



Permanent Mission of Ukraine
to the International
Organizations in Vienna

Statement on Russia's ongoing aggression against Ukraine and illegal occupation of Crimea

As delivered by Ambassador Yevhenii Tsymbaliuk,
Permanent Representative of Ukraine to the International Organizations in Vienna,
to the 1247th meeting of the Permanent Council,
14 November 2019

Mr. Chairperson,

Ukraine remains committed to the peaceful politico-diplomatic resolution of the conflict stemming from Russia's ongoing aggression against Ukraine. We have reiterated this position many times, and we will continue doing this in the future. We firmly believe the conflict must be stopped based on the norms of international law and the OSCE principles including respect for the sovereignty, territorial integrity and inviolability of frontiers.

It is in this vein that Ukraine filed several cases to the international courts aimed to hold the Russian Federation accountable for violating the international law and to make it reverse those violations. I wish to inform you that last Friday, on 8 November, the International Court of Justice issued a major ruling in Ukraine's case against Russia, filed by Ukraine within the International Convention for the Suppression of the Financing of Terrorism and the International Convention on the Elimination of All Forms of Racial Discrimination. The ICJ has rejected Russia's jurisdictional objections and agreed with Ukraine that its claims are properly before the Court. Now, the case will move forward to a full hearing on the merits. Russia must stop financing of terrorism of the illegal armed groups in Donbas and end the policy of discrimination and cultural erasure directed against the Crimean Tatar and Ukrainian communities in the occupied Crimea. We will keep you informed on the developments in this case.

I wish also to remind that Russia has not implemented in full the Order by the International Tribunal for the Law of the Sea to release Ukrainian servicemen and naval vessels that it had illegally seized. While the servicemen returned home in the mutual release of detainees on 7 September, the vessels remain seized.

We appreciate support provided by the international community, including the OSCE, in addressing the challenges brought by the Russian aggression, be it financing the SMM, providing humanitarian assistance to the conflict-affected areas,

supplying defensive weapons or maintaining economic and personal sanctions against Russia and its officials. Activities of the OSCE SMM on the ground, which facilitate implementation of the Minsk agreements, remain one of the most visible and valuable contributions of the international community.

On 8 November, President of Ukraine Volodymyr Zelenskyy visited the SMM headquarters in Kyiv and met with Chief Monitor Halit Çevik. The Head of the Ukrainian state expressed gratitude to the SMM for facilitating the disengagement process and stressed that the Ukrainian authorities continue their efforts to improve the living conditions of the local residents.

During the above-mentioned meeting, the issue of the SMM access to the Russia-occupied parts of Donbas, especially to the border areas, has been raised. The issue of border and illegal supplies provided by the Russian side to its proxies in the occupied parts of Donbas remains a key challenge, which must be overcome if Russia is sincere in its statements on the necessity to resolve the conflict. Cessation of those supplies and providing safe and secure access of the SMM to the border areas to verify this fact will serve as a litmus test for Russia's readiness to proceed with resolution of the conflict. For now, that is not the case. In the previous SMM weekly report of 6 November, you can easily note that all the Minsk-proscribed heavy weapons in the Russia-occupied parts of Donbas were observed by the Mission only with the use of UAVs. The ground patrols, meanwhile, were effectively denied access to those areas, in which they could register Russia's violations of its Minsk-related commitments.

While Ukraine continues implementing the Minsk agreements, including the most recent one of disengaging forces and hardware in Petrivske disengagement area held on 9 November, we see no reciprocal steps undertaken by Russia. Ceasefire violations in Donbas continue, and Ukrainian militaries keep bearing losses. On 10 November, four servicemen were wounded in one single day. While disengagement has been completed in three designated areas, those areas represent a tiny fraction of the line of contact more than 400 kilometres long. Russia's political will remains necessary to stop violence.

As we proceed with fulfilling the Minsk agreements, let me remind you on the necessity to reverse measures taken by Russia in contradiction to the letter and spirit of those arrangements. A year ago, on 11 November 2018, the Russian Federation held illegal and fake so called "elections" in the occupied territories of the Donetsk and Luhansk regions of Ukraine. As the delegation of Ukraine stressed in the special PC meeting convoked the next day, the Russian appointees do not represent the local communities in the occupied parts of Donbas and remain who they are, that is the members of the Russian occupation administrations in Donetsk and Luhansk. They are illegal and illegitimate, and they cannot be involved into organizing and holding the local elections in the occupied parts of Donbas to be held under the Ukrainian legislation and in accordance with the OSCE standards.

In the illegally occupied Crimea, the Russian occupants continue severe ungrounded persecutions of Crimean Tatars and Ukrainians in the fabricated cases. Dozens of them face long prison sentences for exercising their freedom of religion or voicing dissent with the policy of the occupation authorities. Russia continues violating the norms of international humanitarian law by applying its national

legislation in the occupied territories of Ukraine. On 12 November, six Crimean residents were illegally sentenced, based on completely fabricated charges of terrorist activities, to the terms from 7 to 19 years each for belonging to Hizb ut-Tahrir, an organization banned in Russia, but legal in Ukraine. I wish to quote the words of one of them, 28-year-old Refat Alimov, delivered in his final address to the court in Rostov on 9 November, I quote: “Just because you were born a Crimean Tatar and prioritize Islam decisions, you automatically become a criminal. This is no myth, it is not my vivid imagination, it is the reality of what has been happening in Crimea since 2014 and until now. After all, the fact that we are here today on trial, is not the only case of repression against the indigenous people of Crimea on religious, ethnic and political grounds. It is, after all, no secret that the majority of our people were against joining and becoming a part of the Russian Federation. There were grounds to do so. This is because we have historical experience of repressions, genocide, and finally eviction of our people from our native land. The fact that we, as innocent men, are on trial today, and the lawlessness in Crimea only confirm the fears of our people and those who clearly understand that Russia is a huge prison of the nations. The only people living well here are officers of the law enforcement agencies, traitors and those raised to the ranks of people in power”. End of quote.

Thank you, Mr. Chairperson.