



## **United States Mission to the OSCE**

### **Response to the OSCE's Chief Monitor in Ukraine, Ambassador Apakan, and the CiO's Special Representative, Ambassador Sajdik**

As delivered by Chargé d'Affaires, a.i. Harry Kamian  
to the Permanent Council, Vienna  
September 27, 2018

Thank you, Mr. Chair.

Ambassador Apakan, we are pleased to welcome you back to the Permanent Council and regret that Ambassador Sajdik is not able to be with us here today. Please pass on our appreciation for his work and his report, and that we wish him a speedy recovery.

Ambassador Apakan, we remain supportive of your collective efforts to seek a lasting peace in eastern Ukraine. The people of Ukraine deserve peace, a peace that is achieved through the respect for international law and commitments, including those relating to the sovereignty and territorial integrity of states, and you and your monitors can continue to count on our full support.

Mr. Chair, listening to the statement by our esteemed Russian colleague, one could mistakenly conclude that the situation in eastern Ukraine is an internal conflict and one where the Russian Federation bears zero responsibility. I know most of the people in this room, on the ground in Ukraine, and in the wider international community know otherwise, but I think it's important to note for the record that nothing could be further from the truth. What we are talking about here is a hot war, one that was initiated by the Russian Federation, one that is fueled, maintained and supported by the Russian Federation and the troops that its supports, arms and finances, and the Russian Federation has and will continue to have the ability to end the violence and the suffering that has taken so many lives of Ukrainians on both sides of the line of contact.

Since April, Russia has delayed hundreds of commercial vessels attempting to reach Ukrainian ports in the Sea of Azov via the Kerch Strait for extended periods and at great costs. The United States condemns Russia's harassment of international shipping and supports Ukraine's sovereignty and territorial integrity within its internationally recognized borders. We call on the Russian Federation to cease its harassment of international commerce and shipping in the Sea of Azov and the Kerch Strait.

The United States recognizes the primacy of the Minsk agreements as the accepted path to peace in the Ukraine conflict. We therefore condemn the announcement by the Russian

proxies of their intention to conduct November 11 elections *in the sovereign territory of Ukraine*, the so-called “Donetsk and Luhansk People’s Republics.” Sham “elections” of the Moscow-approved leaders would directly contravene both the letter and the spirit of the Minsk agreements. Carrying out such actions would set back efforts of the Trilateral Contact Group and the Normandy Quartet and undo the progress already made on bringing an end to this conflict. It would mean Russia has rejected its responsibility to implement Minsk. The United States calls on the Russian Federation to abandon its plans for its proxies to conduct these sham “elections,” and take steps toward peace by fulfilling the commitments that Russia undertook when it signed the Minsk Protocol, Memorandum, and Package of Measures –including the commitments to security– which are necessary to ensure an environment where *real* elections can take place.

What does Russia need to do? In the past three months, two renewed ceasefire efforts have failed. Rather than taking advantage of the opportunity to disengage and withdraw forces from the line of contact, the lull in hostilities was used to reinforce existing positions. We know and we have seen Russia’s ability to rein in the forces it arms, trains, leads, and fights alongside, and yet again we witnessed its failure to take steps to reduce the violence. While a signatory to the Minsk agreements, Russia remains unwilling to take the first steps in creating the conditions for the implementation of the agreements. Until Russia chooses peace, the conflict will continue. The United States calls on Russia as the aggressor and the instigator of this manufactured conflict to follow through with its ceasefire pledges by disengaging and withdrawing its forces in Ukraine.

The United States is dismayed that in 2018 the sides have not exchanged a single individual detained in connection with the conflict, and we acknowledge Humanitarian Working Group Chair Ambassador Toni Frisch’s attempts to visit detainees in Russia-controlled areas. But calls for more progress and confidence building measures from the December 27, 2017 release of over 300 prisoners went unanswered. Russia’s proxies repeatedly deny humanitarian organizations access to detainees in the areas of Ukraine they control. Hundreds of detainees wait to be reunited with their families. We demand both sides treat detainees humanely and we call on Russia to respect the spirit and letter of the Minsk agreements and authorize the exchange of detainees without delay.

