



EUROPEAN UNION

OSCE Permanent Council Nr 1000 Vienna, 15 May 2014

EU Statement on the Violation of OSCE Principles and Commitments by the Russian Federation and the Situation in Ukraine

At its 12 May meeting, the EU Foreign Affairs Council reiterated that it stands firm in upholding Ukraine's unity, sovereignty, independence and territorial integrity and called upon Russia to do likewise. It expressed alarm by the continued efforts of pro-Russian separatists to destabilise Eastern and Southern Ukraine and underlined that it will not recognise the 11 May's nor any future illegitimate and illegal "referenda".

We welcome the holding of a first meeting of the national dialogue yesterday in Kyiv. We attach much importance to this inclusive process which is facilitated and supported by the OSCE, and we look forward to the next meetings in the coming days.

The recent developments are of deep concern to us. The continuation of seizure of public buildings, kidnappings, killings and violation of media freedom by illegal groups is unacceptable and must stop. The tragic events in Odessa on 2 May with many dead and injured must be thoroughly investigated and all those responsible brought to justice. Likewise, the incident in Mariupol on 9 May which resulted in deaths and casualties is a cause for grave concern. We welcome the decision of the parliament of Ukraine to create an ad hoc parliamentary investigation committee to review cases of killings of civilians in the East and South of Ukraine, including the Odessa and Mariupol events. The detention of a group of staff from the International Committee of the Red Cross on 9 May was deeply worrying, but we welcome their release.

Mr Chairman, we thank ODIHR and the HCNM for their very detailed informative report on the human rights and minority situation in Ukraine covering the period early March to mid-April. We look forward to discussing this in more detail when the report is presented next Monday. It is clear however that the report describes a deeply worrying human rights situation which did not precede but accompanied and followed the emergence of various armed groups, particularly in Crimea and Eastern and Southern Ukraine. The victims of human rights violations, which include cases of torture, kidnappings and killings, were primarily pro-Maidan activists and journalists. We also welcome the recent statements made by the RFOM.

The HCNM, with over 20 years of experience working in Ukraine, including in Crimea, found that the situation concerning rights of persons belonging to national minorities has not changed significantly in recent months. The report states that underlying shortcomings regarding the position of persons belonging to national minorities in Ukraine remain, including as regards the legal framework to protect and promote the rights of persons belonging to national minorities and efforts to implement the relevant laws, but that these are longer term issues which have become more urgent as security and stability in Ukraine is under threat. The report also notes that the situation in Crimea has dramatically changed, affecting in particular the ethnic Ukrainians and ethnic Tatars in Crimea, who find themselves now in a very precarious situation.

The report by ODIHR and the HCNM gives further evidence that there was and still is no imminent threat to the Russian speaking population. On the contrary, we believe that the de-stabilisation of Ukraine by the Russian Federation and armed groups has led to human rights violations in Eastern and Southern Ukraine and to a much more precarious situation for ethnic Ukrainians and ethnic Tatars.

Mr Chairman, as underlined by the Foreign Affairs Council, the EU strongly supports the holding of free and fair Ukrainian Presidential elections on 25 May, and

calls on all parties to do so, in order to overcome the crisis and allow the Ukrainian people to choose their own future. The EU takes note of the recent declarations from the President of the Russian Federation regarding the Presidential elections in Ukraine and expects support for the holding of these elections. We welcome the deployment of the biggest ever ODIHR Election Observation Mission. We note that even in this challenging and complex environment in some parts of Eastern and Southern Ukraine, ODIHR's observers are able to operate and we welcome progress registered in organising the elections as mentioned in ODIHR's 2nd interim report. Safety and access for the many election observers before and during the Presidential elections will be of crucial importance. We regret that the elections will not be conducted in Crimea.

The EU reconfirms its full commitment to the Geneva Joint Statement and calls on all parties involved to fully implement it. We welcome the efforts taken so far by the Ukrainian authorities to this end, including by launching the process of national dialogue towards constitutional reform and decentralisation and proposing an amnesty law for those who will peacefully leave the buildings they have seized in Eastern Ukraine. The EU encourages further work to this end. We also call on the Russian Federation to take effective steps with regard to fulfilling the commitments taken in Geneva. The EU supports a swift convening of another meeting at ministerial level in the Geneva format in order to ensure full implementation of the Geneva Joint Statement with the assistance of the OSCE. The EU encourages continuation of efforts by Ukrainian authorities to reach out to all regions of Ukraine within the framework of the envisaged national dialogue proposed by the Ukrainian government, including the Government's steps towards inclusive all-Ukrainian dialogue on the constitutional reform process. The rights of persons belonging to national minorities need to be fully ensured in line with the relevant standards of the OSCE and the Council of Europe.

The EU commends the work already undertaken by the OSCE and encourages it to ensure effective operations throughout Ukraine. We continue to believe that the OSCE should use its full potential, including relevant politico-military instruments, in

the current situation. We salute the efforts of all OSCE staff and the Secretary-General.

Mr Chairman, the EU reiterates its demand to Russia to call back its troops from the Ukrainian border and to immediately withdraw the mandate of the Federation Council to use force on Ukrainian soil. It also condemns declarations and visits of high officials engaged in supporting illegal attempts at separatism, and thus contributing to heightening tensions in Ukraine and other states in the region. We also condemn any attempt to circumvent the sanctions regime. It is high time for the Russian Federation to allow verification of the withdrawal of Russian troops from the areas bordering Ukraine by offering to host additional Vienna Document visits and inspections. The EU calls upon all sides to exercise restraint and for an end to violence and provocations. We encourage the Ukrainian authorities to maintain their measured approach in pursuing law and order operations.

We urge Russia to recognise the fundamental principles of sovereignty, independence and territorial integrity that it has itself invoked many times, and to contribute, by acts and public pronouncements, to stabilise the situation and reverse moves that contravene these principles. We reiterate our strong condemnation of the illegal annexation of Crimea and Sevastopol to the Russian Federation and we will not recognise it. We note with regret the presence of President Putin at the military parade in Sevastopol on 9 May.

In light of the recent developments and in the absence of any steps towards de-escalation the Foreign Affairs Council decided to expand the criteria allowing individuals and entities to be subject to visa ban and asset freeze. The Council also decided to add a new group of individuals and entities to the list subject to restrictive measures. The EU will pay particular attention to all parties' attitude and behaviour towards the holding of free and fair Presidential elections when deciding about possible future measures.

The Candidate Countries the FORMER YUGOSLAV REPUBLIC OF MACEDONIA*, MONTENEGRO*, ICELAND+, the Countries of the Stabilisation and Association Process and Potential Candidates ALBANIA and BOSNIA and HERZEGOVINA, and the EFTA country LIECHTENSTEIN, member of the European Economic Area, as well as GEORGIA align themselves with this statement.

* The Former Yugoslav Republic of Macedonia and Montenegro continue to be part of the Stabilisation and Association Process.

+ Iceland continues to be a member of the EFTA and of the European Economic Area.