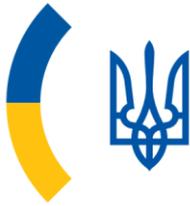


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Permanent Mission of Ukraine
to the International
Organizations in Vienna

Statement on Russia's ongoing aggression against Ukraine and illegal occupation of Crimea

As delivered by Ambassador Ihor Prokopchuk,
Permanent Representative of Ukraine to the International Organizations in Vienna,
to the 1227th meeting of the Permanent Council,
9 May 2019

Mr. Chairperson,

Last week, we had a thorough review of the most recent flagrant violation of Ukraine's sovereignty and the Minsk agreements by the Russian Federation, namely the presidential decrees signed in Russia on expedited issuance of Russia's passports in the temporarily occupied parts of Ukraine. We are grateful to all participating States, which expressed their condemnation of this step by Kremlin, including as a breach of the Minsk agreements, clearly derailing prospects of a peaceful resolution of the conflict started by Russia. The Russian Federation again shows the utter defiance of the OSCE principles and the position of the OSCE community. The OSCE SMM, in its daily report of 4 May, confirmed that the Russian occupation authorities had already started receiving applications for passports of the Russian Federation in the occupied city of Donetsk. The monitors observed representatives of the media present, which corresponds to Russia's long-established practice of waging propaganda campaigns to legitimize its illegal actions in the occupied parts of Ukraine.

The Russian side continues to evade its responsibility under the Minsk agreements, instead constantly trying to blame Ukraine for the lack of political will and lack of progress. After disrupting negotiations within the TCG on the new so-called "Easter ceasefire", Russia continued violating the ceasefire regime in Donbas, including with the use of the Minsk-proscribed weapons. In the last two months, these attacks left 19 Ukrainian servicemen dead and 92 wounded.

Withdrawal of the heavy weapons remains unfulfilled: even without long-range UAVs, operations of which remain suspended after another loss of one of them on 19 April, the monitors were able to spot dozens of pieces of heavy weapons, including, in the centre of the occupied city of Luhansk. On one single day of 4 May, the SMM

observed in that area five tanks, five self-propelled howitzers, ten towed howitzers, five MLRS, five surface-to-air missile systems and two anti-tank missiles. Huge numbers of Russia-supplied weapons remain hidden from sight of observers outside of the localities, especially in the border areas, which are inaccessible for the SMM due to the Russia-imposed restrictions and impediments.

Effective monitoring and verification by the SMM, including with the use of technical equipment such as UAVs, remains a challenging task. The weekly report of 1 May informs on 27 restrictions of the SMM's freedom of movement, all of them in Russia-occupied parts of Donbas. Since the beginning of 2019, the number of such restrictions reached 325 cases, 90% of which took place in those occupied territories. The Russian armed formations continue targeting SMM patrols and technical assets to intimidate monitors and to prevent the Mission from its regular reporting on the Russian modern weapons illegally supplied to Donbas. The day after an SMM patrol observed a surveillance radar system "PSNR-8 Kredom1" on the western edge of Pervomaisk, the Russian armed formations jammed another SMM mini-UAV 3km to the east of that area. The SMM was not able to return it.

Monitoring of the Ukrainian-Russian state border by the OSCE remains another unimplemented provision of the Minsk agreements, which is stalled due to Russia's position. The SMM patrols are regularly denied access to the border crossing points controlled by the Russian armed formations, most notably in Voznesenivka, Izvaryne, and Sievernyi. Occasionally, civilian unarmed monitors face an aggressive behaviour by the Russian proxies while heading to those BCPs, as was the case on 27 April in Pikuzy. We thank the Slovak Chairmanship for its readiness to resume informal consultations on enhancing transparency at the border and emphasize that the issue of border remains critical for achieving a sustainable and comprehensive ceasefire in Donbas.

Release of illegally detained persons has been blocked by the Russian side within the TCG since December 2017. The Russian Federation also shows no interest to dozens of its citizens sentenced in Ukraine for committing grave crimes against state and sovereignty of my country, whom the Ukrainian side is ready to release in exchange for Ukrainian citizens held as hostages by the Kremlin. Meanwhile, their number only grows, as Russia continues using hostages as a political tool to destabilize Ukraine, to undermine its democratic institutions and to polarize its society. We urge the Russian side to stop this practice and to adhere to the commitments it has undertaken.

While neglecting the Minsk agreements as a peaceful path to resolution of the conflict in Donbas through its de-occupation and withdrawal of the Russian troops, the Russian Federation continues its creeping annexation of the occupied parts of Ukraine's territory. The Russian proxies bring Russian totalitarian ideology, Russian holidays, Russian schoolbooks and Russian understanding of historical events to the occupied territories of Ukraine, deliberately undermining the prospects of reintegration of the people forced to live under the Russian occupation. On the eve of the staged events and farce, which we will observe on 9 May in the occupied Crimean peninsula and parts of Donbas, I wish to call participating States to remind their officials and nationals on the necessity to observe Ukraine's legislation on entry and exit of the occupied territories, as well as on the negative consequences of participation in such

events, which only fuels Russia's propaganda, but does not bring us any closer to the peaceful politico-diplomatic resolution of the conflict.

Distinguished colleagues,

We are grateful to all participating States supporting Ukraine in our combined efforts to bring Russia back to the negotiations table and to make Russia abandon its aggression against my country. Close attention to all flagrant violations of the norms of international law by the Russian Federation, as well as consolidated pressure, including through the restrictive measures, remain urgent for achieving these goals by Ukraine. We continue to invoke, wherever possible, international legal mechanisms to bring Russia to justice. Tomorrow, on 10 May, the International Tribunal for the Law of the Sea will hold hearing in the Case concerning the detention of three Ukrainian naval vessels (Ukraine v. Russian Federation). Respective request has been filed by Ukraine on 16 April, seeking the release of those vessels and 24 servicemen unlawfully seized by the Russian Federation in the Black Sea on 25 November 2018. I would remind that under the UN Convention on the Law of the Sea, naval vessels and the personnel on board have complete immunity, meaning that foreign nations may not seize them, detain them, or subject them to legal proceedings, as was the case with Russia's unlawful actions. In particular, Ukraine has requested that the International Tribunal order immediate provisional relief to Ukraine by releasing its naval ships and 24 servicemen, in light of the urgency of the situation. We expect that a decision will issue soon, and will keep the Permanent Council informed.

In the occupied Crimean peninsula, we are not observing any changes for the better as the plight of Ukrainian and Crimean Tatar communities, dissenting voices, lawyers, and independent mass media remains grave. The Russian occupation administration continues to deny access of the international organizations, NGOs and monitoring missions, including the SMM, to Crimea, which prevents us from receiving a comprehensive and unbiased information on the latest developments. We condemn this policy by Russia and reiterate that the situation with human rights and fundamental freedoms must remain a subject of close attention of the Permanent Council, the OSCE institutions and its executive structures.

We again urge the Russian Federation to reverse its illegal occupation of Crimea and to stop its aggression against Ukraine, including by withdrawing its armed formations from the temporarily occupied territories of Ukraine and fully implementing its commitments under the Minsk agreements.

Thank you, Mr. Chairperson.