



Permanent Mission of Ukraine  
to the International Organizations in Vienna

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**Statement by the Delegation of Ukraine**  
**at the 831<sup>st</sup> FSC Plenary Meeting**  
(4 October 2016 at 10.00, Hofburg)  
(Agenda item 2)

**Madam Chairperson,**

According to **the Framework Decision on Disengagement of Forces and Hardware** on 1 October in eastern Ukraine the conflict sides began disengagement of their troops into the agreed positions. The first such pilot area of disengagement is nearby the settlement of Zolote. After an appropriate signal of the JCCC officers, military personnel of the Armed Forces of Ukraine retreated from the contact line to the agreed positions. In advance, Ukrainian servicemen conducted explanatory work among the local population and warned that they will not leave them and will guarantee their safety. At the same time, the OSCE monitors confirmed that the other side also holding withdrawal of troops into the designated place.

However, the disengagement of forces and weapons from other pilot areas near the settlements of Petrivske (Donetsk oblast) and Stanytsia Luhanska (Luhansk oblast) was disrupted because of the violation of “silence regime” by the combined Russian-separatist forces. The Ministry of the Foreign Affairs of Ukraine twice addressed the SMM with requests to check the information about the shelling of UAF positions in Stanytsa Luhanska on September 23-28 and October 1-2, 2016 and present exhaustive information on results of investigation for the attention of the OSCE participating states. We deem these provocations by the Russia-backed illegal armed groups as flagrant violation of paragraphs 2 and 6 of the Framework Decision on Disengagement of Forces and Hardware aimed at undermining the peaceful resolution and TCG decisions.

With regard to this, as envisaged by paragraph 5 of the Framework Decision, on September 30 and October 3 the Ukrainian side twice initiated video conference meetings of the Trilateral Contact Group to resolve this violation of the Framework Decision. However, the militants twice abandoned to participate in the conference. Finally, the sides agreed to postpone the beginning of the disengagement of arms and personnel from the contact line in the areas nearby Petrivske and Stanytsia Luhanska to the agreed places until October 4. Unfortunately, on 3 October the disengagement of forces and hardware in Petrivske was thwarted by militants, who first launched the

drone, and then fired at the Ukrainian positions with grenade launchers and small arms. In connection with the situation with the disengagement of arms and personnel near Petrivske and Stanytsia Luhanska the Foreign Ministry of Ukraine on 3 October issued a statement. I would like also to pay attention of the Forum on the letter of the Permanent Representative of Ukraine to the OSCE and other International Organizations in Vienna on the matter distributed yesterday among participating states and OSCE structures.

For its part, the SMM on 1 October reported that it face certain impediments for observing in the areas, where according to the Framework Decision a free movement of the Mission's monitors should be ensured. Both sides must conscientiously carry out demining of their parts of the territory and ensure free movement of the SMM for the purpose to monitor and verify of the disengagement process in the agreed areas. Reliable verification is the key measure to make the Framework Decision operational.

The Armed Forces of Ukraine in the mentioned three pilot areas are holding engineering works, building observation posts for the OSCE monitors and JCCC officers, are conducting demining and marking the emergency zones. We call on Russia and militants it backs to speed up the completion of the pilot disengagement process and to start implementing it in the next four areas along the contact line.

**Madam Chairperson,  
Distinguished colleagues,**

In the past week we continued to register armed provocations along the contact line of the combined Russian-separatist forces, primarily in the Donetsk and Mariupol directions. Armed attacks by militants had an average intensity of **15 times per day**. Shellings from prohibited heavy weapons have been most visible in Avdiivka and Verhnyotoretske, Donetsk oblast. Yet violation of the silence regime by militants using 82mm and 120mm mortars, 122mm artillery systems, grenade launchers, small arms and light weapons took place in all directions along the contact line, in particular in the settlements of Stanytsia Luhanska, Novozvanivka, Novoaleksandrivka, Mar'inka, Pavlopol and Shyrokyne. As a result of the fighting over the past week **1 Ukrainian soldier was killed and 6 were wounded**. The Armed Forces of Ukraine strictly observe requirements of the Minsk agreements and respond only in case of direct threat to life.

