

**Statement by Minister for Foreign Affairs of Ukraine Pavlo
Klimkin
at the 21st Meeting of the Ministerial Council of the OSCE
(Basel, 4 December 2014)**

**Mr. Chairman,
Excellencies,
Ladies and Gentlemen,**

I would like to thank the Swiss Chairmanship-in-Office for hosting the meeting as well as for its efforts in leading the Organization through this challenging year.

I would like to start with mentioning one anniversary to be marked tomorrow. On 5 December 1994 the Budapest Memorandum on Security Assurances was signed in connection with Ukraine's accession to the Treaty on the Non-Proliferation of Nuclear Weapons.

The credibility of this document, providing assurances for preserving Ukraine's security, territorial integrity and political independence in exchange of my country's voluntary renouncement of the world's third largest nuclear weapons arsenal, was destroyed this year by one of the signatories, namely by Russia.

A similar fate threatens the Helsinki Final Act unless we maintain full resolve to safeguard it as the core OSCE principles it enshrines have been violated and remain under systematic attack.

The Russian aggression against Ukraine, which resulted in illegal occupation and annexation of the Autonomous Republic of Crimea and the city of Sevastopol, as well as escalation in Ukraine's east, not just violated my country's territorial integrity and sovereignty, but also undermined European security and continues to imperil the regional and international peace and stability.

The consequences of the aggression are dire and well known – a serious deterioration of the situation on the Crimean peninsula in the human rights sphere, prosecution on political and ethnic grounds are becoming a fact of everyday life in the Crimea under the Russian rule, the break-down of law, numerous deaths and widespread destructions in Ukraine's Donbas.

Ladies and gentlemen,

In the course of the year we have extensively used different options from the OSCE toolbox to address the crisis in and around Ukraine. I would like to use this opportunity to express our full support for the activities of the OSCE Special Monitoring Mission to Ukraine. We also extremely appreciate the OSCE Chairmanship engagement in the work of the Trilateral Contact Group.

At the same time, the general effect of the OSCE instruments, including those from the politico-military toolbox, used in response to crisis has been very limited. It means the

Organization should take more decisive measures to identify solutions aimed at responding effectively to existing and emerging challenges. Otherwise we risk that the OSCE will slip into oblivion as an irrelevant body. The history provides us with numerous examples on the matter.

Lack of resolve to safeguard the core principles would mean appeasing the aggressor and witnessing the repeated Russia's ill-masked attempts to present itself as a righteous fighter with Nazi ideology, while its leadership publicly expresses admiration for the appalling work of the its ideologists.

If the OSCE is to reinvent itself as a relevant organization capable of efficiently addressing the challenges of nowadays, tangible and concrete progress is needed in certain areas.

First of all, we need to restore confidence. The level of confidence between participating States will not be restored until the violations of the fundamental OSCE principles and commitments are corrected and respect for them renewed. This means also the end of illegal occupation of Ukraine's Crimea and the city of Sevastopol.

Second, we need to see recommitment to the peaceful settlement of crisis situations based on the norms and principles of international law, in particular, on respect for sovereignty and territorial integrity of states within their internationally recognized borders.

Third, we need to strengthen OSCE's role and instruments in preventing conflict from emerging. Based on the present lessons it means: effective prevention and halt of aggression against an OSCE participating State; means of enforcement against a violator of the OSCE principles and commitments; mechanisms to safeguard correction of the violations of fundamental OSCE principles and commitments and restoration of respect to them.

Forth, we need to effectively update confidence and security-building measures of the Vienna Document to bring it in line with the realities of today's security environment. The existing conventional arms control regime also requires modernization.

Fifth, we need to unite our efforts in combatting propaganda. The disgraceful abuse of journalists and media to incite hatred and violence cannot under any circumstances be defended under the pretext of protecting the freedom of speech. Let us not forget that propaganda is not conducive to fostering an active debate and exchange of diverse views and opinions, rather it results in sharp curtailing of the freedom of speech. Tolerating propaganda is equal to undermining the freedom of media.

