



United States Mission to the OSCE

Reply to Ambassador Ertuğrul Apakan, Chief Monitor of the OSCE Special Monitoring Mission to Ukraine

As delivered by Ambassador Daniel B. Baer
to the Joint Meeting of the Permanent Council
and the Forum for Security Cooperation
Vienna, July 13, 2015

The United States is pleased to welcome Ambassador Apakan to this joint meeting of the Permanent Council and the Forum for Security Cooperation. We remain very impressed with your able leadership of the Special Monitoring Mission.

Mr. Ambassador, as we reflect on the SMM's activities over the past fifteen months, it is striking how many different kinds of work you have been called on to perform. From an initial focus on observation and fact-finding, the SMM has also been called to be first responders to the MH17 shoot-down crash site a year ago this week, to negotiate local-level ceasefires to support humanitarian efforts, and formally observe the implementation of the terms of the February 2015 Minsk Package of Measures, including the ceasefire and the withdrawal of heavy weapons from the contact line. We strongly support your latest initiative to operate in key hotspots, using static 24/7 observation along with patrols, as well as your continued efforts to creatively find other ways to support conflict resolution in eastern Ukraine. The SMM has demonstrated a remarkable level of flexibility and determination in performing all of these tasks.

One thing has remained constant throughout these many changes. The SMM is still the eyes and ears of the international community particularly in eastern Ukraine. Its reports form the foundation of the world's understanding of the conflict. We welcome the efforts you and your team have made to ensure the reports are transparent and useful. From regular press conferences to the inclusion of relevant maps and charts in your reports, to thematic reporting like the recent reports on gender and issues related to Crimea, the SMM has developed many good practices in reporting from which other OSCE field missions could learn. We encourage you to continue to refine your reporting processes and products to ensure that you are delivering accurate information in as effective and timely a way as possible.

One disturbing reality that your reports continue to illustrate is that the SMM monitoring teams still do not have full and unfettered access throughout the territory of Ukraine. This is simply unacceptable. SMM reports make two key facts about these restrictions abundantly clear. First, both sides to the conflict – Ukrainian government forces and combined Russian-separatist forces – too often delay or block SMM access to areas under their control. This should stop. Second, the scale and scope of the restrictions imposed by the combined Russian-separatist forces is much, much worse than problems encountered on the Ukrainian

side. Indeed, the combined Russian-separatist forces restrict SMM access to large swathes of territory under their control and prevent the SMM from patrolling in the area near much of the border with Russia. The SMM must be allowed free and unfettered access throughout Ukraine, including along its border with Russia. A huge amount of the territory under Russian-separatists' control remains a black box, a dark hole into which the SMM has no visibility. We know that the Russian-separatist controlled territory is heavily weaponized, and the lack of SMM access undermines efforts to de-escalate.

In a similar vein, we are disturbed that in recent days the SMM has reported increased jamming of its UAV by combined Russian-separatist forces. Unfettered access for the SMM includes unfettered access for the SMM's UAVs.

Mr. Ambassador, another part of Ukraine in which the SMM has been prevented from operating is Crimea. The Crimean peninsula remains an integral part of the sovereign state of Ukraine, despite Russia's ongoing occupation of the territory. This is not only the position of the United States. This is a fact grounded in international law and reflected in United Nations General Assembly Resolution 68/262. We renew our calls for Russia, as the occupying power in Crimea, to allow full and unfettered access to the peninsula not only for the SMM, but also for other OSCE executive structures such as the Office of Democratic Institutions and Human Rights (ODIHR) and the High Commissioner on National Minorities (HCNM) as well as other relevant international organizations.

We are well aware that an operation on the scale of the SMM requires significant resources in order to perform its duties adequately. The United States continues to give its strong support to funding the SMM through assessed contributions. We are proud to second 50 monitors to your mission, and stand ready to increase that number to 60 as soon as the SMM begins recruiting to raise its total number of monitors to 600. We urge other participating States to nominate enough well-qualified candidates, particularly individuals with relevant military or police experience, for the SMM to meet its human resources needs fully.

Finally, Ambassador Apakan, I'd like to say a few words about the Security Working Group, which you chair. The United States hopes that Russia and the separatists it backs will engage in good faith in the working groups in order to make concrete progress. We note, however, that ongoing discussions in the Security Working Group are not a substitute for fulfilling the existing Minsk commitments to implement a total ceasefire and withdraw all heavy weapons.

In response to the Russian Federation's statement today – much of which was problematic – I want to point out just one thing: much of the progress that the Russian Federation claimed to want to see is progress that the Russian Federation and its proxies must deliver.

Thank you for your service, Ambassador Apakan, and thanks especially to all of your brave monitors, who are doing excellent and important work.

Thank you, Madam and Mr. Chair.