



## 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 Daniel B. Baer  
to the Permanent Council, Vienna  
May 21, 2015

Let me begin by once again thanking the OSCE's Special Monitoring Mission to Ukraine for its critical work under difficult circumstances. The SMM continues to provide a stream of reporting that consistently demonstrates the failure of Russia and the separatists it backs to comply with the commitments they made in Minsk. While Russian leaders claim to abide by the Minsk agreements, the SMM continues to observe ceasefire violations and the presence of heavy weapons, and to experience access restrictions imposed by Russia-backed separatists.

This past week, the SMM continued to register ceasefire violations in and around Donetsk airport. It also noted specific weapons being used by Russia-backed separatists that were not noted in previous reports, including shrapnel-causing ammunition, wire-guided anti-tank rockets, and rocket-propelled grenades. Although the SMM earlier this week reported lower levels of fighting in southern Donetsk and described Shyrokyne as relatively calm, the SMM observed three stationary, unmarked battle tanks in the town's center and seven tanks in nearby separatist-controlled territory. Yesterday, the SMM reported via Twitter that its UAV had spotted a Strela-10 advanced surface-to-air missile in rebel controlled territory. In its latest weekly report, the SMM noted that while the intensity of fighting may have eased somewhat, there were indications that the geographical scope of the fighting was spreading. These activities directly contravene Minsk.

There is no denying that there is a substantial Russian presence in eastern Ukraine. The reported capture of two Russian military personnel in Shchastya, on the Ukrainian-controlled side of the ceasefire line, serves as additional evidence that the Russian military and separatists are working together, training together, and operating with the same command and control systems. We welcome the assurances from the Ukrainian government that these Russian military personnel are being treated humanely and that the SMM was granted access to visit them, which it reported on yesterday.

Let's be clear about several facts about the situation in eastern Ukraine, each element of which has been corroborated or reconfirmed by recent SMM reporting: Russian troops are there. Russian tanks are there. And an advanced Russian missile system is there.

Russia continues to defy peace initiatives by sending convoys of cargo trucks, supposedly containing humanitarian aid, into Ukraine without inspection or the consent of the Ukrainian

government and in violation of international law. On May 14, a fifty-vehicle convoy entered Ukraine draped in banners claiming the convoy contained humanitarian assistance from the Russian Federation. If this and previous convoys truly carried the contents claimed, Russia should ensure that delivery and distribution of humanitarian assistance is done with the participation of relevant international organizations, and according to international standards. Russia has not provided sufficient evidence to Ukraine or the international community of what is carried by its so-called humanitarian assistance convoys, nor has it shown that any assistance these convoys may actually carry from Russia into Ukraine is going to the residents of Donetsk and Luhansk.

Russia's resistance to monitoring of the international border suggests a wider cover-up of mounting crimes. If Russia is not hiding anything, why is it shirking its obligations to have international monitoring along the state border?

Mr. Chair, colleagues, even as Russia continues to send weapons, soldiers, and materiel into eastern Ukraine, which is clearly contrary to the agreements it made in Minsk, the international community including United States continues to see the Minsk agreements as providing the best course toward a peaceful resolution of the Russia-Ukraine crisis. In the past week, Secretary Kerry traveled to Sochi and Assistant Secretary Nuland traveled to Moscow and Kyiv to underscore the critical importance of the full implementation of the Minsk agreements. In Sochi, President Putin told Secretary Kerry his government is fully committed to Minsk implementation. All eyes are on Russia to see whether it will go beyond rhetoric and pursue active fulfillment of its obligations and those of its proxies in the Minsk commitments.

Full adherence to the Minsk agreements requires a genuine ceasefire. To this end, we support the SMM's efforts to negotiate a lasting ceasefire and a disengagement plan in Shyrokyne and other hotspots. Full adherence to the Minsk agreements also requires Russia and the separatists to fully withdraw heavy weapons, and to allow the SMM unfettered access to all areas under separatist control, including along Ukraine's international border with Russia. Full adherence to the Minsk agreements requires Russia to stop sending fighters and equipment into Ukraine, and to release all hostages held in Russia, including Nadiya Savchenko.

The full implementation of Minsk includes the robust engagement of the Trilateral Contact Group and its associated working groups. We look forward to their concrete proposals to ensure a sustainable ceasefire, increase humanitarian assistance to eastern Ukraine in line with international standards, and hold free and fair local elections in the special status areas of Donetsk and Luhansk under Ukrainian law and observed by ODIHR according to OSCE and international standards. We welcome the news that the Economic Working Group met and provided concrete proposals on banking services and infrastructure. We look forward to the upcoming meeting of the Political Working Group, and urge its members to immediately address the issue of local elections and the need for ODIHR to obtain secure access to the special status areas of Donetsk and Luhansk where special status and local elections are to occur, to begin election monitoring planning. We are concerned by the SMM report on May 20 that the SMM and ODIHR officials were blocked from entering separatist-controlled territory on their way to Donetsk. This is unacceptable. We urge the members of all of the

working groups to take immediate action to support full implementation of the Minsk agreements.

In the last ten days, President Putin, Chancellor Merkel, President Poroshenko, and Secretary Kerry each reiterated that the full implementation of the Minsk agreements serves as the basis for reaching a peaceful resolution to this crisis. Russia must now live up to the agreements it signed in Minsk. Russia must act, not just talk.

In closing, let me repeat our call that Russia must respect Ukraine's sovereignty and territorial integrity and end its occupation of Crimea, an issue that I will address more fully under a separate item.

Thank you, Mr. Chair.