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AT THE 1273rd MEETING OF THE OSCE PERMANENT COUNCIL**

2 July 2020

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

Mr. Chairperson,

The Annual Security Review Conference held from 23 to 25 June made it clear that quite a number of OSCE participating States continue to consider the Minsk agreements for the settlement of the crisis in Ukraine in a way that is divorced from their letter and spirit. Some deliberately avoid reading the agreements thoughtfully and carefully, forgetting that concrete steps to fulfil the relevant obligations should be taken by the parties to the internal Ukrainian conflict, namely the Ukrainian Government and the authorities in Donetsk and Luhansk. In a number of cases, instead of a realistic view of things, we heard the rehashing of hackneyed propagandistic clichés about “aggression” and “occupation” that have nothing to do with reality. None of the documents adopted as part of the settlement process use these terms.

It is also symptomatic that in their statements the representatives of Ukraine continue to ignore the Minsk Package of Measures of 12 February 2015, which was approved by United Nations Security Council resolution 2202 and is recognized as the only international legal basis for resolving the conflict in the east of the country. However, this attitude fits in with the Ukrainian Government’s tactics of recent months, whereby it pretends to be involved in implementing the Minsk agreements, and at other times openly sabotages them.

Under the pretext of “red lines” that have suddenly appeared out of nowhere, the Ukrainian Government’s representatives are blocking any progress on the key provisions of the Package of Measures, which are the foundations for any political settlement. These include substantive direct consultations with the representatives of certain areas of the Donetsk and Luhansk regions regarding all the political and legal aspects of a special status for these areas; constitutional reform so that the specific features of the self-government of Donbas are reflected in the Ukrainian Constitution; an amnesty; agreeing on the modalities for holding local elections; and simultaneous advancement on the political and security tracks. Instead, the Ukrainian Government wants to engage in political dialogue exclusively within its own delegation, passing off the results as decisions agreed upon with the representatives of the authorities in Donetsk and Luhansk, and makes no secret of its desire to establish military control over the territory of certain areas of Donbas without even taking any actual steps towards a political settlement. And instead of an amnesty, it proposes “purging” the region of dissent by using some “special model of justice” (another

new concept recently proposed by the Deputy Prime Minister and Minister for Reintegration, deputy head of the Ukrainian delegation to the Trilateral Contact Group (TCG), Oleksiy Reznikov).

All of this does nothing to create a favourable environment for progress towards a settlement. Owing to the factors already mentioned, the discussions during the TCG videoconference on 25 June failed once again to yield any concrete results. The documents on the special status and amnesty that the Ukrainian Government, without any regard for the opinion of the people who actually live in Donbas, submitted for the TCG's consideration immediately gave rise to questions which, we believe, will require careful study by the representatives of the authorities in Donetsk and Luhansk. Only the progress observed on mine clearance allows one to derive cautious optimism.

The comments made by the new representatives of the Ukrainian Government at the negotiations in Minsk are not contributing to the establishment of an effective dialogue between them and Donbas. The recent remarks by the representative in the TCG Humanitarian Working Group, head of the Verkhovna Rada Committee on Social Policy Halyna Tretiakova, are yet another example of Ukraine's unconstructive approach. She expressed her personal belief that low-income families produce "children of very low quality" and suggested that trying out sterilization ought to be considered. All this sounds rather bizarre in view of the targeted economic discrimination and oppression of Donbas residents by the Ukrainian authorities. This has been going on for several years now through their socio-economic blockade of the region and their refusal to pay social benefits to those who are unable to cross a dangerous segment of the line of contact in order to regularly reconfirm that they are entitled to such benefits.

The situation at the line of contact itself remains extremely difficult. Owing to the Ukrainian Government's reluctance to engage in constructive work with the militias in order to respond to the common threats caused by the spread of the coronavirus, no agreement has yet been reached on the criteria and procedures for crossing the line at checkpoints during the epidemic. This is giving rise to critical situations. For example, during the early hours of 27 June, dozens of people found themselves trapped in the so-called grey zone near the Olenivka checkpoint.