Moreover, any misuse or abuse of media status and press insignia to conceal unlawful or even terrorist activities as were the cases in Ukraine with some Russian journalists and even a film actor are unacceptable and must be strictly prohibited.

Sixth, we should further strengthen OSCE human rights protection mechanisms to address new challenges. Unprecedentedly, Russia kidnaps our citizen and illegally keeps them there turning down every legitimate request to return them to Ukraine. Destinies of political prisoners Nadiya Savchenko, member of our parliament, Oleg Sentsov, film director accused by Russia of being a terrorist, Olexandr Kolchenko, antifascist activist accused by Russia of being a fascist, and their fellow Olexiy Chyorny should be in the spotlight of this organization if its mission is still about defending freedom, democracy and the rule of law.

And finally, consensus rule has always played an important role in this organization, but we must not allow it to be an impediment to effective action in crisis situations and conflict prevention and resolution.

Today I brought for the attention of this distinguished audience a document. We call it **Declaration on Ukraine**. I brought it not for the sake of consensus, since I am fully aware that it is impossible in current OSCE realities. My intention is just to express our vision on what language we would like to be used in the OSCE documents: **clear language to defend clear commitments and OSCE principles**. If we really want to be instrumental on international scene we have to call a spade a spade. It will help us to find a relevant and most effective way to tackle a problem based on a simple “Three C’s” formula: *Commitments cannot be Compromised for Consensus*.

This new beginning will also be the end for those who neglect rules for achieving their vicious purposes. **Have a look at this video** (<https://www.youtube.com/watch?v=KqJdQYGe0sA>) as an illustration to my words. Russia-backed terrorists are shelling Ukrainian forces from the very heart of the residential area in Donesk, eastern Ukraine. They know for sure that Ukrainians will not return fire at homes and civilians. Indeed, it’s hard to abide by rules but we will keep doing it as they are the thin red line that separates civilization from barbarity.

Mr.Chairman,

We look forward that the incoming Serbian Chairmanship places the issues of safeguarding strict adherence to the principles of the Helsinki Final Act and commitments undertaken on the top of the OSCE agenda for 2015.

We wish Serbia success at the helm of the OSCE and look forward to closely cooperating towards strengthening our Organization, stopping aggression and restoring respect for the core OSCE principles and commitments.

Thank you, Mr.Chairman.

Minister for Foreign Affairs of Ukraine Pavlo Klimkin at Basel Ministerial Council meeting:

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Declaration on Ukraine

1. We, the members of the Ministerial Council of the Organization for Security and Co-operation in Europe discussed issues related to the current developments in and around Ukraine as well as measures to effectively respond to threats and challenges emanating from the ongoing violations by the Russian Federation of the core OSCE principles.
2. Reconfirming our **full adherence to the UN Charter and to all OSCE norms, principles and commitments** to which we have agreed, starting from the Helsinki Final Act, the Charter of Paris, the Charter for European Security and other OSCE documents, we stress that their undeviating observance by all OSCE States constitutes a basis for maintaining the lasting peace and security in Europe.

Any actions or attempts aimed at partial or total disruption of the national sovereignty and territorial integrity, interference into internal affairs of sovereign states constitute significant threats to stability and security for the whole OSCE area. Therefore we **urge the Russian Federation to stop aggression against Ukraine** and to fully comply with its obligations under the UN Charter, the Helsinki Final Act and other norms and principles of international law.

3. We reaffirm our strong **support to the sovereignty, political independence, unity and territorial integrity of Ukraine** within its internationally recognized borders as set forth in the UN General Assembly Resolution “Territorial Integrity of Ukraine” 68/262 of 27 March 2014, and call upon the Russian Federation to do likewise.

