



EUROPEAN UNION

**OSCE Permanent Council N° 1175
Vienna, 8 February 2018**

EU statement in Response to Briefings by the Special Representative in Ukraine of the OSCE Chairperson-in-Office and in the Trilateral Contact Group, Ambassador Martin Sajdik and the Chief Monitor of the OSCE SMM, Ambassador Ertugrul Apakan

Thank you Mr. Chairperson. Ambassadors Sajdik and Apakan, the EU welcomes you to the Permanent Council. We commend you for your perseverance in working to obtain a lasting peace in eastern Ukraine and for your efforts in trying to restore respect for the OSCE principles and commitments. The situation on the ground remains of serious concern and regrettably the most recent recommitment of all sides to the ceasefire that you helped facilitate at the end of last year did not last. The continued fighting affects civilians especially those living along the contact line and we are seeing fatalities almost every week. Only the day before yesterday, the SMM reported that three children in the yard of a residential house in Krasnohorivka were seriously injured by an explosive device. We strongly urge all sides to respect the ceasefire, verifiably withdraw and permanently store heavy weapons and disengage along the line of contact as agreed in the relevant agreements.

Ambassador Apakan, we commend you and your mission on your excellent work under most difficult conditions. Please also extend our gratitude to the monitors tirelessly working on the ground in this challenging and hostile environment. They are our eyes and ears on the ground and we highly value the objective reporting they provide us with on a daily basis. You and the monitors can rest assured that you have the full support of the EU. We particularly welcome the fact that the conflict in and around Ukraine is also a top priority for the Italian CiO as illustrated by the recent visit of Minister of Foreign Affairs Alfano. We also take this opportunity to express our support for the extension of the mandate of the SMM – the Mission has to continue its important work from April 2018.

The mandate of the SMM calls for full, safe and unhindered access throughout Ukraine including along the Ukrainian-Russian border and to illegally annexed Crimea and Sevastopol. Without proper and unimpeded monitoring by the SMM, there cannot be a verified improvement of the security situation, which is the basis for further progress on the political track of the peace process. It is unacceptable that small arms were fired in the direction of an SMM patrol and targeted an SMM unmanned aerial vehicle, as reported in the Spot report and the Daily Report of 3 February. SMM monitors and equipment must not be put at risk or targeted. Any restrictions to the SMM's freedom of movement are unacceptable as they violate its mandate. Again, as in previous weeks, the majority of these restrictions occurred in areas outside of government control. In the period of 22-28 January, in addition to restrictions due to the presence of mines, the SMM was restricted on 11 occasions, out of which 10 were registered in areas outside of government control.

We strongly condemn any threats directed at our monitors and underline yet again that the security of the SMM is the responsibility of those in effective control of the area in which the SMM operates. We urge Russia to exercise its influence over the separatists it backs to put an end to the restrictions and intimidation. Accountability must be ensured.

We note that the contract for the provision of long range UAVs has been signed so that they will soon be available as an additional important tool for the SMM. We would like to hear from you about the further plans for their deployment. As also explicitly mentioned in the Minsk Agreements, the use of technical equipment including drones can enable the SMM to carry out its mandate more effectively – increasing its situational awareness and coverage, including monitoring of remote areas and during night time. It can help our monitors to fulfil their mandate and certain types of technology can in some cases improve the safety of the monitors. However, while technology complements human monitoring, it cannot replace it. Also, adequate operational rules have to accompany the deployment of long-range UAVs in order for them to produce optimal results and we encourage you to work towards this end. Finally, as stated by the Permanent Council when adopting the 2017-2018 SMM budget last year, long-range UAVs will be deployed subject to a permissive security environment. We thus reiterate our call on the sides to secure full, safe and unhindered access for the SMM and the safety of its technical

equipment and assets throughout Ukraine including along the Ukrainian-Russian border in compliance with their obligations under the Minsk agreements.

