

PC.DEL/1404/18
15 November 2018

ENGLISH
Original: RUSSIAN

Delegation of the Russian Federation

**STATEMENT BY MR. ALEXANDER LUKASHEVICH,
PERMANENT REPRESENTATIVE OF THE RUSSIAN FEDERATION,
AT THE 1202nd MEETING OF THE
OSCE PERMANENT COUNCIL**

15 November 2018

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

Mr. Chairperson,

Manipulating the facts, distorting the origins of the internal Ukrainian conflict and reading the Minsk agreements in a selective manner are becoming the calling card of Ukrainian diplomacy and a number of its sponsors. At the same time, the real facts speak for themselves, and over time their objective assessment is making its mark.

The domestic political crisis in Ukraine was orchestrated by a group of States that blatantly interfered in the country's internal affairs and decided to carry out another geopolitical experiment on Ukrainian society. We remember who was handing out sandwiches on the Maidan and contributed to the growth of radical nationalism in Ukraine. It is true that different people took part in the protests in 2013 and 2014, but it was the most passionate radical nationalists who were the main driving force. Their efforts were directed exclusively at toppling the authorities by unconstitutional means, and from the very outset they made no attempt to hide this.

The difficult conditions under which the agreement on the settlement of the crisis between the government and the opposition was signed on 21 February 2014 are well known. However, this agreement was already being flouted by the radical nationalists the day after its signing. The countries acting as guarantors of the agreement actually abandoned their mediating functions, not only failing to condemn the violent seizure of power but, on the contrary, hurrying to confirm its allegedly logical "replacement". Further actions by the Maidan's radical nationalists, who proceeded to intimidate and physically attack their "defeated" opponents across the country, were not harshly criticized by Western countries either. All this led to a sharp polarization of Ukrainian society, which set the stage for the armed civil conflict in the east of the country.

Against this background, instead of dialogue with the inhabitants of certain regions, the new Maidan authorities announced a crackdown on dissent. They sent troops there, unleashing a so-called "anti-terrorist operation", essentially a civil war. Aircraft and heavy

weapons were used against civilians. We saw no response from our Western partners to the launching by the Maidan authorities of a military operation in Donbas, whereas earlier they had called on Viktor Yanukovich to “refrain” from using force against the protesters.

As the conflict developed, the Minsk Package of Measures of 12 February 2015 served as the only internationally recognized road map for a settlement, to which there is no alternative. This document was endorsed by United Nations Security Council resolution 2202 and its relevance confirmed in the statement by the President of the UN Security Council of 6 June 2018. However, the OSCE, which claims a special role in conflict resolution, has so far been unable to support this fundamental document. There has still been no comparative analysis of the compliance of the law on the reintegration of Donbas with the provisions of the Minsk Package of Measures. A detailed study of its provisions highlights Ukraine’s unwillingness to achieve a settlement.

The Ukrainian Government continues systematically to violate Point 1 of the Package of Measures on a ceasefire. On 11 November, the Ukrainian armed forces shelled Dolomitne, Zaitseve, Oleksandrivka, Yasynuvata, Spartak and Kruta Balka, resulting in damage to two houses. The security forces used unmanned aerial vehicles (UAVs) to adjust the line of fire. On 11 November, the militia shot down a Phantom UAV near the settlement of Raivka in the Luhansk region. It had been remodelled to drop hand grenades. The device was demonstrated to the media on 12 November. We trust that the OSCE Special Monitoring Mission to Ukraine (SMM) will promptly verify this information. The Mission’s reports for the period 1 to 12 November confirm the shelling of Mykhailivka, Dokuchaievsk and Staromykhailivka, as a result of which one civilian was killed and at least six houses suffered damage.

The Ukrainian Government is flagrantly violating Point 2 of the Package of Measures on the withdrawal of weapons and the Trilateral Contact Group’s Framework Decision of 21 September 2016 on the Disengagement of Forces and Hardware. Between 1 and 12 November, SMM Monitors spotted 24 units of Ukrainian armed forces’ military equipment in violation of the withdrawal lines. BUK surface-to-air missile systems were again moved towards the line of contact. They were discovered on 8, 9 and 12 November near Petropavlivka, Novooleksandrivka and Shevchenko. There were also powerful S-300 missile systems, which the SMM spotted near Volodarske on 12 November. Monitors were unable to account for 130 units of Ukrainian military equipment at storage sites belonging to the Ukrainian armed forces. The disengagement areas in Zolote and Petrivske have been occupied by Ukrainian soldiers. New Ukrainian armed forces’ trenches were spotted by the SMM in Petrivske on 3 November. Monitors saw a Ukrainian armoured infantry fighting vehicle in Zolote on 6 November. The agreement on the disengagement of forces in Stanytsia Luhanska still remains on paper only, although the SMM has recorded the required conditions for disengagement on more than 55 occasions.

There are obstacles to the SMM’s monitoring activities on both sides of the line of contact. Under the pretext that the areas are mined and dangerous, access to the government-controlled areas of Stanytsia Luhanska, Zolote and Shchastia is completely blocked for the Mission. On 6 November, security forces restricted the SMM’s freedom of movement near Troitske. Since the beginning of November, half of the obstacles to the Mission’s UAVs were recorded on government-controlled territory. Security forces fired at two SMM UAVs – on 1 November between Lopaskyne and Zhovte, and on 11 November near Novotoshkivske. UAVs were jammed near Slavne, Maloianisol and Chermalyk.

