

Delegation of the Russian Federation

**STATEMENT BY MR. ALEXANDER LUKASHEVICH,
PERMANENT REPRESENTATIVE OF THE RUSSIAN FEDERATION,
AT THE 1166th MEETING OF THE
OSCE PERMANENT COUNCIL**

30 November 2017

**In response to the reports by the Chief Monitor of the OSCE Special
Monitoring Mission to Ukraine, Mr. Ertuğrul Apakan, and the Special
Representative of the OSCE Chairperson-in-Office in Ukraine and in the
Trilateral Contact Group, Mr. Martin Sajdik**

Ambassadors Sajdik and Apakan,

We thank you for your work, which is difficult but which you carry out with dignity and perseverance, despite the fact that the results to date fall significantly below expectations.

The Minsk agreements, which were endorsed by the United Nations Security Council, are of key significance for the peaceful settlement of the Ukrainian crisis, but they require more active support, including from your side. The Ukrainian Government's sabotage of the implementation of the Minsk Package of Measures on the ground and its attempts to distort its essence cannot be allowed to become a habit. What is even worse is that Ukrainian officials are increasingly claiming now that the Minsk agreements are "dead" and that they are not in the interests of the authorities in Kyiv. The head of the Ukrainian Ministry of Internal Affairs, Arsen Avakov, announced this during the National Expert Forum in Kyiv. The statement was quoted in an article in *Le Figaro*. This is extremely serious. If he, as a person who is connected with compliance with the agreements, was not authorized to make such statements, we expect a disavowal from the Ukrainian Ministry of Foreign Affairs.

The Ukrainian military and members of the volunteer battalions, as they are known, continue to provoke tension at the line of contact: shelling settlements and civilian infrastructure facilities, creeping forward and seizing positions in what is known as the "grey zone". In the past month alone, according to figures provided by the OSCE Special Monitoring Mission to Ukraine (SMM), civilians in Donetsk and Trudivski have been victims of shelling by the Ukrainian armed forces, and houses have been damaged in Holmivskyi, Donetsk, Dokuchaievsk, Dovhe, Kominternove, Leninske, Pryshyb, Staromykhailivka and Sakhanka. On 20 November, security forces shelled a kindergarten in Dokuchaievsk, where there were around 50 children. It was a miracle that none of them were hurt.

On 27 November, the SMM confirmed that the Aidar punitive battalion and members of the 54th brigade of the Ukrainian armed forces had captured the village of Travneve. The Ukrainian security forces also occupied the village of Hladosove, cutting off the local residents' electricity supply and contacts with the outside world. At the meeting of the Trilateral Contact Group on 29 November, representatives of the Ukrainian Government refused under a clearly fabricated pretext to allow a joint team consisting of representatives of the SMM, the UN and the International Committee of the Red Cross access to Travneve and Hladosove. The Red Cross cannot provide humanitarian aid to the residents of the affected village. All this is against the background of the Ukrainian Government's loud assurances of the need for access for international humanitarian organizations.

We draw the SMM's attention to the need for real-time information about the creeping offensive by the Ukrainian armed forces. Spot reports are published sometimes for less significant incidents. We trust that the SMM Principal Deputy Chief Monitor, Alexander Hug, will, however, visit Travneve and Hladosove as requested by the local inhabitants.

The occupation of new positions by the security forces at the line of contact has already resulted more than once in an escalation of tension, with fresh victims among the civilian population. In his article of 3 November on medium.com, a resource used by the Atlantic Council, Mr. Hug stated that each exacerbation of the situation at the line of contact was preceded by an advance towards new positions. We are in agreement with him on this matter. This year alone, this has happened near Avdiivka, Svitlodarsk, Zholobok and now in Travneve. The Ukrainian security forces have reverted to their old ways.

It did not take long for the situation to escalate. On 23 November, the Ukrainian armed forces attempted to reach militia positions near the villages of Frunze (Donetskyi) and Zholobok. This information has been confirmed by Yury Biryukov, an adviser to the President of Ukraine, who wrote on his Facebook page that "having seen so many reports about the mopping-up in two villages in the 'grey zone' of the Svitlodarsk salient, the soldiers went on the offensive in search of glory". Victims – dead, wounded and captured – was the outcome. We urge the Ukrainian Government to stop ratcheting up tension at the line of contact.

One of the most graphic indicators of the Ukrainian Government's lack of interest in de-escalation is its sabotage of the disengagement of forces in Stanytsia Luhanska. This is one of the main obstacles to the normalization of the situation at the line of contact.

The Mission should also clearly record the consequences of the shelling of populated areas. It is unacceptable for the monitors to point to the party responsible for firing at the SMM camera without having investigated the situation and yet to be unable to determine the direction of fire on the Donetsk filtration station, where a chlorine pipeline was damaged on 5 November, or to refrain from indicating the party responsible for civilian deaths. In early November, the Ukrainian armed forces shelled and damaged a chlorine tank at the Verkhniokalmiuska filtration station, exposing more than 90,000 people living in the surrounding area to the threat of chemical pollution.

We draw attention to the need to ensure balanced monitoring of military equipment on the different sides of the line of contact. We also note that the SMM pays insufficient attention to areas to the rear of the Ukrainian armed forces. In some cases, as in the report of

27 November, the Mission refrains completely from mentioning the side where a large quantity of armaments were recorded, including a Molot mortar available only to the Ukrainian armed forces.

