



**EUROPEAN UNION**

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**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**

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Mr. Chairperson, the European Union welcomes Ambassadors Sajdik and Apakan to the Permanent Council and commends them for their perseverance, dedication and tireless efforts in working towards sustainable peace in Ukraine. We would also like to express our gratitude and appreciation to Mr. Per Fischer, Coordinator of the Economic Working Group, who will conclude his mandate at the end of the year.

The EU expresses its utmost concern about the dangerous increase of tensions in the Azov Sea and Kerch Strait in recent days which has led to the seizure of Ukrainian vessels and their crews by Russia and shots being fired at them, wounding several Ukrainian servicemen. We are dismayed at this use of force by Russia which, against the backdrop of increasing militarisation in the area, is unacceptable.

The European Union expects Russia to ensure unhindered and free passage through the Kerch strait to and from the Azov Sea, in accordance with international law. We call on all for utmost restraint to de-escalate the situation immediately. In this context, we also call strongly on Russia to release the captured vessels, their crew and equipment unconditionally and without delay.

The illegal annexation of the Crimean peninsula by Russia in 2014 remains a direct challenge to international security, with grave implications for the international legal order that protects the unity and sovereignty of all States. We reconfirm our condemnation of this violation of international law. The construction of the Kerch bridge constitutes a further violation of Ukraine's sovereignty and territorial integrity.

The European Union reiterates its full support for the independence, sovereignty and territorial integrity of Ukraine within its internationally recognised borders. The European Union does not and will not recognise the illegal annexation of the Crimean peninsula by Russia. The European Union will continue to follow closely the situation and is determined to act appropriately, in close coordination with its international partners.

Ambassador Apakan, your report regrettably paints a bleak picture of the security situation on the ground. Ceasefire violations are up by 50 percent, fortification of positions and ceasefire violations are observed inside and around disengagement areas, the SMM continues to observe newly laid mines and indiscriminate shelling continues to damage civilian infrastructure. In the reporting period weapons have been fired within 500 metres of SMM patrols no less than 10 times and the SMM assets are frequently fired at or jammed. As we all know, targeting of SMM assets led to the downing of an SMM LR UAV on 27 October close to the Ukraine-Russia border. Despite repeated calls from the EU and others, we are still waiting to receive a substantial explanation from the Russian Federation in this regard. Let me take this opportunity to once again underline that the operational, security and financial consequences of all obstructions must be assessed. Those responsible for any willful damage, destruction or loss of SMM UAVs and other assets should be held accountable, both politically and financially. We strongly condemn any actions that put the SMM monitors in danger and reiterate that the SMM should be given free, unimpeded, safe and secure access throughout Ukraine including the Crimean Peninsula and along the Ukraine-Russia state border.

We share your concern for the deterioration of the situation in and around the disengagement areas. A growing number of ceasefire violations and fortification of positions in and around the areas are reversing previous disengagement efforts and run counter to the disengagement envisioned by the TCG Framework Decision on Disengagement of Forces and Hardware. Ambassadors Apakan and Sajdik, we strongly commend the able efforts of both of you in the TCG and we strongly urge the sides to adhere to the commitments they have undertaken under your auspices in the TCG. Also in this context we support your call on the sides to adhere to their TCG commitments of 19 September 2015 and refrain from laying new mines and remove already laid mines. Mines pose a severe risk to our monitors but also to those civilians living close to the contact line or crossing the Line of Contact. We condemn the willful laying of mines by the sides, which along with unattended UXOs, have led to 11 civilian casualties during the reporting period. Five of these were fatal.

Ambassador Apakan, you underline the hardship that civilians continue to suffer because of the conflict. We share your sincere concern for their living conditions which we all know will be even harder with winter coming. The DFS which delivers water to almost 400.000 people on both sides of the conflict remains dependent on the SMM and your facilitation of local ceasefires to operate on a daily basis. We strongly condemn that fighting continued around the DFS despite explicit security guarantees. This puts the workers at the DFS as well as our monitors at profound risk. Another area of concern which you also emphasize in your report, are the entry-exit checkpoints. It is distressing for civilians to wait for long hours and in all kinds of weather to cross. Gun, fire, mines and UXOs compound the ordeal they face every time they try to pass. We underline the urgent need of a significant improvement of the situation at the entry-exit checkpoint in Stanitsia Luhanska and the opening of additional crossing points.

Ambassador Sajdik, the EU remains a steadfast supporter of the TCG. You and your team are carrying out your work in an increasingly difficult context. Let me take this opportunity, to once again encourage the sides

to pursue another exchange of detainees before the end of 2018. It would represent an important alleviation for those civilians who are missing their relatives and could be an important confidence building measure as the exchange of detainees between the sides that took place at the end of 2017 was.

Ambassadors Sajdik and Apakan, we share your condemnation of the so-called “elections” that took place on 11 November as they are in breach of international law, undermine the commitments taken under the Minsk agreements and violate Ukraine's sovereignty and law. By supporting these so called “elections”, the Russian Federation is undermining efforts to reaching a sustainable political solution to the conflict in eastern Ukraine in accordance with the Minsk agreements.

We are pleased to hear that implementation of the SOPs and the Security Framework are well underway and we are looking forward to be informed about the outcomes of the review that is currently being undertaken. We are also appreciative of the new reporting format. As we continue to strongly support the work carried out in relation to the SMM Gender Equality Action Plan we would also strongly encourage you to include analysis from the gender office in your weekly reporting. We are also looking forward to receiving the planned Gender Thematic Report and we are hoping to do so regularly in the future. We would also appreciate an update on the findings of the entry/exit interviews and we would like to hear more about the results of the analysis especially related to gender equality.

The EU remains firm in its 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 to the conflict in line with OSCE principles and commitments. Respect for these principles and commitments must be restored. We call on Russia to fully assume its responsibility in this regard and to use its considerable influence over the armed formations it backs to meet the Minsk commitments in full. We again call on Russia to immediately stop fueling the conflict by providing financial and military support to the armed formations, and we remain

deeply concerned about information on the presence of Russian military equipment and personnel in areas held by Russia-backed armed formations. The duration of the European Union's economic sanctions against Russia is linked to the complete implementation of the Minsk agreements.

The EU recalls its unwavering support to the sovereignty, territorial integrity, unity and independence of Ukraine within its internationally recognised borders and calls upon Russia to do likewise. We urge Russia to uphold these fundamental principles that it has itself invoked many times and to contribute, by acts and public pronouncements, to stabilising the situation and reversing moves that contravene these principles. We strongly condemn the clear violation of Ukrainian sovereignty and territorial integrity by acts of aggression by the Russian armed forces since February 2014 and the illegal annexation of the Autonomous Republic of Crimea and the city of Sevastopol to the Russian Federation, which we will not recognise. 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\*, and the EFTA countries ICELAND and LIECHTENSTEIN, members of the European Economic Area, as well as the REPUBLIC OF MOLDOVA and GEORGIA align themselves with this statement.

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