Ambassador Apakan, we welcome the timely submission of your report to the Council and the SMM’s continued constructive role in the conflict in eastern Ukraine. We further welcome the Mission’s September 11 Weekly Report’s details on the impact of the conflict on women’s political participation. The United States recognizes the critical role your Mission plays in ensuring the repair and operation of key infrastructure delivering water and electricity to the population on both sides of the line of contact. Since Russia unilaterally withdrew its contingent to the Joint Center for Coordination and Control (JCCC) in December of 2017, the SMM has facilitated countless windows of silence and repairs to water and power facilities. These SMM initiatives are worthy of praise, but we must remain mindful of the fact that Russia’s short-sighted action pushed the SMM into this position. Tragically, it is the civilians in the conflict zone who ultimately pay the price of Russia’s intransigence. Ambassador Apakan, we applaud your efforts and successes to date in managing these efforts –absent a Russian contingent– and we repeat our calls on Russia to return to the JCCC, a body that, in our view, can make a substantive and lasting contribution to improving the catastrophic humanitarian situation that Russia created by engineering this conflict.

Ambassador, we note with concern that your report underscores a 30 percent increase in the number of restrictions the SMM has faced since you last visited us here in Vienna. The vast majority of these occur in the areas controlled by Russia's proxy forces and they come in the form of harassment, interference, threats, and even small arms fire against SMM patrols. These systematic actions are clearly part of an overriding strategy to blind, intimidate, and prevent the SMM from executing the duties that we here in Vienna and in our capitals have asked them to carry out. These actions must end, and we call on Russia and its forces in eastern Ukraine to cease these threats and provide full, free, and safe access for the SMM to completely fulfill its mandate.

We reiterate our strong support for the SMM's use of the full range of technical resources at its disposal to augment excellent work done by the monitors on the ground to fully and effectively carry out your mandate.

Mr. Chair, September 30 will mark the two-year anniversary since Ukrainian journalist Roman Sushchenko was illegally detained in Moscow and later tried under trumped-up charges of espionage. On September 12, the Supreme Court of the Russian Federation ruled to uphold the decision. We join the calls of various participating States and the Representative on Freedom of the Media Harlem Désir for Russia to release Roman Sushchenko.

Mr. Chair, the human rights situation in Russia-occupied Crimea is deplorable. The September 10 special thematic report on Crimea by the UN High Commissioner for Human Rights underscored the need for urgent measures to address the absence of judicial impartiality and independence; actions by occupation authorities to prevent or suppress criticism, dissent; and an atmosphere of impunity for abuses committed by occupation authorities. In the past year alone, the High Commissioner reported 19 arbitrary arrests and detentions, four enforced disappearances, seven cases of torture or other inhumane treatment to extract confessions, and 83 raids on the Crimean Tatar community, among many other abuses.

Mr. Chair, Russia's crackdown on free expression in Crimea continues unabated. A growing list of Crimean Tatars and other critics of the occupation are facing prosecution for social media posts that supposedly "incite enmity towards Russians." Earlier this month, Russia added five more of the defendants to its federal "list of extremists and terrorists." Just last week, an Internet freedom watchdog group exposed that, in addition to the Russian Federation's national blacklist of websites imposed on Crimea, there apparently exists another unpublicized blacklist of websites, which includes at least eight websites belonging to Ukrainian independent media and civil society.

In conclusion, Mr. Chair, the United States again calls upon Russia to end its campaign of repression in occupied Crimea and return control of the Crimean peninsula to Ukraine. The United States is resolute in its support for Ukraine's sovereignty, independence, unity, and territorial integrity within its internationally recognized borders. We do not, nor will we ever, recognize Russia's purported annexation of Crimea, and Crimea-related sanctions on Russia will remain in place until Russia returns full control of the peninsula to Ukraine. We join our European and other partners in restating that our sanctions against Russia for its aggression in

eastern Ukraine will remain until Russia fully implements its commitments under the Minsk agreements.

Thank you, Mr. Chair.