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**STATEMENT BY MR. ALEXANDER LUKASHEVICH,
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AT THE 1277th MEETING OF THE OSCE PERMANENT COUNCIL**

30 July 2020

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

Mr. Chairperson,

On 27 July, implementation got under way of the measures to enhance the ceasefire regime in Donbas that were agreed on by the parties to the internal Ukrainian conflict – the Ukrainian Government and the authorities in Donetsk and Luhansk – within the framework of the Minsk-based Trilateral Contact Group (TCG) at its meeting of 22 July. These measures include, among other things, a ban on opening fire of any kind, on conducting offensive, reconnaissance and sabotage operations, on flights by unmanned aerial vehicles belonging to either side, and on deploying heavy weapons in residential areas and near social infrastructure facilities. Any violation of these measures is to be subject to disciplinary action. The fact that agreement was reached on a document containing the aforementioned measures is an important step towards carrying out the instructions from the “Normandy format” summit held in Paris on 9 December 2019. If I may remind you, one of the outcomes of that summit was precisely that the TCG was tasked with taking effective measures for the enhancement of a comprehensive and unlimited ceasefire regime.

On 28 July, an extraordinary meeting of the TCG Working Group on Security Issues was held via videoconference, during which data from the OSCE Special Monitoring Mission to Ukraine (SMM) were shared. The Mission had observed and recorded more than 100 violations on the first day that the aforementioned measures came into effect, with all of those violations occurring in the Donetsk region. However, the firing was of a local nature only. Despite the political ferment that has arisen in Ukraine in connection with the start of the implementation of the measures in support of the ceasefire regime, the current military situation in Donbas remains relatively calm.

Nevertheless, there are grounds for doubting whether the Ukrainian military really do intend to fulfil in good faith the conditions of the ceasefire. For example, no ceasefire order has been published by the Ukrainian military command – in contrast, incidentally, to the militia, who not only provided information via the media about relevant orders from their side, but also published the text of those orders.

We have been hearing highly contradictory statements from the Ukrainian leadership, which attest to their desire to absolve themselves of any responsibility for the need to implement the measures agreed on with the authorities in Donbas. For example, on 23 July, during an official trip to Donbas, the President of Ukraine, Mr. Volodymyr Zelenskyi, stated that the document agreed on by the TCG had to be signed within the “Normandy format” before implementation could begin. On 27 July, the Deputy Prime Minister of

Ukraine and Minister for Reintegration, Mr. Oleksiy Reznikov, stated, for some reason, that the responsibility for implementing the measures to enhance the ceasefire regime lay with Russia. Finally, on 28 July, the Secretary of the National Security and Defence Council of Ukraine, Mr. Oleksiy Danilov, tried to set a time limit on the Ukrainian Government's observance of these measures – until 9 December 2020, as he said, threatening to move on after that date to the consideration of other operational scenarios for Donbas.

The main point to emphasize here is the following. The ceasefire discussions within the TCG resulted in agreement on, and the signing of, a relevant document by the representatives of the Ukrainian Government and of the authorities in Donbas – with the assistance of the OSCE and Russia. That document sets out commitments that are to be fulfilled by the parties to the internal Ukrainian conflict, namely, the Ukrainian armed forces and the armed formations of certain areas of the Donetsk and Luhansk regions. A co-ordination mechanism for proper monitoring of the implementation of these commitments is also required. Such a mechanism should provide for urgent direct contacts between the Ukrainian armed forces and the Donbas militia. We expect all the provisions of the aforementioned document to be implemented in a responsible manner.

A special role in connection with the need for careful monitoring of the ceasefire regime falls to the SMM. We call on the Mission to record scrupulously all violations, providing as many details as possible of such incidents so that it is possible to identify who was responsible. Furthermore, we expect the SMM not to reduce its analytical work, which includes the preparation of a thematic report on the casualties and damage inflicted. That report should, by the way, also provide precise information, including the specific geographical co-ordinates of incidents relative to the line of contact.

On 28 July, Mr. Leonid Kuchma, the second President of Ukraine, announced his decision to step down from his role as head of the Ukrainian delegation at the TCG and not to participate in its work any longer. We very much hope that his departure from the negotiation process will not be used by the radically minded members of the Ukrainian leadership as a pretext for refusing to implement the agreements previously reached with the authorities in Donbas that have been certified by his signature. These include both the current measures in support of the ceasefire regime and the earlier agreements on the withdrawal of heavy weapons, the disengagement of forces and hardware, mine action, and the prohibition of live-fire exercises – all of these documents bear Mr. Kuchma's signature. Additionally, Mr. Kuchma made a tangible contribution to bringing about understanding between the Ukrainian Government and the authorities in Donbas on a number of other aspects of the settlement – for example, he confirmed in writing the need for a law on the special status of Donbas according to the "Steinmeier formula" to come into force and, likewise, the need for the commitments on "legal clearance" – that is, the dropping of criminal charges against individuals due to be exchanged – to be honoured. Despite Mr. Kuchma's negotiation efforts, however, the majority of the aforementioned commitments are not being honoured by the Ukrainian Government.

