



EUROPEAN UNION

**OSCE Permanent Council No 1145
Vienna, 11 May 2017**

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

The European Union warmly welcomes Ambassadors Martin Sajdik and Ertugrul Apakan back to the Permanent Council and thanks them for their reports. Regretfully, however, your visit comes against a very concerning backdrop: A volatile security situation has impaired the Mission's ability to monitor developments. Indeed, as stated in the SMM's reporting: the temporary precautionary restrictions currently applied imply less monitoring of the ceasefire by direct observation; less verification of any withdrawal of weapons; less use of remote observation technologies; and less communication and dialogue with Ukrainian civilians. Aggressive intimidation and systematic disinformation in areas held by Russian-backed separatists have continued unabated since the tragic incident on 23 April in an area outside the control of the Government. On 5 May, moreover, armed men near separatist-held Petrivske threatened a SMM patrol and sexually harassed a patrol member. We call on all participating States to join us in our condemnation of this inexcusable and appalling behaviour. In this context, we recall the joint declaration agreed by all 57 participating States just two weeks ago. We again urge Russia to exercise its influence over the separatists it backs to ensure that intimidation ends and accountability is ensured. Responsibility for the security and safety of the SMM lies with the sides. The SMM must have full, safe and unhindered access throughout Ukraine, including to the Ukraine-Russia state border. We expect the JCCC step up and respond

rapidly and effectively when called upon by the SMM to address impediments facing the Mission.

Ambassador Apakan, we highly value the leadership you have demonstrated in the past weeks. We support all steps necessary to ensure a swift, thorough and impartial investigation into the incident near separatist-held Pryshyb, and we look forward to an update by the Secretary General on this. We fully support your call for the “culture of impunity” to end, and we continue to assess all sides by their actions, not words.

Further casualties have been reported in recent days and the SMM continues to document on a daily basis the severe humanitarian cost of the ongoing fighting. Significant concentrations of heavy weapons remain in violation of the withdrawal lines, including at the aerodrome on the outskirts of Luhansk city as reported by the SMM. We therefore again call on all sides to take immediate steps to ensure full respect of the ceasefire, the withdrawal of all Minsk-proscribed weapons, complete disengagement and to ensure comprehensive mine action. Marking, fencing and clearing areas contaminated by mines and unexploded ordinance remains the responsibility of the sides, and we underline the need for the JCCC to fulfil its coordinating role as laid out in the TCG decision on mine clearance. Full humanitarian access to separatist-held areas must be ensured, in line with international humanitarian principles. These are important steps toward a sustainable political solution in line with OSCE principles and commitments. Respect for these fundamental principles must be restored.

Ambassador Sajdik, we highly value your tireless work to find common ground between the sides in the Trilateral Contact Group to advance the full implementation of the Minsk agreements. We welcome that despite the overall tense situation, progress in the TCG is still possible, in particular in the humanitarian field with the recent agreement on the attestation mechanism for detainees who – after they have been released – express their wish to remain on the side where they were held in detention.

We call on the sides in the TCG and its working groups to abide by their commitments and agree to steps that move Minsk implementation forward. A sustainable cease-fire is key to further progress. We also urge the sides to move

forward on the release of hostages and illegally detained persons and, without further delay, establish an international expert group to assess the ecological risk caused by flooded coal mines. We call on the sides to enhance efforts to reverse the economic and administrative measures that drive the conflict area further apart. We continue to condemn the seizure of Ukrainian companies and the adoption of a foreign currency. We repeat our condemnation of Russia's recognition of documents issued in certain parts of Donetsk and Luhansk region which are not under Ukrainian government control.

We remain firm in our call on all sides to swiftly and fully implement the Minsk agreements and honour their commitments in full in order to achieve a sustainable political solution in line with OSCE principles and commitments. We call on Russia to fully assume its responsibility and to use its considerable influence over the separatists it backs to meet the Minsk commitments in full. We again call on Russia to immediately stop providing financial and military support to the separatists, and we remain deeply concerned about information on the presence of Russian military equipment and personnel in separatist-held areas. The duration of the European Union's economic sanctions against Russia is linked to the complete implementation of the Minsk agreements.

The EU recalls its unwavering support to the sovereignty, territorial integrity, unity and independence of Ukraine within its internationally recognised borders, and calls upon Russia to do likewise. We urge Russia to recognise these fundamental principles that it has itself invoked many times and to contribute, by acts and public pronouncements, to stabilise the situation and 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 European Union will remain committed to fully implement its non-recognition policy, including through restrictive measures.

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

* The Former Yugoslav Republic of Macedonia, Montenegro and Albania continue to be part of the Stabilisation and Association Process.