



EUROPEAN UNION

**OSCE Permanent Council N° 1209
Vienna, 13 December 2018**

**EU Statement on “Russia’s Ongoing Aggression against
Ukraine and Illegal Occupation of Crimea”**

Mr. Chairperson, last week, during the Ministerial Council in Milan, Russia’s acts of aggression against Ukraine and illegal annexation of the Autonomous Republic of Crimea and the city of Sevastopol remained at the top of the OSCE’s agenda. And rightly so. A majority of Ministers expressed their deep concern about the recent dangerous escalation of tensions in the Azov Sea and the Kerch Strait area, the continuing destabilization of the situation in eastern Ukraine and the situation in the illegally-annexed Crimean peninsula while reaffirming their support for the sovereignty, territorial integrity, unity and independence of Ukraine and for the Minsk agreements as the basis for conflict resolution. They also restated the need to restore respect for OSCE’s fundamental principles by Russia. Five years into the conflict, it was therefore all the more regrettable that we were not able to find consensus on a Ministerial Declaration about this pressing topic.

The EU Foreign Ministers met on Monday and had an exchange with Ukrainian Foreign Minister Klimkin. They reconfirmed the EU’s continued support to Ukraine’s sovereignty and territorial integrity and the EU’s position on the non-recognition of the illegal annexation of the Crimean Peninsula, including the illegal and illegitimate construction of the Kerch Bridge. The EU is currently looking into concrete additional support measures to assist the Ukrainian regions that are most affected by the hindrance of cargo traffic through the Kerch Strait. While we were gathered at the Ministerial Council the situation in conflict areas in eastern Ukraine remained dire. The number of ceasefire violations rose and the use of heavy weapons intensified. Tensions in the Azov Sea and the Kerch Strait are still high and affect the security situation in the Black Sea region. We call on all

for utmost restraint to de-escalate the situation immediately and to restore security. We reiterate our dismay over the unacceptable use of force by Russia on 25 November, which happened against the backdrop of increasing militarisation in the area. We strongly call on Russia to release the captured vessels, their crew and equipment unconditionally and without delay. The European Union further expects Russia to ensure unhindered and free passage through the Kerch Strait to and from the Azov Sea, in accordance with international law.

As stated in the recent thematic report by the SMM, “the availability, adequacy and continuity of public infrastructure upon which civilians rely for electricity, water, fuel and sanitation remain a concern.” Between January 2017 and August 2018, the SMM facilitated and monitored 1,450 “windows of silence” by deploying 3,200 patrols in order to facilitate 150 repair projects. It is greatly disturbing that the results of repair works are often ruined by the sides immediately after their completion. The direct victims are the civilians who rely on this infrastructure. We call on the sides to adhere to a comprehensive and sustainable ceasefire, and fully withdraw heavy weapons. Only this can bring about a lasting solution for the repair and maintenance of infrastructure and thereby adequate standards of living for the Ukrainian population living along the line of contact.

We have repeatedly called on the sides to pursue an exchange of detainees. We therefore echo Special Representative of the OSCE Ambassador Martin Sajdik in welcoming yesterday's transfer of detainees not related to the conflict from certain areas of Luhansk region to the territory controlled by the government of Ukraine. We hope that this can pave the way for a larger exchange of detainees before Christmas.

The SMM and its assets remain the target of severe impediments. In addition to restrictions posed by mines and unexploded ordnance, including in the disengagement areas, the SMM's freedom of movement was restricted on 16 occasions. All but four were restrictions by Russia-backed armed formations. We strongly condemn any impediments to their free movement 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. Mr. Chairperson, let me take this opportunity to repeat our call for a substantial explanation from the Russian Federation regarding the downing of the SMM LR UAV on 27 October close to the Ukraine-Russia border. We 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 reiterate that the EU remains committed to reaching a sustainable political solution to the conflict in eastern Ukraine in line with fundamental OSCE principles and in accordance with the Minsk agreements. The EU condemns the so-called “elections” that took place on 11 November 2018 in the non-government controlled territories as illegal and illegitimate and does not recognise them. By supporting these so-called “elections” in violation of international and Ukrainian law and of the Minsk agreements, the Russian Federation is undermining efforts to reaching such a solution. The Council of the European Union added on 10 December nine persons to the list of those subject to restrictive measures over actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine. They are listed because of their involvement in the so-called ‘elections’.

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, LIECHTENSTEIN and NORWAY, 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.