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AT THE 1276th MEETING OF THE OSCE PERMANENT COUNCIL**

23 July 2020

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

Mr. Chairperson,

The videoconference of the Trilateral Contact Group (TCG) on 22 July went ahead with mixed results. On the one hand, the Ukrainian Government's destructive position regarding the criteria for holding local elections precluded the discussion of political issues along with humanitarian and socio-economic matters. I would remind you that, on 15 July, the Verkhovna Rada of Ukraine adopted a resolution on local elections that contravenes paragraphs 4, 9, 11 and 12 of the Minsk Package of Measures of 12 February 2015 (endorsed by the United Nations Security Council) and puts a question mark over the very possibility of further progress on a political settlement.

On the other hand, the momentum that is emerging with regard to security does offer some grounds for satisfaction. The parties to the internal Ukrainian conflict – that is, the Ukrainian Government and the authorities in Donetsk and Luhansk – have finally managed, with mediation by the OSCE and Russia, to set down on paper a list of measures for strengthening the ceasefire regime. The list includes specific proposals that had already been put forward at the TCG by the representatives of Donetsk and Luhansk several months ago, shortly after the “Normandy format” summit held in Paris on 9 December 2019, but to which the representatives of the Ukrainian Government, under various pretexts, had until now kept withholding their agreement. The measures agreed on yesterday are meant to come into effect at midnight on 27 July 2020. They cover both communication with the public about the issuance of ceasefire orders and a number of specific actions, which, if genuinely put into practice, will help to reduce tensions. I should stress that what is called for is genuine and responsible implementation, not hollow declarations of intent.

An analysis of the implementation of previous ceasefire agreements indicates that there are grounds for concern. Thus, a whole year has elapsed since the Ukrainian Government and the representatives of Donbas agreed on a comprehensive and unlimited truce, which came into effect on 21 July 2019. However, a regime of “complete silence” has yet to be established. The OSCE Special Monitoring Mission to Ukraine (SMM) has recorded more than 250,000 violations of the ceasefire regime over the past 12 months and, in total, more than 1.5 million violations over the past five years. There have been fresh casualties, including fatalities, among the civilian population; numerous instances of destruction of civilian infrastructure have been recorded. And once again the overwhelming majority of these devastating impacts have occurred within the territory of certain areas in Donbas. That is the toll exacted by the lack of political will to resolve

the conflict, for such will has not been forthcoming at all from the Ukrainian Government, despite the promises so profusely made during the election campaign last year to achieve peace by “reaching out to the hearts and minds” of the people in Donbas. We hope that the agreements reached yesterday will not turn out to be yet another tactical ploy by the Ukrainian Government. Should that nevertheless prove to be the case, there is a massive risk of tensions escalating again.

The question as to how conscientiously the Ukrainian Government intends to fulfil its obligations is not a gratuitous one. The key Ukrainian negotiator at the TCG, Deputy Prime Minister and Minister for Reintegration Oleksiy Reznikov, has publicly stated on a number of occasions that the Ukrainian Government has no desire to make full use of the potential offered by that Minsk-based negotiation platform to achieve a comprehensive settlement. For example, on 17 July, while on air at the Ukrainian television channel ICTV, he said literally the following: “It is not in Minsk that peace can be established. That can only be done at a meeting of the leaders of the Normandy Four countries.” Furthermore, this representative of the Ukrainian Government has been brimming with ideas for a so-called “reformatting” of the Minsk agreements and has even threatened to “forget about the old agreements and create a ‘Minsk IV’ package”.

Recent actions by the Ukrainian armed forces suggest that the logic of war continues to occupy the thoughts of that country’s strategists. For it has been possible to observe attempts by the Ukrainian military to provoke tensions of precisely that nature. Let us once again turn to the incident of 13 July, when a group of Ukrainian military personnel tried to carry out, as confirmed by the facts that have come to light, reconnaissance and sabotage operations – essentially offensive actions – in the “grey zone” on the line of contact near the village of Zaitseve in the Donetsk region. At the last meeting of the Permanent Council, the distinguished Ambassador of Ukraine put forward a version of the incident, according to which a “military medic” who was on his way to recover the body of a soldier killed by an exploding mine came under “ambush” and was killed too.

Yet, first of all, we did not hear a single word then about the objective that the soldier killed by a mine had been pursuing when he entered the “grey zone” in the first place. On that very same day, though, the commander of the 35th Separate Naval Infantry Brigade of the Ukrainian armed forces confirmed via the media that the soldier had in fact been conducting reconnaissance operations there. Secondly, there was no mention whatsoever of how the “Ukrainian medic” who lost his life turned out to be an Estonian citizen, Nikolay Ilyin. As indicated by the facts, he was part of a team, all of whose members (including Ilyin) were armed and wearing full combat gear and camouflage fatigues, that set off from the Ukrainian armed forces’ forward positions and penetrated into the “grey zone”, where he, too, was killed by a mine. The evidence for all this is to be found in footage captured by his body camera, which a few days later was made publicly available on the Internet. You can watch that footage yourselves. Moreover, the press service of the Joint Forces Operation’s headquarters officially confirmed that the incident had indeed taken place in the “grey zone” and that those involved in it had been marines from the Ukrainian armed forces carrying out some “combat mission”.