A cause for particular concern is the fate of the political settlement process, which the Ukrainian Government – deliberately, it would seem – has driven into an impasse. The representatives of the Ukrainian authorities are avoiding direct dialogue with their counterparts in Donetsk and Luhansk. In June 2020, the Minister for Foreign Affairs, Mr. Dmytro Kuleba, stated: "Kyiv will never enter into direct dialogue with the so-called Donetsk and Luhansk People's Republics." In early July 2020, he further stated that the demand for direct dialogue with the authorities in Donetsk and Luhansk was "an issue that is blocking everything". However, such a position does not tally with what is prescribed in the Minsk Package of Measures, which explicitly provides for dialogue between the Ukrainian Government and the representatives of certain areas of Donbas. Attempts have been made to replace the real inhabitants of Donbas serving as representatives at the TCG with more amenable "virtual" figures, including some people who for a long time have not actually been living in Donbas. These individuals were subsequently included in the Ukrainian delegation in Minsk. However, this by no means can serve as a substitute for dialogue with the authorities in Donetsk and Luhansk.

Finally, the Deputy Prime Minister and Minister for Reintegration, Mr. Reznikov, who is the first deputy head of the Ukrainian delegation in Minsk, has repeatedly expressed his support for the idea of “updating”, “adapting”, “reformatting” or, put simply, rewriting the Package of Measures. We have drawn attention to this on several occasions. Moreover, in view of the stalling implementation of the Minsk agreements, the recent remarks by President Zelenskyi about the need for each point in the Package of Measures to be somehow “deciphered” sounded most bizarre, too. After such “deciphering”, he argued, the Ukrainian Government would determine whether or not it was able to implement each point. What this essentially amounts to is a selective approach towards implementation of the Minsk agreements, if not an attempt to justify the torpedoing of their various provisions. In the current context, it is essential for the Ukrainian Government to send a clear signal that it is committed to implementing the provisions of the Package of Measures in their entirety. It goes without saying that the political and security measures must be implemented in a synchronized manner – an understanding on this was reached at the “Normandy format” summits held in Paris in 2015 and in Berlin in 2016.

Now to something else: on 21 July, an armed man hijacked a public transport bus in the city of Lutsk and took more than a dozen passengers hostage. This incident was undoubtedly a shock for the region and its inhabitants, indeed for the whole of Ukraine. The authorities immediately afterwards stepped up police surveillance of the situation in a number of regions of central and western Ukraine. However, on 23 July, just two days after the first incident, another armed man took a law enforcement officer hostage in Poltava before fleeing and going into hiding.

Fortunately, the operation to free the hostages in Lutsk did not result in any casualties. Leaving aside the hijacker’s motives, which will be considered by the investigating authorities, we would point out that it is important not to overlook the following crucial aspect: the man in question, who espouses radical ideas, was armed with an assault rifle, a pistol and a hand grenade, and he had been able to move freely in the city carrying all those weapons. It was the same, incidentally, with the man from Poltava.

The number of crimes committed with firearms is steadily rising in Ukraine. This is taking place against the backdrop of an ongoing military operation by the Ukrainian Government in the east of the country. The Ukrainian armed forces’ poor oversight over their weapons and the frequent instances of illicit trafficking in these, as recorded by the law enforcement agencies, can hardly be said to be conducive to improving the security situation throughout the country.

For example, according to data from the Office of the Prosecutor-General of Ukraine, over 6,000 instances of trafficking in weapons, ammunition and explosives were recorded in 2019. Out of this grand total, just 100 instances could be traced back to the owners of officially registered weapons. All in all, as reported by the Prosecutor-General’s Office, between 3 and 5 million unaccounted firearms were in circulation last year among the Ukrainian population. According to official statistics from the Ministry of Internal Affairs of Ukraine, just over 16,000 firearms were voluntarily surrendered to the authorities in 2019, while law enforcement officers for their part managed to confiscate merely 1,900.

The progress currently being made is creating a favourable atmosphere for “demilitarizing” the minds of the most radically inclined members of Ukrainian society and of the country’s political elite. This will help in establishing peace in Ukraine. It is essential to seize this opportunity to implement all the provisions of the Minsk Package of Measures of 12 February 2015, which was endorsed by the United Nations Security Council and constitutes the sole international legal framework for achieving a lasting and sustainable settlement.

Thank you for your attention.