

Delegation of the Russian Federation

**STATEMENT BY MR. ALEXANDER LUKASHEVICH,
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AT THE 1108th MEETING OF THE
OSCE PERMANENT COUNCIL**

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

Mr. Chairperson,

The situation in south-eastern Ukraine is a cause of growing concern. If there is to be progress in a Ukrainian settlement, there is a need for more intensive work on mutually acceptable solutions through direct dialogue between the Ukrainian Government, Donetsk and Luhansk. Measures to stabilize the military situation should be synchronized with the implementation of the political aspects of the Minsk Package of Measures.

It is necessary to implement the de-escalation measures consistently and systematically, including the demilitarization of the first segments near the line of contact, and seek solutions to the political questions.

Recent events, however, confirm that the Ukrainian Government does not aspire to this. Strict and rapid implementation of the Package of Measures is obviously not among the Ukrainian leadership's current interests. During the visit to Kyiv by the Canadian Prime Minister Justin Trudeau, the President of Ukraine declared that the Ukrainian side had allegedly implemented 95 per cent of all the political commitments and 100 per cent of the commitments in the area of security. This means that in the security sphere the Ukrainian Government does not intend to do anything further and will go on maintaining the tension.

Zaitseve has been subjected to constant shelling in recent days. Dozens of houses are damaged every night by mortar and artillery fire. The Ukrainian Government is once again resorting to shelling as soon as the OSCE Special Monitoring Mission to Ukraine (SMM) patrol leaves the town. This is inadmissible.

Heavy weapons are being used against Horlivka. There has been a renewed flare-up at Donetsk airport. The number of so-called hotspots is growing. Civilians are injured practically on a daily basis, and some 500 shelling incidents have been recorded on the territory of certain areas of the Donetsk and Luhansk regions.

According to data from the SMM, between 6 and 11 July militia-controlled towns and villages were subjected to shelling on nine occasions from the directions where Ukrainian armed forces' positions are located. At least two houses were destroyed in Horlivka, a bus and a house were destroyed in the Kuybyshevskiy district of Donetsk, a school building was damaged in Sakhanka, one civilian was injured in Novooleksandrivka, an apartment block was damaged in Dokuchaievsk and a house was destroyed in Lozove. Artillery strikes have been reported against militia positions in Kominternove, Kalynove and Verhulivka. An analysis of the reports for the month shows that Ukraine is responsible for around 75 per cent of the shelling in Donbas.

SMM Principal Deputy Chief Monitor Alexander Hug has emphasized the unacceptability of the indiscriminate use of weapons, having informed the delegations about the concentrated firing by the Ukrainian armed forces from 122 mm howitzers, 152 mm guns and multiple-launch rocket systems in the immediate vicinity of the OSCE monitors' base in Svitlodarsk. According to the SMM officials, the main factors that have provoked the current escalation of tension in Donbas are the fighting near Debaltseve, the movement of military equipment by the Ukrainian armed forces along the line of contact near Svitlodarsk and Hranitne and the statements by the Ukrainian Government regarding the decision taken to move its checkpoints in Zaitseve and Berezove closer to the line of contact and also to send Azov and Donbas rapid reaction volunteer brigades into the conflict zone. According to the SMM's reports, between 6 and 11 July 9 units of Ukrainian military equipment were recorded in the security zone in violation of the Package of Measures, along with 35 armoured personnel carriers belonging to the Ukrainian armed forces. During the same period, 22 units of weaponry "went missing" from Ukrainian depots. Ukrainian soldiers are conducting live-fire exercises in Sopyne on the southern flank of the security zone. The monitors have reported the appearance of Right Sector fighters in Shchastia.

As for the restrictions on the monitors' freedom of movement, these occur on both sides of the line of contact. The monitors regularly visit the segment of the border not controlled by the Ukrainian Government. According to Mr. Hug's latest report, the SMM monitored the situation on the border with Russia on 66 occasions during the past month and never saw any military movements.

