



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
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Let me begin by thanking the Special Monitoring Mission to Ukraine for its excellent work under difficult conditions. We have been following closely the SMM's reports on its efforts to monitor a ceasefire in eastern Ukraine and the withdrawal of heavy weapons from that region. While we have seen some progress on the ground as reflected in the SMM reports over the past week, it is not nearly enough. In the aftermath of the assault on Debaltseve – which was a massive initial spate of violations by Russia and the separatists it backs in the days after the ceasefire was supposed to start – violence in eastern Ukraine is much reduced. However, as I said last week, a reduction in fire is not the same as a ceasefire. Recent tank, mortar, and small arms attacks on Shyrokyne and in the area around the Donetsk airport demonstrate the need for the ceasefire to be strictly observed. Russia and the separatists it backs must stop their attacks immediately.

SMM patrols continue to face unacceptable restrictions on their movements, hindering their ability to effectively monitor and verify the withdrawal of heavy weapons in accordance with the February 12 Minsk implementation package. While both the Ukrainian military and the Russia-backed separatists have prevented the SMM from fully accompanying convoys of heavy weapons to their final destinations, the SMM reports convey an important difference between the two sides. In Ukrainian government-controlled areas, the SMM can freely move about and restrictions are the exception to the rule. In territory controlled by the Russia-backed separatists, the situation is the opposite. SMM movement is restricted, and the monitors must obtain specific security assurances from the separatists for the little movement they are allowed. As a result of these unacceptable restrictions, the SMM monitors have not been able to reach large parts of separatist-controlled territory, including most of the area along the border with Russia.

The Russia-backed separatists must allow the SMM unfettered access throughout the territory they control so that the SMM can verify the withdrawal of heavy weapons. Because the government of Ukraine has largely provided unfettered access and movement, the SMM has generally been able to make progress on verification of the Ukrainian forces' claims regarding the withdrawal of heavy weapons. Because the Russia-backed separatists have denied or restricted access, the SMM has not been able to verify the separatists' claims. The

basic point remains: the SMM does not have the unfettered, unconditional access – without exceptions or no-go zones – that it needs.

Even as we focus on the ceasefire and the withdrawal of heavy weapons, we must not lose sight of the fact that Russian forces continue to mass along the border with Ukraine, and that there continues to be evidence that Russia continues to resupply the separatists with weapons and materiel. Earlier this week, the SMM reported clear evidence that tanks have moved across the border from Russia into Ukraine near Chernoviy Zhovten. Russia must halt the flow of fighters and equipment from Russia into Ukraine. OSCE mechanisms should continue to report on the flow of fighters and equipment across the international border. To do so effectively, the SMM needs unfettered access to the border and the Russian Checkpoint Observer Mission must be expanded to cover all border crossing points and the areas in between them.

Madam Chair, colleagues, Russia agreed to allow the OSCE to observe its border in the Minsk Protocol of September 5, 2014, which Russia's Ambassador to Ukraine, Mikhail Zubarov, signed on behalf of the Russian Federation. Point four of the Protocol states, and I quote, "To ensure the permanent monitoring of the Ukrainian-Russian border and verification by the OSCE with the creation of security zones in the border regions of Ukraine and the Russian Federation." We urge the Russian Federation to comply with its responsibilities under the Minsk agreements. It is unacceptable that any signatories of the Minsk Protocol should prevent the SMM from doing the job the signatories have assigned them.

Madam Chair, the United States continues to give its full support to the SMM, and we welcome today's decision to extend its mandate for another year, and to give the SMM some of the finances it needs to perform its duties. The decision to raise the ceiling of monitors to 1,000 will give the SMM a measure of flexibility to respond to situations as they develop. In the immediate term, OSCE participating States must focus on getting the SMM the tools and technical experts that the mission's leadership has requested in order to carry out the SMM's tasks under the Minsk agreements.

The SMM's responsibilities have evolved markedly since we first adopted its mandate a year ago. Secretary General Zannier has called the SMM a "quasi-peacekeeping operation" due to the nature of the SMM's duties and the challenging environment in which it operates. We have heard the Ukrainian government's call for an actual peacekeeping operation to be deployed in eastern Ukraine. This deserves serious consideration.

Madam Chair, the United States reiterates its call on Russia to take the actions needed to bring an end to this conflict. Russia and the separatists it backs should fully respect the ceasefire and allow the SMM unfettered access to separatist-controlled territory. Russia should stop supporting the separatists and withdraw all of its weapons and personnel from eastern Ukraine. Russia should allow OSCE observation of its entire border with Ukraine. And, Russia should withdraw from Crimea. Should Russia fail to live up to its international obligations and commitments, it will face further costs.

Thank you, Madam Chair.