



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 James S. Gilmore III
to the Permanent Council, Vienna
November 5, 2020

On October 29, the OSCE's Observer Mission at the Gukovo and Donetsk checkpoints issued a spot report confirming another Russian convoy – the 97th! – crossing into Ukraine via the Donetsk Border Crossing Point. The Mission observed a total of six cargo trucks, four civilian and two belonging to the Russian “Ministry of Emergency Situations” all bearing the dubious inscription “Humanitarian Aid from the Russian Federation”. The convoy entered Ukraine at 6:34 AM on October 29 and returned to Russia at 1:23 PM that very same day.

As has been our experience 96 times prior with these allegedly ‘humanitarian’ convoys, neither the Mission’s observers nor Ukrainian Border Guards or Customs Officials were permitted to inspect the interior of the vehicles. Russia asserts that these vehicles, entering without inspection into a sovereign nation’s territory across an unsecured border, contained only humanitarian aid.

As my Swiss colleague astutely noted last week, there are better, and more transparent, ways of delivering humanitarian shipments to Ukraine.

The participating States of this Permanent Council would be naïve, to say the least, if we were to accept Russia at its word that this convoy was “humanitarian” in nature. To do so, we would have to overlook the obvious truth that Russia fomented and for more than six years has financed and led this bloody conflict in eastern Ukraine. The fact that Russia continues to deliver what it claims to be humanitarian aid shipments in such a non-transparent manner can only lead us to conclude that these vehicles contain something the Kremlin would rather keep hidden.

As we, and others, have said in recent weeks, this is a moment of opportunity. The people of eastern Ukraine have endured years of conflict and real, concrete progress is within reach. We call upon Russia to deliver any legitimate humanitarian aid in a transparent manner. If the Russian government is truly delivering humanitarian aid to the communities of eastern Ukraine, we would be interested in learning more about it. It is easily resolved, you know. All you have to do is have the OSCE mission observers have an opportunity to look into the convoys.

At the same time, respected international humanitarian aid agencies are struggling to deliver timely, needed supplies to civilians living in Russia-controlled territory due to the so-called “inter-oblast administrative boundary” surrounding the so-called “Donetsk People’s Republic” and the so-called “Luhansk People’s Republic.”

If Russia is truly interested in providing humanitarian assistance to these people, it must instruct its proxies and the groups it supports to treat these international humanitarian shipments as a top priority and expedite their delivery.

Russia's efforts to conceal the contents of its convoys and limit the scope of the Observer Mission must be assumed to be part of its broader campaign of obstruction and deception. Despite a three-month decrease in violence, Russia's aggressive actions toward Ukraine are as deadly as ever. Ceasefire violations late last week resulted in two Ukrainian service members killed in action and another two wounded, demonstrating how quickly the situation on the ground can deteriorate. The only way this ceasefire can lead to long-term peace is for the Kremlin to withdraw its forces and stop this engagement in Ukraine. Likewise, we call on Russia and the forces it arms, trains, finances, leads, and fights alongside to cease impeding the movement of Special Monitoring Mission personnel as they observe and report on ceasefire violations.

We continue to have real concerns over the humanitarian situation along the *Line of Contact*, where elderly citizens, children, and the infirm, among others, face lengthy waits to access necessary services even on the best of days. Sadly, the global COVID-19 pandemic, which affects us all, has even harsher consequences for these civilians.

The United States is hopeful the expected November 10 opening of two new entry-exit crossing points in Luhansk will alleviate some of the suffering of local populations. However, these crossing points are only necessary as long as Russia continues its aggressive behavior and will become moot once the Kremlin respects its neighbor's sovereignty and ends the conflict by withdrawing its forces from Ukraine.

At the *Trilateral Contact Group*, Russia continues to obstruct progress and has utterly failed to demonstrate the political will shown by Ukraine in approaching these negotiations in good faith. They were set up to begin with, for the purpose of trying to reduce this conflict. In October, Russia's disruptive and unauthorized recordings of the negotiations resulted in multiple delays that ultimately stymied any progress during that meeting. As Ambassador Grau has said, these discussions are supposed to be constructive and conducted in an environment of confidence. They should not be used as opportunities for grandstanding, nor should participating states wield their time as a means to prevent real debate. As winter draws closer, further threatening the vulnerable populations of eastern Ukraine, we call upon Russia to re-engage in good faith discussions as a responsible international partner at the *Trilateral Contact Group*.

Now in Crimea, Mr. Chairman, which *is* a part of Ukraine, Russian occupation authorities continue their widespread repression against Crimean Tatars, ethnic Ukrainians, and all those opposed to the occupation.

Occupation authorities routinely harass, arrest, and detain civilians for exercising their human rights and fundamental freedoms, including the rights of peaceful assembly and freedoms of expression, association, and religion or belief. We reiterate our concerns about the growing number of Crimean political prisoners, as well as about reports of increasing pressure on the small number of independent defense lawyers willing to represent them. We are troubled by the news that occupation authorities are seeking the disbarment of Crimean Tatar lawyer Lilya Hemedzhi in apparent retaliation for the robust defense she has provided multiple political prisoners. Many of us here met with Ms. Hemedzhi at the 2019 HDIM and were inspired by her

bravery and dedication in the face of Russia's repressive tactics. Russia should cease its efforts to impede her work and release all those it has unjustly imprisoned.

The United States demands Russia end its campaign of oppression in Crimea, return control of the peninsula to Ukraine, and release all Ukrainian political prisoners. We further urge Russia to adhere to its Minsk commitments and withdraw its forces and materiel from eastern Ukraine.

Mr. Chair, the United States fully supports Ukraine's sovereignty, independence, and territorial integrity within its internationally recognized borders, including its territorial waters. We do not, nor will we ever, recognize Russia's purported annexation of Crimea.

We join our European and other partners in affirming our Minsk-related sanctions against Russia will remain in place until Russia fully implements its Minsk commitments. The Crimea-related sanctions will remain in place until Russia returns full control of the peninsula back to Ukraine.

Thank you, Mr. Chairman.

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