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AT THE 1245th MEETING OF THE OSCE PERMANENT COUNCIL**

31 October 2019

On the situation in Ukraine and the need to implement the Minsk agreements

Mr. Chairperson,

Recent events testify to a very contradictory situation in Ukraine. The OSCE Special Monitoring Mission to Ukraine (SMM) is reporting fresh casualties and destruction. On 24 October, two men repairing a water pipeline in the vicinity of the Kondrashivka pumping station near Luhansk were injured. On 25 October, a 50-year-old local resident was injured in his own home in the Donetsk settlement of Mineralne. Houses have been damaged as a result of the shelling of residential districts in certain areas of the Donetsk and Luhansk regions. The functioning school in Zolote-5/Mykhailivka suffered damage for the 15th time since the start of the year. All this is the price that the civilian population of Donbas is paying for the Ukrainian Government's continuing military operation and its prevarication in the implementation of the Minsk agreements.

There is hope that the situation will improve following the resumption of activities to eliminate violations in the Zolote area in the disengagement of forces and hardware. On 29 October, the SMM reported that the two sides had started to withdraw their weapons and personnel from positions occupied inside the disengagement area. However, there is no indication in the Mission data that the Ukrainian side sent notification of its intention to begin disengagement, as provided for in the relevant schedule. In any case, this is only the first step towards the practical implementation of the agreements reached between the Ukrainian Government and the authorities of Donetsk and Luhansk at the meeting of the Trilateral Contact Group (TCG) in Minsk on 1 October. This process also needs to be effectively launched in Petrivske, the other disengagement area. We trust that the disengagement in both areas will proceed without delay within the time-frame set by the TCG and with verification provided by the SMM. It is important ultimately not only that there is no equipment remaining inside the disengagement areas, but also no individuals with firearms who could disrupt the "silence regime".

Disengagement sends a positive signal regarding the willingness to further de-escalate, but let us remember how convincingly the Ukrainian representatives tried to justify the disruption of the disengagement activities in Zolote three weeks ago. They made much of the need to comply with the condition of a preliminary seven-day period of "complete silence". This condition was proposed by them unilaterally and without warning on the day the disengagement activities were meant to start. As it turned out, militant Ukrainian nationalists interfered in the authorities' disengagement plans. As you are aware,

armed radicals arrived in Zolote with the explicit aim of preventing not only disengagement, but also any further implementation of the Minsk agreements whatsoever. Only after the President of Ukraine, Volodymyr Zelenskyi, visited the settlement did the situation change somewhat.

Restoring trust is a key factor if there is to be successful progress in the security sphere. It is important to realize that the sluggish response of the Ukrainian authorities to the radicals' actions is not conducive to this. Political will and a consistent and responsible approach to fulfilling commitments are required. The SMM, which is supposed to closely monitor the nationalists' destructive actions and reflect them in detail in its reports, has an important role to play here. A thematic report on this topic is long overdue. We also urge the relevant OSCE structures, including the Office for Democratic Institutions and Human Rights, to keep a close eye on manifestations of aggressive nationalism in Ukraine.

Dialogue on the political aspects of a settlement remains stalled. The Ukrainian negotiators in the TCG have set about "snarling up" the discussions by excessively prioritizing security issues to the detriment of progress on the political track. More and more new preconditions are proposed. This approach is at odds with the agreements of the Normandy Quartet leaders on the need for simultaneous progress in resolving political and security issues.

I would remind you that the granting of special status to Donbas and its enshrining in legislation, including constitutional reform, are at the heart of the entire settlement process. The Ukrainian Government made the relevant commitments in writing in the Minsk Package of Measures of 12 February 2015. Now, however, with the impending expiry of the law on the special status of Donbas (it was extended until 31 December 2019), which has never entered into force, we hear statements from Volodymyr Zelenskyi that there will be some new law. However, when asked about its main parameters, he states that he does not even know what this new law will be, while the Chairperson of the Verkhovna Rada, Dmytro Razumkov, links the fate of the law with the convening of a summit in the "Normandy format".

