



**Statement on “Russia’s on-going aggression against Ukraine  
and illegal occupation of Crimea”**

As delivered by the Delegation of Ukraine  
to the 1118<sup>th</sup> meeting of the Permanent Council,  
10 November 2016

**Mr. Chairman,**

The on-going violence in Donbas is a matter of our deep concern. Despite our expectations in the wake of the Normandy Summit, the de-escalation trend can hardly get established as the shellings and attacks by the Russian hybrid forces continue and intensify. As follows from the SMM weekly report of 2 November, the Mission recorded the highest number of ceasefire violations in Donetsk oblast since late August.

The reports testify to the regular and extensive use of heavy weapons of all types by the combined Russian-separatist forces. They resorted to the use of white phosphorus bombs north-east of Mariupol. In the report of the 8<sup>th</sup> November, in particular, the SMM registers the attack by the Russian hybrid forces, launching at one time 110 missiles of MRLS “Grad” in the vicinity of Mariupol. The same report informs about SMM’s observation of continuous firing for 60 seconds from MRLS “Grad” from “DPR”-controlled Bezimenne. In the “LPR”-controlled Kadiyivka the SMM registered intensive use of artillery and MRLS “Grad” to shell Ukrainian positions. All these ferocious attacks happen with the back-up of Russia’s command and supply chain. We continue to witness that Russia flouts the very first provision of all Minsk agreements – comprehensive and sustainable ceasefire.

The toll of casualties grows. Just on 3-8 November 1 Ukrainian soldier was killed and 19 were wounded. There are reports of civilians killed and wounded.

The combined Russia-separatist forces continue to resort to deploying their positions inside and around civilian facilities. In its weekly report of 2 November the SMM again pointed out to deliberate exposure of civilians to increased risk of shelling. We reiterate our call on Russia to stop endangering the lives of civilians and using them as a human shield.

We register on-going attempts to disrupt crossings for civilians across the contact line. On 6 November the Russian hybrid forces again shelled the entry-exit checkpoint “Mayorsk”. As a result of the shelling two civilian vehicles were seriously damaged.

The vulnerability of the local population increases manifold ahead of the winter season as the Russian proxies, operating under the guise of the so-called “DPR”, impede the repairs of essential infrastructure by refusing to provide the necessary security guarantees. As stated in the SMM’s weekly report of 2 November, it was confirmed by both the Ukrainian and Russian representatives to the JCCC. It is one of those rare occasions when the Russian representatives simply cannot deny the obvious.

We note with concern that the provocations of the Russian hybrid forces continue to undermine the implementation of the disengagement initiative, which we consider promising for progress on de-escalation. Notably, almost 90% of ceasefire violations in Luhansk oblast were recorded by the SMM near Zolote/Pervomaisk disengagement area. It is critically important to make sure that these shellings are stopped.

We urge Russia to deliver on its commitments under the Framework Decision of 21 September in order to secure and build on the progress in two agreed areas of Zolote/Pervomaisk and Petrivske and to establish the necessary prerequisites for disengagement in Stanytsya Luhanska. Against the backdrop of deceitful announcements by Russian hybrid forces on alleged readiness to proceed to disengagement in Stanytsya Luhanska, it cannot happen as shellings of the Ukrainian positions and the nearby areas persist. For its part, Ukraine remains ready to proceed to withdrawing forces and hardware in this area as soon as ceasefire and other provisions of the Framework Decision are met. We also deem it important to break the deadlock over the issue of opening an entry-exit checkpoint in Zolote, which would be an important practical outcome of the disengagement initiative, improving the poor humanitarian situation in this area. We welcome the progress in the TCG in this regard.

Establishment of a sustainable ceasefire remains a top priority and basic requirement for progress towards the peaceful resolution. It is the urgent need in the interests of the population of Donbas to fully and verifiably implement the security provisions of the Minsk agreements. Deliberate escalation of violence by Moscow to link conditionality to ceasefire is a grave breach of the Minsk agreements.

### **Distinguished colleagues,**

The persistent impediments to the SMM monitoring and verification activities by the combined Russian-separatist forces have not been removed. Dispelling the myths circulated by the Russian delegation at the Permanent Council meetings, the SMM is clear in its weekly report of 2 November with regard to fewer observations of weapons in the occupied areas of Donbas – more restrictive security environment and frequent freedom of movement restrictions, including along the border areas.

