



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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The United States welcomes the efforts of the Normandy Format Foreign Ministers, who met in Berlin on November 6, to end Russian aggression in Ukraine and strengthen implementation of the Minsk Agreements. The talks occurred against the backdrop of rising tensions and increased ceasefire violations in Donetsk and Luhansk. While these incidents were most concentrated around the Donetsk airport, we have seen increased military activity in a number of places along the line of contact. Violations are not limited to small arms and light weapons; the SMM has reported the use of grenade launchers and mortars, as well as other heavy weaponry. This worrying increase in violence could cause the ceasefire to deteriorate altogether, and is unacceptable. There must not be a slide back into full-scale violence; we must redouble our efforts in support of the September 1 ceasefire.

We were pleased that in Berlin the sides reaffirmed their commitment to withdraw heavy weapons greater than 120 mm in caliber, as stipulated in the Minsk Agreements. We encourage agreement on a new set of heavy weapons withdrawal parameters in the Security Working Group within a month, a goal the sides set in Berlin. In this context, we note that the SMM has observed that further negotiations may need to consider the establishment of a demilitarized zone around the line of contact to prevent yet more violence, and arrangements for the storage of withdrawn weapons also need to be made.

Russia signed the Minsk agreements, and it must remove obstacles to the SMM's support for the implementation of the Minsk agreements and the SMM's verification of provisions of those agreements. The SMM can only fulfill its mandate and act effectively in support of the tenuous ceasefire when it has full access to the conflict zone. All restrictions on SMM operations must end, and the SMM must be allowed to set up forward patrol bases and patrol hubs in Russian-led separatist-controlled territory. The SMM must also have sustained, full access to the international border, which Russia and its proxies have failed to deliver.

Mr. Chair, as we near the end of 2015, and the deadline defined by the Minsk Package of Measures, we need progress now more than ever. It is now time for Russia and the separatists it backs to engage meaningfully on Ukraine's proposals for holding local elections in certain areas of Donetsk and Luhansk – elections fully in line with Ukrainian law and international standards, including the free participation of Ukrainian political parties, civil society, and media, and under ODIHR observation. A failure to do so will be a failure to implement Minsk, to which sanctions are irrevocably linked.

Under measure seven of the Minsk Package of Measures, the signatories are obliged to ensure safe access for humanitarian assistance. It is encouraging, therefore, that after three months of separatist stonewalling, the UN High Commissioner for Refugees (UNHCR) was finally able to dispatch an aid convoy to parts of Luhansk outside government control. This is as it should be, but the UNHCR Head of Operations in Ukraine said, “This is a small drop in the ocean of needs we see in the conflict affected areas.” The UNHCR has indicated that as temperatures fall, shelter assistance has to be delivered fast. In separatist-controlled Horlivka, for instance, the SMM observed homes with damaged roofs and windows – many without heat or running water. The November 7 UNHCR aid convoy cannot, therefore, be a one-off; it must be the start of a sustained flow of legitimate aid to the people who need it. While we welcome Minister Lavrov’s statement on November 6 that humanitarian organizations willing to work in the Donbas should be given the opportunity to do so, in the statement Minister Lavrov appealed only for more talks on aid. We therefore urge the Russian Federation to be clear, through both actions and statement, that all remaining restrictions on humanitarian aid must be lifted immediately.

Today there is news of yet another large Russian ‘white truck’ convoy. As the fighting on the line of contact flares, reasonable observers can ask: “What is in those trucks? Are they a resupply convoy for Russian-led separatist forces as they mount renewed attacks?” Russia has an opportunity to work with Ukraine to deliver assistance legally, with the permission of Ukraine and full inspection, and it should engage with Ukraine on its proposal. Illegal convoys should cease.

No less important is the commitment, under the Minsk Protocol, to immediately release all hostages and illegally detained persons. We underscore Russia’s responsibility to release the Ukrainian hostages it holds, including Nadiya Savchenko, Oleg Sentsov, Oleksander Kolchenko and all others.

Mr. Chair, the ceasefire is at risk. Shoring it up requires a genuine commitment to uphold the Minsk agreements, by Ukraine, and by Russia and the separatists it backs. Transparency is necessary to build confidence in the ceasefire, and this, in turn, depends on uncompromised support for, and complete access for, the Special Monitoring Mission. As aggressors in this conflict, Russia and their proxies must prove they have given up their military ambitions in Ukraine and are truly committed to full Minsk implementation.

Russia must also end its occupation of Crimea, which remains part of Ukraine and which Russia seized in violation of international law and in contravention of its OSCE commitments.

Thank you, Mr. Chair.