the village of Irmino, a 27-year-old man was killed in his garden by an incoming projectile. Two days later, a 58-year-old man died after stepping on a landmine in separatist-held Zhovte.

Continued conflict has forced the displacement of 1.6 million people from the Donbas and driven 1.1 million outside of Ukraine. These people should be able to return to their homes. The United States appeals again for the re-opening of the Zolote civilian crossing point, which has been delayed for over a year since the Humanitarian Working Group agreed to the re-opening. Disengagement has already been carried out at the site. Refusal by Russia and the separatists to follow through on their pledge to reopen the crossing point is yet another act of callousness toward the civilians living in the areas under their control, like the restrictions placed on access by international aid organizations, which are imposed without justification.

Colleagues, there can be no confidence in the ceasefire if the Special Monitoring Mission is unable to verify it. Every obstruction or threat put in the way of the SMM and its monitors and every refusal to remove mines which block key patrol routes blinds the international community and makes fighting all the more likely. Indeed, the Special Monitoring Mission has commented on the correlation between ceasefire violations, weapons in violation of withdrawal lines, and access restrictions on the SMM. If there is to be a sustained ceasefire, all restrictions against the SMM must finally come to an end.

Weapons must also be withdrawn and placed into storage sites, as stipulated in the Minsk agreements. Before weapons can be verified as withdrawn, however, they must first be accounted for. SMM Chief Monitor Apakan requested in November 2016 that forces declare the location of all weapons regulated under the Minsk agreements. To date, combined Russian-separatist forces have declared only an insignificant fraction of their arsenal.

The United States remains deeply concerned by the recent increase in politically-motivated detentions and arrests in Russia-occupied Crimea targeting human rights lawyers and activists. On January 25, Russian security services forcibly detained lawyer Nikolai Polozov in Simferopol to prevent him from representing Ilmi Umerov. Mr. Umerov is the deputy head of the outlawed Crimean Tatar's self-governing body, the Mejlis, which the occupation authorities outlawed. He is facing fabricated charges of separatism. Similarly, Crimean Tatar lawyer Emil Kurbedinov and Crimean Tatar activist Seyran Saliev were arrested on January 26 for their activities defending other persecuted Crimean Tatars, followed by searches of their homes and offices by security services. This repression, backed by the presence of Russian military forces, is targeted against who dare to speak out against Russian occupation.

Crimea remains an integral part of Ukraine within its internationally-recognized borders. We call on all OSCE participating States to condemn Russia's occupation and attempted annexation of Crimea. Crimea-related sanctions will remain in place until Russia ends its occupation and returns full control of the peninsula to Ukraine. We also join our European and other partners in restating that our sanctions against Russia for its aggressive actions in eastern Ukraine will remain until Russia fully implements its commitments in the Minsk agreements.

Thank you, Mr. Chair.