



EUROPEAN UNION

OSCE Permanent Council N°1082 Vienna, 10 December 2015

EU Statement on Russia's Ongoing Aggression against Ukraine and Violations of OSCE Principles and Commitments

The European Union would like to take this opportunity to reiterate our regret that it was not possible to adopt a Ministerial declaration in support of the role of the OSCE in the crisis in and around Ukraine in supporting a peaceful and sustainable political solution in line with OSCE principles and commitments. This is particularly worrying as it was the second Ministerial Council in which discussions were overshadowed by the crisis. Russia's illegal annexation of Crimea and the continued destabilisation of Eastern Ukraine continue to challenge the principles and commitments at the heart of the OSCE.

While our Ministers were in Belgrade, we continued to receive reports from the SMM on the volatile situation along the line of contact, with ongoing ceasefire violations resulting in casualties. Immediate and concrete steps by all sides are needed to halt this deterioration and consolidate the ceasefire.

To this end, we welcome that Ukrainian Armed Forces and later separatists in certain parts of the Luhansk region recently provided the SMM with elements of the baseline information under the verification requirements enforced by SMM as of 9 November, however without full indication of final locations of storage. We regret, however, that separatists in certain parts of the Donetsk region have yet to provide such information. Such delays inhibit the SMM from verifying the withdrawal process and deepen the distrust across the line of contact. We reiterate our call on all sides to unconditionally and verifiably withdraw all heavy weapons in line with the Minsk agreements.

We note the importance of full monitoring along the international border with Russia as a step towards restoring Ukrainian full control of its border. We note recent SMM

reports that they have visited parts of the border. However, significant restrictions continue to impede the SMM's UAVs and monitors, in particular in large swaths of areas held by Russia-backed separatists, including along the State border with Russia. These must be lifted without further delay. Moreover, the reoccurring intimidation of SMM monitors is also inexcusable. As reported by SMM, another serious incident occurred on 5 December, when armed individuals in separatist-held parts of Luhansk prevented the SMM from approaching 12 howitzers positioned in violation of the line of withdrawal. We therefore reiterate our call on all parties to enable free and safe access of the SMM to the whole territory of Ukraine, including the Crimean peninsula and along the border with Russia.

While we note the opening of an SMM Forward Patrol Base in Horlivka this week and it seems now in Debaltseve, we call once again for the removal of the remaining obstacles to allowing the SMM to set up all planned Forward Patrol Bases. The lack of these bases limits the SMM's operational scope and reach, thereby reducing its ability to monitor and report in an efficient manner on the developments on the ground.

Final agreement in the Security Working Group on a framework on mine action is urgently needed. Clearance, removal and destruction of unexploded ordnance will impede the devastating effects of these devices on civilian populations, improve security and access for the SMM and humanitarian actors in the field, and enable the safe return of internally displaced people. We note reports that an anti-personnel landmine detonated close to an SMM vehicle on 5 December.

We again call on the sides in the Political Working Group to work towards agreement on the modalities of local elections in certain parts of the Donetsk and Luhansk regions in accordance with Ukrainian legislation, relevant OSCE standards and monitored by ODIHR. It is important that established conditions for ODIHR observation are met, including ensuring security and access for ODIHR.

We remain deeply concerned by the continued and serious human rights violations in the conflict zone as reported yesterday by the UN Human Rights Monitoring Mission in Ukraine. The report describes deplorable human rights abuses in separatist-held

areas, including “killings, torture, ill-treatment, illegal detention and forced labour, lack of freedom of movement, assembly and expression”. While the report notes the Ukrainian Government’s launching of a National Human Rights Strategy, it also finds concerning restrictions on the freedom of media and documents cases of “enforced disappearance, arbitrary and incommunicado detention as well as torture and ill treatment of people suspected of trespassing against territorial integrity or terrorism”. Moreover, the report describes the dire human rights situation in Crimea, after the illegal annexation by the Russian Federation. We join the UN High Commissioner for Human Rights in calling on all sides “to actively work to ensure the application of the rule of law and international human rights norms everywhere in Ukraine”.

The European Union remains firm in its call on all parties to swiftly and fully implement the Minsk agreements and to honour their commitments. We underline Russia’s responsibility in this regard and also again call on Russia to use its considerable influence over the separatists to meet their commitments. We recall that the duration of the EU economic sanctions against Russia is linked to the complete implementation of the Minsk agreements. The ceasefire must be respected. All heavy weapons must be withdrawn and foreign armed formations, military equipment and mercenaries removed from Ukraine. Re-establishing full Ukrainian control over its state border is essential. We reiterate our concern about reports regarding the presence of military equipment and personnel from Russia.

Mr Chair, the European Union recalls its unwavering support to the sovereignty, territorial integrity, unity and independence of Ukraine, and calls upon Russia to do likewise. We urge Russia to recognise these fundamental principles that it has itself invoked many times, to contribute, by acts and public pronouncements, to stabilise the situation and to 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 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 NORWAY, members of the European Economic Area, as well as UKRAINE, GEORGIA and SAN MARINO align themselves with this statement.

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