



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 1287th meeting of the Permanent Council
29 October 2020

Mr. Chairperson,

Last Sunday, on 25 October, local elections took place in Ukraine.

The ODIHR Limited Election Observation Mission to Ukraine reported that, I quote, "the process was generally calm, well-organized and transparent, and procedures were mostly followed", end of quote. Similar assessments were provided by the SMM, which, I quote again, "observed public gathering places and areas around polling places during local elections on 25 October and found the situation calm and peaceful in all areas observed", end of quote.

The results will be established in the next two weeks. In some big cities, the second round of vote will take place, as required by the legislation when none of the candidates gathered more than 50% support in the first round.

The territorial communities, newly established within the recent decentralization reforms, will now enjoy considerably higher powers and resources. Local self-governance has adequate financial instruments and capacities to improve the lives of people on the ground.

At the same time, the benefits of decentralization will be available not to all citizens of Ukraine. As rightly pointed out by the ODIHR Mission, no elections were held in the Crimean peninsula and in parts of the Donetsk and Luhansk oblasts (regions), including in 18 government-controlled territorial communities. The Autonomous Republic of Crimea, the city of Sevastopol, the certain areas of the Donetsk and Luhansk regions of Ukraine, altogether 44.000 square kilometres, or almost 7 per cent of Ukraine's sovereign territory, remain temporarily occupied by the Russian Federation.

Eighteen government-controlled territorial communities, to which the ODIHR Mission referred, are located along the line of contact: serious security concerns prevented proper organizing of elections in those districts. Meanwhile, thanks to the recent legislative amendments, the IDPs who fled from the Russia-occupied areas, were able to participate in the elections throughout Ukraine, in the places in which they currently reside. Their families and friends, who stay under Russia's occupation, do not enjoy the same privilege of being able to elect their legitimate representatives in a free and democratic way.

The elections cannot be held at gunpoint. The Russian occupation administrations in Donbas and Crimea, whatever the Russian side would call them, including in this hall, remain what they are. Until the Russian forces are withdrawn from the territory of Ukraine within its internationally recognized borders, elections there are impossible. Any election imitation exercises by the occupation administrations are fake and illegal, their results null and void. We thank all participating States taking a principled position on non-recognition of such exercises.

As reiterated many times, there is still a long path ahead toward implementing security provisions of the Minsk agreements before we could start preparations for the local elections in the certain areas of Donbas. On this path, a role of the OSCE SMM remains an essential one. Participating States rely in particular upon the Mission's unbiased and verified assessments of the security situation on the ground. Full and safe access of the SMM to all conflict-affected regions of Ukraine is a key prerequisite for providing such assessments.

Last Friday, the SMM Chief Monitor briefed delegations on the current operational environment for the Mission. We all heard how severely the monitoring capacities of the SMM are undermined by the ongoing pandemic and quarantine measures justifiably implemented by the Mission.

It is outrageous that even in these conditions, the Russian armed formations in the occupied areas of Donbas do not cease their restrictions and impediments to the SMM activities. Let me show you a very vivid example of this behaviour. On 21 October, the SMM observed 19 tanks T-72B in a compound in a residential area of Donetsk city. The city, in which I would remind, the SMM Office is located. It is notable that observation of those tanks was done with the use of a long-range UAV, which are based in Kostyantynivka, 65km from the Donetsk city. The SMM monitors were not allowed to visit a compound in the city, in which they are located, and they had to call a long-range UAV from far away.

Diverting resources of the SMM, already severely limited in the current pandemic-related restrictions, is a powerful tool used by Russia to prevent the Mission from monitoring areas located deep inside the Russia-occupied parts of the Donetsk and Luhansk regions. The same long-range UAV could be sent not to the Donetsk city, but to the areas adjacent to the uncontrolled segment of the border, in which the SMM regularly observes illegal military activities and crossings of the border from the territory of the Russian Federation.

Mr. Chairperson,

We regret to note the absence of any progress during the last TCG session on 28 October on all outstanding issues and decisions. Yet, Ukraine is determined to do its utmost and contribute, as much as practically possible, to restoring the constructive work of the TCG and removing all artificial hurdles and ploys, imposed by the Russian side, preventing finalization of TCG decisions on demining and new disengagement areas before the onset of winter, as well as implementation of mutual exchange of lists of identified detainees.

With this in mind, the Ukrainian delegation has committed to prepare its proposals for an action plan for further work of the TCG on implementation of its mandate. We hope our forthcoming approach and flexibility will be appreciated.

I wish to stress: such an action plan is in no way intended to substitute or replace the ongoing work within the “Normandie Format” on preparation of a roadmap for the implementation of the Minsk agreements. This process should and will remain Normandie-owned and Normandie-led for the future.

Ukraine calls on all actors to support our efforts to unblock the work of the TCG and urge the Russian side to do likewise.

Mr. Chairperson,

Russia’s aggressive behaviour, militarization and armed provocations along the border with Ukraine remain the most pressing security challenge for Ukraine. It also continues to destabilize situation in the entire region. Having this in mind, Ukraine together with its international partners is planning to submit to the UN GA 75th session the draft resolution “Problem of the militarization of the Autonomous Republic of Crimea and the city of Sevastopol, Ukraine, as well as parts of the Black Sea and the Sea of Azov”. This year, the updated version of this resolution contains a number of new paragraphs, in particular on deterioration of security and arms control as a result of withdrawal of Crimea by Russia from the international verification regimes established by the Conventional Forces in Europe Treaty, Open Skies Treaty, and the Vienna Document on Confidence and Security Building Measures. We call upon the OSCE participating States to support this resolution within the UN. This would serve to the benefit of the entire OSCE area.

My second point today on Crimea relates to the illegal archaeological excavations carried out by the Russian occupation administration in the Almina Valley and in the city of Sevastopol within the so-called project “Crimean War”. We remind the Russian side that according to the provisions of the Convention for the Protection of Cultural Property in the Event of Armed Conflict of 14 May 1954, the Russian Federation, as an occupying Power, must respect cultural property located in the temporarily occupied territory of Ukraine and take all the necessary measures to preserve it. More details can be found in the respective statement issued by the MFA of Ukraine on 22 October.

My third and last point on Crimea is on the current situation with the spread of COVID-19 in the temporarily occupied peninsula. On 26 October, the Mejlis of Crimean Tatar people issued its appeal to the international community to draw attention to the dire epidemiologic situation. The available data indicate that the real number of persons affected by the coronavirus is much higher than the official data provided by the Russian occupation administration. We remind the Russian side of its responsibility as an occupying Power to protect the population of the occupied territories, and we join the call by Mejlis to the OSCE SMM to visit Crimea in order to verify this information. The Mission’s mandate covers entire territory of Ukraine, including its temporarily occupied areas.

We, again, urge the Russian Federation to reverse its illegal occupation of Crimea, militarization of the Black Sea and the Sea of Azov, and to stop its aggression against Ukraine, including by withdrawing its armed formations, mercenaries and their hardware from the temporarily occupied territories of Ukraine and fully implementing its commitments under the Minsk agreements.

Thank you, Mr. Chairperson.