



EUROPEAN UNION

**OSCE Special Permanent Council No 1074
Vienna, 4 November 2015**

**EU Statement in Response to Briefings by the Chief
Monitor of the OSCE SMM,
Ambassador Ertugrul Apakan, and Special Representative
of the OSCE Chairperson-in-Office in Ukraine, Ambassador
Martin Sajdik**

The European Union warmly welcomes Ambassador Apakan and Ambassador Sajdik back to the Permanent Council and thanks them for their briefings. We also appreciate the report by the Chief Monitor on the activities of the Special Monitoring Mission to Ukraine from 8 July to 29 October 2015. We take this opportunity to reiterate our strong support for your joint efforts to advance a sustainable political settlement based on OSCE principles and commitments.

While recognising that the ceasefire is holding overall, we are concerned by recent reports of an increase in incidents. However, the fragile progress on the ground since your last briefings of the Council warrants cautious optimism. The work of the SMM on the ground and of the Trilateral Contact Group at the negotiation table is critical to sustaining this fragile progress and to advancing full implementation of the Minsk agreements.

We again commend the SMM for its ability to adapt and respond to a fluid and challenging situation on the ground. The considerable increase in the SMM's monitors from early July to late October and the SMM's facilitation of the restoration of infrastructure and of prisoner exchanges is testament to this. We also reiterate our full support for the SMM's impartial reporting and we welcome steps taken by the Mission to enhance security. We would appreciate if Ambassador Apakan could shed light on how the Mission's management structures are being adapted to accommodate the ongoing expansion and how the increase in staff is contributing to improving the monitoring process.

Despite the stated support for the SMM's efforts by all parties, it is deeply regrettable that the vital work of the Mission is still being obstructed on a daily basis. First of all, full, safe and unhindered access throughout Ukraine is crucial for the SMM to fulfil its mandate. We note that the SMM on 2 November, subject to several restrictions imposed by separatists, reached a border crossing point in separatist-held areas of Luhansk on the state border with Russia. Yet the Mission's monitors and UAVs still face significant restrictions in large swaths of separatist-held areas, in particular north-east of Mariupol and along the state border with Russia. Second, establishing all the planned Forward Patrol Bases is important for expanding the SMM's monitoring and verification efforts. But agreement on planned Bases in separatist-held parts of Donetsk is still outstanding – despite the SMM's effort to engage the separatists on this issue. Third, manipulation and delay of baseline information risks undermining the fragile progress achieved thus far in implementing the withdrawal agreement of 29 September. We urge all sides, particularly the Russia-backed separatists, to abide by the withdrawal agreement fully and without delay. This should be accompanied by the unconditional withdrawal of all heavy weapons in accordance with the Minsk Package of Measures. To this end, we support the SMM's introduction of clearer and more effective verification requirements by November 9, as reported by the Chief Monitor.

It is unacceptable that the SMM has had no access to Crimea despite the urgent need for international monitoring of the deteriorating human rights situation. We support continued reporting by the SMM and the autonomous institutions on the situation based on interviews with activists, IDPs and other sources.

We welcome the SMM's continued efforts on gender mainstreaming, including by establishing focal points and applying a gender sensitive analysis in its monitoring and reporting. Further work in support to the implementation of UNSCR 1325 is also appreciated.

We once again express our full support to the ongoing negotiations in the Trilateral Contact Group and the subordinate working groups. We urge the Political Working Group to exploit the current lower intensity in violence to agree on the modalities of local elections in certain parts of Donetsk and Luhansk in accordance with Ukrainian

legislation, relevant OSCE standards and monitored by ODIHR. The overall lower intensity in violence could also create new opportunities for the SMM to strengthen its dialogue facilitation efforts at the local level. We welcome the recent agreements in the Economic Working Group on the restoration of key infrastructure.

We once again urge the separatists to ensure full and safe humanitarian access and to engage constructively to this end in the negotiations in the Humanitarian Working Group. Time is of the essence. According to the UN, three million people are affected by the separatists' obstruction of humanitarian assistance. In contrast, while further steps should be taken, we welcome recent measures by the Ukrainian Government to simplify procedures allowing international humanitarian actors to operate.

We call on all the parties for further efforts in relieving the suffering of people affected by mines and other unexploded remnants in Ukraine. We urge the Security Working Group to agree on steps to advance mine action, disengagement in Shyrokyne and the full withdrawal of heavy weapons. Comprehensive mine action, including clearance of mines and unexploded ordnance and risk education, is critical to enhancing security, building mutual trust, enabling the restoration of key infrastructure, advancing SMM access, the delivery of humanitarian aid and the return of internally displaced persons. In this regard, we call on the Security Working Group to agree to a framework for mine action. We would appreciate if the Chief Monitor could share his assessment of the prospects of such an agreement.

The European Union remains firm in its call on all parties to swiftly and fully implement the Minsk agreements and honour their commitments. We underline Russia's responsibility in this regard and also once again call on Russia to use its considerable influence over the separatists to meet their commitments. The ceasefire must be respected. All heavy weapons must be withdrawn and foreign armed formations, military equipment and mercenaries removed from Ukraine. Re-establishing full Ukrainian control over its state border is essential. We reiterate our concern about reports regarding the continued presence of military equipment and personnel from Russia, including the presence of a Zhytel jamming communication station and a TOS-1 Buratino in separatist-held areas. We recall that the duration of

the EU economic sanctions against Russia is linked to the complete implementation of the Minsk agreements.

Mr Chair, the European Union recalls its unwavering support to the sovereignty, territorial integrity, unity and independence of Ukraine, and calls upon Russia to do likewise. We urge Russia to recognise these fundamental principles that it has itself invoked many times, to contribute, by acts and public pronouncements, to stabilise the situation and to 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.

The Candidate Countries MONTENEGRO* and ALBANIA*, the Country of the Stabilisation and Association Process and Potential Candidate BOSNIA and HERZEGOVINA, and the EFTA countries ICELAND, LIECHTENSTEIN and NORWAY, members of the European Economic Area, as well as UKRAINE, the REPUBLIC OF MOLDOVA, GEORGIA and SAN MARINO align themselves with this statement.

* Montenegro and Albania continue to be part of the Stabilisation and Association Process.