



United States Mission to the OSCE
**Ongoing Violations of International Law
and Defiance of OSCE Principles and
Commitments by the Russian Federation
in Ukraine**

As delivered by Ambassador Daniel B. Baer
to the Permanent Council, Vienna
March 5, 2015

Mr. Chair, let me add the voice of the United States to the many others who have offered their condolences to the Ukrainian people for the loss of so many lives in the mining accident yesterday. I know this was not the first time this community has suffered a serious loss – our hearts go out to them.

There was a very clear and common message conveyed by my delegation and many others around this table at the Permanent Council last week: Russia and the separatists it backs must fully implement the Minsk agreements of last September, and the implementation plan of last month, not least by completely ceasing fire and verifiably withdrawing their heavy weapons from the combat zone in eastern Ukraine.

Unfortunately, Russia and its separatist proxies do not appear to have heard that message.

Throughout the past week, the Special Monitoring Mission to Ukraine has reported continuous ceasefire violations. From north of Luhansk to east of Mariupol, the Russia-backed separatists continue to shell Ukrainian military positions. Since February 20, 15 Ukrainian military personnel have been killed and more than 95 wounded. The SMM has indicated a general reduction in the amount of shelling since Russia and the separatists seized Debaltsevo on February 20, five days after the ceasefire was supposed to have restarted – and in massive violation of the package of measures Russia and its proxies had signed just days earlier. However, the February 12 Minsk implementation package calls for a ceasefire, not a reduction in fire. Any attack is a violation of the ceasefire and therefore contrary to what was agreed at Minsk.

Russia and the separatists it backs have also failed to withdraw heavy weapons from the front lines in a way that can be verified in accordance with the February 12 Minsk implementation package. Chief Monitor Apakan sent a letter to all of the signatories of the Package of Measures nearly three weeks ago requesting that they provide information on what heavy weapons are present in eastern Ukraine, where these weapons are now, which routes will be used to withdraw them, and where they will be located after they have been withdrawn. Ambassador Apakan is still waiting for sufficient answers to this letter from the separatists and the Ukrainian

government. Russia, which is a signatory to the February 12 Minsk implementation package and an active participant in the conflict in Ukraine, has not replied at all.

The SMM needs unrestricted access throughout Ukraine, as stipulated in its mandate, in order to be able to verify that weapons have been withdrawn and remain in storage, rather than just moved from one spot and redeployed elsewhere. Anything less is a “movement” of weapons, not a verifiable withdrawal, as called for in the implementation package. The separatists have on several occasions within the last week claimed to be withdrawing heavy weapons while barring SMM monitors from accompanying convoys of heavy weapons, including Grad rocket systems and self-propelled howitzers, to their final destinations. What may look on the surface to be a withdrawal of weapons may instead be a calculated attempt to hide a redeployment of separatist forces.

Mr. Chair, while Russia says publicly that it supports the SMM’s efforts to monitor a ceasefire and the withdrawal of heavy weapons, it continues to provide the separatists with heavy weapons and ammunition. Just yesterday (March 4), Russia sent the 17th so-called “humanitarian” convoy into Ukraine, without a full inspection by Ukrainian border guards or customs authorities, and not in conformity with international standards.

In the midst of these prevarications, the past week brought painful reminders of the cost of Russian aggression in Ukraine. The families of those killed when Malaysia Airlines flight MH17 was shot down over Ukraine were able to view wreckage of the plane for the first time, reminding us that the conflict has affected the lives of many far from the front lines.

Also this week, the Office of the United Nations High Commissioner for Human Rights issued its latest report on the human rights situation in Ukraine. According to the report, over 6,000 people have lost their lives since the conflict began. The report notes a significant increase in fatalities as a result of the assaults by Russia and the separatists on the Donetsk airport and on Debaltseve in an attempt to change the facts on the ground in advance of the February 12 implementation package negotiations. The UN report presents a worrying picture of the complete breakdown of law and order in areas controlled by the separatists, which has led to significant human rights abuses. Finally, the report reminds us yet again of Russia’s systematic abuses in Crimea directed primarily at Crimean Tatars and those who opposed the illegal so-called “referendum” a year ago.

Mr. Chair, as a sovereign state, Ukraine clearly has the right to defend itself. Time and again, Ukraine has demonstrated its willingness to find a peaceful resolution to the conflict only to be rebuffed by Russia’s refusal to abide by its commitments. It is time for Russia to take concrete actions that will lead to peace. It must implement, in full, the Minsk agreements. Russia and the separatists it backs must halt their offensive activities and put in place a genuine ceasefire. Russia and the separatists it backs must verifiably withdraw heavy weapons and allow the SMM unfettered access throughout all of Ukraine. Russia must allow the OSCE to observe its entire border with Ukraine. It must withdraw all of its weapons and personnel from eastern Ukraine. It must cease supporting the separatists within Ukraine. It must leave Crimea. Should Russia fail to live up to its international obligations and commitments, it will face further costs.

Before concluding I would like to reiterate the United States’ deep admiration and gratitude to Ambassador Apakan, Deputy Chief Monitor Alexander Hug and all of the many monitors who

serve on our behalf as the eyes and ears of the international community in Ukraine, and also our strong support for Ambassador Tagliavini and her work in the Tri-lateral Contact Group.

Thank you, Mr. Chair.