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**STATEMENT BY MR. ALEXANDER LUKASHEVICH,
PERMANENT REPRESENTATIVE OF THE RUSSIAN FEDERATION,
AT THE 1259th MEETING OF THE OSCE PERMANENT COUNCIL**

13 February 2020

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

Mr. Chairperson,

On 12 February we marked the fifth anniversary of the signing of the Package of Measures for the Implementation of the Minsk Agreements. It was drawn up at the height of the armed confrontation, which then erupted with renewed force practically along the entire line of contact in Donbas. The document was intended to solve two problems: to stop the active hostilities and to outline a road map of further practical steps to achieve peace within the framework of a comprehensive political settlement. The Minsk Package of Measures supported by the Normandy Four leaders was endorsed by United Nations Security Council resolution 2202 of 17 February 2015. Its importance was confirmed by the statement of the President of the Security Council of 6 June 2018 and also by the final communiqué of the Normandy format summit in Paris on 9 December 2019. Thus, the document, which provides for fulfilment by the parties – the Ukrainian Government and the authorities of Donetsk and Luhansk – of their mutual obligations in the political, security-related, humanitarian and socio-economic spheres, continues to remain part of international law and the only internationally recognized framework for a settlement of the internal Ukrainian crisis.

Last year, we circulated in the OSCE a table illustrating the actual state of affairs as regards the implementation of the Minsk agreements (SEC.DEL/76/19 of 1 March 2019). One year later, we are obliged to note that this analysis remains valid, and there has been no notable progress. Not one of the paragraphs of the Package of Measures has been fully implemented to date. Incidentally, the key milestones of the political settlement should have been reached by the end of 2015. However, the then President of Ukraine, Petro Poroshenko, who was involved in drawing up the Package of Measures and insisted on it being signed by the representatives of Donetsk and Luhansk, subsequently avoided dialogue with them and only pretended to strive for peace. All this time, he was strengthening military capabilities while stepping up local hostilities and even declaring martial law in the eastern regions of the country.

After Volodymyr Zelenskyi's new political team came to power in Ukraine in 2019, the hopes of the Ukrainian people for a swift peace in Donbas were also dashed. Before they even had time to assume key posts, the new leaders of Ukraine immediately forgot about their election promises. They referred to pressure from the nationalists, who were demanding that the "Donbas problem" be resolved by means of force and were blackmailing the new government with threats that it would be overthrown because of alleged "attempts at capitulation".

Against this background, it proved possible with great difficulty to achieve some progress in carrying out the instructions of the Normandy format summits in Paris (2015) and Berlin (2016), for example on the disengagement of forces and hardware in Stanytsia Luhanska, Petrivske and Zolote, and also on the agreement in the Trilateral Contact Group (TCG) of the text of the “Steinmeier formula”. Here too, progress has been relative – the disengagement has not yet been verified by the OSCE Special Monitoring Mission to Ukraine (SMM), and the formula has not been reflected in Ukrainian legislation.

The Normandy format summit in Paris on 9 December 2019, at which the leaders urged the TCG in Minsk to intensify its work on a number of aspects of the Minsk agreements, did not lead to a breakthrough in the settlement. Among the decisions reached at the summit, the exchange of detainees between the Ukrainian Government and Donbas has so far been only partially resumed, but without proper and full implementation by the Ukrainian Government of guarantees to stop the criminal prosecution of the persons released. There has been no progress on other matters. For example, on the disengagement of forces and hardware in three new additional areas, the opening of new checkpoints on the line of contact, the incorporation of the “Steinmeier formula” in Ukrainian legislation, agreement between the Ukrainian Government and Donetsk and Luhansk on all the legal aspects of the special status of Donbas, and the finalization of this status. The attitude of the Ukrainian Government’s representatives in the TCG, notably at yesterday’s TCG meeting, as well as statements made by them raise doubts as to whether these measures can be implemented in the coming weeks or even months. All this calls into question the time-frame for the next meeting of the leaders in the Normandy format.

