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**STATEMENT BY MR. ALEXANDER LUKASHEVICH,
PERMANENT REPRESENTATIVE OF THE RUSSIAN FEDERATION,
AT THE 1265th MEETING OF THE OSCE PERMANENT COUNCIL
VIA VIDEO TELECONFERENCE**

30 April 2020

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

Mr. Chairperson,

The development of the situation in Ukraine remains disappointing. Against the backdrop of the ongoing conflict in the east of the country, flagrant human rights violations continue in the rest of Ukraine.

Unfortunately, the coronavirus epidemic and the appeals, notably by the Secretary-General of the United Nations, Mr. António Guterres, to stop the violence and armed confrontation, if only out of humanitarian considerations, have not brought about any changes in the attitudes of the Ukrainian leadership towards Donbas. The number of ceasefire violations along the line of contact has increased over the past few days. In its recent reports, the OSCE Special Monitoring Mission to Ukraine (SMM) has listed the latest casualties and destruction. The Ukrainian military continues to train its guns at the same civilian objects. The situation in the Donetsk settlement of Syhnalne is indicative: during the past few weeks, one local resident was killed and another injured as a result of the shelling of residential buildings by the Ukrainian armed forces.

Instead of de-escalation, the Ukrainian armed forces are doing the opposite and ratcheting up tensions. On 21 April, in the vicinity of Trokhizbenka in the Luhansk region, the SMM observed live-fire exercises by the Ukrainian military in the security zone near the line of contact. More than 700 violations of the ceasefire regime were recorded in the course of these exercises. This is a direct violation of the decision of the Trilateral Contact Group (TCG) of 3 March 2016 on the complete cessation of live-fire exercises.

One cannot but be alarmed by the increased activity of the Ukrainian army in the disengagement area in Petrivske. For example, during the past week the SMM cameras on 23 occasions recorded people near former Ukrainian military positions in the evenings or at night. It is not surprising that the instances of the “silence regime” being broken have become more frequent there – the Mission reported some two hundred such violations inside the disengagement area.

Speaking at the Permanent Council, the distinguished Permanent Representative of Ukraine has repeatedly assured us that the Ukrainian armed forces are not using anti-personnel mines in Donbas and, for that matter, that the Ukrainian Government is conscientiously fulfilling its relevant commitments. However,

the SMM reports show a different reality. On 24 April, the SMM monitors spotted four boxes containing “MON-90” anti-personnel mines at a Ukrainian armed forces checkpoint on the outskirts of Popasna in the Luhansk region. It is becoming clear why the Ukrainian Government’s negotiators in the TCG are putting the brakes on the drafting of an updated mine clearance plan, frustrating in this way the relevant decision of the “Normandy format” summit held in Paris on 9 December 2019. The authorities of Donetsk and Luhansk have long since presented their proposals to that effect at the TCG. An analysis of the data in the Mission’s reports shows that Ukraine’s formal participation in the 1997 Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction has not prevented the Ukrainian Government from using them in Donbas. Incidentally, the parties to the Convention have repeatedly pointed to the Ukrainian Government’s failure to fulfil its commitments on destroying such mines.

On the whole, there has been no progress in the implementation of the “Paris package”, that is, of the agreed outcomes from the December summit of the Normandy Four. The standstill on the political track continues – all this time, the Ukrainian authorities have still not started meaningful and substantive discussions with the representatives of the authorities in Donetsk and Luhansk with a view to reaching agreement on all the legal aspects of the special status of Donbas. Against that background, we hear statements from the Ukrainian Government, including President Volodymyr Zelenskyi himself, about the need to obtain physical control of the territory of Donbas first, without carrying out the political reforms that should precede this in accordance with paragraph 11 of the Minsk Package of Measures. We might also recall the statement made in January this year by the Deputy Secretary of the National Security and Defence Council of Ukraine, Serhiy Kryvonos, in which he said that “the Ukrainian armed forces must be ready to liberate the territory of Donbas by force”.

