



Permanent Mission of Ukraine
to the International Organizations in Vienna

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Statement in Response to Ambassador Martin Sajdik, Special Representative of the Chairperson-in-Office, and Ambassador Ertuğrul Apakan, Chief Monitor of the OSCE Special Monitoring Mission to Ukraine

As for delivery by the Delegation of Ukraine
to the 1145th meeting of the Permanent Council,
11 May 2017

Mr. Chairman,

The Delegation of Ukraine warmly welcomes Ambassador Martin Sajdik, the OSCE Chairperson-in-Office Special Representative, and Ambassador Ertuğrul Apakan, Chief Monitor of the OSCE Special Monitoring Mission to Ukraine, back to the Permanent Council and thanks them for their comprehensive reports.

These reports were presented in the wake of the tragic incident of 23 April, when an SMM member was killed and two monitors were injured, as well as against the backdrop of continuing threats, intimidation and harassment directed at the SMM in the areas of the Donbas region of Ukraine controlled by the hybrid Russian forces. We underscore the importance of swift and thorough investigation of the incident of 23 April and bringing the responsible to account. The respective criminal investigation was launched by Ukraine's law-enforcement authorities. We strongly condemn the recurrence of intimidation of the SMM monitors in the non-government controlled areas. In particular, it concerns the incident of 5 May when a member of illegal armed formation in Donetsk region, armed with an assault rifle AK-47 and smelling of alcohol, resorted to aggressive conduct and sexual harassment of a SMM female patrol member. We support the call of Chief Monitor Ambassador Apakan that the individual in question be indentified and taken to account and that such incidents are not repeated. The civilian monitors of the SMM must be able to fulfill their work in safety and security. We reiterate in this regard a special responsibility of the Russian Federation as a party to the conflict and a party to the Minsk agreements. Unwillingness of the Russian delegation to include condemnation of intimidation and harassment of the SMM monitors to the text of the Permanent Council Declaration of Support for the SMM, adopted on 27 April, effectively condoned this kind of unacceptable behavior of Russia's hybrid forces in the occupied parts of Donbas.

Ukraine will continue to provide strong support for the activities of the Special Monitoring Mission to Ukraine in its efforts to effectively fulfill its mandate through full and unhindered monitoring, including at the uncontrolled sections of the border with Russia. We call upon the Russian Federation to respect in full the letter and

spirit of the recently adopted Permanent Council Declaration and put an end to the hostile campaign towards the SMM in areas controlled by the hybrid Russian forces. It is not acceptable that the Russia-led militants attempted to blame the SMM for the incident of 23 April. It is not acceptable either when on 2 May Russia's proxy, heading Luhansk militants, demanded putting a bill to the OSCE for restoration of damaged infrastructure in the Luhansk region.

Mr. Chairman,

We regret that the SMM has been forced to restrict its operations in Donetsk and Luhansk regions to patrolling on hard surfaced roads as it affects fulfillment of its tasks of monitoring the ceasefire and withdrawal of heavy weapons, as prescribed by the Minsk agreements. After "blinding" the SMM last year by disabling the SMM long-range UAVs capabilities, now the actions of the hybrid Russian forces led to further limitations of the international monitoring. We appreciate it that under such dire circumstances the Mission's monitors try to reach out to the main hotspots and record ceasefire violations and the use of Minsk-proscribed weapons. Even in a limited monitoring mode, the SMM reports clearly indicate that Russia and its proxies in Donbas continue to flagrantly violate the undertaken commitments. Dozens of proscribed heavy weapons, including artillery, MLRS, surface-to-air-missile systems, tanks and mortars, were found located in the Donetsk city centre and in the south-eastern outskirts of the Luhansk city. We fully concur with the SMM's assessment in the weekly report, that "the presence of this weapon is a display of contempt for the Minsk agreements". In the last two days these weapons were moved by the hybrid Russian forces to different locations in proximity of the contact line, again without the knowledge of and verification by the SMM.

The heavy weapons of different calibers are used by the hybrid Russian forces with increased intensity along the entire line of contact, making the toll of casualties steadily grow. In one past week there were 383 attacks, including 109 by heavy weapons, mostly mortars. Two Ukrainian servicemen were killed, 30 soldiers and 3 civilians were wounded.

On 6 May the SMM observed two convoys with tens of individuals in camouflage clothes, some armed, in buses and military-type trucks heading for Sidove in non-government controlled area of the Donetsk region. As reported by the SMM, the monitors were denied access to Sidove by armed militants, which again underscored the attempts to mask the military activities of the hybrid Russian forces.

As the hostilities in Donbas continue to be sustained by Russia's logistical support and supplies, it remains imperative to seek permanent monitoring at the uncontrolled segment of the Ukrainian-Russian state border. This necessity was reflected, in particular, in the SMM report of 5 May, which informed about 55 trucks crossing the border near Uspenka 73km south-east of Donetsk in only half an hour. Such intensity of traffic of cargos signals the scale of illegal trade and supplies between the Russian Federation and the illegal armed formations it supports and controls in Donbas.

