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**STATEMENT BY MR. ALEXANDER LUKASHEVICH,
PERMANENT REPRESENTATIVE OF THE RUSSIAN FEDERATION, AT THE
1299th MEETING OF THE OSCE PERMANENT COUNCIL
VIA VIDEO TELECONFERENCE**

21 January 2021

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

Madam Chairperson,

On 19 and 20 January, the OSCE Chairperson-in-Office, Ann Linde, Minister for Foreign Affairs of Sweden, visited Ukraine. She was in Kyiv and also in an area controlled by the Ukrainian armed forces near the line of contact in Donbas, to which she flew in a Ukrainian military helicopter. We regret that, despite the invitation that was sent to her, she did not find it possible to hold meetings on the other side of the line with the representatives of Donetsk and Luhansk, or to assess with her own eyes the consequences of the Ukrainian Government's military operation against the population of Donbas, which it has been conducting for seven years now, and of its socio-economic blockade of the region.

The current situation in the east of Ukraine is relatively calm. Nevertheless, in spite of measures being in force to strengthen the ceasefire regime, there is shelling on a daily basis in Donbas. According to data from the OSCE Special Monitoring Mission to Ukraine (SMM), the number of instances of shelling since the start of this year has already exceeded 1,200.

It is highly important that the SMM's monitoring should be adequately balanced across both sides of the line of contact. At the same time, in accordance with the Mission's mandate, it is necessary to monitor what is happening in the rest of the country's territory, too. That is what the SMM's resources should be focused on. In this connection, we emphasize that it is categorically unacceptable to try to dissipate these by somehow suggesting that it is permissible for the Mission to carry out certain tasks that fall outside the scope of its mandate. This refers, in particular, to the remarks made by Ms. Linde in Kyiv on 19 January, when she spoke about how the SMM was already conducting "remote monitoring" of the situation in Crimea – that is, of developments on the territory of the Russian Federation. We would draw your attention to the fact that such communiqués coming from the Chairperson-in-Office pose a threat to the Mission's mandate, which does not extend to States that are neighbours of Ukraine. We call on the Swedish Chairmanship to acknowledge its responsibility in that respect and to guide the SMM in precisely such a way as to preclude any deviations from the latter's mandate.

In the current circumstances, there is a need for strong signals to be sent to the Ukrainian Government concerning the necessity of strictly adhering to the letter and the spirit of the Minsk Package of

Measures of 12 February 2015, which remains the sole possible framework for achieving peace and a long-term settlement of the conflict in the east of Ukraine. It is telling that, in 2020, the Ukrainian authorities were the only ones who regularly cast doubt on the significance of that document and on the feasibility of implementing it. They repeatedly called for deviations from the sequence of practical steps stipulated therein and even for alterations to the existing negotiation formats. Unfortunately, these destructive approaches have not changed.

Thus, the elements of the Ukrainian Government's new tactic were confirmed by the first deputy head of the Ukrainian delegation to the negotiations in the Trilateral Contact Group (TCG), Oleksiy Reznikov, who is also Deputy Prime Minister and Minister for Reintegration, in his article of 9 January of this year for the NGO Atlantic Council. He combined two mutually exclusive arguments there, the first being that the Ukrainian Government was prepared to take further steps towards achieving peace. However, immediately afterwards he added that implementation of the Minsk agreements was "not possible in their present state" and that "updating these agreements is a necessary precondition for any further progress." What is this if not yet another public statement of refusal to fulfil existing obligations?

Something else that is highly revealing is the obstinacy with which the representatives of the Ukrainian Government, including those at the OSCE, pass over in silence the fact that the Package of Measures has become part of international law following its endorsement by United Nations Security Council resolution 2202.

In this connection, earlier in January this year, the Ministry of Reintegration headed by Mr. Reznikov submitted for consideration yet another draft law that stands in direct contradiction to the Package of Measures – in this case, on the "State policy of the transitional period". Its text mentions neither a special status for Donbas, nor dialogue with the region's true representatives. Instead of an amnesty for those involved in the events, what is proposed is so-called "transitional justice" and even "lustration". It is planned to establish transitional "military and civilian administrative bodies" in certain areas of Donbas and then to conduct local elections under their baton. And so it goes on. Evidently, the efforts of the Ukrainian authorities are by no means directed towards finding ways of swiftly putting into practice the provisions of the Package of Measures. On the contrary, there has been an increasing surge of attempts to diverge from its unambiguous stipulations and to foist on Donbas a governance regime that is not provided for in the Minsk agreements. The objective here is not even being concealed – namely, to establish military control over the region without providing any political safeguards whatsoever for its people.

