



Permanent Mission of Ukraine
to the International
Organizations in Vienna

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Statement on “Russia’s ongoing aggression against Ukraine and illegal occupation of Crimea”

As delivered by Ambassador Ihor Prokopchuk,
Permanent Representative of Ukraine to the International Organizations in Vienna,
to the 1182nd meeting of the Permanent Council,
19 April 2018

Mr. Chairperson,

As repeatedly reiterated by the delegation of Ukraine in this hall, the major obstacle to progress in resolving the armed conflict in Donbas is the continuing denial by the Russian Federation of its role as an instigator and a party to this conflict. The irrefutable evidence of Russia’s direct involvement has been collected and presented, including to the International Criminal Court which undertook the examination of the case. In this context I would also like to draw attention of the participating States to the findings included in the interactive database concerning Russian aggression against Ukraine, which was presented last week, on 12 April, by “InformNapalm” international volunteer community. This publicly available database lists 89 Russian military and law enforcement units from across the territory of the Russian Federation whose active servicemen were linked to aggression in Donbas. The 44 types of exclusive Russian weaponry and military equipment, found in Donbas and included in the second category of the database, could not have been “captured in combat”, as claimed by the Russian side, and originated directly from the Russian Federation, including “Zhitel” jamming station and “Orlan-10” UAV, spotted repeatedly by the SMM patrols.

The ongoing presence of a large Russian invasion force on the Ukrainian territory continues to fuel violence in Donbas. Following the recommitment to cease fire which came into effect on 30 March, the last SMM weekly report recorded 10% more ceasefire violations compared to the previous week. The Russian armed formations keep shelling Ukrainian positions, including from the Minsk-proscribed weapons, putting at risk the lives of civilians and Ukrainian servicemen and making them respond in some cases to suppress militants’ fire and save human lives. The past week witnessed the use by the Russian armed formations of a variety of heavy weapons and calibers, including 152 mm and indicating a potential for escalation. Persistent unwillingness of the Russian Federation to seek improvement of the situation in the conflict-affected parts of Donbas is exemplified in yet another attack

on the staff of the Donetsk water filtration station on 17 April leaving five of them wounded.

Distinguished colleagues,

Consistent attempts by the Russian side to evade responsibility for non-implementation of undertaken commitments and continuing fuelling of the conflict have a systematic and considerable negative impact on the safety and security of SMM monitors. At the Chervona Mohyla railway station, which is regularly used for Russia's military supplies, the Russian fighters threatened the SMM patrol "to unleash the guard dog the next time the SMM would be in the area." In Uzhivka, they fired a warning shot into the air to intimidate the patrol, which was at that time registering tanks and armoured personnel carriers located near civilian houses. On 15 April, the SMM's mid-range UAV was shot at in Russia-occupied territory 6km east of the Petrivske disengagement area which made the patrol to immediately leave the location. As registered in the SMM weekly report of 10 April, the Russian fighters restricted monitors' access and movement on 19 occasions. They also acknowledged jamming of the SMM long-range UAVs, calling it the use of "technical countermeasures". Obviously, the Russian authorities do not take seriously numerous appeals addressed to them at each meeting of the Permanent Council. Such attitude of the Russian Federation to civilian unarmed monitors is unacceptable and runs contrary to its commitments. We urge the Russian side to lift all restrictions affecting the SMM and take the necessary measures for security of the monitors.

We also urge the Russian side to refrain from staging a negative information campaign against the SMM or drawing the SMM patrols into Russian campaign of disinformation. On 13 April, for example, two Russian fighters, "each holding cameras and filming the SMM", alleged that a repair team at the Petrivske pumping station had come under small-arms fire and showed the SMM broken glass from the passenger-side window of the repair vehicle. "The SMM noted that the outer pane was cracked but that the inner pane was intact", and "could not confirm the small-arms fire."

For our part, we reaffirm the commitment of the Ukrainian side to ensure the security of the Mission's personnel and its freedom of movement in accordance with the mandate and to resolve isolated shortcomings if they emerge. On 13 April, the SMM informed the Ukrainian part of the JCCC that it was prevented from proceeding through Trokhizbenka checkpoint, and "later the same day, the SMM was able to pass the same checkpoint".