Mr. Chairman,

In view of significant restrictions, experienced by the SMM in the non-government controlled areas of Donbas, we encourage the Mission to work on speedily upgrading the use of all available instruments that would help to effectively implement its mandate.

Taking into account the limited character of patrolling by roads, special attention should be paid to enhancing the technical capacities of the SMM, including the acquisition and deployment of additional equipment such as cameras, sensors, UAVs, as envisaged by the 2017 SMM budget. The use of long-range UAVs will be a particularly valuable asset in the current environment and we request to accelerate the respective procedures to make this capability available to the SMM, enabling the necessary monitoring without putting at risk the SMM monitors. We urge the Russian side to remove any impediments for the establishment of additional forward patrol bases of the SMM, including in the vicinity of the uncontrolled segment of the Ukrainian-Russian state border.

We encourage the SMM to step up its activities of monitoring the railway hubs and main transport routes as all of them are reachable by hard surface roads. The illegal supplies, including military, that flow from Russia into the occupied areas of Donbas do so in violation of OSCE principles and commitments. It is a specific part of the mandate of the SMM to establish facts and report to the participating States on violations of this nature. In this connection it is also important to have more information about such violations by Russia of Ukraine's sovereignty and territorial integrity as introduction of Russian currency in the occupied areas of Donbas, recognition of the so called "documents" issued by Russia's proxies in Donbas, seizure of Ukrainian enterprises in those areas and many other unilateral steps undertaken by the Russian side since the beginning of this year.

We encourage more focused efforts of the SMM in conducting an in-depth and comprehensive monitoring of the human rights situation in the occupied areas of Donbas as people there remain deprived of basic human rights and freedoms. The seizure by the illegal armed formations of the enterprises, that had operated within Ukraine's legislative framework, further worsened the conditions for the local population. We expect that the SMM will regularly inform about the developments as the last such information was included in the SMM reports of early March.

In this context we call upon the Russian Federation to remove impediments that restrict SMM's communication with the local residents as an essential part of implementation of its mandate. The SMM weekly report of 3 May again pointed out to two occasions when medical personnel at hospitals in non-government-controlled areas denied SMM attempts to confirm reports of civilian casualties citing instructions that the SMM needed to obtain permission from so-called "DPR" members.

We also urge the Russian Federation to remove any restrictions or other impediments that affect the freedom of movement of the SMM and its ability to fulfill the mandate in the Crimean peninsula which is an integral part of Ukraine. The Russian Federation, as an occupying power, must stop its attempts of diverting attention from the plight of the population in Crimea, in particular Ukrainians and

Crimean Tatars, as was again demonstrated in Russia's reaction to the last week's decision on Crimea by the Committee of Ministers of the Council of Europe.

Mr. Chairperson,

We appreciate the mediation efforts of Ambassador Sajdik in the Trilateral Contact Group consisting of Ukraine, Russia and the OSCE. Ukraine remains committed to implementation of the Minsk agreements in their entirety as the path to peaceful resolution of the conflict, started by Russia. Guided by respect for the OSCE principles and commitments, it is necessary to follow the logic and sequence of implementation of Minsk commitments and establish the adequate security environment by fulfilling the agreed security provisions with a comprehensive and sustainable ceasefire as the first step. We underscore that the Russian Federation that had committed aggression against Ukraine agreed to those provisions. They include the ceasefire, withdrawal of heavy weapons and pull out of Russian troops, mercenaries and weaponry from Ukraine's territory, disarmament of illegal armed formations, unhindered freedom of movement of the SMM for monitoring and verification. Their implementation is necessary for fulfilling the political and other aspects of the resolution framework. It is difficult to carry out de-mining when the areas are again shelled by the hybrid Russian forces. However, as the SMM reports and our today's discussion amply demonstrate, Russia is not yet willing to honour its commitments and, moreover, has taken recently a string of additional steps that violate Ukraine's sovereignty and territorial integrity and contradict the Minsk agreements, further undermining the prospects of their implementation.

In addressing the grave humanitarian consequences of the conflict we expect a sustained focus on the earliest release of hostages and illegally detained persons, as envisaged by the Minsk agreements.

Mr. Chairman,

In conclusion, we would like to reiterate our appreciation of the dedication and work of Ambassador Apakan and Ambassador Sajdik, the SMM staff to contribute to de-escalation and peaceful resolution of the conflict that has shaken European security. The resolution must fully respect Ukraine's sovereignty and territorial integrity within its internationally recognized borders. To achieve long-awaited progress, we also reiterate our call on the Russian Federation to implement the undertaken commitments, to return to the tenets of international law and to reverse the illegal annexation of the Crimean peninsula, which remains an integral part of Ukraine.

So far, as Russia's aggression continues, the Russian delegation to the OSCE continues to grossly distort the situation, like they did in today's statement, in the conflict-affected area in Donbas and broader in Ukraine to distract and evade responsibility for Russia's illegal actions against my country.

Thank you, Mr. Chairman.