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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 James S. Gilmore III
to the Permanent Council, Vienna
September 5, 2019

Thank you, Mr. Chairperson.

Ambassadors Çevik and Sajdik, we are pleased to welcome you again to the Permanent Council. The United States appreciates your efforts to help bring about a peaceful solution to this multi-year conflict and you can count on our support for the work that you are doing.

Ambassador Sadjik, the United States welcomes the July 21 recommitment to the ceasefire. Now in its sixth week, the recommitment is generally holding, with ceasefire violations lower than prior attempts. Casualty figures since the recommitment to the ceasefire are significantly lower than earlier in the summer, which saw a number of Ukrainian civilian deaths.

During the most recent meeting of the Trilateral Contact Group, the sides continued to discuss the details for repairing the bridge -- as you have discussed -- at the Stanytsia-Luhanska crossing point. Thousands of local Ukrainian citizens depend on that bridge to cross the *Line of Contact* in order to conduct their daily activities within their country.

The repair and reopening of the bridge will improve the lives of Ukrainian communities that have endured this conflict for five long years. Ambassador Sajdik, as disengagement continues at Stanytsia-Luhanska, we commend your efforts to achieve this goal.

Ambassador Çevik, the work of the Special Monitoring Mission (SMM) is invaluable to our understanding of the situation on the ground, which we think we do understand. Working in difficult and challenging conditions, the monitors provide accurate reporting on developments within the conflict areas, often at risk to their own lives. The reports of explosions and gunfire near monitors in Pikuzy in recent days underscore this point and reveal the dangers our monitors face on a daily basis. Ensuring the safety and security of the Monitoring Mission must be a priority for all participating States. The SMM must have safe access to the entire territory of Ukraine, including Crimea.

This Permanent Council provided the SMM with a clear mandate to monitor the conflict and report its impact on the citizens of eastern Ukraine. Yet, the Mission continues to face daily restrictions, and its UAV assets were subjected to gunfire and signal interference on 218 occasions between June and August. On 18 occasions the Monitoring Mission's UAVs encountered small arms fire. Targeting these valuable assets damages the ability of the SMM to monitor the situation on the ground, and we call on both sides to refrain from interfering with UAV flights.

According to Ambassador Çevik's most recent report, the Mission's movement was restricted 157 times between June 21 and August 11. All but nine restrictions occurred in territory held by Russia-led forces. Russia must cease such systemic restrictions of the monitors' movement by the forces it arms, trains, leads, and fights alongside.

In early August, attacks by Russia-led forces against Ukrainian Armed Forces resulted in the deaths of four Ukrainian soldiers. Several additional service members lost their lives in recent weeks. On July 25, a woman was killed in Zaitseve by a mine buried in the garden of a civilian residence. The United States deplores the continued loss of life in Ukraine and calls upon Russia to put an end to its attacks against the Ukrainian Armed Forces. We urge both sides to fully adhere to the conditions of the recommitment to the ceasefire and to take additional steps to ensure that it lasts. We call on Russia to end its ongoing aggression in eastern Ukraine, take the steps necessary to end this conflict as delineated in the Minsk agreements, and abide by the principles of the Helsinki Final Act. Maybe this new ceasefire is a starting point in that process.

The United States expresses continued concern for the 24 Ukrainian crew members -- as was previously denoted -- seized by Russia in November near the

Kerch Strait. They have languished in Russian prisons for more than nine months now, and we call for their immediate release.

In the area of human rights that are affected, the United States is deeply concerned about mounting pressure on and harassment of Crimean Tatars and activists in Russia-occupied Crimea. An *in-absentia* arrest order was filed against exiled Crimean Tatar journalist Gulsum Khalilova on August 1. Khalilova was accused of “participation in an armed formation in the territory of a foreign state” for alleged activities in Ukraine – a nonsensical charge given Crimea’s internationally-recognized status as part of Ukraine. Another Crimean Tatar activist, Dilyaver Gafarov, was sentenced in August to 10 years imprisonment for allegedly participating in the same supposed “armed battalion.” We were relieved to hear the seriously ill Crimean Tatar activist Edem Bekirov was released from detention on humanitarian grounds. We call on Russia to release all the other Crimean Tatars and Ukrainians it has wrongfully imprisoned. We are particularly troubled by reports that at least three Crimean Tatar prisoners have been subjected to punitive psychiatric detention in Simferopol since late July a true regression of rights.

While Moscow would have us all believe its presence in Crimea is an expression of the local citizens’ right to self-determination, the reality is Russia’s presence in Crimea is predicated on an invasion and a sham referendum condemned by a UN General Assembly resolution. On July 25, 2018, Secretary Pompeo issued the *Crimea Declaration*, which underscored the United States’ refusal to recognize the Kremlin’s claims of sovereignty over Crimea. We affirm that refusal again today.

Mr. Chairperson, as Vice President Pence made clear following his September 1 meeting with Ukrainian President Zelenskyy, the United States fully supports Ukraine’s sovereignty, independence, and territorial integrity within its internationally recognized borders, including its territorial waters. We do not, nor will we ever, recognize Russia’s purported annexation of Crimea. Any OSCE country that recognizes a taking by force undermines the very foundation of the OSCE itself. We join our European and other partners in affirming our Minsk-related sanctions against Russia. They will remain in place until Russia fully implements its Minsk commitments. The separate, Crimea-related sanctions will remain in place until Russia returns full control of the peninsula to Ukraine. To do otherwise opens the door once again to a European future based on war and conquest.

Thank you, Mr. Chairperson.

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