



Permanent Mission of Ukraine
to the International
Organizations in Vienna

Statement on Russia's ongoing aggression against Ukraine and illegal occupation of Crimea

As delivered by Ambassador Yevhenii Tsymbaliuk,
Permanent Representative of Ukraine to the International Organizations in Vienna,
to the 1281st meeting of the Permanent Council
17 September 2020

Mr. Chairperson,

The SMM's observations generally confirm a continuing commitment to the ceasefire in Donbas, following the adoption of additional measures in this regard by the TCG on 22 July. The number of violations remains at a record low, while the overall duration of the current ceasefire now exceeds the previous ones. This has drastically improved the security situation for civilians living in the conflict-affected areas, and minimized combat casualties.

With this in mind and in order to preserve the hard-won ceasefire arrangement, the Ukrainian side refrained from delivering a military response to the recent provocations by the Russian armed formations on 6 September, which I referred to in my letter to the delegations of participating States the next day. Likewise, the Ukrainian military showed utmost restraint when the Russian armed formations again deliberately violated the ceasefire on 10 September and opened unprovoked fire at Ukrainian positions in the vicinity of Shumy, Donetsk region, after weeks of groundless accusations of violations and even ultimatums, despite clear evidence to the contrary in the SMM reporting.

Let me only mention in this connection that the TCG extraordinary meeting, which the Ukrainian side had requested immediately after the spike of violence on 6 September, took place only three days later, on 9 September. The SMM Chief Monitor once again corroborated what the SMM had already reported, thus reconfirming the absence of any grounds for the allegations used by the Russian side as a pretext for military escalation in the area.

We understand clearly what Russia is doing. It continues using its tactics of controlled escalation, when outbreaks of hostilities serve as an instrument of pressure to make Ukraine follow Kremlin's track of resolving the conflict through extortion and intimidation.

In his phone call the next day, September 11, President of Ukraine Volodymyr Zelenskyy informed OSCE Chairperson-in-Office Edi Rama about those military provocations on 6 and 10 September. The Head of the State stressed that we did not want a new escalation in Donbas, and thanked the Albanian Chairmanship for giving

priority in the OSCE activities to the issue of restoring the sovereignty and territorial integrity of Ukraine.

The same day, political advisers to the Normandy Four leaders met in Berlin to discuss implementation of the N4 agreements and TCG consultations. The participants supported Ukraine's call to maintain a sustainable and comprehensive ceasefire in Donbas, and agreed to continue meetings of the advisers and preparation for the Berlin N4 Summit. During the meeting, great attention was in particular paid to the issue of mutual release of detainees and all participants agreed with the importance of ensuring full and unimpeded access of the ICRC to such persons.

We remind the Russian delegation that such access must also be provided to the SMM, which should be able to fulfil its mandate safe and secure throughout Ukraine, including in the areas temporarily occupied by the Russian Federation. The SMM weekly report of 9 September informed of ten cases of restrictions of the Mission's freedom of movement, all of them in the occupied parts of Donbas. An SMM patrol was caught in fire on 7 September near the occupied village of Peremozhne during a live-fire training exercise. The Mission's mini-UAVs were twice fired at by the Russian armed formations, on 3 September near Dovhe and on 11 September near Hranitne. We strongly condemn these attacks on the SMM.

Dozens of the Minsk-proscribed weapons remain in violation of their withdrawal lines and outside designated storage sites in the Russia-occupied parts of Donbas, while the number of such weapons in government-controlled areas is very close to zero. The SMM continues to register illegal supplies provided by the Russian side to its armed formations in the areas adjacent to the uncontrolled segment of the border, including cargo trains near Voznesenivka on 3 and 13 September. This underscores yet again the critical importance of enhancing transparency along the border to prevent further violence along the contact line. We thank the Albanian Chairmanship for organizing on 16 September an Informal Meeting, dedicated to this issue. Until full control over the entire stretch of the Ukrainian-Russian state border is returned to the Government of Ukraine, the OSCE should play its role as envisaged by paragraph 4 of the Minsk Protocol. The Russian Federation must comply with the commitments undertaken in this regard.

