



Permanent Mission of Ukraine
to the International Organizations in Vienna

FSC.DEL/134/17
8 May 2017

ENGLISH only

Statement by the Delegation of Ukraine
at the 851th FSC Plenary Meeting

(3 May 2017 at 10.00, Hofburg)
(Agenda item 2)

Mr. Chairperson,
Distinguished colleagues,

Let me begin by reiterating Ukraine's deep sadness and sorrow over the tragic loss of life of the OSCE SMM member, expressing heartfelt condolences to the US Delegation, to the family and friends of the deceased as well as by expressing the wishes of speedy recovery to two other monitors who were injured on 23 April. Ukraine considers this tragic incident, which occurred inside the territory effectively controlled by Russia, to be a part of intimidation campaign aimed at undermining the SMM activities, including its capacities to properly monitor and register the violations of the Minsk agreements by the Russian side and its hybrid forces in the Donbas region of Ukraine.

The security and safety of the SMM monitors have long been in the focus of the FSC meetings. Regrettably, the situation has considerably deteriorated after a number of unilateral steps undertaken by the Russian Federation since the beginning of this year, which had emboldened the illegal armed formations in Donbas in persistent violation of the security provisions of the Minsk agreements with further negative consequences for the SMM activities, safety and security of the monitors.

Before the tragic loss of life of the SMM observer, we have witnessed and condemned during our FSC meetings numerous serious incidents of pressure on and intimidation of the SMM monitors in certain areas of the Donetsk and Luhansk regions, which were highlighted in the respective SMM reports. Unfortunately, the lack of response from the Russian side instilled the sense of impunity among the Russia-backed illegal armed formations, entailing negative consequences for the freedom of movement, safe and secure access of the SMM monitors in the non-government controlled areas of the Donbas region of Ukraine. There is a common understanding among the delegations in the Forum that such situation is utterly unacceptable. We appreciate recent Ambassador Apakan's assurance that the SMM remains committed to fulfilling its mandate and contributing to bringing peace to the people of Ukraine. We urge Russia to start implementing its Minsk commitments on peaceful resolution of the conflict, to take practical measures, which will prevent further escalation of the situation and ensure the necessary security conditions for the SMM to effectively fulfill its mandate agreed by all OSCE participating states, including the RF.

Ukrainian side reiterate its strong position on the high importance to ensure full and impartial investigation of the tragic incident of 23 April in order to bring the responsible to account. The SMM continues registering cases of freedom of SMM movement restriction.

According to the SMM Weekly Report of 17-23.04.2017, in addition to restrictions to the SMM's freedom of movement due to incidents or conditions affecting the safety of monitors, including mines and UXO, the Mission's freedom of movement was restricted on 17 occasions. These included 4 instances in government and 13 in non-government controlled areas, an increase from the previous week (four and nine, respectively).

In accordance with the same Weekly Report, despite the reduced use of proscribed weapons during the week, the SMM observed weapons in violation of the respective withdrawal lines in 85 instances (67 in non-government controlled areas and 18 in government-controlled areas), more than double the number observed the previous week.

The SMM also observed almost 100 weapons proscribed by the Minsk agreements beyond respective withdrawal lines but outside designated storage sites (of which 11 were in government-controlled areas and 89 were in non-government-controlled areas), representing an increase of over 50 per cent compared with the previous week.

The freedom of movement for the SMM and effective implementation of its mandate in certain areas of the Donetsk and Luhansk regions depend not only on the absence of restrictions and intimidation by the illegal armed formations and demining. They also fall within a broader security picture on the ground, characterized by permanent ceasefire violations and shelling, perpetrated by the hybrid Russian forces and putting at risk the lives of the people near the contact line, be it a local civilian, a serviceman or a monitor.

We note with deep regret that the hybrid Russian forces do not observe the ceasefire arrangements as agreed within the Trilateral Contact Group on 29 March, reaffirmed on 12 April and supported during the telephone conversation of the leaders of the Normandy format countries on 18 April.

After a short temporary improvement we continue to encounter regular serious violations of ceasefire by the hybrid Russian forces, including with the use of Minsk-proscribed weapons. The Ukrainian Armed Forces continue to bear losses, they adhere to the cease-fire but are occasionally compelled to fire in response to suppress shelling and to protect their own lives and the lives of local civilians. The residential areas continue to be targeted by indiscriminate shelling.

During the reported period (since the last FSC meeting) ***the hybrid Russian forces have violated ceasefire around 1300 times, more than 15 % of which was carried out by the Minsk-proscribed weapons, mostly mortars. The past month of militants' attacks in Donbas took lives of 14 Ukrainian servicemen and 94 soldiers were wounded.***

As we have informed the delegations several times before Ukrainian side highly values the everyday work and efforts of the SMM. Ukraine pays full attention to the incidents that may occasionally happen in Government-controlled areas, conducts their investigation and takes due measures of response.

For instance, according to the SMM last weekly report in government-controlled areas, on 23 April, two visibly intoxicated UAF soldiers at a checkpoint near Staryi Aidar spoke to the SMM aggressively and made inappropriate demands. With this regard on 25 April, the UAF representative to the JCCC sent the SMM a letter stating that, after an investigation, the Ukrainian AF command had decided to dismiss the two soldiers from service with subsequent court proceedings and had imposed penalties on their commanders. This approach on the part of the Ukrainian Armed Forces contrasts sharply with the attitudes of the hybrid Russian forces.