We find it inadmissible that attempts are being made in Kyiv to shift the responsibility for fulfilling the political aspects of the Minsk agreements to the "Normandy format". It is counter-productive to revise decisions that have already been agreed upon, downplaying the importance of the letter and the spirit of the Minsk Package of Measures and the efforts of the "Normandy format" in support of its implementation.

Every day of conflict involves fresh suffering for the people of Donbas. The Government of Ukraine continues its blockade of the region's economy. Maintaining the tense situation in Donbas, the authorities in Kyiv seem to be operating according to the logic of "neither war nor peace". In doing so, they are delaying the resolution of urgent humanitarian problems. The promises to resume welfare payments, restore transport links and improve the possibility for people to cross the line of contact have not been met. According to the Ukrainian Parliament's Commissioner for Human Rights, Lyudmyla Denisova, the Ukrainian Government owed pensioners in Donbas more than 1.3 billion US dollars for the period from June 2016 to April 2018 alone, and by now the figure is even higher. In these conditions, with a view to preventing further deterioration of the humanitarian situation, Russia will continue to provide humanitarian aid to the people of Donbas. Today, 31 October, the latest, 89th, humanitarian convoy was sent to the region.

We call on the United States of America and the European Union to encourage the Ukrainian leadership to take concrete steps towards peace. So far, all we have seen is its flirting with the "war party" in Kyiv and persistent attempts to present Ukraine as being in a state of geopolitical confrontation, the parameters of which are outlined on the other side of the ocean. Meetings of the North Atlantic Council and the Ukraine-NATO Commission are currently (30 and 31 October) taking place in Kyiv. Despite the lack of consensus in Ukrainian society on the country's relationship with the Alliance, there are persistent attempts

to foist a false geopolitical choice on Ukraine along the lines of the bloc mentality. This leads to dividing lines not only in Europe, but also within Ukraine itself.

NATO countries make arms deliveries to Ukraine. Last week, the media reported that Baykar Makina had completed its delivery of Bayraktar TB2 unmanned combat aerial vehicles. We urge countries to refrain from exporting weapons that may end up in Donbas and be used against the civilian population.

Mr. Chairperson,

The legislative initiatives adopted in Ukraine in recent years testify to the all-out assault on the Russian language and the rights of the country's Russian-speaking inhabitants. There is a ban on print media from Russia and the showing of Russian television programmes and films, and language quotas have been introduced for television and radio. The Ukrainian Government continues its linguistic and educational discrimination, contrary to the demands of the relevant international bodies. Such actions also run counter to the Minsk agreements, which guarantee the linguistic self-determination of the inhabitants of Donbas, where over 80 per cent of the population use Russian as their language of everyday communication. The Council of Europe Commissioner for Human Rights, Dunja Mijatović, also recently expressed her concern at the linguistic discrimination in Ukraine and the lack of dialogue between the authorities and society on language rights.

The situation with the Ukrainian Orthodox Church remains complicated. Its churches continue to be subjected to attacks. On 31 October, the Church of St. Alexander Nevsky in the village of Nevskoye in the Ukrainian-Government-controlled part of the Luhansk region was desecrated.

One further point. The abhorrent Mirotvorets website continues to operate from servers in the United States. There have been repeated statements in the United Nations that this violates the presumption of innocence and the right to privacy. Recently, the Deputy Head of the UN Human Rights Monitoring Mission to Ukraine, Benjamin Moreau, repeated the recommendation that this site should cease operation. Other representatives of the international community, including the Government of Germany, have made similar demands. The European Court of Human Rights (ECHR) has also drawn attention to the problem. Just the other day, the representative of Ukraine to the ECHR was told that the Ukrainian authorities' excuses that they allegedly "have no influence" over the work of the aforementioned resource were invalid.

Finally, recent surveys of public opinion in Ukraine show that its inhabitants are awaiting more effective action on the part of the authorities to bring about peace in Donbas. The path to a settlement is well known – it is the full implementation of the Minsk Package of Measures of 12 February 2015 endorsed by the UN Security Council.

Thank you for your attention.