



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
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The United States takes note of the relative calm along the line of contact in eastern Ukraine. Continued progress on the security situation in the Donbas will help facilitate further gains on implementing the political, economic, and humanitarian aspects of the Minsk agreements. The calm that has largely held since September 1 has created space for new proposals in the Security Working Group on demining and in the Political Working Group on local elections in the special status zone, which we welcome. While demining is principally the responsibility of the parties, the United States stands ready to assist. We encourage the sides to come to agreement as soon as possible on the modalities for local elections, which must be under Ukrainian law, in accordance with OSCE standards, and conducted under OSCE monitoring, as stipulated in the Minsk agreements.

However, we must not let ourselves be lulled into a false sense of security. Russia and the separatists continue to amass weaponry that can be quickly brought to the front in a re-escalation of the conflict. On October 24, the SMM found a tank and four infantry fighting vehicles, one fitted with an anti-tank weapon system, on separatist-controlled territory in violation of withdrawal lines. Even more alarming, combined Russian-separatist forces continue to assemble large amounts of weaponry just beyond withdrawal lines. Last week, the SMM observed 45 main battle tanks alone in Donetsk oblast on separatist-controlled territory. This buildup led Deputy Chief Monitor Alexander Hug to urge at a recent press conference that the so-called "DPR" not use training as an excuse to remove weapons from storage sites. In contrast, the SMM recorded a small amount of Ukrainian military equipment in close proximity to the front – a fraction of the armaments that combined Russian-separatist forces keep at the ready.

Colleagues, consider how difficult it would be to find ourselves in Ukraine's position. Just nine months ago, Russia and Plotnitsky and Zakharchenko signed the Minsk Package of Measures, agreeing to immediately halt the fighting – only to then immediately launch a vicious all-out major military attack on the city of Debaltseve, just after signing the agreement. Not only was the city lost by Ukrainian forces, but countless Ukrainians were killed. Even today, as the SMM indicated from its visit on October 26, many dwellings remain destroyed and uninhabitable – and few civilians reside there.

Nine months later, the lesson of Russia's immediate and massive breach of the Package of Measures is still clear: words must be backed by action. It is not enough for Russia and the separatists to sign a pledge to place weapons into storage, only to position them elsewhere on

the front. We urge the Security Working Group to take up discussions of new security arrangements for heavy weapons taken out of the conflict zone to reduce the risk that combined Russian-separatist forces cynically exploit the good faith of one side to make more territorial gains or escalate anew.

Colleagues, Russia must do more than talk. It must act to implement its Minsk commitments. Several delegations have asked why Russia has yet to withdraw its forces and equipment from Ukrainian territory – including the TOS-1 Buratino rocket launch system and the Zhytel mobile jamming station, when Russia is committed to doing so. An equally important question is why Russia sent those advanced weapons systems to eastern Ukraine in the first place. These actions are in direct contravention of Russia’s commitments under Minsk and the Helsinki Final Act. In addition, armed individuals continue to prevent the SMM from monitoring areas near Ukraine’s international border with the Russian Federation that are not controlled by the Ukrainian government. Furthermore, Russia-backed separatists have yet to permit the SMM to establish all the forward patrol bases needed to verify compliance with Minsk and the withdrawal plan.

Regrettably, however, these are not the only areas where Russia has yet to fulfill its promises. Three weeks have passed since the Normandy Summit in Paris, where President Putin pledged full access for humanitarian aid that is not getting to the people in need in separatist-controlled areas. Yet the scope of humanitarian needs is enormous. 50,000 individuals are not receiving monthly food distributions, including nutritional supplements for children and infants. 60,000 individuals are in need of life-saving medicine for chronic diseases, including insulin. Three million people’s access to water is at risk. 200,000 children are at increased risk of death or injury due to restrictions on mine risk education. 30,000 people need shelter and residential repair kits before winter sets in, and winter is nearly – if not already – upon us.

Yet international NGOs remain banned in the so-called “LPR,” and under heavy restriction in the so-called “DPR.” In fact, the so-called “DPR” banned Doctors Without Borders just this week. Although UN agencies were given permission to operate in the “LPR” for the first time this week, allowing sporadic humanitarian convoys, this is not enough. Lack of access for international and non-governmental humanitarian organizations is not a technical problem – it is a calculated policy. Aid has been deliberately held back since July 21.

To date, the Russian Federation has not once spoken against the restrictions placed on humanitarian aid organizations that seek to operate in separatist-controlled territory. Instead, we have heard a persistent claim that humanitarian problems are the result of Ukrainian restrictions. They are not. These humanitarian problems were caused by over 18 months of intense fighting – set off and sustained by Russian aggression – that destroyed homes, littered fields with unexploded ordinance, severed power and water lines, and claimed thousands of lives.

Colleagues, it is time for the Russian government to follow through on the promises of its president. The United States calls on the Russian government to unequivocally condemn restrictions on humanitarian aid in Ukraine, and to get the separatists it backs to lift all restrictions without delay. In addition, we call for an end to the uninspected Russian so-called “humanitarian convoys.” Ukraine has entered into negotiations with Russia on a possible regime for inspecting assistance coming into Ukraine from Russia via rail or road, which we

urge be concluded as soon as possible. Lingering doubts about what Russia is actually sending in these convoys can be cleared up instantly, and such inspections can help to build confidence for further bilateral negotiations on more difficult questions related to Minsk implementation.

In the wake of Ukraine's successful local elections, it is all the more important for the parties to move forward in the Political Working Group to find common ground on modalities for local elections in the special status areas of Donetsk and Luhansk oblasts. This requires the separatists and Russia to stop arguing about process and engage in good faith, which we understand they again failed to do during the October 27 meeting of the Trilateral Contact Group and its working groups. The United States, joined by many around this table, has already stressed that these elections must be in line with Ukrainian law and OSCE standards, and monitored by ODIHR – as Russia and the separatists agreed when they signed the Minsk agreements. That means that they must allow the free and full participation of all Ukrainian citizens and political parties, and must be held in an environment that guarantees freedoms of association, peaceful assembly and expression, including media freedom, free of threats or intimidation. The modalities for the election should be agreed in the Political Working Group without further delay.

Mr. Chair, the United States is not alone in making it clear that sanctions are linked to the full implementation of Minsk and an end to the occupation of Crimea. Russia's failure to remove its forces, stop interference against the SMM, lift restrictions on humanitarian aid, engage in the political process, and release Ukrainian hostages will only serve to reinforce the international consensus against its actions. Just as Russia started the conflict in Ukraine by attacking Crimea, so too must it end its occupation of Crimea, and end it now.

Thank you, Mr. Chair.