



Permanent Mission of Ukraine
to the International
Organizations in Vienna

Statement on Russia's ongoing aggression against Ukraine and illegal occupation of Crimea

As delivered by Ambassador Yevhenii Tsymbaliuk,
Permanent Representative of Ukraine to the International Organizations in Vienna,
to the 1339th meeting of the Permanent Council
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Madam Chairperson,

On 30 September the Russian authorities put Roman Dobrokhotov on a wanted list and his home was raided and searched.

He is an investigative journalist and founder of the Insider in the Russian Federation. This news outlet was labelled as foreign agent a few days earlier.

Why does this case matter so much? It is not only about the absence of the freedom of speech and media in Russia.

Together with other journalists, Roman Dobrokhotov published a series of investigations, identifying Russian high officials who were involved in downing the MH17 flight in July 2014.

In fact, they traced the command chain up to an FSB general who was allegedly responsible for the supplies of weaponry and ammunition to Donbas in 2014. No doubts, that this FSB general did not act on his own but for sure got blessing from the highest political level. This is how the BUK missile system made its way to Ukraine.

Unfortunately, these days supplies of sophisticated weaponry continue unabated claiming human lives on the Ukrainian soil and bringing new suffering to the Ukrainian families on the both sides of the contact line.

Despite the discussion we had on Thursday with Chief Monitor Ambassador Cevik and Special Representative Ambassador Kinnunen, the ceasefire violations are still taking place. According to Friday report, the SMM registered 96 ceasefire violations in Donetsk regions. On Saturday, there were 47 violations. In Luhansk region, the SMM recorded 17 and two violations, respectively.

Since last Thursday, Ukrainian positions were shelled near Myrne, Mayorske, Krasnohorivka, Krymske, Novozvanivka, Prychepylivka, Troitske, including with the use of Minsk-proscribed (82mm) mortars.

These shellings left a Ukrainian serviceman wounded.

Even more, despite the calls of the distinguished delegations to ease the crossing of the contact line last Thursday, the Russian occupation administration has taken a decision to further restrict the movement through the EECF in Stanytsia Luhanska. No wonder, that the Russian armed formations justified this decision as a COVID-related measure. However, it would be interesting to hear from the Russian Federation how the conduct of illegal elections and numerous busses circulating between Ukraine and Russia on the election days have added to the dynamic of pandemic?

The truth is that such unjustified restrictions of the freedom of movement and ongoing passportization is a major stumbling block for rebuilding of ties with the population in the occupied territories.

Excellencies,

It is Russia's responsibility to end or at least to take steps that would alleviate the dire humanitarian situation in the region, first of all by adhering to the ceasefire regime. Second, opening the EECs "Schastyia" and "Zolote" as well as of other crossing points is long overdue to meet the basic needs of the population in the occupied territories. And finalization of documents on demining and on four additional disengagement areas would also improve the situation, as well as the release of detainees would allow Russia to demonstrate its good will.

However, rather than recognizing its responsibility for the conflict and taking steps to end the aggression, Russia raises the stakes militarily, obstructs the result-oriented work of the TCG and persecutes those who still have the courage in Russia to report about the crimes committed by the Russian authorities.

In parallel, Russia is trying to convince the Permanent Council about a special legal nature of the Package of Measures and to attribute some kind of supremacy to the Package over the Minsk Protocol and Memorandum. However, the mere political endorsement by the UN Security Council of the former has not relieved Russia of its responsibility to implement obligations it undertaken under other two agreements.

Why Russia feels so uneasy when other delegations demand to implement the Minsk Protocol and Memorandum?

For instance, para 4 of the Minsk Memorandum envisages the withdrawal of multiple rocket launch systems like Tornado. In fact, Tornado is a new system used only by the Russian Armed Forces. This is vivid evidence of Russia's involvement in the conflict certified by the signature of the Russian representative.

Also, para 10 of the Minsk Protocol provides for the withdrawal of illegal armed formations and military hardware from the Ukrainian territory. I underline – illegal, the presence of which on the Ukrainian soil has not been authorized by the Ukrainian parliament. So, it goes merely about Russian armed formations in the occupied territories, despite Russia's attempts to manipulate with para 10 of the Minsk package.