We are very concerned about the damage caused to the property of the OSCE Special Monitoring Mission to Ukraine (SMM), including its equipment. On 30 June, an SMM camera was fired at in the vicinity of the Oktiabr mine (Donetsk region). Earlier, on 2 and 22 June, cameras in Petrivske and Shyrokyne were damaged. We urge the Mission to continue to monitor the situation there and to establish the circumstances surrounding any incidents involving its equipment, including the calibre and type of the weapons used. Mission reports indicate an increase in the military activity of the Ukrainian armed forces in the immediate vicinity of these cameras (for example, camouflaged deployment of armoured vehicles in Bohdanivka or three new trenches dug by the Ukrainian armed forces in Shyrokyne – reports dated 9 and 24 June respectively). It is telling that just yesterday soldiers from the 24th Separate Mechanized Brigade of the Ukrainian armed forces posted a video clip of themselves using an anti-tank guided missile system to shoot at an electricity pylon that allegedly had a militia camera affixed to it in the settlement of Novoluhanske (Luhansk region).¹ The line of fire was adjusted using an unmanned aerial vehicle. The fact that they shot at and destroyed a critical infrastructure facility did not bother them at all.

The SMM is recording fresh civilian casualties and destruction as a result of shelling in Donbas. A local resident was killed in Oleksandrivka (Donetsk region) on 22 June. According to reports in the media, over ten settlements in certain areas of the Donetsk and Luhansk regions were shelled last week. We expect the Mission to verify these accounts and include in its reports information on the damage caused by the shelling.

1 "Fakty ICTV" news programme: <https://youtu.be/dtbVAqgGjhA>.

In these circumstances, the United States of America, Canada, the United Kingdom and a number of European Union countries continue to train and supply arms to the Ukrainian army and effectively incite it to engage in further violence against the people of Donbas. The Canadian Defence Ministry has already announced its plans to send 90 military instructors from the Fourth Canadian Division originally stationed at a military base in Petawawa, Ontario, to the Lviv region. There are plans afoot to send a further 50 military personnel for the same purpose. Operation ORBITAL (a British military training programme) has been extended for three more years. According to the US Embassy in Ukraine, on 16 June, the US authorities transferred the latest military shipment – including walkie-talkies, ammunition and warheads for missile systems, for a total value of 60 million US dollars – to the Ukrainian armed forces. The Pentagon’s proposed draft budget for 2021 provides for allocating another 250 million US dollars to Ukraine, half of which, as expected, will be used to supply arms. In June, the US Government announced its far-reaching plans to supply arms and military hardware, including naval equipment, worth a total sum of approximately 600 million US dollars. In addition to this, the United States continues to build a naval command post at Ochakiv (Mykolaiv region).

The militarization of Ukraine is not conducive to reducing military tensions; rather, it gives a boost to the “war party” in Kyiv with its belligerent aspirations regarding Donbas. What is more, it does nothing to help overcome the deep socio-political crisis that swept the country after the coup d’état of February 2014. Both at the State level and in everyday life, those who disagree with the ideas of “Ukrainian national and linguistic exclusivity” continue to be discriminated against. Associations of aggressive nationalists are throwing their weight about. For example, after a recent march by the supporters of an opposition political party in Kyiv, radicals from the National Corps announced nationwide “intimidation actions” against the party’s activists. One of the participants in the Kyiv march was nearly beaten to death in Kharkiv, while another was seriously injured in Vinnytsia.

Journalists are increasingly becoming targets of attacks because of their professional activities. According to the Verkhovna Rada Commissioner for Human Rights, Lyudmyla Denisova, about 100 cases of violations of freedom of speech have been recorded in the first half of 2020, at least 66 of which involved physical violence against reporters. Data from the Prosecutor-General’s Office of Ukraine clearly show the scope of the problem, with over 400 criminal cases involving crimes against journalists currently being investigated. Only ten have reached the indictment stage. Many high-profile crimes against media workers committed since the bloody events on the Maidan remain unsolved.

It is not surprising under these circumstances that the Ukrainians’ trust in the authorities continues to decline. According to recent opinion polls by the Kyiv International Institute of Sociology, about half of Ukrainians – 45 per cent – do not endorse the authorities’ actions; and according to the NGO “Social Monitoring Center”, about 70 per cent believe that the country is heading in the wrong direction.

We note once again 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 in Ukraine.

We call on our international partners, the OSCE and Ukraine’s external “mindes” to exert maximum influence on the Ukrainian leadership in order to encourage it to act in the interests of peace and civil harmony, the aim being to achieve swift implementation of the provisions 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.

Significantly, on 1 July, the United Nations Security Council called for a ceasefire in all conflicts around the world in view of the coronavirus pandemic, having unanimously adopted a resolution in support of the earlier appeal by United Nations Secretary-General António Guterres. We expect the OSCE – as a regional arrangement under Chapter VIII of the Charter of the United Nations – to respond promptly to this step in the interests of agreement being swiftly reached within the TCG on ceasefire measures for the conflict in eastern Ukraine.

Thank you for your attention.