**Madam Chairperson,**

The volatility of the security situation is strongly influenced by Russia's continuing direct involvement in the conflict and constant military resupplies and reinforcements. According to the competent Ukrainian authorities, on 30 September an echelon from Russia delivered: - to the railway station of Vuglehirs'k 6 wagons with lubricants and ammunition; - to the railway station of Sverdlovsk on platforms: two battle tanks T-80, two heavy vehicles with

antiaircraft installations, 4 cisterns with 200 tons of diesel fuel, 4 wagons with lubricants and ammunition and two refrigerator-wagons.

The continuing illegal military flows into the occupied areas of Donbas underline the critical need to restore control at the uncontrolled sections of the Ukraine-Russia border and implement without delay an agreed Minsk provision on establishment of a security zone in border areas of both Ukraine and Russia, with the OSCE permanent (24\7) monitoring and verification. As well as permanent monitoring of pilot areas of disengagement in accordance with the new Framework Decision. We also underline the urgent necessity to establish SMM Forward Patrol Bases and patrol hubs close to the border in order to ensure due monitoring of uncontrolled sections of the Ukraine-Russia state border and adjacent areas.

The OSCE SMM to Ukraine continues to encounter significant limitations in the occupied areas that impede proper monitoring and distort the real situation on the ground. Access of SMM observers is denied or hindered. The SMM teams encounter threats, are imposed escorts on their visits. Such restrictions violate the mandate of the SMM and its ability to report objectively on the situation on the ground. We call on Russia to deliver on its commitment on the SMM's full freedom of movement.

### **Distinguished colleagues,**

We draw attention of the Forum that on 28 September 2016 the Joint Investigation Team composed of representatives of Australia, Belgium, Malaysia, the Netherlands and Ukraine presented the preliminary results of the criminal investigation into the downing of Malaysian Airlines flight MH17.

The publication of this information is an important milestone towards the ultimate common goal: bringing to justice all those responsible for downing the aircraft. Ukraine considers this as its moral duty to the 298 victims, their relatives and friends. Preliminary results of the criminal investigation have confirmed the findings of the report published last October by the Dutch Safety Board, that the crash was caused by the explosion of a warhead launched from Russian "BUK" anti-aircraft missile system.

The JIT report also includes an information about the route of the weapon, via which it was transported to Ukraine from Russia and then moved in the opposite direction through a sector of the Ukraine-Russia border controlled by Russia and its militants. This information points to the direct involvement of the state-aggressor in downing the aircraft. An investigation into specific suspects' affiliation and place in the chain of command is ongoing in order to submit the cases to the appropriate court in the future.

The most effective method of prosecution would be to establish an international tribunal under the auspices of the UN SC. Despite broad international support for this idea, Russia was the only country to veto a resolution on the establishment of such a mechanism in the UN SC. In this regard, the states involved in the investigation continue to work to identify

the mechanism through which those responsible for the catastrophe will be brought to account.

Ukrainian side calls on all countries to cooperate with the criminal investigation. We expect that Russia will finally begin to fulfill UN SC Resolution 2166 as well as its international obligations.

**Madam Chairperson,**

It remains crucial to seek full implementation of the initial security provisions of the Minsk agreements as a basis for progress in other areas. These include: securing ceasefire, withdrawal of weapons, and full freedom of movement and access for the SMM for effective monitoring. These important steps are a reflection of immediate measures as agreed by Russia in the Minsk package and the Framework Decision. We emphasise once again that the decisions taken in Moscow led to the conflict in Donbas, consequently it requires decisions in Moscow to stop the conflict and progress to resolution.

We urge Russia to return to the tenets of the international law, to cease its aggression against Ukraine and reverse the illegal occupation of the Autonomous Republic of Crimea and the city of Sevastopol.

**Thank you, Madam Chairperson.**