Mr. Chairperson,

The work of the Trilateral Contact Group appears to be blocked on many tracks.

We lament Russia's refusal to discuss – for more than a month now – political aspects of conflict settlement, including in particular the tasks set by the Normandie Four leaders in the Common Agreed Conclusions of 9 December 2019. The far-reaching working proposals submitted by the Ukrainian side relating, in particular, to amendments to the law on the special order of local self-government in certain areas of the Donetsk and Luhansk regions of Ukraine, implementation of the so-called “Steinmeier formula” in the Ukrainian legislation, amnesty etc are simply ignored and the Political Working Group is unable to proceed with its agenda. All efforts of the OSCE moderator, Amb. Morel, his appeals and practical steps to resuscitate normal activities of the Group have met outright obstruction. This is simply unacceptable.

On the security and humanitarian sides, we have also seen deliberate efforts by the Russian side to obstruct and delay the application of the already agreed arrangements within TCG. Here, I would like to recall:

- the updated plan on demining activities in the 19 agreed areas, which has a clear humanitarian nature (it covers the areas around the existing Entry-Exit Checkpoints and other critical civilian infrastructure);
- disengagement of forces and hardware in four additional agreed areas;
- mutual exchange of lists of identified prisoners of war and other conflict-related detainees according to the four agreed categories.

For the immediate future, we see demining and disengagement of troops and hardware as critical priorities – if these measures are not implemented before the winter weather sets, time will be lost for quite a long period. As for the exchange of lists, the Russian side has missed the 10 July deadline many times already, and announced that it has no intention to finalize its part of the deal, referring to purely political – I would say politicized – justifications.

To conclude on this issue, I wish to reiterate what has been said repeatedly by our delegation in the TCG: Ukraine has duly implemented and is continuing to implement its part of the Minsk agreements as well as other commitments undertaken within the Minsk and Normandy formats. What we will not accept is using shallow excuses to derail the peace process and the language of ultimatums and groundless accusations against Ukraine, who has open-mindedly and proactively approached each and every commitment it undertook in Paris.

Mr. Chairperson,

Access of the SMM must be ensured also to the temporarily occupied Crimean peninsula, which remains an integral part of Ukraine. This belongs to the SMM mandate. During the phone call on 11 September with OSCE CiO, President of Ukraine highlighted Ukraine's expectation that the SMM pay due attention to the situation in the temporarily occupied Crimea.

The reports, provided by independent NGOs such as “Crimean Human Rights Group” or “Crimean Tatar Resource Center” for August 2020, confirm the ongoing illegal searches and detentions, trials and sentences, pressure and persecutions under trumped-up charges. Five new criminal cases were opened against residents of Crimea for evasion from service in the Armed Forces of the Russian Federation, which the occupying Power imposed in violation of international law. It is no wonder that Russia continues to deny access of the international bodies, which could establish facts on the ground and report to the international community.

On 13 September, Russia held so-called “local elections” in the temporarily occupied territories of the Autonomous Republic of Crimea and the city of Sevastopol, which represented another grave violation of the state sovereignty and territorial integrity of Ukraine by the Russian Federation. We reiterate our consistent position that results of such illegal activities are legally null and void. Holding free, fair and transparent elections is out of the question during occupation. This is nothing more than another attempt to legitimize armed aggression against a sovereign state. As stressed by the MFA of Ukraine, all those involved in the preparation for, and the holding of, the unlawful “voting” in the temporarily occupied Crimea will be held

responsible by the legislation of Ukraine. We call on participating States to condemn the illegal actions of the Russian Federation, to state unequivocally non-recognition of the results of the so-called “elections” in the temporarily occupied territories of the Autonomous Republic of Crimea and the city of Sevastopol, as well as strengthen the politico-diplomatic pressure on the Russian Federation, including by expanding the sanctions.

We, again, urge the Russian Federation to reverse its illegal occupation of Crimea, militarization of the Black Sea and the Sea of Azov, and to stop its aggression against Ukraine, including by withdrawing its armed formations, militants and their hardware from the temporarily occupied territories of Ukraine and fully implementing its commitments under the Minsk agreements.

Thank you, Mr. Chairperson.