According to the SMM, armed members of the so-called “DPR” and “LPR” are responsible for most freedom of movement restrictions, mainly denials of access, away from disengagement areas. We urge Russia to work towards full removal of all these restrictions to enable the SMM to perform its mandate.

Conditions for full-fledged monitoring in the border area have not been established. For instance, as follows from the Mission's report of 4 November, the SMM was able to monitor the situation in Marynivka - for 45 minutes and in Ulyanivske for 25 minutes only, which falls far short of the Minsk provision on permanent monitoring and verification at the border.

The Russian Federation continues to use the uncontrolled sections of its border with Ukraine to reinforce the illegal armed formations under its command in Donbas. According to available information, new trains with weapons, ammunition and fuel arrived last week to Illovaysk and Khartsyzsk. Notably, in its report of 8 November the SMM again registers Russia-produced portable rocket launcher GRAD-P, which has never been on the inventory of the Ukrainian Armed Forces, but is readily available for the Russian hybrid forces in Donbas and is used by them. These illegal supplies underscore the urgency of implementation of the Minsk provision on establishing a security zone in border areas of both Russia and Ukraine. We expect the border issue to receive due attention in the run-up to the Ministerial Council as well as at the Hamburg meeting itself.

We note with deep regret that the TCG meeting in Minsk yesterday again reached no progress in releasing the hostages and illegally detained persons on the basis of "all-for-all" principle. We call on Russia to stop using the Ukrainian hostages as an instrument of blackmailing Ukraine and to unblock the release process. The ICRC must be granted immediate access to the hostages in the occupied part of Donbas as it was agreed at the Normandy Summit in Berlin. We also underline that the relevant provision of the Minsk Package of measures applies equally to the Ukrainian citizens, including Oleh Sentsov, Oleksandr Kolchenko and others, who are held in illegal detention in Russia.

We find utterly unacceptable Russia's denial of access of the Ukrainian consular officials to the Ukrainian citizen Yevhen Panov, illegally detained in the occupied Crimea in August and later transferred to the territory of the Russian Federation. Russia contravened again its international legal obligations under the 1963 Vienna Convention on Consular Relations, as well as the provisions of the 1993 Consular Convention between Ukraine and the Russian Federation, which stipulates an immediate access of a consular official to a detained citizen.

**Mr.Chairman,**

We again emphasise the extremely worrisome human rights situation in the Autonomous Republic of Crimea and the city of Sevastopol, illegally occupied by Russia. The occupying authorities continue their repressive actions against the Crimean Tatar and Ukrainian communities of the peninsula, in particular by prosecuting the activists under fabricated charges.

Those, who defend them, are also subjected to pressure and provocations. We note with concern the attacks by FSB and the so-called "Crimean prosecutor's office" on Nikolay Polozov, a defense lawyer in the case of Deputy Chairman of the Mejlis Ilmi Umerov, aimed at making his participation in the legal process impossible. Mr.Polozov saw these

attacks as a warning to the entire lawyer community about dangers of defending Crimean Tatars in such politically-motivated trials, blessed by Kremlin.

We are deeply concerned about today's reports of yet another hoax concocted by Russia's secret service concerning the so called "Ukrainian subversive group" in Crimea. We strongly reject this latest fabrication, which follows a similar one of last August, and urge Russia to stop detaining Ukrainian citizens as hostages for blackmailing Ukraine.

We again urge the Russian Federation, as an occupying power, to take responsibility for halting repressions and all human rights violations on the peninsula and to allow free and unconditional access for permanent international monitoring in Crimea.

**Distinguished colleagues,**

We thank our international partners for consistency and unity in responding to the conduct by Russia of illegitimate elections in the illegally occupied Crimea by duly enlarging the sanction lists. The personal and economic sanctions, imposed on Russia in response to its aggression against Ukraine, remain a critically important instrument of rejection of Russia's blatant violations of the established security order and for stimulating Moscow's return to the tenets of international law through full implementation of its Minsk commitments and de-occupation of Crimea.

We urge Russia to restore its respect for the norms of international law and the OSCE principles and commitments, to halt its aggression against Ukraine and reverse the illegal occupation of the Autonomous Republic of Crimea and the city of Sevastopol.

**Thank you, Mr.Chairman.**