



EUROPEAN UNION

OSCE Permanent Council No. 1239 Vienna, 5 September 2019

EU Statement in response to the Update by the Special Representative of the OSCE Chairperson in Office in Ukraine and in the Trilateral Contact Group, Ambassador Martin Sajdik and to the Report by the Chief Monitor of the OSCE SMM to Ukraine, Ambassador Yaşar Halit Çevik

Mr. Chairperson, the European Union welcomes Ambassador Martin Sajdik and Ambassador Yaşar Halit Çevik to the Permanent Council and commends them for their perseverance, dedication and tireless efforts in working towards sustainable peace in Ukraine, in line with the OSCE principles and commitments.

The EU commends the Trilateral Contact Group for preparing the ground for the recommitment to ceasefire that entered into force on 21 July 2019. We agree with you Ambassador Sajdik that it was a major factor contributing towards the improvement of the security situation. We echo you in urging all the sides to undertake all necessary steps for ensuring a continued, unlimited, sustainable and comprehensive ceasefire, especially with a view to the beginning of the school year. In this context, we fully support latest diplomatic efforts aimed at sustainable political resolution of the conflict in eastern Ukraine and looking forward to further talks in the “Normandy Format”. We also look forward to the planned exchange of prisoners taking place as soon as possible, once negotiations have been completed. At the same time we underline the importance of full cooperation by all States with efforts to establish accountability for the downing of flight MH17.

The EU welcomes an overall improvement of the security situation in both Donetsk and Luhansk regions, including a significant drop in the number of ceasefire violations compared to the period before the ceasefire took effect. However we are concerned about the volatile security situation in conflict areas, which has still the potential to deteriorate quickly and has already seen local escalations. We are convinced that sustainable ceasefire is fundamental for stabilizing the situation and unlocking processes in all security-related areas. Once again we reiterate our call to the sides to disengage, withdraw heavy weapons and step up efforts on comprehensive mine action.

We welcome the positive progress in disengagement of forces and military hardware in Stanytsa Luhanska. In this regard, we welcome the ongoing demining activities inside the disengagement area and the operation of a shuttle bus service on the government-controlled side, facilitating the crossing of the conflict line in Stanytsa Luhanska. We expect further progress in completion of mine clearance as well as dismantling of fortification to enable repairs of the broken section of the Stanytsa Luhanska bridge. It would constitute an important step towards wider disengagement along the contact line and should be further consolidated and expanded, in particular to both Zolote and Petrivske disengagement areas. We highlight the great efforts of the SMM in monitoring the situation on the ground 24/7 and facilitating dialogue between the sides.

The decrease of ceasefire violations considerably reduced the impact of the conflict on civilians. Nevertheless, we fully agree with you that more efforts are needed to protect civilians, who are still paying the price of ongoing conflict. Shelling and small-arms fires which damage houses, schools and infrastructure remain daily occurrences. Despite our appeals, civilians crossing the contact line are still exposed to hardship. The limited number of checkpoints, combined with extended waiting hours and inadequate facilities, significantly impede daily existence. Therefore we once again call on the sides to open new crossing points along the contact line, particularly in the Luhansk region, and to undertake necessary repairs of critical civilian infrastructure on both sides of the contact line to ease human suffering.

The EU highly appreciates impartial and comprehensive reports provided by the SMM and attaches strong importance to securing proper conditions for SMM operations. Regrettably, as stated in your last report, SMM Monitoring Teams continue to operate in hazardous environment and your ability to effectively monitor the situation on the ground

is hindered by restrictions in freedom of movement and systematic denials of access mostly to non-government-control areas. We note with concern that SMM UAVs continue to be subject to signal interference and targeting by small-arms fire. Those responsible for any wilful damage, destruction or loss of SMM UAVs and other assets should be held accountable, both politically and financially. We also remain concerned about vehicular activity, including military-type trucks undertaken in non-government areas as well as deployment of surface-to-air missiles system (9K33 Osa) near the border with the Russian Federation.

We are concerned with the two recent incidents in Pikuzy. On 1 September, the Mission saw and heard an explosion only 30m from its position while conducting an impact site assessment in the village. Just a few days later on 4 September an SMM patrol heard shots and small arms fire less than 200m from their position. The safety and security of the SMM is of primary importance. The EU strongly deplores any attempts to harass, intimidate or impede the work of SMM personnel and condemns the continued threats and restrictions to the SMM, which occur predominantly in non-governmental-controlled areas. This practice hampers the SMM from fulfilling its mandate. The SMM must have safe, secure, unconditional and unimpeded access to the entire territory of Ukraine. This includes the illegally annexed Crimea and the city of Sevastopol and along the Ukraine-Russia state border to which the SMM is systematically denied access by Russia-backed formations.

We reiterate our utmost concern about the Russian presidential decrees and their extensions, enabling the simplified issuing of Russian passports to Ukrainian citizens, which constitutes yet another attack on the sovereignty of Ukraine, and runs counter to the spirit and objectives of the Minsk agreements. We will continue to monitor the situation in eastern Ukraine and stand ready to consider further options, including non-recognition of Russian passports issued in contradiction to the Minsk agreements, in close coordination with our international partners.

Our position on the unjustified use of force by Russia near the Kerch Strait on 25 November 2018, its negative impact in the Black and Azov seas and Russia's violations of international law is well-known. We once again urge Russia to comply without delay with the order of the International Tribunal for the Law of the Sea (ITLOS) delivered on 25 May and to immediately release the 24 detained Ukrainian servicemen and allow

them to return to Ukraine, to release and return to Ukraine's custody the vessels, and call on both parties to refrain from taking any action which might aggravate or extend the dispute. Respect for international court rulings is fundamental for an international rules-based order. We further call on Russia to ensure unhindered and free passage to and from the Sea of Azov, in accordance with international law.

The EU remains firm in its call on all sides to swiftly and fully implement the Minsk agreements and honour their commitments in full in order to achieve a sustainable political solution to the conflict in line with the OSCE principles and commitments. We call on Russia to fully assume its responsibility in this regard and to use its considerable influence over the armed formations it backs to meet the Minsk commitments in full. Respect for these principles and commitments must be restored. We again call on Russia to immediately stop fuelling the conflict by providing financial and military support to the armed formations, and we remain deeply concerned about the presence of Russian military equipment and personnel in areas held by Russia-backed armed formations. The duration of the European Union's sanctions against Russia is linked to the complete implementation of the Minsk agreements.

The EU recalls its unwavering support to the sovereignty, territorial integrity, unity and independence of Ukraine within its internationally recognised borders, and calls upon Russia to do likewise. We urge Russia to uphold these fundamental principles that it has itself invoked many times and to contribute, by acts and public pronouncements, to stabilising the situation and reversing moves that contravene these principles. We strongly condemn the clear violation of Ukrainian sovereignty and territorial integrity by acts of aggression by the Russian armed forces since February 2014 and the illegal annexation of the Autonomous Republic of Crimea and the city of Sevastopol to the Russian Federation, which we will not recognise. The European Union will remain committed to fully implement its non-recognition policy, including through restrictive measures.

The Candidate Countries REPUBLIC of NORTH MACEDONIA*, MONTENEGRO* and ALBANIA* and the EFTA countries ICELAND and LIECHTENSTEIN, members of the European Economic Area, as well as the REPUBLIC OF MOLDOVA and GEORGIA align themselves with this statement.

* Republic of North Macedonia, Montenegro and Albania continue to be part of the Stabilisation and Association Process.