Ambassador Apakan, regrettably the Russian Federation withdrew from the JCCC, which has served as a stabilizing mechanism in support of the operations of the SMM and has contributed to ensuring the Mission's safety. We reject any attempt to legitimize the status for the so-called "LNR" and "DNR" and we would be interested in hearing from you what practical implications this withdrawal has had for the SMM on the ground. Further, 2017 was an exceptionally difficult year for the SMM. One staff member was killed and two were wounded in the serious incident of April 23rd and the number of direct threats against the monitors rose significantly. In light of the conclusions of the external investigation and internal audit of the incident you have developed a response plan and you have been working to reform Standard Operating Procedures. Implementation of the response plan is a key part of the SMM's ongoing work to ensure the safety of our monitors and making sure the Mission can work as effectively as possible. We would be grateful for an update on your work in this area.

Ambassador Sajdik, the EU remains strong in its support of the Trilateral Contact Group and we commend your and your team's involvement in securing the release of detainees on 27 December last year. It was an important confidence building measure and an important humanitarian gesture. We strongly urge all sides to build upon this momentum and move forward with the release of other detainees. We further call on the sides in the TCG to abide by their commitments and agree to steps that can move Minsk implementation forward.

We remain concerned about the potential humanitarian and environmental risk of the conflict. Ceasefire violations continue to be recorded in the vicinity of the Donetsk Filtration Station, despite the fact that the sides have expressed their common understanding to create safety zones around critical infrastructure. We would like to hear from you what more the sides can do to better protect critical infrastructure and minimize the risk of an environmental and humanitarian disaster in the conflict region.

We deplore the economic and administrative measures seen during the past year that have driven the conflict area further apart, such as the seizure of Ukrainian companies, the adoption of a foreign currency, travel restrictions and Russia's recognition of documents issued in certain parts of Donetsk and Luhansk, as well as

the trade embargo imposed a year ago by the government of Ukraine. We call on Russia and Ukraine to reverse this worrying trend and to re-establish conditions for human contacts and commerce.

The EU is gravely concerned about the reports of serious human rights violations in Crimea. The Crimean Tatar minority continues to suffer from de facto Russian authorities' persecutions. Since the illegal annexation of Crimea and Sevastopol in 2014, many Crimean Tatar activists have been arrested and accused of extremism for speaking against Russia's illegal actions. Some activists have received prison sentences in Russia. We call upon the Russian Federation to stop such persecutions and to immediately release all persons arrested and charged for expressing dissenting views, including regarding the status of Crimea, on the Crimean peninsula and in Russia.

We remain firm in our call on all sides to swiftly and fully implement the Minsk agreements and honour their commitments in full in order to achieve a sustainable political solution in line with OSCE principles and commitments. Respect for these fundamental principles must be restored. We call on Russia to fully assume its responsibility and to use its considerable influence over the separatists it backs to meet the Minsk commitments in full. We urge Russia to immediately stop providing financial and military support to the separatists, and we remain deeply concerned about information on the presence of Russian military equipment and personnel in separatist-held areas. The duration of the European Union's economic sanctions against Russia is linked to the complete implementation of the Minsk agreements.

We recall our unwavering support to the sovereignty, territorial integrity, unity and independence of Ukraine within its internationally recognised borders, and call upon Russia to do likewise. We urge Russia to recognise these fundamental principles that it has itself invoked many times and to contribute, by acts and public pronouncements, to stabilise the situation and reverse moves that contravene these principles. We reiterate our strong condemnation of the illegal annexation of the Autonomous Republic of Crimea and the City of Sevastopol to the Russian Federation and we will not recognise it. The European Union will remain committed to fully implement its non-recognition policy, including through restrictive measures.

The Candidate Countries the FORMER YUGOSLAV REPUBLIC OF MACEDONIA*, MONTENEGRO* and ALBANIA*, the Country of the Stabilisation and Association Process and Potential Candidate

BOSNIA and HERZEGOVINA, and the EFTA countries ICELAND and LIECHTENSTEIN, members of the European Economic Area align themselves with this statement.

* The Former Yugoslav Republic of Macedonia, Montenegro and Albania continue to be part of the Stabilisation and Association Process.