



Permanent Mission of Ukraine
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Organizations in Vienna

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Statement on “Russia’s ongoing aggression against Ukraine and illegal occupation of Crimea”

As delivered by Ms. Yevheniia Filipenko,
Deputy Permanent Representative of Ukraine to the International Organizations in Vienna,
to the 1186th meeting of the Permanent Council,
17 May 2018

Mr. Chairperson,

This Tuesday, three monitoring officers of an SMM patrol located about 1km west of the contact line near the Donetsk Filtration Station found themselves only “20cm to 1m” from a Russian bullet flying above their heads. The spot report provides a clear indication where the small-arms fire was originating from: a south-south-easterly direction, where the Russian armed formations positions are present. It is a direct answer to the calls of the Russian delegation to the SMM to investigate who is responsible for firing at the DFS, its personnel and SMM monitors. Together with the SMM and other delegations of participating States, we remind the Russian side that the “continued operation of the DFS is crucial in order to ensure the safe and uninterrupted supply of drinking water to approximately 350,000 people on both sides of the contact line”. We condemn this yet another case of intimidation of the SMM by Russian fighters and call on Russia to stop immediately this unacceptable behaviour.

Mr. Chairperson,

On 8, 9 and 11 May last week, the SMM observed military-style parades and a march in Donetsk and Luhansk cities, including thousands of “members of the armed formations” and children 6-15 year old, some of whom were carrying “flags of the Russian Federation and from non-government-controlled areas of Donetsk and Luhansk regions”. The Russian heavy weaponry, Russian armed formations, and Russian flags have once again been brought by the Russian occupation administration into the streets of Donetsk and Luhansk cities of Ukraine to remind the local population that it is Moscow which is in effective control of their hometowns. We strongly condemn this deliberate violation of the Minsk agreements, which showed that the heavy weapons in the occupied territories of Donbas have never been withdrawn despite Russia’s commitments under the Minsk agreements. We also remind the Russian Federation of its responsibility to uphold all of its obligations

under applicable international law as an occupying Power, including the norms of international humanitarian law protecting the rights of children under 15 years of age.

Distinguished colleagues,

This morning, the Russian armed formations shelled a school in Svitlodarsk from heavy artillery. More than 4 hundred children and teachers were present in the school at the moment of shelling. Fortunately, only one person was wounded. It is the civilians who are the principal victims of the ongoing armed conflict in Donbas instigated and fuelled by the Russian Federation. They are Ukrainian citizens, and their lives are the highest priority of the Ukrainian authorities. Ensuring their better protection through improving the mechanism of coordination among the militaries, special services, law-enforcement forces and civil administrations of Ukraine remains one of the main tasks carried out by the Joint Forces Operation. As the Russian armed formations continue to shell the Ukrainian military positions, residential areas and entry-exit checkpoints (including Maiorske EECP on 10 May), the Ukrainian military are forced to introduce the “red code” restricting civilian access to the affected areas for several hours due to high risks to life. Such restrictions had to be introduced, in particular, on 9 May in Zaitseve EECP and on 11 May in Mar’inka EECP. The SMM patrol which was present at that time in Mar’inka, confirmed that “there were no cars or people in the checkpoint and that about 60 cars, eight buses and 300 pedestrians were waiting west of the checkpoint.” These measures provide a rapid and effective preemptive response to the Russian military provocations threatening the lives of people crossing daily the contact line in Donbas. We would remind that this contact line was not established by the decision of the Ukrainian government; it has emerged as a result of the Russian armed aggression, which continues for the fifth consecutive year. Russia’s withdrawal from the occupied territories of Ukraine remains the only viable solution of the conflict, which would prevent further civilian casualties and destruction of civilian infrastructure.

Mr. Chairperson,

These civilian casualties and destruction of civilian infrastructure continue to happen on a daily basis. Some of them are registered by the SMM, as in government-controlled Loskutivka 72km west of Luhansk, where the residential area was “directly hit by an artillery round (152mm) fired from a southerly direction” where the Russian positions are located. Other incidents, representing a vast majority, remain almost invisible to the SMM, as its patrols cannot “reach the areas due to security considerations”, as underlined in the weekly report of 8 May. The monitors were not able to visit Troitske, Novozvanivka, and many other government-controlled localities along the contact line, as they never know when to expect new shellings by the Russian militants fired from the Minsk-proscribed weapons, which are regularly registered by the Ukrainian military and emergency services.