In view of this, we are puzzled by the appeals addressed by some OSCE participating States to Russia exhorting it to reciprocate the Ukrainian Government's alleged "constructiveness", and also by the groundless criticisms levelled at our country to the effect that it is blocking the negotiation process for a settlement. The Russian Federation has been consistently opposing any revision of the Minsk agreements; it expects the parties to the internal Ukrainian conflict – that is, the Ukrainian Government and the authorities in Donetsk and Luhansk – to strictly fulfil their obligations under the Package of Measures; and it stands ready to facilitate, in every possible way, direct dialogue between the parties within the TCG. We hope that today's TCG meeting will result in headway being made on implementation of the existing agreements.

As for the situation in the country as a whole, it must be said that the actions of the Ukrainian authorities are leading to an intensification of social conflicts. The latter include attempts to forcibly remould the national and cultural identity of the country's citizens. Thus, on 16 January, in line with the implementation of Article 30 of the Act on Supporting the Functioning of the Ukrainian Language as the State Language, which was adopted in April 2019, new statutory restrictions entered into force. These entail a significant narrowing of the scope for using languages other than Ukrainian in public life, also when accessing services. A range of repressive instruments have been introduced, taking the form of fines and

penalties for those who fail to adapt to the new measures. A few days ago, the Ukrainian authorities reported back on their rescission of the decisions adopted by local councils in the Zakarpattia region whereby languages other than Ukrainian had been granted the status of regional languages.

The discriminatory nature of the Ukrainian authorities' actions is obvious. The norms that have been introduced impinge on a broad spectrum of public life and are at odds with the provisions of Ukrainian legislation itself – notably with Article 10 of the Constitution, which guarantees the “free development, use and protection” of the Russian language and the languages of national minorities, but also with other articles of the country's fundamental law, including Article 22, which lays down that “[t]he content and scope of existing rights and freedoms shall not be diminished when adopting new laws or amending laws that are in force”, and Article 24, which prohibits “privileges or restrictions based on [...] linguistic or other characteristics”.

Things are being carried to the point of absurdity. On 24 December 2020, the National Writers' Union of Ukraine (NSPU) adopted a resolution forbidding NSPU publications from printing the works of writers from 17 countries, including Russia, just because those States do not support the Ukrainian Government's despicable initiatives in various international organizations. This smacks not only of politically motivated efforts to restrict people's access to information, but also of discrimination against authors on the basis of their nationality, regardless of their convictions.

We call on the OSCE – notably the Chairmanship, the Secretary General, the High Commissioner on National Minorities, the Office for Democratic Institutions and Human Rights, and the Representative on Freedom of the Media – to work together with the Ukrainian Government more actively with a view to remedying this situation.

Now to something else. On 1 January of this year, with the authorities' support, there took place in Kyiv and a number of cities in western Ukraine marches to mark the latest anniversary of the birth of the Nazi collaborator Stepan Bandera, who was at the helm of the Organization of Ukrainian Nationalists during the Second World War. The participants in the event in Kyiv, among whom were activists from such radical nationalist organizations as National Corps, Right Sector and Svoboda (“Freedom”), equipped with their symbols, flags and banners, organized a torchlight procession during which they shouted offensive and xenophobic slogans. Threats were voiced to mete out physical punishment to those whom they regarded as “enemies of Ukraine”. Video footage of the march is available on the Internet.¹ We deplore the fact that the SMM monitors, as is clear from the Mission's report dated 5 January, saw nothing more in these antics than a “peaceful march”, whose unspecified participants went about “chanting patriotic slogans”. We demand that the Mission be more thorough in its monitoring of what is happening in Ukraine and in reflecting that in its reports. We emphasize the long-overdue need for information on manifestations of aggressive nationalism, neo-Nazism and xenophobia to be systematically compiled into a thematic SMM report.

Against this background, what happened in Kyiv on 19 January, when police officers prevented two peaceful gatherings from taking place, is quite self-explanatory. People there went to the barricades to demand that the authorities cease providing State support, including funding, to nationalist movements and that they investigate attacks by far-right radicals that remain unpunished. More than a dozen participants in one of the events were detained by the police. A law enforcement officer asserted in front of live television cameras that “the Constitution is currently not functioning” in Ukraine. Unfortunately, this information has not been reflected in the SMM's reports.

1 See <https://youtu.be/IzXrtGIDsVI>; <https://youtu.be/Tz61aOwixGc>.

Madam Chairperson,

The present year is opening up new opportunities both for the Ukrainian Government and for the freshly installed Swedish Chairmanship of the OSCE to bring closer the prospects of a sustainable peace in the east of Ukraine and of resolving the crisis in the country as a whole. Encouraging the Ukrainian Government to persist in seeking to sabotage the Minsk agreements would be an extremely destructive course of action. What is required is energetic work together with the Ukrainian authorities on ensuring full and responsible implementation of the Package of Measures in direct dialogue with the representatives of Donetsk and Luhansk at the TCG, and also the proper fulfilment of international human rights obligations. We are counting on the Swedish Chairmanship to play an active and constructive part in carrying out these tasks.

Thank you for your attention.