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**STATEMENT BY MR. ALEXANDER LUKASHEVICH,
PERMANENT REPRESENTATIVE OF THE RUSSIAN FEDERATION,
AT THE 1216th MEETING OF THE
OSCE PERMANENT COUNCIL**

7 February 2019

**On Ukraine's violation of its OSCE commitments in the context of the
presidential election of 31 March 2019**

Mr. Chairperson,

With the presidential election in Ukraine drawing closer, the country's leadership is taking increasingly dangerous risks, while not shying away from violating its own international obligations. Unfortunately, this has already become a kind of "calling card" of the Ukrainian Government.

Most recently, the Ukrainian authorities, including President Petro Poroshenko and the head of the Ministry of Foreign Affairs Pavlo Klimkin, announced their intention to prevent the accreditation of international observers from Russia, even as part of the mission of the Office for Democratic Institutions and Human Rights (ODIHR). Such statements grossly violate the OSCE's fundamental election-related commitments and, in fact, are aimed at sabotaging international monitoring of the forthcoming election on 31 March (sabotaging the implementation of the Minsk Package of Measures is apparently not enough for the Ukrainian Government).

We recall that in paragraph 8 of the 1990 CSCE Copenhagen Document, it is stated that, "The participating States ... invite observers from any other ... participating States and any appropriate private institutions and organizations who may wish to do so to observe the course of their national election proceedings, to the extent permitted by law." It is this wording – "to the extent permitted by law", which was introduced to reflect that not all OSCE participating States have legislation on inviting international observers – that the Ukrainian authorities are now trying to arbitrarily interpret for the sake of their opportunistic interests. Moreover, they have hastily amended the legal framework for this. Further still, the Minister of Internal Affairs Arsen Avakov announced that all incoming international observers would be screened in general – on a variety of databases – from the lists of the Ukrainian Security Service to the extremist resource "Mirotvorets".

The Director of the ODIHR, Ingibjörg Sólrún Gísladóttir, who took a principled position and did not take the lead from the Ukrainian Government in its attempts to limit the

admission of Russian observers, should be commended. The Office invited all participating States, including the Russian Federation, to present their candidates. In that connection, Ms. Gísladóttir has unequivocally recommended, on more than one occasion, that Mr. Klimkin comply with Ukraine's election commitments within the OSCE.

Indeed, at a briefing in Kyiv on 6 February, Peter Tejler, head of the OSCE/ODIHR election observation mission in Ukraine, acknowledged the inconsistency of measures taken by Ukraine in relation to Russian observers with the standards and provisions of the fundamental CSCE/OSCE decisions in the field of electoral process observation.

It should be emphasized in particular that all the representatives of participating States that are included in the ODIHR mission act not in their personal or national capacity, but as experts of an international observation team. Everyone is well aware, including the Government of Ukraine, that the decision on who to include in the ODIHR mission is taken by the leadership of the Office and the relevant mission, and not by the authorities of the State in which elections are being held.

In addition to this, Ukraine has made the absurd decision to refuse to open polling stations in Ukrainian diplomatic and consular offices in Russia under a clearly false pretext. We regard this as discrimination and a violation of the constitutional rights of millions of Ukrainian citizens living in our country, as well as of Ukraine's commitments under the aforementioned Copenhagen Document. In essence, this is a blatant attempt by the ruling regime to influence the election result, since many Ukrainians in Russia, and this is no secret, are critical of the current Ukrainian authorities and their policies. Such an approach generally calls into question the legitimacy of the entire electoral process in Ukraine. The proposal that Ukrainian voters go to vote in neighbouring countries is a complete mockery, given the long distances and costs involved.

The Ukrainian Government is currently trying to legitimize the non-admission of Russian observers to Ukraine. To this end, on 4 February, the Chairman of the Verkhovna Rada, Andriy Parubiy, and a number of deputies introduced draft law No. 9524 on amendments to certain laws of Ukraine concerning observation of the electoral process in Ukraine. Today, on 7 February, it was hastily adopted by the Rada in two readings.

We note with regret the policy of connivance, if not the incitement to confrontation of the Ukrainian Government by its patrons from the United States of America and the European Union. Such an approach as a whole not only provokes an escalation of the situation in Ukraine, but also undermines the credibility of these so-called long-standing democracies and their ability to objectively evaluate events.

But with regard to election monitoring, even the United States Special Representative for Ukraine Kurt Volker, on Twitter, called on the Government of Ukraine to allow Russian observers access to the elections. I quote: "Ukraine needs ODIHR monitors to prove it adheres to democratic standards. Otherwise allows people to question election. OK if Russian monitors are part – but under ODIHR authority. No games ...".

In justifying their actions, Ukrainian representatives actively refer to the 2005 Declaration of Principles for International Election Observation. First, it was not approved by consensus decisions of either the United Nations or the OSCE. And second, there are a number of provisions in this document of which Ukraine is in gross violation by

refusing to allow our observers. For example, under paragraph 12, the country holding the election “(a) ... indicates its willingness to accept international election observation missions in accordance with each organization’s requirements ...; (b) Guarantees unimpeded access of the international election observer mission to all stages of the election process ...; (d) Guarantees freedom of movement around the country for all members of the international election observer mission; (g) Guarantees full, country-wide accreditation ... for all persons selected to be observers or other participants by the international election observation mission ...”. Moreover, under subparagraph (h), the country “Guarantees that no governmental, security or electoral authority will interfere in the activities of the international election observation mission.” The Ukrainian Ministry of Foreign Affairs, Ministry of Internal Affairs, Central Election Commission and other structures are doing the exact opposite.

We call on the Slovak OSCE Chairmanship, the leadership of the ODIHR and all participating States to respond to the provocative statements and actions of the Ukrainian authorities, which constitute a gross violation of international obligations and risk causing considerable damage to the reputation of the OSCE as a whole.

Thank you for your attention.