I should like once again to draw the attention of our French and German partners to the latest signs of obstruction by the Ukrainian Government of the Normandy Four’s decisions. Where are the clear signals to the Ukrainian leadership from the French and German Governments that these agreements need to be implemented?

We see attempts by Ukraine’s external backers to justify the inaction of the Ukrainian Government and play along with its plans to revise the Minsk agreements. We also regularly witness this at meetings of the Permanent Council, where some delegations, for example, raise the issue of the border as a condition for moving forward on the political track, although the Minsk agreements stipulate the exact opposite. Instead of encouraging the Ukrainian leadership to engage in direct dialogue with Donbas, we hear ranting about imagined “Russian aggression” and calls for the responsibility for all the foot-dragging in the implementation of the Package of Measures to be offloaded onto the Russian Government.

I emphasize once again – there is no mention in the Minsk agreements about any obligations on the part of Russia. Attempts to manipulate the facts merely make the prospect of a real settlement less likely and condemn the inhabitants of Donbas to fresh suffering.

Such rhetoric suggests that a number of States are interested in maintaining the heated tensions near Russia’s borders. It is no secret to us that it was at the insistence of the Government of the United States of America that at the Normandy format summit in Paris, the Ukrainian leadership gave up at the last moment on the idea of the disengagement of forces and hardware along the entire line of contact in Donbas. And this is despite the fact that during the preparation for the Normandy Four summit, the Ukrainian representative agreed to the concept of complete withdrawal.

Under these circumstances, it is impossible to achieve a complete ceasefire in Donbas. Since the start of this year, the SMM has recorded over 27,000 ceasefire violations (on a par with the figure for last year during the same period – 29,000). There have been fresh casualties and destruction. All this is the result of the unwillingness, with the irresponsible indulgence of the Ukrainian authorities, to follow the letter and the

spirit of the Minsk Package of Measures. We recall the long-overdue thematic report by the SMM on civilian casualties and destruction of infrastructure.

The developments over the past five years and the first steps by the current Ukrainian authorities show that the Ukrainian Government is continuing to introduce legislative amendments without any consideration for the opinion of the majority of the country's inhabitants. Blatantly discriminatory initiatives are being implemented against the background of bogus arguments about the prospects for national dialogue and reconciliation. They infringe the rights – including linguistic, educational and religious rights – of Russian-speaking citizens and national minorities. Furthermore, new laws undermine the prospect of implementing the Package of Measures, which establishes the right of certain areas of Donbas to linguistic self-determination. The election promises of the authorities to hold referendums on the most important issues of public life simply remain empty words. Pressure on the media continues unabated, up to attempts to introduce political censorship. Pandering to neo-Nazis and the fostering of nationalistic ideas among young people continue. All this deserves the closest attention from the SMM, including the publication of a thematic report on manifestations of aggressive nationalism, neo-Nazism and xenophobia in Ukraine. Highly publicized crimes such as the shootings on the Maidan, the burning of people in Odessa and the murder of journalists, about which society has been waiting for an answer since 2014, remain unsolved.

The Ukrainian leadership has so far been unable to find the courage itself to put a stop to the inhumane socio-economic and transport blockade of Donbas. Continuing the policy of the previous authorities of putting a stranglehold on the region, the Ukrainian Government has forgotten that there are citizens of Ukraine who enjoy all constitutional rights living on the other side of the line of contact as well.

The way to end domestic political instability in Ukraine is through national dialogue, including dialogue with Donbas. On the fifth anniversary of the signing of the Minsk Package of Measures, one vital consideration needs to be emphasized: this document is not obsolete and has lost none of its relevance. It remains the principal instrument for stopping the violence and the only framework for a peaceful settlement of the internal Ukrainian crisis. Each day of delay in the implementation of the Package of Measures, each hour that the Ukrainian Government avoids substantive and productive direct dialogue with Donbas, causes fresh suffering for the population and only makes the prospect of national reconciliation more remote. We urge the Ukrainian authorities to show commitment to restoring peace in their country – not on paper but in real life.

Thank you for your attention.