



## **United States Mission to the OSCE**

# **Response to Ambassador Martin Sajdik, OSCE Special Representative of the Chairperson-in-Office in Ukraine**

As delivered by Ambassador Daniel B. Baer  
to the Permanent Council, Vienna  
September 28, 2015

We warmly welcome Ambassador Sajdik to the Permanent Council. Ambassador, your appearance at the Permanent Council is timely, as Ukraine stands at a crossroads between crisis and opportunity. The ceasefire, in place since September 1, and imperfect though it is, has provided the opportunity for progress on difficult security, political, humanitarian, and economic issues.

That is why, Ambassador, your work in the Trilateral Contact Group is so important. With nearly 8,000 dead and 18,000 wounded since the start of the conflict in February 2014, the people of Ukraine have suffered far too much. Forty years after the Helsinki Final Act, its words bear repeating: "Participating States will refrain from making each other's territory the subject of military occupation, or other direct or indirect measures of force...." And yet, this conflict is the direct product of military intervention by one OSCE participating State against another. Ukraine is the victim in this conflict, and Russian aggression is responsible. Amid all the complexities of ongoing negotiations within the Minsk framework, this simple truth must be remembered.

Consider that in the Security Working Group, Ukraine faces the prospect of signing onto a supplemental weapons withdrawal agreement knowing full well that such agreements have been broken before, and that Russia has promised repeatedly to remove its weapons and fighters, and has broken that promise each time. That is why a safe weapons withdrawal plan is essential. To begin to restore lost confidence, the Russian Federation and the separatists it backs must agree to a plan that respects Ukraine's legitimate security concerns. They must also show they are truly willing to respect the withdrawal and ceasefire commitments already in place, including allowing the OSCE Special Monitoring Mission to Ukraine to fulfill its mission safely and unhindered. Combined Russian-separatist forces have never provided the SMM unfettered access to territory they control, and they actively jam SMM UAVs. Russia and the separatists must follow their commitments with action, including the transparent verification of the existing heavy weapons withdrawal commitment. Weapons should be brought back to their designated storage sites, and the SMM must have full, unfettered access to these sites for verification purposes.

As you emphasized, Ambassador, the unfettered access is necessary, and it has never been achieved in areas controlled by Russian forces and their proxies, including along the Ukrainian side of the international border.

In the Political Working Group, the Russian government has insisted on the implementation of a special status law as a condition for an agreement on local elections. Our position is clear and consistent – we

have said it before, but it bears repeating: without free and fair elections, in accordance with Ukrainian law and monitored by the OSCE, there are no legitimate representatives of Donetsk and Luhansk with whom Kyiv can work on the political reform measures laid out in Minsk. Separatist leaders signed the Minsk Package of Measures that committed them to uphold a process to end the fighting; it did not give them the authority to speak for those living in certain districts of Donetsk and Luhansk. That authority cannot be gained at gunpoint, but only from the ballot box in a lawful election. Sham elections will not change this fact. To the contrary, they will only cut off political progress through the Minsk Package of Measures and undermine prospects for a lasting peace. A second round of fake elections in the separatist-controlled areas would show that Russia and the separatists are not serious about resolving the conflict.

Ambassador Sajdik, as the conflict continues, it is the people of Ukraine who suffer most. Russia continues to showcase absurdity in its justice system through show trials of Sentsov, Kolchenko, and now Savchenko. It should release all Ukrainians it continues to illegally detain. Those detainees are another reminder of Russia's central role in this conflict. Inside Ukraine, the UN Office of the Humanitarian Coordinator assessed that critically-needed emergency food and shelter items were needed in conflict-affected areas before the end of August in order to forestall a humanitarian crisis with the onset of winter. And yet Russia-backed separatists continue to block delivery – though assistance has been ready for weeks – contrary to their Minsk commitments and with complete disregard for the ongoing humanitarian crisis. We condemn the recent decision by Russia-backed separatist leaders in Luhansk to expel UN agencies and all international nongovernmental organizations providing humanitarian assistance in the area. This will endanger many lives and it is contrary to the Minsk agreements. Ambassador Sajdik, we hope you will explain to the Permanent Council the obstacles to progress in the Humanitarian Working Group toward agreement on an effective aid mechanism contemplated in measure seven of the Minsk Package of Measures.

The United States acknowledges progress in the Economic Working Group, and welcomes agreements to rebuild water infrastructure destroyed during the conflict. Access to clean water is of fundamental importance for the health and well-being of those living in Donbas. And yet, we must sound a note of caution: the SMM has negotiated temporary ceasefires in the past to allow for repairs to infrastructure, only to see repair work undone by subsequent fighting. Lasting economic growth and opportunity rests upon a foundation of basic security and political stability, and so we call on the Russian Federation and the separatists it backs to demonstrate the kind of flexibility it has shown in the Economic Working Group in the Political and Security Working Groups as well.

We must remember that the Trilateral Contact Group is so named for good reason. It must remain a forum for Ukraine, Russia, and the OSCE to find common ground on Minsk implementation. Any other formula would obscure the fact that Russia is ultimately responsible for this conflict.

Colleagues, Ukraine has made clear through word and deed that it is committed to implementing the Minsk agreements and to pursuing national unity and peace. President Poroshenko has gone to great lengths to uphold the Ukrainian government's part of the agreements by taking positive steps to implement the twelve points of the Minsk Protocol. The Ukrainian government demonstrated real political courage in passing, at its first reading, a new constitutional amendment on decentralization. Neither Russia nor the Russia--backed separatists have reciprocated Ukrainian efforts.

Ambassador Sajdik, your task is a difficult one, and the United States thanks you for your service. To sustain the ceasefire, trust must be built between the sides, but trust is only possible when it is based on actions, not merely words. We urge the Russian Federation to support your work by showing that it and the separatists will immediately and fully adhere to their Minsk commitments. And we continue to urge the Russian Federation to reverse its attempted annexation of Crimea.

Thank you, Mr. Chair.