Unpredictability of Russia’s military intentions in Donbas combined with the ongoing large-scale restrictions of the Mission’s freedom of movement in the temporarily occupied territories of Donbas remain the effective mechanisms of “blinding” the SMM used by the Russian occupation administration. Since the

beginning of this year, the SMM registered 305 non-mine related incidents to happen in Russia-occupied areas and only 29 in government-controlled areas, ten times less. These figures underscore a huge gap between Russia's words of support to the SMM on the one hand, and its deeds on the ground aimed at concealing Russia's military presence in Donbas and its consequences for the civilian population, on the other hand.

For twelve weeks in a row, the Russian proxies systematically deny the SMM "access to areas near border crossing points and at a railway station close to the border with the Russian Federation in Luhansk region". It is the same railway station in Chervona Mohyla near Voznesenivka where the SMM, despite the Russia-imposed restrictions, managed to spot ten stationary tank wagons and 30 freight wagons with contents not visible. There should be no doubt why the Russian occupation administration continues to deny security guarantees for opening of new SMM forward patrol bases along the Ukrainian-Russian state border, as it would lead to increased transparency hampering the illegal supplies through the Russia-controlled segment of the state border.

Mr. Chairperson,

The ongoing violations of the fundamental norms of international law by the Russian Federation in its aggression against the territorial integrity and sovereignty of Ukraine have their consequences. This month, the Permanent Court of Arbitration in Hague issued a unanimous judgment that Russia was responsible for violating the rights of 18 Ukrainian companies and one individual who initiated the trial against Russia in June 2015, and should compensate them for losses (worth about \$159 million) caused by occupation of Crimea. As it was not the only case when Russia violated its obligations under the Ukrainian-Russian bilateral investment treaty, more trials and court decisions will follow, and the cost of aggression will grow.

The violations continue. This Tuesday, President of the Russian Federation has once again paid a visit to the temporarily occupied Crimea without prior consent of the Ukrainian authorities to take part in the ceremony of opening the road bridge built across the Kerch Strait in violation of Ukraine's territorial integrity and sovereignty. We strongly condemn this visit and remind the Russian Federation that the Autonomous Republic of Crimea and the city of Sevastopol remain integral parts of the territory of Ukraine within its internationally recognized borders. As underlined in the statement by the MFA of Ukraine, the Russian Federation as an occupying Power bears full responsibility for its illegal activities violating international law.

The indefinite hunger strike by Volodymyr Balukh, a political prisoner illegally sentenced by the occupants for three-and-a-half years for his fearless vocal pro-Ukrainian stand, continues. This Monday, Ukrainian filmmaker Oleh Sentsov, one of the first political prisoners of the Russian authorities currently serving a 20-year prison term in Siberia, also started the hunger strike demanding to release all Ukrainian political prisoners held by Russia. Another innocent victim of Russia's crackdown on Crimean Tatars, political prisoner Uzeir Abdullaiev, is suffering from critical health problems, which endanger his life.

Every week brings new detentions and new victims of the Russian authoritarian regime, which creates a climate of fear to silence those opposing occupation. We urge Russia to stop political persecutions against Ukrainian citizens unlawfully detained and judged without regard for elementary standards of justice, and to immediately release them. More focused attention of the international community is urgently needed to ensure political pressure on the Kremlin and to make it provide access of international humanitarian and non-governmental organizations, as well as OSCE and its executive structures, to the occupied peninsula. Grave violations of human rights and fundamental freedoms in Crimea must stop.

We again urge the Russian Federation to reverse the illegal occupation of Crimea and Sevastopol, and to cease its aggression, including by withdrawing its armed formations from the temporarily occupied territories of Ukraine and fully implementing its commitments under the Minsk agreements.

Thank you, Mr. Chairperson.