



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 1168th meeting of the Permanent Council,
14 December 2017

Mr. Chairperson,

The discussions at the OSCE Ministerial Council last week in Vienna have again testified to the broad recognition that the on-going Russian aggression against the territorial integrity and sovereignty of Ukraine remains the gravest threat to the European security. The illegal occupation and attempted annexation of the Autonomous Republic of Crimea and the city of Sevastopol, grave human rights violations in the peninsula constitute flagrant breaches of the OSCE principles and commitments. The hybrid warfare led by the Russian mercenaries and troops in certain areas of the Donetsk and Luhansk regions of Ukraine continues to take away scores of lives of civilians and Ukrainian servicemen, sow destruction and bring sufferings and hardships to millions of people living in parts of Donbas under Russia’s effective control, with the flags of the Russian Federation flying “outside certain public buildings” in the Luhansk city as reported by the SMM.

On 4 December 2017 the International Criminal Court released its Report on preliminary examination activities 2017 where it recalls its assessment that the situation within the territory of Crimea and Sevastopol amounts to an international armed conflict between Ukraine and the Russian Federation, which entails application of respective international law. While examination of available information on the conflict in parts of Donbas is ongoing, it points out that “the existence of a single international armed conflict in eastern Ukraine would entail the application of articles of the Statute relevant to armed conflict of an international character for the relevant period”.

Mr. Chairperson,

Russia’s presence as an invasion force in Donbas continues to be registered by the SMM even under the conditions of significant and systematic restrictions imposed upon the activities of the SMM in the areas controlled by the Russian hybrid forces.

The armed persons “with military-style clothing bearing the image of a black bat” (the emblem of the military intelligence of the Armed Forces of the Russian

Federation) keep moving around Donbas, most recently spotted by the SMM in Dmytrivka 85km east of Donetsk.

The Russian heavy weapons continue movement in the non-government controlled areas of Donbas, while further intentions of the Russian military command are unknown. Enough is to look at the fluctuating numbers of combat tanks observed by the SMM in Manuilivka 65km east of Donetsk and reported in the daily reports of 30 October and 6 December, and weekly report of 29 October.

The large numbers of the heavy weapons and military equipment, including “military-type vehicles arranged in column formations”, as observed by the SMM on 28 November near Buhaivka 37km south-west of Luhansk, the constant supply of fuel and ammunition point out to the readiness of the Russian hybrid forces to launch military offensives at any time when Moscow deems necessary.

The SMM cameras at the Donetsk Filtration Station and in Shyrokyne continue to register daily dozens and hundreds of projectiles in flight from east to west, indicating Russia’s intent to maintain provocations and hostilities. Access of the SMM patrols to the towns of Siedove and Novoazovsk near the Ukrainian-Russian state border continues to be systematically denied which enables Russia to conceal its military presence in that area.

The Russian hybrid forces intimidate the SMM patrols, restrict their access to the permanent weapons storages and aim to damage the SMM assets with the purpose of “blinding” the Mission. A week after the SMM UAV had been fired at near non-government controlled Dovhe on 27 November, the SMM spotted newly dug trenches and underground bunkers near the same Dovhe on 2 December.

The Russian hybrid forces have no sympathy for civilians and their fate as they keep shelling the objects of critical civilian infrastructure at the contact line in Donbas and deliberately heighten the risk of ecological and humanitarian disasters. Last week, the Donetsk Filtration Station was shelled again and the SMM reported on 5 December about fresh impact sites “caused by a mortar round fired from a south-south-easterly direction”, where the positions of the Russian hybrid forces are located. Earlier, the SMM reported about attacks at DFS on 15 and 16 November, when the SMM camera recorded the incoming explosions very close to it. The projectiles were fired “from a southerly direction, in the vicinity of known “DPR” forward positions”.

The SMM weekly report of 29 November points out that the repairs of a number of installations, which have already been damaged by the shellings, “remain stalled due to lack of security guarantees from the armed formations”, as is the case with the Krasnohorivka gas distribution centre and the water pipeline near Avdiivka.

These observations are extremely important for clear understanding of Russia’s ongoing aggression and the utter cruelty of its behavior under the cover of Moscow’s political declarations to the contrary.

