



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

### **Ongoing Violations of International Law and Defiance of OSCE Principles and Commitments by the Russian Federation in Ukraine**

As delivered by Ambassador Daniel B. Baer  
to the Permanent Council, Vienna  
December 10, 2015

At last week's Ministerial in Belgrade, OSCE participating States reiterated that it is Russian aggression that sustains the crisis in and around Ukraine. Russia maintains its occupation of Crimea and continues arming, training, and fighting alongside separatists in eastern Ukraine. Wednesday's report on the human rights situation in Ukraine by the United Nations High Commissioner for Human Rights noted "an inflow of ammunition, weaponry and fighters from the Russian Federation to the territories controlled by the armed groups, which carries latent risks of a resurgence of hostilities." We once again call on the Russian federation to end its occupation of Crimea and its support for separatists in eastern Ukraine.

Despite President Putin's repeated statements about the importance of Minsk implementation and promises that OSCE SMM monitors would gain access to territory controlled by separatists, combined Russian-separatist forces continue to impede the work of the OSCE SMM, commit daily ceasefire violations, and threaten OSCE personnel. On December 6, the OSCE SMM recorded "a sharp spike in violations." That same day, so-called "LPR" authorities refused to allow monitors to pass through a checkpoint. And on December 5, one separatist in the so-called "LPR" fired an automatic rifle into the air while another pointed his rifle at the monitors. These threats, impediments, and violations must stop.

We welcome the opening of a new SMM forward patrol base in separatist-controlled Horlivka. And we saw in the news this morning that a base has opened in Debaltseve. We note that the SMM plans to open at least two more forward patrol bases in separatist-controlled territory. This access is important to monitoring the ceasefire and building trust. Russia and the separatists it backs must give the SMM full support and we expect the SMM will be able to open the other two patrol bases in separatist-controlled territory without further delay.

We welcome the report that separatist forces in Luhansk have followed the example set by Ukrainian forces and provided a heavy weapons inventory to the SMM. The so-called "DPR" must now follow suit. Transparency in the conflict zone is essential to preventing a re-escalation in fighting.

Colleagues, the first snow of the year has fallen in eastern Ukraine, yet Russia and the separatists continue to block aid organizations seeking to deliver humanitarian supplies to people in need. Only a single NGO is permitted to operate in the so-called "DPR." The separatist policy of blocking the work of humanitarian organizations is cynical and ignores

the dire needs of people living in territory under their control. It puts at risk over two million people who need food, medicine, shelter, and clothing during this critical time. SMM reporting paints a clear picture of suffering on the separatist side of the contact line. Prices for gas, coal, and firewood have soared. Schools and homes go without heat. We again call upon the Russian Federation and the separatists to ensure that all international humanitarian aid organizations are given full access to separatist-controlled territory.

The United States is deeply concerned by the human rights situation in Ukraine resulting from Russia's occupation of Crimea and Russian aggression in eastern Ukraine. The UN Human Rights Monitoring Mission in Ukraine has revealed numerous allegations of serious human rights abuses. We condemn the reported use of summary executions, torture and ill-treatment, illegal detention, and forced labor by Russia-backed separatists. The UN also reported on the establishment of parallel law enforcement and judicial administrative structures in the so-called "LPR" and "DPR," in violation of the Ukrainian constitution. These structures have systematically failed to stop, investigate, or hold to account those allegedly responsible for abuses and ill-treatment. For example, a former detainee described overcrowding, insufficient nutrition, a lack of adequate medical treatment, forced labor, and torture in separatist places of detention. He reported numerous incidents in which detainees were subjected to mock executions, beatings, and electrocution. Reports such as this underline the urgent need for independent and regular monitoring of detention facilities by a credible, neutral entity – especially in separatist-controlled territory. In line with its recently adopted Human Rights Strategy, we also appeal to the government of Ukraine to follow up on the UN report and to immediately investigate reports of serious and credible allegations, including those related to incidents on territory under Ukrainian government control.

Mr. Chair, we near the end of 2015 and the deadline for fully implementing the Minsk Package of Measures. Yet Russia and the separatists it backs refuse to engage in discussions on Ukrainian proposals related to key issues such as holding local elections in certain areas of Donetsk and Luhansk. The continued use of delaying tactics by the Russian Federation in the Trilateral Contact Group raises the question whether Russia is truly committed to ending the conflict. We remind the Russian Federation that beginning the process of lifting of sanctions against it is tied to the full implementation of Minsk. We call on Russia and the separatists it backs to engage in the political working group on the modalities for local elections in the special status area, elections that must be fully in line with Ukrainian law and OSCE standards and monitored by ODIHR. The purpose of this is clear: free, fair, and safe local elections that guarantee the free expression of the will of the voters.

No less important is the commitment under Minsk, to immediately release all hostages and other persons detained for politically-motivated reasons. We call on Russia once again to release and return to Ukraine Nadiya Savchenko, Oleg Sentsov, Oleksander Kolchenko, Mykola Karpyuk, and Stanislav Klich, as well as all other Ukrainian hostages it holds.

We reaffirm the support of the United States for Ukraine's sovereignty and territorial integrity, and our deep commitment to the human rights of all the people of Ukraine, including those in Crimea. Crimean Tatars face repression and discrimination in Russia-occupied Crimea, with no representation and no recourse. Almost 10,000 Crimean Tatars have been forced to flee their homeland. Those who remain have been subjected to abuses, including interrogations, beatings, arbitrary detentions, and police raids on their homes and mosques. These brutalities must end.

Colleagues, let us not forget that as initiators of this conflict, Russia and the separatists it backs have a singular responsibility. As Vice President Joseph Biden said in his address to the Rada on Tuesday, “In the 21st century, nations cannot -- and we cannot allow them to -- redraw borders by force. These are the ground rules. And if we fail to uphold them, we will rue the day. Russia has violated these ground rules and continues to violate them. Today Russia is occupying sovereign Ukrainian territory. Let me be crystal clear: The United States does not, will not, never will, recognize Russia’s attempt to annex Crimea.”

Thank you, Mr. Chair.