Mr. Chairperson,

Last week the SMM reported about spotting, on 13 April, the Russian fighters "loading and firing four rounds of a mortar or artillery system ... 200 metres north-west from inhabited civilian houses in Yasynuvata". This is a telling example of standard behavior of the Russian armed formations: blatant disregard for the commitments on withdrawal of heavy weapons and blatant disregard for the lives of civilians. This disregard for civilians and for the future of the region is also amply manifested in the SMM reporting about the intentions of the Russian occupation

administration to shut off pumps at the Yunkom mine in Bunhe 43km north-east of Donetsk. I will recall that in 1979 a nuclear device was exploded at depth of this mine to relieve the tension in its structure and since then the radiation levels were monitored in the area. The pumps' shut-off will lead to flooding of the mine, resulting in unpredictable consequences of radioactive contamination of drinking water.

Effectively, in addition to physical destruction of industrial facilities in the occupied part of the Donbas region, now the Russian authorities threaten radioactive contamination in the area. We strongly urge Russia to abandon the intentions of flooding the Yunkom mine to avert a catastrophe. The civilian population and the future of the region must not be made victim of such irresponsible actions and deliberate provocations. We invite the OSCE to carry out without delay a technical inspection of the mine by international experts.

Mr. Chairperson,

Exactly one year ago, on 19 April 2017 the International Court of Justice recognized the validity of Ukraine's claims in the submitted case "Ukraine against Russia" and decided to order provisional measures with a view to ceasing violation of the Convention on the Eradication of all Forms of Racial Discrimination. In particular, with regard to the situation in Crimea the Court ordered that the Russian Federation must refrain from maintaining or imposing limitations on the ability of the Crimean Tatar community to conserve its representative institutions, including the Mejlis, and to ensure the availability of education in the Ukrainian language. To this very day, the Court order remains ignored by the Russian Federation.

The Russian Federation persists in its flagrant defiance of the fundamental principles of international law. Without the consent of the Government of Ukraine, the Russian authorities continue building a road-and-rail bridge across the Kerch Strait, which will lead to a significant reduction of ship calls to the Mariupol and Berdyansk seaports, further undermine the social-economic stability in Ukrainian regions already negatively affected by Russia's illegal occupation of Crimea and armed aggression in Donbas, will have a significant negative environmental impact. Ukraine continues to closely monitor any Russia's activities that violate Ukraine's rights, sovereignty and territorial integrity and will continue to take steps for inclusion of respective companies into the sanctions list. The Russian authorities and companies must realize the cost of aggression and violation of the rules-based order - the choice they have opted for four years ago. There is another option that could benefit all – Russia's restoration of respect for its obligations under international law and for the OSCE principles and commitments. This option depends on decisions to be taken in Moscow.

We again urge the Russian Federation to reverse the illegal occupation of Crimea and Sevastopol, and to stop its aggression, including by withdrawing its armed formations from the temporarily occupied territories of Ukraine and fully implementing its commitments under the Minsk agreements.

Thank you, Mr. Chairperson.

Additional remarks by the Permanent Representative of Ukraine:

Mr. Chairperson,

I take note of the statement by the delegation of Hungary. Procedurally let me note that the views of the Government of Hungary on the Ukrainian Law on education were expressed under a current issue, introduced by the delegation of Hungary and titled on the newly adopted education law in Ukraine, on 28 September 2017. The delegation of Ukraine provided extensive clarifications on the subject.

Today the delegation of Hungary largely echoed its original views and did so under the current issue, introduced by the delegation of Ukraine and titled “Ongoing Russia’s aggression against Ukraine and illegal occupation of Crimea (Ukraine).”

I maintain that the two topics are essentially different and should be dealt with separately if Hungary has genuine concerns about implementation of the OSCE commitments in the human dimension.

The statement of the Hungarian delegation will be conveyed to the capital, carefully examined and we will deliver our response as early as possible under an appropriate agenda item.

In the meantime, I will assure the distinguished Hungarian Representative that Ukraine implements the national Law on Education taking in full consideration the recommendations of the Venice Commission released on 11 December 2017. In connection with these recommendations I also draw attention of the Permanent Council to my letter of 12 December 2017, circulated to all delegations of the OSCE participating States.

Thank you, Mr. Chairperson.