Distinguished colleagues,

This situation makes it imperative to maintain and even strengthen the international pressure on Russia to make it implement its commitments under the Minsk agreements. Russia must stop the aggression and withdraw its troops and

weapons from the sovereign territory of Ukraine. It depends on Russia to allow the OSCE to play the role agreed to by Moscow as defined in the Minsk agreements. The rejection of this OSCE's role by the Russian delegation during the negotiations on the draft Declaration on the OSCE's response to the crisis in and around Ukraine in the run-up to the last week's OSCE Ministerial Council can only be viewed as another testimony of Russia's unwillingness to implement the Minsk agreements. In this connection we wish to remind the Russian delegation that the Minsk agreements assign a specific role of the OSCE in: monitoring and verification of the ceasefire regime; ensuring the permanent monitoring of the Ukrainian-Russian border and verification with the creation of safety zone in the border regions of Ukraine and the Russian Federation; monitoring the ban on the deployment of heavy weapons and military equipment in designated areas; monitoring the withdrawal of the heavy weapons from the specified line of contact; monitoring the withdrawal of all foreign armed formations, military equipment, as well as mercenaries from the territory of Ukraine; and monitoring local elections, to be held in accordance with Ukrainian legislation and relevant OSCE standards.

The implementation by the OSCE of the above agreed functions is effectively denied by the Russian Federation and its forces in Donbas, which necessitates a heightened attention to this issue on the part of the OSCE Chairmanship and the CiO's Special Representative.

Mr. Chairperson,

Throughout this year a lot of attention was paid to the plight of civilian population in the conflict-affected areas of Donbas. To our deepest regret, these people continue to suffer as the Russian invasion force maintains hostilities and occupation, neglecting the needs, rights and freedoms of the civilians living in the certain areas of the Donetsk and Luhansk regions of Ukraine.

They refused to open a crossing point in Zolote when a crossing point in Stanytsia Luhanska, a single one in the Luhansk region, was closed for two days to enable repairs of the damaged bridge. Instead, the Russian proxies suggested that the civilians use the border check-point point in Izvaryne, at the uncontrolled segment of the Ukrainian-Russian state border. They keep preventing civilian traffic through the village of Nova Marivka by deliberately placing an 82mm mortar round in the surface of a road, as informed in the SMM daily report of 6 December. They cut electricity (which also affected the water supply) to the village of Travneve as stated in the SMM weekly report of 29 November. Electricity has been later restored by the Ukrainian authorities on 10 December.

When the SMM patrols attempt to establish contact with the local population, in order to gather information and to establish facts in full compliance with the SMM mandate, they are continuously denied such contacts by the Russian hybrid forces. The medical staff at hospitals in the non-government controlled areas of Donbas is intimidated and instructed "not provide information on reported civilian casualties to the SMM without the permission" of militants. As highlighted in the SMM daily report of 6 December, "while the SMM was speaking with staff at the hospital, another staff member told the SMM that the OSCE was not on the list of

organizations with which he was allowed to talk.” On 8 December, when the OSCE monitors were talking to a group of civilians near a checkpoint in Horlivka, “armed “DPR” members approached the SMM” and “told the SMM to stop talking to civilians and leave the area”.

Distinguished colleagues,

Last Sunday, the international community observed the Human Rights Day marking the adoption of the Universal Declaration of Human Rights by the UN GA nearly 70 years ago, in 1948. Presently in the OSCE area the most glaring violations of human rights happen in the territories, illegally occupied by the Russian Federation and placed by force under its effective control – the Autonomous Republic of Crimea and the city of Sevastopol, and a part of Donbas region in Ukraine.

Last week in Vienna two deputy chairmen of the Crimean Tatar Mejlis Ilmi Umerov and Akhtem Chiygoz shared their personal experiences and shocking stories of persecution and impunity for crimes against Crimean Tatars and others. Thousands of people continue to suffer every day. On Monday, another Crimean Tatar and civil society activist Rustem Osmanov was detained in Bakhchysarai. His name is now added to the long list of civil society activists, journalists and lawyers persecuted by the Russia’s occupation regime and fake “courts” to silence opposition to the occupation.

In the next few days, the UN General Assembly will vote for the resolution “Situation of human rights in the Autonomous Republic of Crimea and the city of Sevastopol (Ukraine)”. We once again call upon all OSCE participating States and Partners for Co-operation to give their votes for this resolution as one of the instruments to put an end to grave violations of human rights and fundamental freedoms in Crimea.

As the ultimate restoration of numerous violated rights can only be achieved through de-occupation of Crimea, we again strongly urge the Russian Federation to return to the tenets of international law by reversing the illegal occupation of Crimea and Sevastopol, and by stopping its aggression against Ukraine, including by withdrawing its troops from the Ukrainian territory.

Thank you, Mr. Chairperson.