



Permanent Mission of Ukraine
to the International Organizations in Vienna

Statement by the Delegation of Ukraine
at the 949th FSC Plenary Meeting on Russia's ongoing aggression against
Ukraine and illegal occupation of Crimea
(17 June 2020, online meeting, via ZOOM platform)
(Agenda item 2, General Statements)

Mr. Chairperson,

On behalf of the Delegation of Ukraine, in my national capacity, let me deliver a statement on the subject of Russia's on-going aggression against Ukraine and illegal occupation of Crimea.

In January 2020, on the instructions of the President of Ukraine Volodymyr Zelensky, Ukraine officially applied for participation in the NATO Enhanced Opportunities Program (EOP) and on **June 12, 2020, Ukraine received the status of a member of NATO's EOP.**

This decision by the Alliance is a recognition of Ukraine's significant contribution to international security, in particular through its participation in NATO-led missions, the NATO Response Force and relevant exercises and training. Ukraine views the Program as an additional tool for deepening practical military cooperation with the Alliance.

The status of Partnership in the EOP gives a start to a process that will make Ukraine's cooperation with NATO even more effective. Ukraine's course for NATO membership remains unchanged. In this context, the Annual National Program and the NATO Comprehensive Assistance Package for Ukraine are practical tools to help achieve this goal.

Over 100 Crimeans have been prosecuted for rejecting military service in Russian occupiers' army. Almost 100 young men have been sentenced by Russian-controlled courts in Crimea for refusing to do military service in the Russian army. How many of them refused out of opposition to Russia's occupation of Crimea cannot be known, since any admission of this in court could lead to serious terms of imprisonment for supposedly 'encroaching upon Russia's territorial integrity', all of this is in flagrant violation of international law, as is Russia's propaganda of its armed forces and of war, aimed at encouraging Crimeans to volunteer.

The Crimean Human Rights Group has been monitoring the situation since the annexation, and has been providing information to international bodies, in particular, the International Criminal Court. Russia first imposed conscription on the occupied territory in the Spring of 2015, and since then more than 22 thousand young Crimeans have been conscripted into the occupier's army. The number has been steadily increasing each year, with 3,300 likely to be called up in Spring and Autumn this year. Russia's promise, back in 2014, that Crimeans would not be forced to do military service outside Crimea has long been broken, with many young men sent to various parts of Russia since 2017.

The situation in 2020 is particularly shocking because of the pandemic. Instead of cancelling the call-up, Russia simply postponed its commencement from early March to 20 May.

The Crimean Human Rights Group is aware of 105 criminal prosecutions, with 96 of them already having resulted in convictions. In general, the "so-called courts" impose fines; however, these do not remove the requirement to do military service, meaning that if a person still refuses, harsher penalties are inevitable.

There can be various grounds why a person would want to avoid military service, however certain reasons cannot be revealed in court. Following all international bodies and democratic states in calling Russia an occupying state and Crimea Ukrainian, can lead to and has already resulted in prison sentences. The most likely charge would be under Article 280.1 of Russia's Criminal Code, which came into force shortly after Russia's invasion and annexation of Crimea. This norm punishes for something called: 'making public calls to action aimed at violating Russia's territorial integrity', with Russia treating illegally annexed Crimea as its territory.

Jehovah's Witnesses are also in a difficult position. Their faith makes it impossible to do military service, yet they cannot seek alternative service as Jehovah's Witnesses without facing sentences of 6 years' imprisonment or more, given Russia's persecution of this world religion. The first young Jehovah's Witness was told to change his faith if he wanted to do alternative service back in June 2017, and that was before Russia began actively arresting and imprisoning believers.

There are young people for whom the prospect of having to do Russian military service was a key factor in them leaving Crimea. For a lot of Ukrainians of conscription age, it makes it impossible to visit family in Crimea since their Crimean registration could be used to claim that they should do military service, or even prosecute them for supposedly evading it.

All of this is seriously illegal since the fact that a person has Ukrainian citizenship, whether living in Crimea or in mainland Ukraine, means that they are obliged only to serve in the Ukrainian Armed Forces. Much more needs to be done than merely documenting these latest examples of Russia's breaches of international law. Sanctions must be extended, specifically due to the illegal imposition of conscription. These should be tough sanctions touching on both

financial issues, and programs of cooperation with Russia on military and scientific matters.

Russia's constant attempts to deny that it is an occupying state are rejected by the United Nations, by democratic countries and by the International Criminal Court's Chief Prosecutor who has confirmed that Russia's ongoing occupation of the peninsula constitutes an international armed conflict, one falling within its jurisdiction. Article 51 of the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War, which Russia is a partner to, unequivocally states that: *"The Occupying Power may not compel protected persons to serve in its armed or auxiliary forces. No pressure or propaganda, which aims at securing voluntary enlistment is permitted"*.

According to the Ukrainian Defense Ministry, **groups of Russian instructors for snipers, intelligence officers and special operations units have arrived in the temporarily occupied areas of the Donetsk and Luhansk regions to improve the skills of Russian-backed militants.** In early June this year, groups of Russian instructors, servicemen of the Armed Forces of the Russian Federation secretly arrived at the units and formations of the First (Donetsk) and Second (Luhansk) army corps of the Russian Armed Forces, through the uncontrolled section of the Russia-Ukraine border, to conduct instructional and methodical classes and training sessions with intelligence officers, sappers, snipers and personnel of other military registration specialties.

