



EUROPEAN UNION

**OSCE Permanent Council N° 1183
Vienna, 26 April 2018**

EU statement in Response to Briefings by the Special Representative in Ukraine of the OSCE Chairperson-in-Office and in the Trilateral Contact Group, Ambassador Martin Sajdik and the Chief Monitor of the OSCE SMM, Ambassador Ertugrul Apakan

Mr. Chairperson, the EU welcomes Ambassadors Sajdik and Apakan to the Permanent Council and commends them for their perseverance and dedication.

This week we commemorate paramedic Joseph Stone. While traveling in an SMM patrol in the vicinity of Pryshyb, a village in eastern Ukraine under the control of Russia-backed separatists on 23 April 2017, the car he was in hit a mine and he tragically lost his life. Two of Joseph Stone's colleagues were also seriously injured during the blast. It left us saddened and shocked and our thoughts go to his family, friends and loved ones as well to our US colleagues. We are deeply grateful to Mr Stone for his service to our Organization and to European security.

His death underscored the increasingly dangerous conditions under which the monitors work. It should have given impetus to the sides to undertake comprehensive mine action which would allow for safe and secure access throughout Ukraine for the SMM. Regrettably, this has not been the case. In breach of commitments given by the sides, the SMM has been observing new trenches, fresh tracks and laying of new mines. Mines put not only SMM monitors at risk, but also civilians. As reported by the SMM, 18 out of 21 civilian casualties during the last reporting period were caused by mines and UXOs. It is therefore with great concern that we read in your report, Ambassador Apakan, that new mines were also laid near populated areas for the first time. We condemn these actions in the strongest possible terms and call on all sides to refrain from laying new mines, and to mark, fence and clear existing mines.

You also point to the fact that during your last reporting period, you have observed a twofold increase in restrictions to SMM's freedom of movement. The overwhelming majority of these restrictions happen in areas held by Russia-backed separatists, where we have also seen numerous incidents threatening behaviour directed at the SMM monitors. Such behavior is unacceptable and must stop. The safety of the monitors is of our utmost concern and we call on Russia to use its considerable influence over the separatists it backs to stop this.

Ambassador Apakan, you point to the systemic and recurring impediments to the SMM's monitoring of the uncontrolled Ukrainian-Russian state border by Russia-backed separatists. We reiterate that the SMM must be ensured safe and unhindered access to all parts of the border currently not under Ukrainian government control since border and ceasefire monitoring are very closely interlinked. We underline the urgent need to agree on the extension of the mandate of the Border Observation mission and repeat our call for its significant expansion.

At the same time the overall security situation remains volatile and unpredictable with constant ceasefire violations. Given this difficult and dangerous context, we welcome that the Standard Operating Procedures for patrolling that have been developed following the report of the OiO are now ready to be implemented. We are looking forward to being updated on progress at the next opportunity. Ambassador Apakan, we further welcome your endorsement of the Gender Equality Action Plan for 2018/2019 and applaud you for your personal attention to this matter. We look forward to seeing this plan being put into practice, having an operational impact in the mission and on the ground.

Ambassador Sajdik, we reiterate our full support to the TCG and its working groups. We appreciate your efforts in facilitating a peaceful resolution in line with OSCE principles and commitments, through the implementation of the Minsk agreements. We heard the views expressed by the Chair of the Permanent Council and we agree that your mandate does not include providing legal interpretations of the agreements signed by the parties or to conduct comparative analysis. We strongly urge the sides to live up to their commitments and translate these into progress on the ground. Living up to these commitments is vital to reduce civilian casualties, which Ambassador Apakan's report demonstrates are alarmingly high.

Ambassador Sajdik, last week, Mr. Per Fischer briefed participating States on the work of the economic working group. We commend him, as well as other

coordinators for their tireless efforts and especially Mr Fisher's ability to bring about small but significant results in an increasingly difficult situation. We were concerned to hear from him that the sides have been driven further apart and that economic and social connectivity has declined. He underlined that essential civilian infrastructure was threatened by shelling and that despite commitments given by the sides in the TCG, the SMM had great difficulty establishing windows of silence for repairs in order to avert ecological and humanitarian disasters. Recent events at the Donetsk Filtration Station highlight the importance of the protection of key infrastructure and the civilians working there. We strongly urge all sides to comply with their commitments, halt fighting and withdraw their troops and equipment. We call on the sides to agree to the urgently needed repair and maintenance work of flooded coalmines in the conflict area in order to avoid an environmental catastrophe affecting hundreds of thousands of people in the region.

In this regard, Ambassador Apakan, you report that the withdrawal of the Russian Federation from the JCCC has had a negative impact on its effectiveness. During this reporting period, the JCCC has been able to facilitate only 48 security guarantees allowing for repairs of civilian infrastructure compared with 152 in the previous reporting period. This underscores the importance of a well-functioning JCCC and we reiterate our call for the Russian Federation to return to the JCCC, calling also on Russia and Ukraine to re-establish the functionality of the JCCC and to strengthen cooperation within its framework. In this context, let us underline that any interaction should not be interpreted as legitimizing the status for the so-called "LPR" and "DPR" and we would be interested in continuous updates on the practical implications of the Russian withdrawal for the SMM.

Ambassador Apakan, we join you in deploring that the SMM's UAVs continue to be targeted, either by small arms fire or jamming, in violation of the SMM mandate and the Minsk agreements. We strongly reiterate our call on the sides to respect these commitments. The operational, security and financial consequences of these obstructions must be assessed and the parties responsible for any damage, destruction or loss of SMM UAVs should be held accountable, including politically and financially.

We remain firm in our call on all sides to swiftly and fully implement the Minsk agreements and honour their commitments in full in order to achieve a sustainable political solution in line with OSCE principles and commitments. Respect for these

principles and commitments must be restored. We call on Russia to fully assume its responsibility and to use its considerable influence over the separatists it backs to meet the Minsk commitments in full. We again call on Russia to immediately stop providing financial and military support to the separatists, and we remain deeply concerned about information on the presence of Russian military equipment and personnel in separatist-held areas. The duration of the European Union's economic sanctions against Russia is linked to the complete implementation of the Minsk agreements.

The EU recalls its unwavering support to the sovereignty, territorial integrity, unity and independence of Ukraine within its internationally recognised borders, and calls upon Russia to do likewise. We urge Russia to recognise these fundamental principles that it has itself invoked many times and to contribute, by acts and public pronouncements, to stabilising the situation and reversing moves that contravene these principles. We reiterate our strong condemnation of the illegal annexation of the Autonomous Republic of Crimea and the city of Sevastopol to the Russian Federation and we will not recognise it. We do not recognise the holding in the Crimean peninsula of elections by the Russian Federation, as this is Ukrainian territory. The European Union will remain committed to fully implement its non-recognition policy, including through restrictive measures.

The Candidate Countries the FORMER YUGOSLAV REPUBLIC OF MACEDONIA*, MONTENEGRO* and ALBANIA*, the Country of the Stabilisation and Association Process and Potential Candidate BOSNIA and HERZEGOVINA, and the EFTA countries ICELAND and LIECHTENSTEIN, members of the European Economic Area, as well as UKRAINE, the REPUBLIC OF MOLDOVA and GEORGIA align themselves with this statement.

* The Former Yugoslav Republic of Macedonia, Montenegro and Albania continue to be part of the Stabilisation and Association Process.