We urge the SMM leadership not to shy away from exerting pressure on the host country, and we expect impartiality and objectiveness from the Mission.

At the line of contact there are still punitive battalions, which, along with undisciplined soldiers of the Ukrainian army, are looting and committing crimes. Closer attention should be paid to these issues. The SMM reports contain only fragmentary information on incidents such as the rough detention of a civilian at a Ukrainian armed forces' checkpoint in Stanytsia Luhanska on 3 November, and the attack by Ukrainian soldiers on a civilian in an apartment in Popasna on 17 November.

We draw attention to the need for the humanitarian problems in Donbas to be resolved as quickly as possible – by rebuilding the destroyed bridge in Stanytsia Luhanska, making it easier for civilians to cross the line of contact, protecting critical civilian infrastructure facilities, resuming social welfare payments to the inhabitants of Donbas, restoring economic ties and lifting the transport blockade.

We highly appreciate the SMM's involvement in the establishment of local truces to allow repairs and renovation work to be carried out at vital facilities and to remove the bodies of the dead. We regard as unacceptable the attempts by Ukrainian officials (Iryna Herashchenko) to exert pressure on the SMM in connection with the monitors' work at the bridge in Shchastia on 25 November.

We note the positive experience of the SMM's co-operation with the Joint Centre for Control and Co-ordination (JCCC). We see that lately the Ukrainian Government has been less and less interested in the work of this important mechanism for facilitating dialogue among the parties to the internal Ukrainian conflict. Russian officers are restricted in their work, and their observations, confirmed by photographs, from shelling sites are disputed. The Ukrainian Government has thought up measures that will further complicate the work of the Russian officers in the JCCC, if not make it impossible altogether.

We urge the SMM to carry out an objective analysis of the restrictions on the freedom of movement of the monitors. At the briefing in Vienna on 13 November, Mr. Hug showed a diagram indicating that the majority of obstacles to the monitors' work over the past three months were in territory controlled by the Ukrainian armed forces. They are related to the actual or presumed threat of mines. Under this pretext, the Ukrainian armed forces have closed off entire areas to the SMM completely. We regard attempts to falsify the SMM's statistics and divide access restrictions into "active" and "passive" as playing up to the Ukrainian Government.

In the light of the results of the international fact-finding commission, we have no doubts that the Ukrainian armed forces were responsible for the explosion involving an SMM vehicle in Pryshyb in April. We expect that the new security measures taken by the Mission leadership will nevertheless allow full-scale patrolling to be resumed in areas controlled by the Ukrainian armed forces, including off-road areas.

Mr. Apakan,

The situation in the western and central regions of Ukraine also has a bearing on the settlement and deserves due attention by the SMM. We agree with the assessments in your report that the law on education adopted on 5 September has resulted in dissatisfaction and tension in various parts of Ukraine. The Ukrainian Government has restricted the right of almost half of the country's population to receive education in their mother tongue, preventing citizens from participating in political and public life. The law on education contravenes the Package of Measures, particularly with regard to the right of certain areas of the Donetsk and Luhansk regions to linguistic self-determination.

We draw attention to the SMM's information on the transfer of control of Orthodox churches. We urge the Mission to monitor more closely and report more clearly on the harassment of members of the Orthodox Church. Church property is seized in Ukraine on a regular basis with the support of radicals and the tolerance of the authorities. The church in Stary Hvizdets in the Ivano-Frankivsk region is only the latest example in a long list.

The monitors should not forget that the SMM mandate provides for reporting on violations of human rights norms and commitments, which also includes manifestations of aggressive nationalism and neo-Nazism. The Ukrainian Government is trying to pass off such episodes as "hostile propaganda", but you cannot escape the facts. The radicals are pressuring the judicial and executive authorities. Dissident journalists are persecuted via the Mirotvorets website, and even killed. Russian media are subject to repressive measures. We are obliged to note that so far the SMM has not paid much attention to these problems.

Mr. Sajdik,

As we see, your efforts are thwarted by the unwillingness of the Ukrainian Government to agree on modalities for the implementation of the key political aspects of the Minsk agreements. We urge you to continue to show self-confidence, objectivity and impartiality. The path to success lies in ensuring direct dialogue between the Ukrainian Government, Donetsk and Luhansk, parallel movement in the political and security field, and effective efforts in the humanitarian and economic spheres.

The meeting of the Trilateral Contact Group on 29 November demonstrated that the Ukrainian Government remains unwilling to document the enactment of the law on special status according to the Steinmeier formula, and also to consider questions connected with the amnesty.

In that connection we regret the inability of the Ukrainian Government to follow up the appeals agreed upon in the Normandy format to publish Ukrainian armed forces' orders on the observance of the ceasefire regime, and also on disciplinary sanctions to be imposed in the event of ceasefire violations. Representatives of certain areas of the Donetsk and Luhansk regions have long fulfilled their obligations in that regard.

In the humanitarian field we welcome the willingness of the parties to exchange prisoners and unlawfully detained persons. We trust that the agreements reached will make it possible to do this quickly and in good faith – before the New Year and Christmas holidays. We note the agreement reached to ensure a temporary truce to allow minor repairs to be made

to the pedestrian bridge in Stanytsia Luhanska. This question has remained unresolved for too long.

In conclusion, let me once again thank Ambassadors Sajdik and Apakan and extend our words of gratitude and support to all the SMM monitors.