Unfortunately, there has not been a proper response from our “Normandy format” partners to the continuing sabotage by the Ukrainian Government as regards the fulfilment of its commitments under the Minsk agreements. By tacitly abetting the Ukrainian authorities in this, they are sending out a destructive signal that undermines any incentives for the Ukrainian Government to seek ways of achieving peace in dialogue with Donbas. Such dialogue can and should be conducted by the parties to the internal Ukrainian conflict at the TCG in Minsk. Instead, the attempts continue unabated to present the conflict in eastern Ukraine in line with the warped narrative of some kind of “armed aggression”, which they propose should be discussed in the “Normandy format”.

We hope that today’s videoconference of the Normandy Four foreign ministers will enable the Ukrainian Government to grasp that it is impossible to determine the future of Donbas without taking direct account of the views of its inhabitants. Any progress in achieving a settlement depends not on the number of “Normandy format” summits and other international contacts, but on the real willingness of the Ukrainian Government to engage in respectful and direct dialogue with the representatives of the authorities in Donetsk and Luhansk, aimed at achieving practical results, and to fulfil the commitments it has assumed.

We note that the SMM has continued the practice of issuing thematic reports, by publishing a document last week on impediments to its monitoring in the second half of 2019. We trust that the long-overdue thematic report on civilian casualties in Donbas and the destruction of civilian infrastructure will also appear soon.

As for the freedom of movement of the SMM in Donbas in the context of the coronavirus epidemic, we once again caution against any politicization of this question. All the necessary arrangements for the Mission’s work in Donbas can be determined via contacts with the local authorities, which the Mission is meant to develop in accordance with its mandate in the interests of peace and security in the region.

The OSCE participating States set the SMM the task of monitoring the situation not only in Donbas, but also throughout the territory of Ukraine. We trust that the Mission will not ignore incidents relating to violations of fundamental human rights and freedoms as well as of Ukraine's OSCE commitments. We are referring, among other things, to the continuing attacks on the Ukrainian Orthodox Church. For example, in recent weeks a wave of arson attacks on churches and church property has swept across the country. These bear all the hallmarks of an attempt to incite religious discord. In April alone, churches and monasteries were seriously damaged by fire in the Rivne region (village of Lypky, Hoschcha district), the Chernivtsi region (village of Lukavtsy, Vyzhnytsia district) and the Sumy region (village of Hamaliyivka, Shostka district), and also in Odessa where unidentified persons threw Molotov cocktails at the Holy Dormition Monastery. Only in one case have the police managed to identify the arsonist. We expect the SMM to reflect these facts in its reports.

On 2 May, it will be six years since the tragedy in Odessa. On that day in 2014, with the connivance and in the presence of representatives of the Maidan authorities, radical nationalists committed a mass murder – they burned alive in the city's Trade Union House scores of people who had been peacefully defending their rights. This crime, committed with particular cynicism and cruelty, elicited a widespread public and international response. However, the investigation into all the circumstances of what happened has still not been completed and those responsible for this massive loss of life have yet to be punished. The Office of the United Nations High Commissioner for Human Rights (OHCHR) and the Council of Europe International Advisory Panel have already expressed their concern about the course of the investigation. The main conclusion of the human rights defenders was that the judicial process was not really aimed at identifying the true perpetrators of the tragedy because the State had been unable to guarantee an independent and swift investigation and had not provided proper protection against duress to those involved in the judicial process, including the judges.

Despite the change of power in Ukraine in 2019, the UN has again pointed to the absence of any progress in the investigation. In its recent report on the human rights situation in Ukraine for the period from 16 November 2019 to 15 February 2020, the OHCHR notes the complete impunity that has prevailed in the aforementioned case and emphasizes that the families of the victims are still waiting for justice to be done. We call for pressure to continue to be exerted on the Ukrainian authorities to provide full and transparent clarification of all the circumstances of these salient crimes, including the Odessa tragedy, the Maidan shootings and the murder of journalists.

Thank you for your attention.