More than 240 children have been killed, 56 have gone missing, about 500 children have been wounded and injured in the territory of Donetsk and Luhansk regions as a result of military aggression of the Russian Federation since 2014. The International Day of Innocent Children Victims of Aggression is observed on June 4. This date was set by the UN in 1983, but every year up to now it continues to be filled with growing bitterness and sadness, pain, and children's tears. In the present-day world, more than 230 million children live in conflict-affected areas. In 2014, Ukraine joined this list owing to Russian armed aggression in Donbas. Since the beginning of Russia's attack on Ukraine in Donetsk and Luhansk regions, more than 240 children have been killed, another 56 have gone missing, and from 167 to more than 500 children, according to various sources, have been wounded and injured.

According to humanitarian NGOs, from 10 to 15 thousand children live in the so-called "grey zone". The number of displaced children from Crimea and Donbas has exceeded 170,000 persons, and more than 2,000 orphans are left in the occupied territories of Ukraine. The growth of these horrible statistics has not stopped even after the end of the active phase of the armed confrontation as children are injured due to careless handling and accidents with explosives. According to UNICEF, 10 children have been victims of shelling in eastern Ukraine since the beginning of 2020. In the first week of May alone, six cases were reported. This is twice as much as in the same period last year".

According to the report of the UNICEF released in October 2019, more than 200,000 children live in a 20-kilometer zone on both sides of the contact line, which is heavily contaminated with mines and other explosive remnants of war (ERW). Since 2014, at least 38 children have been killed and at least 128 children have been injured by mines, ammunition, and other ERW.

Russia deploys dozens of trucks, tanks, armoured personnel vehicles to occupied part of Donbas. The OSCE SMM has spotted 30 tented trucks entering from Russia to the temporarily occupied territory. In addition, a drone recorded more than 70 military-type trucks, repair and evacuation vehicles, two T-64 tanks and two BTR-80 armoured personnel vehicles in occupied Luhansk, - according to the information from the Ukrainian side of the JCCC of 12 June.

The SMM long range UAV detected at least 30 tented trucks entering the territory temporarily occupied by the Russian occupation forces (ROF) from the Russian Federation, bypassing official checkpoints. During the subsequent observation flight of the Mission's UAV, more than 70 military-type trucks, repair and evacuation vehicles, two T-64 tanks and two BTR-80 armoured personnel vehicles, which had been stationed in the occupied Luhansk, were spotted. In addition, 9K35 Strela-10 surface-to-air missile system was spotted near the residential area in the town of Khartsyzk.

Russia systematically supplies personnel, weapons, and military equipment to the temporarily occupied territories of Ukraine. In order to conceal the movement of occupation forces and hardware and to go unnoticed by the OSCE SMM, the ROF use dirt roads, bypassing official checkpoints.

In addition, there are constant violations of agreements on the withdrawal of heavy weapons from the contact line, as well as the construction of fortifications and mining areas near disengagement and residential areas, which endangers civilians in Donbas. All these facts are confirmed by the representatives of the SMM in their daily reports.

The Russian occupiers continue to use the civilians of Donbas as human shields, equipping fortifications in residential areas of Horlivka. Two new trenches and protective structures have recently been discovered in the city. In addition, about 590 anti-tank mines were detected on the outskirts of the village of Shyroka Balka. Inside the disengagement area near Zolote, an SMM mini-UAV again spotted 25 anti-tank mines assessed as part of a larger minefield belonging to the ROF. All these facts show that the Russian invaders continue to demonstrate a persistent reluctance to abide by the Minsk agreements and openly ignore their commitments within the TCG consultations. By their actions, they reaffirm their desire to further escalate the conflict by increasing arms and military equipment in the immediate vicinity of the contact line, jeopardizing civilians who live in the occupied inhabited localities.

According to the SMM Spot Report of 3 June 2020, **small arms fire severely damaged the Mission's camera system near Petrivske disengagement area in the occupied by Russia part of Donbas.**

According to the SMM Spot Reports of 5 and 12 June, the **ROF continued to deny SMM patrols passage at checkpoints in Donetsk and Luhansk regions.** From 30 May to 12 June, the ROF again denied SMM attempts to cross into temporarily occupied areas along official crossing routes: 12 times in Donetsk region and 7 times in Luhansk region, while further attempts to cross into government-controlled areas were also denied, 3 times in Donetsk region and 7 times in Luhansk region.

From 30 May to 12 June, at a checkpoint south of the Stanytsia Luhanska bridge, the ROF again denied the SMM passage towards occupied areas on 7 occasions, and passage towards government-controlled areas on 7 other occasions.

On 31 May, 4, 8, 12 June, at EECP west of occupied Verkhnohshyrokyvske, the ROF again denied the SMM passage towards occupied areas.

On 2 June, at a checkpoint near occupied Olenivka the ROF again denied the SMM passage towards government-controlled areas on 3 occasions and again denied passage towards temporarily occupied areas on 3 occasion, Similar pictures were registered on 30 May, 5, 9, 10 June near the EECP of occupied Oleksandrivka. **On all those occasions the denials were referred to quarantine restrictions due to COVID-19.**

On 1, 3, 7 June, at a checkpoint near occupied Horlivka, the ROF again denied the SMM passage towards temporarily occupied areas, on 2 occasions referring to quarantine restrictions due to COVID-19 and one - due to the presence of spikes laid across the road and of a mine hazard sign at the same checkpoint.

In conclusion, we urge the Russian Federation to stop its aggression against Ukraine, reverse its illegal occupation of Crimea, de-occupy parts of the Donbas region of Ukraine, and restore freedom of navigation through the Kerch Strait and in the Sea of Azov. Russia must fully implement its commitments under the Minsk agreements, including withdrawal of its forces, illegal armed formations and weapons from the temporarily occupied territories of Ukraine.

Thank you, Mr. Chairperson.