



United States Mission to the OSCE

Ongoing Violations of International Law and Defiance of OSCE Principles and Commitments by the Russian Federation in Ukraine

As delivered by Ambassador James S. Gilmore III
to the Permanent Council, Vienna
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This is our last Permanent Council meeting of 2020, your last as chairperson: one of the more difficult years in recent history for all our countries which makes your leadership all the more commendable. As this year draws to a close, the multi-year conflict that Russia instigated and continues to fuel in Ukraine remains of the highest security concern to the OSCE region.

Last week, many of us noted the anniversary of the 2019 Normandy Quartet summit in Paris and rightfully decried the limited progress achieved since that meeting, at least in terms of concrete measures to expand demining, pulling back forces from the Line of Contact, and the opening of more crossing points. The International Committee of the Red Cross also still has not been granted full and unconditional access to all detained persons in the Russia-controlled areas of the Donbas. I am sure that the families of those persons now would be very happy to have access and see if these people are being held in humane conditions and are not mistreated. Russia's refusal to uphold its Minsk commitments and engage in good faith negotiations is the reason why more progress was not achieved in 2020.

There are a few bright spots we can point to, however, notably in the area of detainee exchanges. In December 2019 and in April 2020, there were mutual releases of detainees, which shows that tangible progress can be made when there is political will. However, there still remain detainees to be released under the principle of "all for all," as the Normandy leaders envisioned. Additionally, we applaud the general decrease in violence on the ground in eastern Ukraine and the significant decrease in military and civilian casualties. However, I think we would all agree, one death is too many in a conflict like this, and we continue to call on Russia to immediately withdraw its forces and weapons, and to engage constructively in meaningful discussions on how to bring an end to the conflict in Ukraine.

Civilians continue to be killed or wounded, and we continue to hear reports of damage to civilian infrastructure. And, of course, on a weekly basis the Special Monitoring Mission reports that Russia-led forces continue to impede the movement of its monitors. Civilians remain severely restricted in their ability to cross the Line of Contact, especially when attempting to enter Ukrainian government-controlled areas from Russia-controlled areas. Moscow is still preventing the Russia-controlled sides of the crossing points from fully functioning.

Even as we see improvements, other elements of this conflict remain grimly the same. While Ukraine has consistently demonstrated the political will needed to spur real progress on the ground, evidenced most recently by the Rada again extending the law on the special status of the

Donbas for another year, Moscow continues to take an unproductive approach to peace negotiations. Just last week Russia's Deputy Permanent Representative assured us, "Russia wants to take a constructive role." Let's start with the Trilateral Contact Group and the fact that it has been more than one month since the agreed-upon date to open new entry exit crossing points in Zolote and Shchastiya. Yet, the checkpoints remain closed on the Russia-controlled side. Open the checkpoints. Let the people cross. Let them have access to much needed services available just on the other side.

As stated by Deputy Secretary Biegun during the Ministerial Council, "the most egregious violation of sovereignty and territorial integrity within the OSCE area remains Russia's continued aggression in eastern Ukraine and occupation of Crimea." In Crimea on a weekly basis, Russian occupation authorities harass, arrest, and detain members of religious and ethnic minorities or individuals who express opposition to Moscow's occupation. Those same occupation authorities this week oversaw the sale of Crimea's largest winery to one of President Putin's associates, a further indignity against the people of Crimea who are citizens of Ukraine.

More than 90 Crimean political prisoners remain in Russian custody. Reports of mistreatment, abuse, and torture are widespread. Just this week, attorneys for 12 Crimean Tatar political prisoners visited their clients held in two prisons in Russia's Bashkortostan region. According to their account, one of the prisoners is seriously ill and has had a positive coronavirus test, while six others are experiencing symptoms similar to that of the coronavirus, but have not yet been tested. Several coronavirus cases also have been recently reported among the Crimean Tatar political prisoners held in the Simferopol pre-trial detention center. Mr. Chairperson, all those who have been unjustly imprisoned should be released.

The conditions of confinement in prisons in occupied Crimea and Russia are putting the lives and health of these and other prisoners at heightened risk during this pandemic.

Occupation authorities continue to use the pandemic as a pretext for reprisal against those who oppose the occupation. For instance, on December 11, a court fined Venera Mustafayeva, the mother of imprisoned Crimean Solidarity leader Server Mustafayev, for supposedly violating coronavirus-related restrictions on public gatherings when she held a single-person picket outside the court where her son was sentenced in September to 14 years in prison. We also condemn the signing into law in Russia legislation that increases the punishment for criticizing Russia's occupation or simply stating the truth that Crimea is Ukraine.

At this, our last Permanent Council meeting of 2020, we again call on Russia to recall its OSCE and Minsk commitments and remove all its forces and materiel from Ukraine.

Mr. Chairperson, the United States fully supports Ukraine's sovereignty, independence, and territorial integrity within its internationally recognized borders, including its territorial waters. We do not, nor will we ever, recognize Russia's purported annexation of Crimea. We join our European and other partners in reaffirming our Minsk-related sanctions against Russia will remain in place until Russia fully implements its Minsk commitments. The Crimea-related sanctions will remain in place until Russia returns full control of the peninsula to Ukraine. Crimea is Ukraine.

Thank you, Mr. Chairperson.