We strongly **condemn illegal annexation of Autonomous Republic of Crimea** and the City of Sevastopol by the Russian Federation and we will never recognize it. We condemn the deterioration of the human rights situation on the Crimean peninsula since its occupation by the Russian Federation and call for full and unrestricted access there to the monitoring missions of the OSCE, UN and the Council of Europe.

4. We are deeply concerned with the **developments in certain areas of Donetsk and Luhansk regions of Ukraine**, where Russian troops and Russia-backed illegal armed groups continue their terrorist activities threatening the constitutional order of Ukraine, inflicting losses upon civilian population and Ukrainian forces, damaging civilian infrastructure.
5. The **OSCE is the key international organization** with experience, expertise and instruments to assist in resolving the crisis in and around Ukraine. We support the efforts of the OSCE in the

settlement of the conflict in Donbas and express our consolidated support for further use of its full potential.

6. The **Trilateral Contact Group** consisting of senior representatives of Ukraine, the Russian Federation and the OSCE Chairperson-in-Office continues to play crucial role in implementing the Peace Plan and facilitating dialogue between all concerned.
7. The **Minsk arrangements** should continue to serve as the relevant framework and reference point for steps towards de-escalation and peaceful settlement of the conflict in Donbas based on respect for Ukraine's unity, sovereignty, independence and territorial integrity within its internationally recognized borders.

We urge the Russian Federation as the signatory of the Minsk arrangements to assume its responsibility for their full implementation as well as exercise its influence over the illegal armed groups to this end. In particular, we call upon the Russian Federation to immediately withdraw its forces and military equipment from Ukraine; to stop further penetration of military personnel, "mercenaries", weapons and military equipment into Ukrainian territory; to provide full support to OSCE monitoring efforts in accordance with the Minsk Protocol, including along the Ukrainian-Russian border.

In the absence of visible progress on these issues and towards de-escalation of the situation we remain committed to consider further restrictive measures against the Russian Federation.

8. We welcome the important **role of the OSCE Special Monitoring Mission** in Ukraine in monitoring of the implementation of Minsk arrangements. The SMM shall ensure continuous monitoring of the situation in and around the area of cessation of use of arms and entire territory of Donetsk and Luhansk regions of Ukraine currently under control of illegal armed groups, including along the Ukrainian-Russian state border on the Ukrainian side. We call on the Russian Federation to exercise its influence over the illegal armed groups to ensure full and unrestricted access, security and freedom of movement of SMM monitors in the territories under their control.

Implementation by the SMM of increased monitoring tasks demands that it should be speedily enlarged and properly equipped with necessary technical means. We appreciate contributions of OSCE participating States to the budget of the SMM and emphasize the need for further financial and in-kind contributions to ensure effective functioning of the SMM.

9. We reiterate **that resumption of efficient control at the Ukrainian-Russian border under the OSCE monitoring** is critical for sustainable de-escalation and peaceful resolution of the situation in the east of Ukraine. We believe that the **mandate of the OSCE Observer Mission**, currently stationed in Gukovo and Donetsk checkpoints, **should be extended** to conduct monitoring and verification at all relevant checkpoints in the Russian territory bordering the Donetsk and Luhansk regions of Ukraine, as well as at the areas between those checkpoints. We call on the Russian Federation to demonstrate its full commitment to implementation of the Minsk arrangements in good faith and to allow proper and comprehensive permanent monitoring on the Ukrainian-Russian State border and verification by the OSCE.
10. We do not recognize so called elections held by self-proclaimed entities of Donetsk and Luhansk on November 2, supported and respected by the Russian Federation, which were illegal, ran counter to the letter and spirit of the Minsk Protocol of September 5 and thus severely undermined the peace process and de-escalation efforts.

We reaffirm our full support to the idea of holding local elections in accordance with Ukrainian law, as provided for in the Minsk Protocol, as the inclusive instrument to involve to population of certain areas in Donetsk and Luhansk regions of Ukraine into all-inclusive national dialogue.