



**United States Mission to the OSCE**  
**Response to Special Representative of the  
OSCE Chairperson-in-Office in Ukraine  
Ambassador Martin Sajdik  
and OSCE Special Monitoring Mission  
Chief Monitor Ertugrul Apakan**

As delivered by Ambassador Daniel B. Baer  
to the Special Permanent Council, Vienna  
November 4, 2015

Ambassadors Sajdik and Apakan, we welcome you back to the Permanent Council. Your appearance obviously comes at a critical juncture in the implementation of the Minsk agreements. In spite of President Putin's statements in Paris on October 2, separatists are still threatening to walk away from their political commitments under Minsk and are blocking humanitarian aid that places countless lives at risk.

Meanwhile, combined Russian-separatist forces deny the OSCE's Special Monitoring Mission (SMM) access to large portions of the conflict zone, including up to the border.

The September 1 ceasefire is under growing pressure from recent incidents on the line of contact, in particular at the Donetsk airport. Indeed, as Ambassador Sajdik noted, in the last week we've seen a worrying uptick in violence. There have been reports of small groups of Russian-led separatist fighters coming across the line of contact to stage attacks on Ukrainian positions, resulting in new casualties.

Ambassadors Sajdik and Apakan, as you know, these incidents challenge your work, and they challenge the prospects for a peaceful settlement to the crisis in eastern Ukraine.

Unfortunately, the separatists still refuse to implement their political commitments under Minsk.

Alexander Zakarchenko, leader of the so-called "Donetsk People's Republic," publicly rejected Ukrainian political parties participating in elections held in separatist-controlled Donetsk.

Likewise, Igor Plotnitsky, head of the so-called "Luhansk People's Republic," made a similar statement when he said elections in Luhansk "will have nothing to do with Ukraine."

This rhetoric came just after the Ukrainian government, on October 27, put forward in the Trilateral Contact Group's political working group a comprehensive Donbas elections proposal that addressed some of the separatists' concerns, including interim amnesty.

As our distinguished Russian colleagues regularly remind the Permanent Council, there is no alternative to Minsk. We fully agree. There was much in the Russian statement today with which I disagree, but I just wanted to flag one thing, which is that we heard today an admonition not to discredit the Minsk Package of Measures. It's important to remember that Russia's own massive violation in Debaltseve, immediately after signing the Minsk Package of Measures, is the single greatest discrediting of the Minsk Package of Measures to date. It is only through Ukrainian goodwill in continuing to implement Minsk that the Minsk agreements have remained the frame for resolving the crisis. Nonetheless, when the Russian Federation says that there is no alternative to Minsk, we fully agree: elections in Donbas must be according to Ukrainian law and meet OSCE standards. That is why we again call on the Russian Federation to use its significant influence on the separatists to compel them to engage substantively and in good faith in the political working group. And of course, we urge the Russian Federation to engage seriously and in good faith as well.

Maintaining and consolidating the ceasefire is a necessary condition for political progress. The United States welcomes efforts to implement the Supplemental Weapons Agreement. On October 31, the SMM visited weapons storage sites on both sides of the line of contact and found many weapons accounted for. However, the SMM also found tanks and other weapons amassed just beyond the 15km withdrawal line, from where they could be quickly redeployed to engage in combat. We therefore look to the security working group to work toward agreement on additional measures to safely contain weapons beyond the withdrawal lines. As you said, Ambassador Apakan, it is in the interest of all on the ground that weapons are withdrawn and safely stored.

We also would like to underscore the importance of maintaining the implementation timeline of the existing weapons withdrawal agreement, which requires, for example, the withdrawal of mortars this week.

Any agreement will mean little if it is implemented without transparency. That requires commitment from forces on both sides of the line of contact. Increasing the SMM's monitors on the ground, in particular with new forward patrol bases, is indispensable to bringing about transparency, which can serve as the basis for trust and further de-escalation of the conflict. Nonetheless, as we just heard, Russia-backed separatists block SMM access in Luhansk, jam the SMM's UAVs, and have not permitted the SMM to open more than one forward patrol base on territory they control.

These actions raise doubts as to whether combined Russian-separatist forces are truly committed to resolving this conflict via the Minsk agreements. We therefore look to the Russian Federation to assist Ambassador Apakan and his monitors by giving the SMM full access to the conflict zone, including Ukraine's international border with the Russian Federation. We also call on the Russian Federation to allow the SMM to fulfill its mandate on the Crimean Peninsula, which remains an integral part of Ukraine.

Ambassador Apakan, the SMM's use of innovative technology, such as UAVs and satellite imagery, has dramatically expanded your mission's coverage of the conflict areas. Here I

would also like to agree with the distinguished Russian ambassador: other technologies can also enhance the SMM's capabilities. We encourage the mission to build on the recommendations made by the SMM's security consultants and integrate acoustic and seismic sensors, radar, static cameras with night-vision optics, and other technologies into its monitoring activities. We also encourage the SMM to look to participating States to provide expertise to help the mission more quickly and more fully utilize these technologies.

SMM reporting continues to draw attention to the complex and critical humanitarian situation in the Donbas. The SMM has highlighted, for example, the plight of the separatist-controlled village of Ratvka. The residents cannot rely on wells because of power cuts, and are afraid to get water from the nearby river because of insecurity and the presence of mines and unexploded ordinance. The SMM's weekly report on October 29 also noted a worrying trend on "non-controlled" incidents that could not be firmly attributed to de-mining, training, or non-military activity. This situation underscores the importance of an agreement on demining and unexploded ordinance, including on mapping, marking, fencing and removal, in the security working group.

The situation in Ratvka, and elsewhere in separatist-controlled territory, shows the vital importance of humanitarian aid. On October 29, the OSCE Observer Mission at the Russian checkpoints at Gukovo and Donetsk counted a 42nd convoy of white trucks crossing from Russia into Ukraine illegally, most labeled as carrying "humanitarian aid" from the Russian government that did not enter Ukraine according to Ukrainian law or international humanitarian standards. It is time for the Russian Federation to cease this practice and allow for genuine international humanitarian access before the winter completely sets in. Ukraine still has not received a response to its proposal made to the Russian Ministry of Emergency Situations to allow inspections in Kharkhiv before the purported humanitarian assistance is delivered to Donbas. We again call upon the humanitarian working group to establish an international aid coordination mechanism for the conflict zone, as called for in the Minsk Package of Measures. This must get done to ensure that humanitarian aid can reach those who need it most. Accordingly, we appeal again to the Russian Federation to make it clear to the rest of the international community that, it too, opposes cutting off access to critically-needed aid in separatist-controlled territory.

Communication is indeed vital in times of conflict. Ambassador Sajdik, we appreciate your efforts to promote progress on political, economic, security, and humanitarian issues in your work with Russia and Ukraine in the Trilateral Contact Group. We encourage you to continue to speak out in support of the full implementation of the Minsk Protocol and Memorandum, and Package of Measures aimed at their implementation.

Ambassadors Sajdik and Apakan, we thank you again for your reports to the Permanent Council and your efforts in support of the full implementation of the Minsk agreements and a lasting settlement to the conflict in Ukraine.

Thank you, Mr. Chair.