



**Delegation of Ukraine
to the OSCE**

Statement
at the extraordinary meeting of the OSCE Permanent Council
on current situation around Ukraine

As prepared for delivery by Ambassador Ihor Prokopchuk
3 March 2014

Mme Chairperson, dear colleagues,

I would like to thank the Swiss Chairmanship for convening this extraordinary Special meeting of the Permanent Council today.

I will start my statement by reiterating main and clear messages which were also emphasized at the yesterday's meeting of the Preparatory Committee.

Mme Chairperson,

What we witness today in the crisis around Ukraine is a violation of the Basic principles upon which this Organization is founded.

There is an imminent threat of military aggression against the sovereignty and territorial integrity of Ukraine originating from another OSCE participating State – the Russian Federation.

There is an imminent and serious threat to the regional security and to security of Europe that can have far-reaching repercussions.

Mme Chairperson,

Since the most recent meeting of the Permanent Council last Thursday, the situation around Ukraine has dramatically escalated.

On 27 February unidentified armed men entered the Crimean parliament in the regional capital Simferopol by force and hoisted a Russian flag on the roof. On Friday armed men took control of an airport in the Black Sea port of Sevastopol and another airport in Simferopol, prompting flights cancellation. The situation was further aggravated when Russian military helicopters and military cargo airplanes violated the Ukrainian airspace, brought in additional troops and the Russian servicemen blockaded a unit of the Ukrainian border guard in the port city of Sevastopol. On Saturday and Sunday, the Russian military units made attempts to enter the Ukrainian military bases in Crimea, declaring ultimatums to disarm under the threat to use force. The cases of pressure and intimidation are mounting as we speak.

With regard to the developing situation, the Foreign Ministry of Ukraine proposed to hold urgent consultations on this situation based on the bilateral Treaty on Friendship, Cooperation and Partnership of 1997. This proposal was turned

down by the Russian side. Ukraine's proposal to arrange urgent multilateral consultations at the level of states-signatories of the 1994 Budapest Memorandum was likewise rejected by the Russian Federation.

On 28 February 2014 the Parliament of Ukraine adopted a Resolution with an Address to the guarantor-states under the Budapest Memorandum. The Ukrainian Parliament called upon the Russian Federation to abstain from steps which encroach upon the state sovereignty and territorial integrity of Ukraine and to refuse support of separatism in Ukraine in any form. The Parliament also appealed to the states-signatories of the Budapest Memorandum to confirm by practical actions their commitment to respect independence and sovereignty and the existing borders of Ukraine.

Despite these numerous appeals to the Russian Federation, and despite the proposals of the Ukrainian side to engage into constructive dialogue on any issues that would be of interest to the Russian Federation, the next step by Moscow was to authorize the use of military force against Ukraine.

On 1 March 2014, the Parliament of the Russian Federation authorized the President of the Russian Federation to deploy military forces of the Russian Federation in Ukraine, citing "extraordinary situation in Ukraine, threat to the citizens of Russian Federation, compatriots, personnel of the military contingent of Russian Federation's armed forces" as reasons.

The Ukrainian side considers these actions of the Russian Federation to be in breach of the Principle to refrain from the threat or use of force, contained in the Helsinki Final Act.

Mme Chairperson,

We call upon the Russian Federation to abide by its bilateral and international commitments, to stop the violation of international law and basic principles of the OSCE, and not to resort to armed aggression against Ukraine.

We call upon the Swiss Chairmanship and the participating States to take all measures that would stop the existing breach by the Russian Federation of the basic principles of international law;

We call upon the states-signatories of the Budapest Memorandum to demonstrate in practical actions their commitment to guaranteeing the respect of the independence and sovereignty and the existing borders of Ukraine;

We call upon all delegations to fulfill their commitment under the Lisbon Document of 1996 not to support participating States that threaten or use force in violation of international law against the territorial integrity or political independence of any participating State.

Dear colleagues,

There is an urgent need to prevent the military intervention of the Russian Federation and to deescalate the existing tensions around Ukraine. Ukraine calls for the potential of the OSCE to be fully applied in the present situation.

We suggest that the following steps should be taken in this regard:

1. The establishment of an international mission of observers, including from the OSCE, to establish facts on the ground in Ukraine, and specifically in the Crimean peninsula;
2. Application of the available OSCE mechanisms and expertise to support stabilization of the situation in Ukraine.

