



United States Mission to the OSCE

Ongoing Violations of International Law and Defiance of OSCE Principles and Commitments by the Russian Federation in Ukraine

As delivered by Chargé d’Affaires, a.i. Kate M. Byrnes
to the Permanent Council, Vienna
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The United States notes with deepening concern the increasing violence along the line of contact in eastern Ukraine. Over the past weekend, ceasefire violations more than quadrupled from the previous week. As SMM Chief Monitor Apakan stated during his report to the Permanent Council last week, the security situation in eastern Ukraine is deteriorating. The presence and use of heavy weapons near the line of contact kills soldiers and civilians and undermines Minsk implementation. We appreciate today’s clear statement by the Chairperson-in-Office, Foreign Minister Steinmeier, calling for full compliance with the ceasefire and an immediate end to all fighting.

Combined Russian-separatist forces continue to thwart the work of the SMM and threaten its monitors. Chief Monitor Apakan reported that the “overwhelming majority” of incidents in which the SMM is denied access occurred in separatist-controlled territory. Separatist forces have repeatedly barred the SMM from inspecting heavy weapons storage sites. On January 30 in Luhansk, for example, they blocked the SMM access to one site five times in a ten day period. Furthermore, separatists routinely deny the SMM access to the Ukrainian-Russian border, while Russia unilaterally blocks the expansion of the OSCE Border Observation Mission beyond the current two small checkpoints. As the United States and other participating States have stressed, there is a direct linkage between border monitoring and SMM efforts to monitor ceasefire and weapons withdrawal agreements. In addition, the separatists continue to make direct threats against the SMM itself. On January 30, a “DPR” member and a Russian armed forces officer attached to the JCCC told the SMM that if it flew UAVs over the so-called “DPR” outside of a small air corridor, they could not guarantee its safety. Continued access restrictions and threats indicate that combined Russian-separatist forces are attempting to hide from the SMM, and by extension the international community, the presence of large numbers of military personnel, weapons, and materiel on Ukrainian territory.

Colleagues, when the Special Monitoring Mission was established, all 57 OSCE participating States agreed that “Mission members will have safe and secure access throughout Ukraine.” It is disappointing that the Russian Federation is not living up to this commitment; it is also dangerous as monitors’ lives are at risk. We call upon the Russian Federation and the separatists it backs to guarantee free, unfettered, and safe access for the SMM throughout all Ukrainian territory under their control, including along the Ukrainian-Russian border and in Crimea.

Mr. Chair, Ambassadors Apakan and Sajdik emphasized that improvements in the security situation are essential for implementing the Minsk agreements. We urge the sides to agree on local election modalities that are fully consistent with Ukrainian law and OSCE standards. This requires constructive engagement by Russia and the separatists on this question. The United States will continue to work in close coordination with the Normandy format, the Trilateral Contact Group, and its four working groups to ensure the Minsk agreements are implemented fully.

In the meantime, the humanitarian situation on the ground remains serious. We applaud the Trilateral Contact Group for forging an agreement on opening an additional civilian crossing at the line of contact in Luhansk. Despite this progress, combined Russian-separatist forces appear to be using these crossings to destabilize the situation further by shelling them, thereby forcing Ukrainian authorities to shut certain crossings to protect civilians. Russia-backed separatists also continue to block humanitarian aid from reaching people in need living in territory under their control. In October 2015, Normandy leaders agreed that humanitarian aid must reach people in need. Four months later, we continue to look to the Russian Federation to uphold its commitment and use its influence with the separatists to end the widespread restrictions to delivery of humanitarian assistance to innocent civilians in Donbas, who continue to suffer.

We also note that at last week's meeting of the Permanent Council, Ambassador Sajdik appealed for progress on the full release of detainees and hostages, as called for in the Minsk agreements. There is no justification for Russian-backed separatists to continue denying the International Committee of the Red Cross access to the detainees.

Mr. Chair, the United States is not alone in making clear that sanctions are linked to the full implementation of Minsk and an end to the occupation of Crimea. Russia's failure to remove its forces, stop interference against the SMM, lift restrictions on humanitarian aid, engage in the political process, and release Ukrainian hostages has only served to reinforce the international consensus against its actions. We again underscore that in its ongoing aggression against Ukraine, both in Crimea and in eastern Ukraine, the Russian Federation violates its obligations under the Budapest Memorandum, the Helsinki Final Act, and the UN Charter to refrain from the threat or use of force against the territorial integrity or political independence of Ukraine.

Thank you, Mr. Chair.