In this regard, we would like again assure the delegations that Ukraine will continue to do everything in its power to ensure safety of the SMM observers and to assist the Mission in the full-scale fulfilment of its Mandate. This is an absolute priority for the Ukraine`s Government.

Distinguished colleagues,

The fighting and violence in Donbas continue to be fuelled by Russia and its military supplies. There is still a continuing inflow of Russian conventional arms and related equipment illicitly transferred to the territory of Ukraine with the aim of destabilizing security situation.

While the Russian representatives, participating in the hearings of the UN International Court of Justice in the Hague, on 8 March 2017, clung to Russian myths of heavy artillery, armored vehicles and other weapons excavated from the mines in the east of Ukraine, the OSCE SMM continues to report about Russian weaponry and equipment that has never been on the inventory of the Ukrainian military.

Regrettably Russia intends to further ignore the numerous calls of the Ukrainian side to provide reasonable explanation of whereby the Russian-originated weapons continue to flow into Ukraine's territory through the Russia-controlled part of the state border, what the Russian side has been doing to prevent such illicit transfers.

The section of Ukraine`s state border with Russia uncontrolled by the Ukrainian Government remains one of the key sources of military escalation on the ground in the east of Ukraine, as inflows of weaponry and military personnel into Donbas persist. The OSCE SMM reported sightings of the Russian modern sophisticated jamming device, the Zhitel, at least six times – most recently on 19 January 2017. The SMM reported sightings of sophisticated and highly specialized Russian MLRS, such as destructive and indiscriminate TOS-1 Buratino. The OSCE SMM also distributed information on the presence of ‘Orlan-10’ UAV – another highly specialized piece of Russian modern equipment.

Russia continues massive illegal supplies of arms and military equipment to Donbas (21 trucks with military equipment, 23 gasoline tankers, 88 railway tank cars with fuel, and 26 railway carriages with munitions were illegally brought to Donbas in January 2017).

On 2 February 2017, a railway train consisting of 20 platforms with 40 units of heavy weapons (tanks, self-propelled guns) arrived in Donetsk city. Altogether, 25 tanks, 19 armoured vehicles, 16 MLRS, 124 railway tank cars with fuel and 31

railway carriages with munitions and military supply, 20 trucks with munitions, 2 gasoline tankers were delivered from Russia in February 2017.

In March, another 8 armoured vehicles, 10 trucks with munitions, 4 radio-electronic warfare (jamming) stations, 60 railway tank cars with fuel, 20 platforms with heavy weapons (including self-propelled guns) have been delivered to Donbas region of Ukraine.

In the last month, illegal deliveries of weapons and ammunition from Russia continued. Only from April 13 to April 18, 2017, the following illegal deliveries were registered from Russia: to the settlement of Uspenka – column of 16 units of armored vehicles; In the settlements of Rovenky, Lugansk, Illovaysk - 30 cisterns with fuel and lubricants (about 2000 tons).

On 29 April, Ukrainian Armed Forces downed an «Orlan» UAV of Russia production. Near the village of Krasnohorivka grenades produced in Russia in 1993 were found.

Russian so-called «humanitarian convoys» are regularly reported crossing the border without full inspection and in violation of Ukraine`s sovereignty and territorial integrity. On 21 and 28 February, 16 and 23 March, 27 April 2017, the 60th, 61st, 62nd, 63rd and 64-th Russian convoys illegally entered the Ukrainian territory. At the same time, it was repeatedly reported that among the so-called humanitarian cargoes there were those not of a humanitarian but of a military.

Such criminal illicit actions by the Russian Federation are in breach of both the letter and the spirit of the Helsinki Final Act principles and OSCE other commitments. They are clearly aimed at undermining the International Law norms and principles and must be stopped immediately and unconditionally.

Distinguished colleagues,

As we have stated many times before Ukraine for its part is fully committed to full and faith implementation of the Minsk agreements. In this respect we call on the Russian Federation to exercise its responsibility in its implementing, in particular their security provisions on comprehensive cease-fire, withdrawal of forces and full access of the SMM for objective and unhindered monitoring. We urge Russia to pull out its troops from Ukrainian territory, halt its support and illicit military supply to the IAFs in Donbas region of Ukraine as well as its military build-up along Ukraine`s south-eastern borders.

The conflict instigated and fuelled by the RF will not be resolved until the hybrid Russian forces get out of the territory of my country. The Delegation of Ukraine ones again urges the Russian Federation to return to the tenets of international law, to stop its aggression against Ukraine and to reverse the illegal occupation of the Autonomous Republic of Crimea and the city of Sevastopol, which is a part of Ukraine.

Ukraine will continue to take all steps under international law to counter Russian aggression, restore its territorial integrity and ensure that Russia makes full reparation for the injury caused by its internationally wrongful acts.

At the end, we wish to reiterate that Ukraine highly appreciates and strongly supports the SMM`s efforts in accomplishing its mandated tasks. We hope that, despite the tragic loss of the SMM observer, the Mission will continue its very

important activities in Ukraine in accordance with its internationally adopted mandate, with the aim of fostering peace, stability and security in the Donbas region of Ukraine according to the OSCE principles and commitments.

Thank you, Mr. Chairperson.