The Ukrainian negotiators in Minsk are dragging their heels over dialogue with the representatives of Donbas on modalities for the holding of local elections, which is provided for by Points 4 and 12 of the Package of Measures. The Ukrainian Government refuses to set out on paper the compromise formula proposed by Frank-Walter Steinmeier, which links the enactment of the law on special status and the date of the elections. Under these conditions, the condemnation of the elections on 11 November in certain areas of the Donetsk and Luhansk regions, which have nothing to do with the Minsk agreements and were dictated by the need to simply organize vital services in these territories and prevent a power vacuum following the murder of Alexander Zakharchenko, sounds hypocritical.

The Maidan authorities are passing legislative acts that directly contradict the Package of Measures and Ukraine's international commitments. The law of 18 January 2018 on what the government calls the reintegration of Donbas rules out the possibility of an amnesty, which was provided for by Point 5 of the Package of Measures. The Law on Education of 5 September 2017 and the Law on the State Language of 4 October 2018 are at odds with Point 11 of the Package of Measures regarding permanent legislation on the special status of Donbas in accordance with the right to linguistic self-determination. Radical nationalist ideology is taking hold in the country with the support of the authorities. There have been news reports about a children's camp in the Ternopil region, where former participants in the "anti-terrorist operation" teach children how to kill members of the militia. The rights of the Russian-speaking population and national minorities are being infringed, freedom of speech restricted, and the foundations laid for dividing society along linguistic and religious lines. In these conditions, the nationalists' attacks on Orthodox churches, along with the seizure of Church property and threats against members of the clergy and parishioners, have become more frequent.

At the same time, those who try to draw attention to these problems or simply express a point of view that differs from the aims of the Ukrainian Government end up on the lists posted on the extremist Mirotvorets website calling for reprisals against the enemies of Ukraine. However, the forces of common sense in Europe are beginning to wake up. The German Foreign Ministry recently called on the Ukrainian authorities to close down this notorious website.

In violation of Point 6 of the Package of Measures, the Ukrainian Government is sabotaging the exchange of detained persons based on the principle "all for all". Key Ukrainian negotiators have already missed three meetings in a row of the specialist working group of the Minsk Trilateral Contact Group. Furthermore, the Ukrainian Government is attempting to link the solution of this problem with an exchange of prisoners between Russia and Ukraine, which has nothing to do with the Minsk process.

The trade and transport blockade of Donbas imposed by the Ukrainian authorities and the checkpoint regime at the line of contact continue. The Ukrainian Government is failing to fulfil its social obligations (in violation of Point 8 of the Package of Measures). Pension payment to elderly residents of Donbas is made contingent on their registration as internally displaced persons. Despite the ruling by the Ukrainian Supreme Court on the illegality of the unwarranted refusal by the pension fund authorities to pay the pensions, this problem has still not been solved. The Ukrainian banking system on the territory of certain areas of the Donetsk and Luhansk regions is not working. The Ukrainian authorities refuse to take even small steps to alleviate the situation of the inhabitants of Donbas. They are blocking agreement in the Trilateral Contact Group of a decision to rebuild the bridge destroyed by

Ukrainian forces in Stanytsia Luhanska. According to the SMM, on 5 November a man suffered a stroke while waiting at the Ukrainian armed forces' checkpoint in Stanytsia Luhanska. This is by no means an isolated case.

Under these conditions, Russia's humanitarian aid to the people of Donbas is used for manipulative purposes to accuse Russia of imaginary aggression. We recall that in early August 2014 our proposal to send humanitarian aid to Donetsk and Luhansk under the supervision of the International Committee of the Red Cross was blocked by the United States of America and Ukraine. The first Russian humanitarian convoy spent seven days at the border from 14 to 22 August awaiting clearance by the Ukrainian customs officers and border guards. Today we send detailed advance information on humanitarian cargo to the OSCE Secretariat, the SMM and the team of observers at the two checkpoints on the Russian-Ukrainian border. Ukrainian customs officers stationed as a goodwill gesture on Russian territory at the Donetsk checkpoint have the opportunity to verify it.

Making propagandist statements about "Russian military interference", the authorities in Kyiv and Washington ignore the fact that it was on territory controlled by the Ukrainian armed forces that the SMM monitors reported seeing Georgian-speaking soldiers with Georgian Legion insignia on their uniforms near the settlement of Troitske on 20 September 2016, people wearing uniforms with United Kingdom flag insignia launching unmarked UAVs near the settlement of Orikhove on 26 September 2018, and a US-manufactured AN/TPQ-36 mobile counter-battery radar system near Sievierodonetsk on 27 October and so on. Incidentally, in early October the Verkhovna Rada adopted a law on simplifying the granting of Ukrainian citizenship to foreign mercenaries fighting in Donbas on the side of the Ukrainian armed forces. This concerns Point 10 of the Package of Measures.

The main problem, however, is the Ukrainian Government's unwillingness to engage in substantive dialogue with the representatives of Donbas to discuss practical issues regarding the implementation of the Package of Measures. In these conditions, a clear signal needs to be sent to the Ukrainian authorities regarding the need for a peaceful settlement of the internal conflict on the basis of UN Security Council resolution 2202. We trust that the OSCE, as a regional arrangement under Chapter VIII of the Charter of the United Nations, will be able to draw up a unifying agenda to support the Minsk Package of Measures.

Thank you for your attention.