



United States Mission to the OSCE

Reply to the Russian Federation on Russia's Ongoing Failure to Meet its Obligations and Commitments in Ukraine

As delivered by Ambassador Daniel B. Baer
to the Permanent Council, Vienna
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Just a few points: I think it's clear that there is a logical sequence that has to happen and we have discussed this before in this chamber. And I think part of what we have heard here – relatively unanimously today – is that progress on the ceasefire, to the extent that it's durable, moves us past the first stage. We have to end the active conflict in order to be able to actually implement further steps.

I've said this before: there are no legitimate representatives of the people of the areas that are under separatist control in Luhansk and Donetsk right now. There are representatives of the Russian government. And so when Ukraine engages with them or with the Russian government in the working groups of the Tri-Lateral Contact Group, it is engaging with actors on the other side of a conflict, and trying to solve find a political solution.

There are available legal provisions that can be a basis to have local elections. And it makes sense that there should be elections to produce legitimate representatives, and there should be a commitment to ongoing negotiations and discussions on a range of topics with freely elected representatives of these areas.

So, if the Russian Federation cares about resolving this, the Russian Federation should give instructions to its proxies who are participating in the Political Working Group to look at the existing Ukrainian law, to look at what practical provisions need to be made or prepared in order to have real elections, and work with Ukraine to make that possible.

I'd like to just add two other comments: first of all, a good deal of the focus of today's conversation was about the humanitarian situation. I think it's right and important that we continue to shine a spotlight on the urgency of that situation. I think, given the decision that we took earlier today-- about the observer mission at the two checkpoints, and the comments that many of us made about the inadequacy of that – I think it's important not to lose sight of the fact that the failure of the Russian Federation to fulfill its commitment – and it was a commitment in the Minsk Protocol to have international monitoring on both sides of the international border – creates the situation that impedes legitimate humanitarian access to separatist-controlled territories.

The government of Ukraine has worked, and should continue to work, to facilitate access across the line of contact. But the absence of international monitoring on the international border makes it incredibly difficult to have proper control of all the garbage that has come

across the international border from the Russian Federation: fighters, weapons, etc. It makes it hard to have proper control [so that those things don't come into government-controlled areas,] while also having speedy access. So we shouldn't lose sight of the connection between the international border and the humanitarian situation, and the international border and the durability of the ceasefire.

Finally, I'm interested that our distinguished Russian colleague enjoys pointing us to text, and I think we should look back at text. I would remind everyone, including our distinguished Russian colleague, that the UN Charter and the Helsinki Final Act are also texts-- Russia's violation of which is what got us into this mess.

Thank you, Mr. Chair.