By the way, the Minister of Foreign Affairs of Estonia, Urmas Reinsalu, emphasized in this connection that “Estonian citizens may operate in military units of other countries only with the permission of the Estonian Government”, adding that to his knowledge no such permits had been issued so far. On what legal basis, then, was that Estonian citizen taking part in the conflict in Donbas? Significantly, the fact that Mr. Ilyin was being remunerated for his military activities was confirmed by the Ukrainian armed forces when they referred to him as a “contract soldier”. Moreover, from the footage captured by Mr. Ilyin’s mobile phone camera that has been published by the media it transpires that citizens of other countries, including the United States of America, arrived in Donbas together with him to participate in the armed conflict on the side of the Ukrainian armed forces – in some cases, in return for monetary compensation. The story of one of these individuals – namely, the US citizen Sean Fuller – was related in detail during

interviews conducted a few days ago by Ukrainian journalists with, among others, members of the 503rd Separate Naval Infantry Battalion of the Ukrainian armed forces, the unit to which Mr. Fuller has been “assigned” since 2018.

Behind its grand words about the death of an armed “medic” we may detect the Ukrainian delegation’s striving to deflect attention from the main point – namely, that participating alongside the Ukrainian armed forces in the punitive operation against the civilian population of Donbas are a number of foreigners who have come to the region to fight for money. They are equipped with items of military gear and weapons that are not manufactured in Ukraine. It remains an open question how many deaths of Ukrainian citizens, that is, residents of Donbas, they have been responsible for.

In the name of supporting the military operation in Donbas, several countries continue to inundate Ukraine with military equipment and to devote themselves to the further destabilization of that State. For instance, in early July the Ministry of Defence of Estonia donated a batch of 2,400 Makarov pistols to the Ukrainian Government, even bearing the shipping costs itself. Interestingly, the weapons handed over had been confiscated by Estonian law enforcement officers as long ago as the 1990s; their exact provenance is unclear.

As is well known, larger-scale batches of lethal weapons are being shipped by the United States. We have already drawn attention to two consignments of military hardware that were handed over in May and June through the US Embassy in Kyiv for the Ukrainian armed forces’ use in their military operation in Donbas. Furthermore, in early July, the Commander-in-Chief of the Armed Forces of Ukraine, Ruslan Khomchak, revealed the plans for using the Javelin anti-tank guided missile systems that the United States had delivered to Ukraine in 2018. It is intended to deploy them to each brigade of the Ukrainian armed forces that is stationed near the line of contact in Donbas. Can there really be peaceful intentions behind all these plans?

We call on the United States and other countries that keep on inciting the Ukrainian armed forces to further violent actions in Donbas to acknowledge their role in and responsibility for stirring up the conflict in eastern Ukraine, to put a stop to their own destructive practices and to support – not merely by words, but by deeds – a peaceful resolution.

Once again, we note that the crisis in Ukraine is the result of the February 2014 coup d’état, which was orchestrated, funded and organized from abroad and has led to the armed confrontation in Donbas and the wholesale suffering of millions of civilians.

We call on our international partners, the OSCE and Ukraine’s external “minders” to exert maximum influence on the Ukrainian leadership in order to encourage it to carry out responsibly the measures agreed upon on 22 July in support of the ceasefire regime and to act in the interests of peace and civil harmony, the aim being to achieve swift implementation of the Package of Measures in a full and co-ordinated manner on the basis of direct and sustainable dialogue between the Ukrainian Government and the authorities in Donetsk and Luhansk.

We have taken note of the thematic report by the SMM, issued a few days ago, on the impact of the conflict in eastern Ukraine on the work of educational facilities in Donbas, which covers the period from 2015 to early 2020. The report presents a disheartening picture. Dragging on for more than six years now, the conflict is having an extremely negative effect on the children themselves, as they are constantly exposed to hazards such as shelling, the presence of military positions near schools, and the proximity of mines and unexploded ordnance. Damage to 93 schools in 43 settlements within Donbas has been recorded. For example, School No. 4 in Zolote-5/Mykhailivka (Luhansk region) was shelled on no fewer than

15 occasions in 2019. In some cases, schools have come under shelling at the very same time as classes were going on inside.

The issue of the provision of teaching at educational facilities is by no means exhausted by reports on the shelling of schools. For in accordance with legislation on education that is coming into effect soon, as of 1 September this year, many schoolchildren in Ukraine will lose the right to be taught in the Russian language at secondary schools. A few days ago, the Verkhovna Rada refused to even examine a draft law introduced by the opposition recently with a view to amending various previously adopted regulations concerning education and citizens' linguistic rights. Aided and abetted by the authorities, the educational and linguistic discrimination of Russian-speaking Ukrainians and national minorities has acquired a systematic nature.

We expect the SMM to continue the practice of issuing thematic reports. We reiterate the need for a long overdue summary document to be prepared on civilian casualties and damage to civilian infrastructure in the conflict zone. Close attention should also be paid to the increasing number of manifestations of aggressive nationalism and armed radicalism.

And now to my last point. According to reports that have just come in, the SMM was able this week to reach an understanding with the representatives of certain areas of the Luhansk region regarding the modalities for the monitors to travel across the line of contact. Of course, as in the case of their crossing the line of contact to travel into certain areas of the Donetsk region, this is subject to compliance with medical measures to ensure the safety of the Mission's personnel and the inhabitants of the region in the context of the coronavirus epidemic. We reaffirm our call for the SMM to intensify its work not only in Donbas but throughout the entire territory of Ukraine.

Thank you for your attention.