In addition, para 4 of the Protocol provides for permanent monitoring and verification of the Ukrainian-Russian state border together with the creation of a security area in the border regions of Ukraine and the Russian Federation.

We also urge the Russian Federation to pay due attention to the position of other delegations urging Moscow to provide security guarantees for opening new forward patrol bases and allow permanent monitoring of the border areas. If Russia has nothing to hide in the occupied territories, so why not to lift the restrictions the SMM is facing in the occupied region, to enhance technical capabilities of the SMM, to stop jamming long range UAVs, which are capable to reach the border line or to open new forward patrol bases?

It is the responsibility of the participating states to provide the SMM with all necessary conditions allowing the Mission to fulfil properly the tasks as mandated by the Permanent Council.

Excellencies,

The human rights situation in Crimea is further deteriorating, while Russia is trying to silence every disloyal and dissenting voice. The Russian occupation courts continue to consider administrative cases against Crimean Tatars who were detained at the FSB building in Simferopol on September 4. They are facing administrative fines just for demanding information about then whereabouts of Eldar Odamanov, Asan and Aziz Akhtemovs, Shevket Useinov, and first deputy Chairman of the Mejlis of the Crimean Tatar people Nariman Dzhelyal.

Furthermore, as reported by his lawyers on 8 October, Nariman Dzhelyal has been transferred to a mental health facility. He is forced unjustifiably to undergo so-called "psychological and psychiatric examination". It is to last more than 20 days. This is yet another example of the use of punitive psychiatry, the worst practice applied by the Soviet Union against dissidents. Let me remind that former political prisoner Ilmi Umerov also faced the same humiliating treatment.

We urge the Russian Federation to stop applying such unlawful, inhuman and unacceptable practices to the political prisoners and to release them immediately.

As we informed at the last PC meeting, the Russian occupation authorities launched another forced conscription campaign in Crimea and Donbas. At the same time, nine new draft evasion cases were registered with courts in Crimea in September.

It should be underlined that under international humanitarian law, an occupying Power cannot compel protected persons to serve in its armed or auxiliary forces, neither it can apply its criminal law to prosecute the residents of occupied territories. This amounts to a war crime.

We call upon the Russian Federation as Occupying power to fulfil its obligations under international humanitarian and human rights law as well to grant full and unimpeded access to Crimea for the SMM.

And last but not least, today, on 11 October, the Arbitral Tribunal restarts the hearing in the case concerning the detention of three Ukrainian naval vessels and servicemen in the Kerch Strait by the Russian Federation in 2018. It reminds us that the militarization of the Crimean peninsula with the waters the Black Sea and the Sea of Azov is still ongoing as well as Russia tries to rewrite the law of the sea by impeding the freedom of navigation. We believe that by our joint efforts we will prove the rule of law over the rule of power.

Dear colleagues,

Unfortunately, today's article by Dmitrii Medvediev – a blend of manipulative arguments and propaganda at high political level – is another confession of true intentions of the Russian leadership towards Ukraine. It goes merely about the confrontation and plans to continue interference into Ukraine's internal affairs. The lack of political will and courage in Kremlin to acknowledge and respect the right of the Ukrainian people to freely choose its future – to be a part of the democratic European family and independent from the authoritarian Russian Federation – remains a key obstacle for the peaceful settlement of the international conflict in Donbas and returning Crimea to Ukraine and, respectively, for the restoration of peace and stability in Europe. We call upon the Russian Federation not to wait but to implement its obligations in full and in good faith. This would serve the best interests and future of the Russian people as well.

We urge the Russian Federation to stop its aggression against Ukraine, reverse its illegal occupation of Crimea, de-occupy certain areas of Donetsk and Luhansk regions, and restore freedom of navigation in the Black Sea, through the Kerch Strait and in the Sea of Azov. Russia must fully implement its commitments under the Minsk agreements, including the withdrawal of its armed forces, mercenaries, armed formations, and weapons from the temporarily occupied territories of Ukraine.

Thank you, Madam Chairperson.