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**STATEMENT BY MR. ALEXANDER LUKASHEVICH,
PERMANENT REPRESENTATIVE OF THE RUSSIAN FEDERATION,
AT THE 1082nd MEETING OF THE
OSCE PERMANENT COUNCIL**

10 December 2015

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

Mr. Chairperson,

The need for the full implementation of the Minsk Package of Measures in good faith is one of the questions on which all of the OSCE participating States were in complete agreement at the Ministerial Council meeting in Belgrade – at least, in words. However, the refusal by Kyiv’s representatives to include a reference to United Nations Security Council resolution 2202 in the draft ministerial document on supporting the OSCE’s efforts to settle the crisis in Ukraine is significant. It is clear that implementing the provisions of the Package of Measures, especially its political part, is not something that the authorities in Kyiv are comfortable with, and they are doing everything to delay or do away with the need for their implementation altogether.

One of the steps aimed at “retouching” the Minsk agreements in Kyiv’s favour is the security forces’ seizure of additional territory. The OSCE Special Monitoring Mission to Ukraine (SMM) confirms the presence of Ukrainian forces in Pavlopil and Pischevik. Security forces have occupied houses in Pavlopil. The Ukrainian armed forces have also occupied Shyrokyne, Hnutove, Vynohradne, Bakhmutivka and Zhovanka. This is an extremely dangerous provocation, which effectively calls into question the agreements on the line of contact and considerably exacerbates the situation in Donbas. It undermines the plans to demilitarize the most dangerous segments of the line of contact.

Ukrainian security forces continue to move heavy weapons and equipment into the security zone. At the end of November, the SMM reported the movement of Ukrainian armed forces military convoys towards the line of contact, as observed in Avdiivka, Smolianynove and Sievierodonetsk. Recently, the monitors have reported military equipment belonging to the Ukrainian armed forces in Marinka, Kurakhove, Olhinka (next to the line of contact) and also in Kramatorsk, Kostiantynopil, Mykilske, Pavlivka and Kostiantynivka. On 9 December, the SMM reported shelling in Donetsk, which is under the control of formations from certain areas of the Luhansk region of Ukraine, from a 120 mm mortar fired from a “northerly direction”, in other words from positions held by the Ukrainian armed forces. The SMM calls attention to the

exercises conducted by the Ukrainian armed forces involving live firing in Trokhizbenka on the line of contact. There are reports of military equipment disappearing from depots belonging to the Ukrainian armed forces. Between 27 November and 7 December, the SMM was unable to account for 102 units of Ukrainian weaponry.

We support the efforts of the Special Monitoring Mission to increase its patrols in the security zone and organize the local truces needed to carry out reconstruction work and demining activities. We welcome the agreement reached in the Trilateral Contact Group's subgroup on security issues regarding demining at several critical infrastructure sites, which requires a complete ceasefire in these districts.

Further strengthening of the human resources and technical capabilities of the SMM should result in more effective patrolling and greater practical co-operation with the parties and the Joint Centre for Control and Co-ordination. We welcome the opening of the new SMM forward patrol base in Horlivka. An agreement has been confirmed regarding the opening of a base in Debaltseve. There are no longer any problems with the deployment of OSCE monitors in territory controlled by certain areas of the Donetsk and Luhansk regions. We note that despite isolated incidents the situation regarding the freedom of movement of SMM patrols is improving. The monitors have begun to regularly visit the border with Russia. Between 27 November and 7 December, the SMM visited border crossing points in certain areas of the Luhansk and Donetsk regions on 11 occasions: the checkpoints at Marynivka, Uspenka, Novoazovsk and Dolzhansky and the border crossings near Parkhomenko and Novoborovytsi.

We advocate stepping up the work of the Trilateral Contact Group and its specialist subgroups in Minsk. It is important to hold regular weekly meetings.

Unfortunately, few practical results have been achieved so far. There has been no progress in reaching agreement on the modalities for holding local elections in Donbas. The latest meeting of the subgroup on political issues did not bring the parties any closer together, despite the OSCE co-ordinator's efforts. Agreement is also needed on an amnesty, on granting Donbas special status, and on constitutional reform in general.

Given that colleagues are again talking about the particular importance of restoring complete Ukrainian Government control over the State border in the entire conflict zone, we recall that this is possible only following a comprehensive political settlement on condition of constitutional reform in Ukraine together with the entry into force of a new constitution providing for decentralization as a key element (taking into account the special features of certain areas of the Donetsk and Luhansk regions, agreed upon with the representatives of these areas) and also the adoption of permanent legislation on the special status of certain areas of the Donetsk and Luhansk regions.

Thus, if our Western colleagues really want the Minsk agreements to be implemented at the earliest opportunity, they must send a clearer signal to Kyiv regarding the need to comply with its commitments. This also concerns the provisions on constitutional reform. Until these issues are resolved – as stipulated by the Package of Measures – in agreement with Donetsk and Luhansk, there can be no talk of Kyiv having implemented its commitments.

An important step towards normalizing the situation would be to implement the agreement on the exchange of detained persons between Kyiv, Donetsk and Luhansk on an “all for all” basis.

Mr. Chairperson,

We call on the SMM to continue to pay close attention to the events in the rest of Ukraine. The continuing manifestations of political extremism, the persecution of dissidents and the detention of people accused of so-called domestic separatism, in other words disagreement with the policy of the new leadership in Kyiv, and without any charges whatsoever being brought, are cause for concern.

We have studied the latest report by the United Nations High Commissioner on Human Rights regarding the situation in Ukraine.

In particular, it is the indiscriminate shelling of towns and villages in Donbas that is the main cause of suffering among the local population. According to the most conservative estimates, more than 9,000 people (9,098 as of 15 November) have been killed and more than 20,000 people (20,732 as of 15 November) have been injured as a result of Kyiv's punitive operation launching aircraft, tanks and heavy artillery against Donbas. The statistics are revealing. The overwhelming majority of civilian casualties in Kyiv-controlled territory were victims of mines or unexploded ordinance; whereas in the towns and villages controlled by the militias, they were mostly victims of artillery fire, mortars and tanks.

The report confirms facts that our colleagues have referred to as "Russian propaganda". This includes murders committed by Ukrainian security forces and volunteers, summary executions, enforced disappearances, detention without charge, torture and cruelty, pillaging and looting.

Typically, the Ukrainian security forces are actively making the practices of the United States military their own by using "enhanced interrogation techniques", including the notorious waterboarding. "Unofficial places of detention" are also being used, to which neither human rights bodies nor international organizations have access.

Unfortunately, the representatives of the authorities and so-called patriots enjoy impunity, and their crimes are not investigated. In that connection, the independence of the judiciary in Ukraine remains in serious doubt since judges (and as we know not only judges but also the staff of any law enforcement authority) are frequently subjected to pressure and threats from so-called political activists. If the person who has committed or is suspected of a crime is a Ukrainian patriot, that person is considered to be innocent by default. We frequently hear such logic in this room as well.

Unjustifiably far-reaching restrictive measures are applied without clear procedures and criteria for the access of foreign journalists to Ukraine. Over 400 journalists have been denied the right to work in Ukraine. A second suspect in the murder of Oles Buzina was released yesterday, while the journalist Ruslan Kotsaba has been in detention for almost a year.

All in all, there are many details in the report which our colleagues, as they retweet anti-Russian phobia with abandon, prefer to ignore.

Thank you for your attention.