



## **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  
December 17, 2015

The United States expresses concern about increasing reports of exchanges of fire in and around Donetsk and other areas in the conflict zone in eastern Ukraine and we reiterate our call for restraint. This flare up, like others instigated by combined Russian-separatist forces, coincides with meetings in Minsk of the Trilateral Contact Group's working groups. The conflict in eastern Ukraine will not be solved on the battlefield, but at the negotiating table. We welcome efforts to reestablish a complete ceasefire, which is a crucial step toward reaching agreement on modalities for free, fair, and safe local elections in the special status area. The continued use of delaying tactics by the Russian Federation and the separatists it backs in the political working group discussion on elections raises the question whether Russia and the separatists it backs are truly committed to ending the conflict. The United States reminds the Russian Federation that beginning the process of lifting of sanctions is tied to the full implementation of the Minsk agreements.

Unfortunately, it is not only the political elements of these agreements that suffer from Russian and separatist obstructionism. The separatist policy of restricting humanitarian aid will create a humanitarian catastrophe. As temperatures plunge below zero in Ukraine, sporadic shipments of shelter materials and food to separatist-controlled territory in the Donbas cannot keep pace with the needs of the local communities, which are made more acute by damaged power and water lines. Hospitals lack medicine, raising the risk of a serious outbreak of infectious disease. We note that five weeks have passed since Foreign Minister Lavrov publicly stated that humanitarian organizations willing to work in eastern Ukraine should be given the opportunity to do so, yet little has changed. With the lives of over two million people at risk, the United States urges the Russian Federation to use its considerable influence with the separatists it backs to lift all remaining restrictions on humanitarian aid immediately.

At the same time, we renew our call on the Russian Federation to cease its shady "white truck" convoys, another of which was reportedly scheduled for today. Each of these constitutes a violation of Ukraine's sovereignty. If Russia is really interested in humanitarian aid, it should deliver any such assistance in line with international humanitarian principles and mechanisms, as it has committed to do.

Colleagues, we note with serious concern that the SMM found clear evidence Russia-backed separatists in Donetsk are using a school as a military facility. The SMM observed the

presence of heavily-armed militants inside the school, and found indications the school is used as a separatist base that includes an ammunition and weapons storage depot. A trench connects the school with a nearby separatist checkpoint. This constitutes a serious misuse of the facility, potentially endangering schools and students in the conflict area. Separatist forces must immediately vacate this and any other schools they use.

We call for an end to the practice of laying new mines and improvised explosive devices in civilian areas. On Tuesday, the SMM observed six anti-tank mines at a checkpoint in the so-called “Donetsk People’s Republic” that were put in place within the last week. The presence of these mines was not marked, and a recent covering of snow made them difficult to see. This incident highlights the risks of further delay in reaching a broad framework agreement on demining, which would facilitate mapping and fencing of areas contaminated by landmines and unexploded ordinance. We welcome, as a positive step toward this goal, the agreement made this week in the security working group on 12 priority areas for demining. Yet we are concerned that, on Monday, the SMM registered ceasefire violations at two of these priority areas in which demining is to occur. Armed provocations must cease if demining work in the security zone is to take place. The United States applauds the efforts by the SMM to facilitate demining of critical infrastructure and by the Project Coordinator in Ukraine to build Ukrainian capacity to carry out humanitarian demining. This is work that will save lives.

The United States is pleased to note the agreement reached in the humanitarian working group to provide the International Committee of the Red Cross with lists of missing persons. We hope further agreement on the exchange of detained persons, especially the sick and wounded, will be concluded quickly on the basis of the all-for-all principle included in the Minsk agreements.

In closing, we reaffirm the support of the United States for Ukraine’s sovereignty and territorial integrity, which includes Crimea. The international community cannot allow the borders of Europe to be redrawn at the barrel of a gun. As the initiator of this conflict, Russia has a singular responsibility to recommit to upholding the OSCE principles and commitments that it has contravened, and reverse its aggression against Ukraine, including its attempted annexation of Crimea.

Thank you, Mr. Chair.