We also welcome the reports that the initiative of the Chairmanship regarding the establishment of an international contact group under OSCE auspices is gaining more attention from the participating States. As there is a number of international organizations engaged in assisting Ukraine, the issue of co-ordination is essential.

Furthermore, the following steps of the Russian Federation would be necessary to cease the existing threat to the sovereignty and territorial integrity of Ukraine:

1. An immediate repeal of the authorization to use the military forces of the Russian Federation in the territory Ukraine;
2. The return of all military units of the Russian Federation's Black Sea Fleet to their permanent duty stations;
3. Establishment of direct political dialogue with authorities of Ukraine.

Mme Chairperson,

On Saturday evening, in view of the aggressive stance taken by the Russian Federation in relation to sovereignty and territorial integrity of Ukraine, the Council of National Security and Defense of Ukraine adopted the decision to bring the military forces of the state into full combat readiness.

Ukraine is a peaceful country but it will protect its sovereignty and territorial integrity from an aggressive war with all possible means, in full compliance with the UN Charter.

We call for solidarity of all participating States to uphold and protect the sovereignty and territorial integrity of Ukraine and the principles to which all our countries are committed.

Mme Chairperson,

I have the following comments in reply to the points raised by the Russian Federation.

- *On the authorities in Ukraine:*

The new Ukrainian Government under Prime Minister Arseniy Yatseniuk was formed by the constitutional majority of a legitimately elected parliament, representing the entire population of Ukraine.

Any concerns that the Russian Federation may have regarding the situation in Ukraine should therefore be addressed to this government.

The failure to recognize by the Russian Federation the legitimacy of the new government of Ukraine that was formed in full accordance with the constitutional and legal framework of Ukraine constitutes the breach of the Principle of sovereign equality and respect for the rights inherent in sovereignty.

- *On the Agreement on Resolution of Political Crisis in Ukraine of 21 February:*

At the time of an acute political crisis which resulted in deaths of nearly 100 civilians, when on 21 February with the assistance of the international mediators a way was found to stop violence, there was a sincere disappointment in Ukraine when the Russian representative refused to put his signature under the Agreement on resolution of political crisis in Ukraine, the implementation of which Moscow now so strongly advocates.

This Agreement was breached by the former President Yanukovich, as he refused to sign the law which restored the validity of the 2004 Constitution in Ukraine, an immediate step which was placed as number one in the Agreement. With this refusal he rendered this Agreement obsolete. The former President withdrew from performing his constitutional duties and fled the country.

An attempt by the Russian delegation to link the threat of force with implementation of an agreement between the Ukrainian political forces constitutes a breach of the Principle of non-intervention into internal affairs.

- *On the safety of persons belonging to national minorities*

The Ukrainian side underscores that safety and security of the population at the territory of Ukraine, including that of foreign citizens and national minorities, is guaranteed by the Government of Ukraine. There were no cases of organized violence directed against the citizens of Russian Federation or personnel of the Russian Federation's armed forces that could give ground to allegations of threat to these specific groups in Ukraine.

The Government of Ukraine is strongly committed to upholding the principles and commitments of the OSCE. The rights of national minorities, including the Russian minority, are fully guaranteed at the whole territory of Ukraine by law and in practice. Their observance is subject to international monitoring within existing mechanisms, including by the OSCE High Commissioner of National Minorities. There is no ground for allegations about threats to these rights. The legislation mentioned by the Russian colleague never came into force.

The decisions on a referendum in Crimea are illegitimate as they are not consistent with the existing constitutional and legal framework of Ukraine.

The Ukrainian side is ready to further expand its scope of co-operation with the OSCE in all dimensions of our work. The Government is committed to ensure that the OSCE expertise is duly used in such spheres as democratic elections, protection of human rights, especially the rights of national minorities, freedom of media, strengthening the rule of law, the civil society and many others.

As we have announced at the last meeting of the Permanent Council, the OSCE Office for Democratic Institutions and Human Rights is invited to observe the upcoming presidential elections in Ukraine on 25 May. Today I would like to hand over to Director Lenarcic the official letter of invitation and to express our hope that our co-operation with the ODIHR in preparing and conducting this election will be an efficient and productive one.