The logic of events is easy to trace today. Since the end of last year, following the local elections in Ukraine (25 October 2015), the Ukrainian Government has pursued a policy of ratcheting up tension, having given up on the truce agreed upon at the start of the new school year. A creeping occupation of neutral territory and the towns and villages there – Shyrokyne, Pavlopil, Pyschchevyk and others – began. In spring Ukrainian positions in several places were moved forward. This was the cause of the deterioration of the situation in the Yasynuvata-Avdiivka area, near Olenivka, where a crossing point was shelled in April and civilians were killed, as well as in other previously tranquil places in the security zone. The intensity of the artillery and mortar shelling of Donbas towns near the line of contact is growing. Only recently, there was an extremely dangerous attempt by Ukrainian tanks to break through to Debaltseve. This cannot be put down to the militia.

During his recent briefing to the OSCE, Alexander Hug confirmed the escalatory nature of the Ukrainian Government's decision to move the checkpoints in Maiorsk and Berezove closer to the line of contact. This exposes the civilian population to an even greater threat of mortar and sniper fire.

Urgent steps are needed to protect the civilians who are forced to put up with lengthy and humiliating procedures when crossing the line of contact. There is no justification for the blockade of Donbas. Illegal weapons are spreading across Ukraine from the conflict zone without hindrance. Deliveries to Donbas of food, medicines and essential goods, on the other hand, are restricted, which gives rise to bribery and extortion. In fact, what we have here is a form of collective punishment of the residents of Donbas for the choice they have made. They have not forgotten Petro Poroshenko's words: "Their children will sit in basements, and that is how we win this war".

The nationalist battalions are a serious risk factor. It has been announced that the Azov and Donbas groups are to be redeployed in the conflict zone. We are observing the transfer of heavy equipment, tanks and even Tochka-U missile systems towards the line of contact, for example near Stanytsia Luhanska.

I would rather not forecast a serious escalation. However, the military preparations by the Ukrainian Government, in conjunction with statements distorting the essence of the Minsk agreements, do not bode well. The Ukrainian security forces could risk conducting a military operation, despite the negative experience of the previous campaigns.

It would be interesting to learn what is included in the 5 per cent that the Ukrainian Government has still not implemented in the political settlement package according to the President of Ukraine. The law on special status has still not been brought into line with the Minsk agreements. The so-called Steinmeier formula is a good compromise enabling forward movement, but it has still not been implemented either. As for constitutional reform, it is clearly not in the 95 per cent. The law on local elections and other modalities for holding them have not been agreed upon. The Ukrainian Government is adding additional conditions contrary to the Package of Measures.

It is really difficult to imagine holding elections without this reform, as it is without the implementation of the paragraph of the Package of Measures prohibiting the prosecution and punishment of persons in connection with the events that took place in certain areas of the Donetsk and Luhansk regions of Ukraine. On 7 July 2016, the Verkhovna Rada adopted a law on amnesty in 2016, but this applies only to those involved in the punitive operation. This is a one-sided half-hearted step. It is not in line with the Minsk agreements.

However, even without this amnesty law there is evidence that the Maidan fighters' crimes are being condoned. How else can one explain the fact that participation in the so-called anti-terrorist operation was regarded as an extenuating circumstance in cases of rape, robbery and brigandage? Azov fighters, alluding to the experience of the United States army, refer to stolen goods acquired in Donbas as "trophies and souvenirs" and consider this normal.

At the same time, in pre-trial detention centres and other places of confinement in Ukraine there are political prisoners who should have been covered by the amnesty in the first instance. Many of them are being detained without official charges having even been brought. Among the detainees are elderly people and people with disabilities.

The Ukrainian authorities are doing nothing about the notorious Mirotvorets website, where the personal details of potential victims of extrajudicial violence are published. The

feeling of impunity is growing stronger among the nationalists as a result. We urge that consideration be given to the dangerous consequences of pandering to such tendencies.

Among the Ukrainian nationalists supporting the so-called anti-terrorist operation, some speak of the need for mopping-up operations in Donbas and Ukraine as a whole to rid the country of the so-called separatists, of those wishing to live in friendship with Russia, of those who do not believe the made-up tales of aggression and occupation, of those who in April 2014 stopped Ukrainian armoured vehicles near Sloviansk with their bare hands. Some people in Ukraine still firmly believe that it is not a crime to “kill a separatist”, and the attitude of the authorities to the investigation of the Odessa tragedy, for example, only strengthens their conviction that they will go unpunished.

The special aspects of the self-government of Donbas provided for by the Minsk agreements include physical and legal guarantees to prevent a repeat of the Odessa scenario, even once the Ukrainian Government has re-established control over the country’s borders.

Thank you for your attention.