



**Permanent Mission of Ukraine**  
to the International Organizations in Vienna

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**Statement**  
**in Response to Ambassador Martin Sajdik, Special representative of the**  
**Chairperson-in-Office, and Ambassador Ertuğrul Apakan,**  
**Chief Monitor of the OSCE Special Monitoring Mission to Ukraine**

As delivered by the Delegation of Ukraine  
to the 1098<sup>th</sup> meeting of the Permanent Council,  
28 April 2016

**Mr. Chairman,**

The Delegation of Ukraine thanks Ambassador Martin Sajdik, the OSCE Chairperson-in-Office Special Representative, and Ambassador Ertuğrul Apakan, Chief Monitor of the OSCE Special Monitoring Mission to Ukraine, for the comprehensive updates on their work.

Ukraine highly appreciates and consistently supports the efforts of the SMM and the Trilateral Contact Group aimed at facilitating implementation of the Minsk agreements. We are deeply concerned that the pace of their implementation remains slow or non-existent on a number of provisions as Russia and its proxies continue to violate its own commitments, undertaken in Minsk. As a result, security deterioration remains the dominating trend on the ground with the ceasefire violations registered along the entire contact line. The SMM report indicates the intensity of fighting as “not seen since August 2014” – that is the period when large numbers of Russian troops invaded the territory of Ukraine.

The Ukrainian forces and the nearby residential areas sustain regular and intensive attacks and shellings. Reports of both the Ukrainian military and the SMM testify that many of the attacks are carried out by heavy weapons, mostly high caliber artillery and mortars. As a result, the toll of casualties among the Ukrainian servicemen and civilians continues to steadily grow day after day. Only on 23 April 4 Ukrainian soldiers were killed and 5 wounded by militants’ fire.

High level of violence in Donbas underlines how much more needs to be done to place the peaceful process on a solid ground. There must be the comprehensive and sustainable ceasefire, verified withdrawal of heavy weapons, unfettered OSCE monitoring throughout the occupied territory of Donbas, including the border areas. Implementation of the above security provisions of the Minsk agreements is a critical and basic requirement for progress on all other aspects of the Minsk agreements.

We consider this task as the immediate priority for both the SMM and the TCG and, for our part, will further contribute to the efforts of peaceful resolution by implementing fully and in good faith our Minsk commitments, as Ukraine has persistently done since the signing of the first documents in September 2014. Ukraine's efforts are still to be reciprocated by Russia, which has not yet practically delivered on its obligations under the Minsk agreements and supports the hostile actions by its proxies.

**Distinguished colleagues,**

Ukraine strongly supports the SMM in accomplishing its tasks relating to monitoring the implementation of relevant provisions of the Minsk agreements and commends the dedicated work of the monitors to this end. We regret that today Ambassador Apakan has again been compelled to report about significant impediments to the SMM's monitoring and verification activities with the vast majority of restrictions imposed by Russia-backed militants. As follows from the Mission's reports over the past months, numerous cases of all restrictions on the SMM freedom of movement have been imposed in the occupied areas of Donbas.

It is a matter for particular concern and condemnation that the restrictive practices are often accompanied by intimidation of monitors by the combined Russian-separatist forces, including the threats of arms and targeted fire. There can be no doubt that these security incidents are deliberate attempts to force the SMM to limit its monitoring and verification activities in the occupied part of Donbas. These attempts run contrary to Russia's commitment on the SMM's freedom of movement. We urge Russia to exercise responsibility and remove the impediments.

As it is rightly pointed out in the report, presented by Ambassador Apakan to this meeting, denied access always "raises serious concern that the party has something to hide from the international community". It is telling, therefore, that the Mission's freedom of movement, as follows from the report, was often specifically restricted "in non-government controlled areas close to the state border, as well as in the vicinity of heavy weapons holding areas".

As the SMM access to the border areas in the occupied part of Donbas remains strictly conditioned and closely monitored, resupplies of manpower, weaponry and ammunition continue to be directed from Russia into Donbas, thus fuelling the conflict. We regularly inform the Permanent Council of the echelons and convoys with weaponry, ammunition and fuel arriving to the occupied part of Donbas.

It therefore remains critically important to implement an agreed Minsk provision on establishment of a security zone in border areas of Ukraine and Russia, with the OSCE permanent monitoring and verification at the border. We encourage the SMM to seek establishment of new Forward Patrol Bases and patrol hubs close to the border in order to ensure due monitoring of uncontrolled sections of the border and adjacent areas, including BCPs, transport routes and hubs. We expect that the SMM will include in its

daily reports a section on the findings of the monitoring along the border and transport routes. We encourage the SMM to be persistent in seeking implementation of the Minsk provision on ensuring permanent monitoring and verification at the border. Any impediments or obstacles to implementation of the SMM's plans should be duly and regularly reported to all participating States.

It is important to continue to make sure that the SMM reports are accurate and clear and do not provide any pretext for manipulation.

The Minsk agreements assign to the SMM a specific role in monitoring the withdrawal from Donbas of foreign troops, weaponry and fighters. This task is yet to be implemented and we encourage the SMM's considerations in this regard. Large numbers of Russian weaponry remains present in Ukraine's territory.

