



United States Mission to the OSCE

Reply to the Russian Federation on Ongoing Violations of International Law and Defiance of OSCE Principles and Commitments by the Russian Federation in Ukraine

As delivered by Ambassador Daniel B. Baer
to the Permanent Council, Vienna
September 10, 2015

I just wanted to respond to a couple of points raised by our distinguished Russian colleague.

First, I want to say that I recognize a change in tone in much of today's statement from the Russian Federation – the tone was more positive, and I hope this will prove to be something that is also reflected in action on the ground. Because in the past it has been a disappointment when we have heard nice talk here in Vienna, but it hasn't been followed by action. So the real test will be whether there is action on the ground. One of the steps the Russian Federation could take immediately to demonstrate good faith would be to give orders to allow the OSCE to have full access to the parts of Ukraine that are under Russian-separatist control, including along the international border, as Russia agreed to a year ago.

Second, with respect to local elections – I addressed this somewhat in the statement last week – it is important that we recall, even though what's done cannot be undone, how we got here. It was agreed last September that there would be local elections in special areas of Donetsk and Luhansk. And unfortunately the Russian government didn't take steps to stop the "clown" elections that were held last fall, and that derailed the implementation of the Minsk Protocol, requiring eventually an effort to restart full implementation of the Minsk Protocol in February. If the Russian government had taken steps last fall to stop those "clown" elections, we might have been able to resolve the situation much sooner. So now we are faced this fall with another test of the Russian Federation's seriousness. It is clear that the self-declared so-called "elections" by these so-called authorities in certain areas of Donetsk and Luhansk will not be conforming to what was agreed in February: they will not be according to international standards, they will not be under Ukrainian law – and so they will be invalid. They would simply be a piece of political theater if they go forward, and they would be a gross violation of the Minsk Agreements, requiring again further consequences.

What the Russian Federation could do constructively to demonstrate that its positive tone today is something that it presents in good faith, rather differently from previous times, would be to engage with its proxies in the Political Working Group to discuss with the representatives of the government of Ukraine what practical measures need to be taken in order to organize elections – elections that will conform to international standards, and that ODIHR would be willing to observe because they'd have an expectation that those elections would conform to international standards and be held under Ukrainian law.

Thank you, Mr. Chair.