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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 1228th meeting of the Permanent Council,
16 May 2019

Mr. Chairperson,

Last Friday, the International Tribunal for the Law of the Sea held a hearing, initiated by Ukraine, in the Case concerning the capture of three Ukrainian naval vessels by Russia. The Ukrainian side presented its position in the Case and requested that the International Tribunal order immediate provisional relief to Ukraine, securing release of its naval vessels and 24 servicemen unlawfully seized and detained by the Russian Federation. While the Russian side took the decision not to participate in this hearing, the Statute of the International Tribunal clearly states that “absence of a party or failure of a party to defend its case shall not constitute a bar to the proceedings”. We expect the provisional relief to be ordered in the next few weeks. The decisions of the Tribunal are final and must be complied with by all the parties to the dispute. We expect nothing less from the Russian Federation.

This Case is a part of the larger consistent efforts undertaken by Ukraine in pursuing the path of peaceful politico-diplomatic resolution of the conflict stemming from Russia's aggression against Ukraine and occupation of parts of Ukraine's territory. Every day, my country is forced to face severe consequences of this aggression, be it illegal detentions of Ukrainian citizens by Russia, shellings in the Donetsk and Luhansk regions by the Russian armed formations, hostile propaganda campaigns by the Russian state-run mass media, or the measures of economic pressure directed at undermining the well-being of Ukrainian citizens and destabilization of the domestic situation in Ukraine.

In the last few weeks, these Russia's attacks on Ukraine's sovereignty, territorial integrity, independence and political unity were reinforced by the presidential decrees signed in Russia on expedited issuance of Russia's passports in the temporarily occupied parts of Ukraine. The SMM continues reporting on the

activities by the Russian occupation authorities in Donbas on receiving applications for passports of the Russian Federation, including the trips to be organized to the Migration Services building in Rostov where people would receive such passports. In this connection, it must not be overlooked that the Russian military doctrine stipulates use of military force to protect Russian citizens abroad. A growing number of the residents of the occupied parts of Donbas with Russian passports can be used by the Kremlin regime, known for its military unpredictability, as a pretext to legitimize and to significantly expand the use of Russia's military force in Ukraine. We are alarmed over expected further aggravation of the situation with human rights and fundamental freedoms in the occupied territories of Donbas, as the Russian occupation authorities will resort to persecuting citizens who hadn't applied for Russian citizenship. These challenges are very serious, they stem from flagrant violation of founding OSCE principles, and require a strong response by the OSCE participating States. Such response could include non-recognition of such passports illegally issued by the Russian Federation, as well as of any legal acts with these documents, and expansion of the restrictive measures against officials and institutions involved into the illegal granting of Russian citizenship to the citizens of Ukraine. We expect the SMM to continue close monitoring of this alarming situation and to provide comprehensive and timely reports to the Permanent Council.

We note the SMM's reports with information on military-style parades in the occupied cities of Donetsk and Luhansk. Intimidation of the local population remains one of the key elements of Russia's strategy of maintaining its control of the occupied parts of Donbas. The Minsk-proscribed heavy weapons and columns of fighters of the Russian armed formations marching through the city streets serve to show-off the military power of the Russian Federation, which it used to invade Ukraine in 2014. We noted that on 9 May the SMM forward patrol base in the occupied Horlivka was put by the Russian side under risk, when several pieces of heavy weapons were deployed only 80m from it. These incidents indicate once again Russia's unwillingness to fulfil its Minsk commitments on the withdrawal of heavy weapons. The weekly report of 7 May informs about 120 weapons in violation of their respective withdrawal lines, all of which but seven were registered in Russia-occupied areas. These are the findings even in the conditions of the most severe restrictions to the SMM monitoring activities imposed by the Russian proxies. The presence of such weapons close to the contact line continues to pose serious security challenges for civilian population: last week, on 6 May, as confirmed by the SMM, a functioning school in Troitske and residential property in Zolote-4/Rodina were shelled. The director of the school underlined that there had been classes at the school at the time when shelling had occurred. We strongly condemn this irresponsible behaviour of the Russian militants.

Russia's military presence in the occupied parts of Donbas continues to be sustained by supplies through the segment of the Ukrainian-Russian state border, which remains under full control of Russia. In those border areas, the members of the Russian armed formations restrict the SMM's monitoring activities by denying access of monitors to the respective border crossing points, as well as the passage of patrols through the checkpoints on the roads leading to the border (Oleksandrivske,

Zaichenko, Pikuzy, Novoazovsk, Naberezhne, Verkhnohyrokiyske, Shevchenko, Siedove etc). On 12 May, the Russian fighters told the SMM that “it had seen enough” and asked it to leave a border crossing point near Voznesenivka area immediately. Afterwards, they denied the SMM access to the Chervona Mohyla railway station in Voznesenivka, that is the same station, in which the SMM had earlier repeatedly registered railway cargos of unknown content. On 11 May, the SMM patrol spotted “a military-type truck (Ural) with a mast-mounted cellular phone jamming system atop on the south-western outskirts of Horlivka” and “simultaneously lost its connection to the Vodafone telecommunication network for about two hours, until it reached a different location about 2km east”. We urge the Russian side to move from hollow political statements and declarations, including in the PC meetings, to real steps aimed at lifting severe impediments that hamper the SMM’s activity and violate its mandate. Russia must not try to conceal its weapons and mercenaries in Donbas by exerting pressure on civilian unarmed monitors and undermining SMM’s efficiency.

Distinguished colleagues,

On 10 May, we marked 5 years since Ukrainian filmmaker Oleg Sentsov was illegally detained in the occupied Simferopol under trumped-up charges and sentenced later to 20-year prison term in Siberia. Five years passed, including his five-month hunger strike last year, but the Kremlin regime continues to use him and dozens of other Ukrainian citizens as hostages for achieving its political ends. On 13 and 14 May, the Russian courts prolonged for three months more the arrests of dozens of Crimean Tatars who were illegally detained on 27 March in the occupied Crimea and later transferred to the territory of the Russian Federation in violation of the norms of international law. The fact that the Russian Federation has been ignoring during these years all the calls of international community, including in this hall, to release them, should not prevent us to continue pressure on the Russian side. The release of illegally detained Ukrainian citizens remains a litmus test for Russia’s readiness to end its multifaceted aggression against Ukraine. We use this opportunity to again strongly urge the Russian authorities to release without delays and conditions the Ukrainian citizens, who were illegally detained or imprisoned on fabricated and politically motivated charges, among them Oleg Sentsov, Oleksandr Kolchenko, Stanyslav Klykh, Roman Sushchenko, Volodymyr Balukh and many others. We also expect the OSCE Chairmanship and the Institutions, including the HCNM and ODIHR, to remain seized of these acts of large-scale repression of civilians by the Russian occupation authorities.

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.