Given that the SMM mandate covers the entire territory of Ukraine, which includes Crimea and Sevastopol, we expect the situation in the occupied peninsula to receive constant attention of the SMM as a subject of regular monitoring. We regularly provide the OSCE Permanent Council with facts about the alarming human rights situation in the occupied Crimea and Sevastopol, where repressive policies, mostly against the representatives of the Ukrainian and the Crimean Tatar communities, continue unabated.

The recent ban of the Mejlis – a representative body of the Crimean Tatar people, whose current composition was elected in 2013 by over 90000 people, has become yet another flagrant violation by the occupying authorities of human rights and fundamental freedoms, including the International Convention on the Elimination of All Forms of Racial Discrimination. This situation once again demonstrates the urgent need to step up the joint efforts to protect human rights in the occupied Crimea, to seek unfettered access of international organizations to monitor the human rights situation on the peninsula. While such access is denied, we must use other available instruments for permanent monitoring.

**Mr. Chairman,**

We fully support the efforts of the Trilateral Contact Group, made up of Ukraine, Russia and the OSCE as a facilitator, aimed at seeking practical implementation of the commitments, undertaken in Minsk. We note the regular character of meetings in the TCG's framework, supported by discussions in working groups, however the practical outcomes are yet far below the expectations. The fundamental problem remains – while Ukraine aspires to resolve the conflict based on the reached agreements and the international norms and principles, Russia aims to solidify and legitimize the gains of its armed aggression against Ukraine.

To implement the first agreed provision of all Minsk documents, the TSG on security issues must focus on practical recommendations to the Trilateral Contact Group on consolidating a comprehensive and sustainable ceasefire. Ukraine regularly presents its

proposals. Readiness by Russia and its proxies to follow up on these recommendations will be crucial for establishing security as a basic requirement for peace and normalization. We regret that until now all Ukrainian proposals to this end, including on the use of the Ukrainian-Russian JCCC, have been rejected by the Russian side.

In the political area security is a must for establishing necessary conditions for holding local elections in certain areas of Donbas. According to the Minsk Agreements they must be held in accordance with the Ukrainian legislation, OSCE standards and under the OSCE/ODIHR monitoring. This means, in particular, safe return and voting rights for IDPs, participation of the Ukrainian political parties, free functioning of the Ukrainian media.

De-occupation and disarmament of the illegal armed formations, which have Russian officers in the command positions and are largely formed, nearly 70%, by Russian citizens, are needed to establish a safe environment for a free expression of will of the local population in fair elections. Any imitation under the barrel of Russian and militants' gun will merely be a repetition of the farce of November 2014. Until the proper security environment is in place it is hardly possible to contemplate any timeframe for those elections.

The economic and humanitarian situation in the occupied areas of Donbas remains a matter of deep concern. Equipment of many industrial facilities has been dismantled, including for transportation to Russia. Reports on serious crimes, committed by the militants against the civilians, emerge on a regular basis. We encourage the SMM to follow up on these reports as well as to provide comprehensive reporting on the human rights situation in the occupied areas of Donbas.

We encourage focused effort on ensuring implementation of the Normandy Ministerial agreement that all restrictions on operation of the international humanitarian organizations in the occupied part of Donbas must be lifted, which has not yet happened.

While Ukraine has made consistent steps to simplify the movement of people across the contact line, Russian calls for such improvements sound empty and cynical against the backdrop of continuing shellings of the areas of crossing points by the combined Russian-separatist forces. Notably, yesterday's intensive shelling of the closed entry-exit checkpoint in Stanytsya Luhanska, which led to destruction of service premises, came one day after the local civil-military administration had agreed with the SMM the modalities of the OSCE facilitation of ceasefire. It was planned to re-open the checkpoint after a 48-hour ceasefire.

Challenges in the work on humanitarian issues piled up as it became known this week about the ban for Ukraine's representative in the TCG humanitarian working subgroup Iryna Gerashchenko to enter Belarus, following last month's 5 year entry ban to the Russian Federation. Owing to diplomatic efforts, she was granted permission to enter Belarus over the month – from 26 April to 25 May. The temporary permission is not

sufficient, we deem it necessary that any restriction be lifted.

**Distinguished colleagues,**

Little progress in de-escalation process testifies to the pressing need to seek qualitative improvement of the international engagement and toolbox, assigned to respond the conflict in Donbas. We consider an armed police mission will effectively serve this goal as it would contribute to ensuring safe and secure environment in Donbas to provide for full implementation of the Minsk agreements, including in the context of sustainable and comprehensive ceasefire, withdrawal of the heavy weapons, establishment of permanent monitoring on the Ukrainian-Russian state border and holding local elections in certain areas of Donbas.

The areas of withdrawal of heavy weapons and the uncontrolled sections of the Ukrainian-Russian border should serve as main points for deploying the permanent bases of such mission. We encourage the Chairmanship and the participating States to actively engage in taking forward this proposal, responding to the actual needs on the ground.

In conclusion, I would like to once again reiterate Ukraine's support to the work done by Ambassador Apakan and Ambassador Sajdik. We remain hopeful that our collective efforts will result in sustainable de-escalation and peaceful resolution in Donbas with full respect to Ukraine's sovereignty and territorial integrity within its internationally recognized borders.

**Thank you, Mr.Chairman.**