



Permanent Mission of Ukraine
to the International
Organizations in Vienna

Statement on Russia's ongoing aggression against Ukraine and illegal occupation of Crimea

As delivered by Ambassador Yevhenii Tsymbaliuk,
Permanent Representative of Ukraine to the International Organizations in Vienna,
to the 1265th meeting of the Permanent Council,
30 April 2020

Mr. Chairperson,

Last week, the SMM recorded about 40 per cent more ceasefire violations in Donbas. The ongoing deterioration of security situation is marked by growing number of blatant violations of the Minsk agreements by the Russian armed formations. The use of heavy weapons, grenade launchers, heavy machine guns and small arms continues to raise the death toll amongst Ukrainian servicemen and jeopardize the lives of civilians. For instance, on Tuesday, the Russian proxies shelled Ukrainian military positions near Zolote disengagement area from 152mm artillery, leaving a Ukrainian serviceman dead.

The issues related to the Minsk agreements and Normandy Four arrangements are being discussed today, on 30 April, during the online meeting of the N4 Foreign Ministers. We hope this meeting would allow to outline solutions necessary for reaching long-overdue ceasefire and moving forward in fulfillment of the mutual commitments. The TCG will then do its best to implement them in practice. This should pave the way for the next N4 leaders summit in Berlin. Ukraine acknowledges the importance of continuing negotiations aimed at reaching peace in Donbas. This was in particular noted on Monday 27 April during a phone conversation of President of Ukraine Volodymyr Zelenskyy with President of the French Republic Emmanuel Macron.

One of the key elements of reaching comprehensive and, even more important, sustainable ceasefire, is its verification by the OSCE SMM. Monitoring and verification by the OSCE is an integral part of the Minsk agreements. We deeply regret that the Russian Federation continues to flagrantly violate them by denying the SMM possibility to observe security situation on the ground and report to the participating States. In the last two weeks, the Mission reported on 49 active restrictions of its freedom of movement in Russia-occupied parts of Donbas. In the same period, in government-controlled areas of Donbas, there was none of them.

This goes in line with the previous trends, widely highlighted in the recently released SMM thematic report on restrictions to the freedom of movement and other

impediments to fulfilment of its mandate, covering the second half of 2019. As in previous reporting periods, such restrictions occurred overwhelmingly (93 per cent) in Russia-occupied parts of Donetsk and Luhansk regions. While in total, the Mission's freedom of movement was restricted almost 25 per cent more often (450 to 566), this number in government-controlled areas has, by contrast, decreased (from 50 to 38).

All this had happened even before the denial of crossing the contact line for the SMM patrols was imposed by the Russian side in March this year. The continued inability of the SMM to enter Russia-occupied areas of Donbas from its government-controlled parts remains the gravest challenge to the Mission's ability to implement its monitoring mandate. When one patrol is stopped at the contact line by Russian proxies, that is only case for the SMM statistics of denials of access. What it means in practice, is that this patrol will be neither able to visit a heavy weapon storage, nor reach a border area to observe illegal crossings. The Russian tanks will be free to move between occupied cities, and the Russian side will continue to state that, I quote, "we are not there". In both most recent SMM weekly reports, all Minsk-proscribed weapons were registered with the use of UAVs. This is because no patrols were allowed to do that job.

The SMM faces similar restrictions to the use of its cameras and movement of those patrols, which are already present in the occupied parts of Donbas. Two SMM cameras cannot be accessed and remained non-operational since 1 April, as the Russian armed formations left unanswered three separate requests sent to them for mine clearance around the SMM camera sites at Oktiabr Mine. Near Petrivske, the SMM requested to remove an anti-vehicle mine near a local road used by the Mission to reach the respective disengagement area. This request has also been ignored. There is no need to remind on the danger of anti-vehicle mines for the SMM patrols: only last week, we paid tribute to the SMM paramedic who lost his life three years ago.

We thank the SMM, which continues to operate even under very difficult circumstances in Russia-occupied parts of Donbas. Of utmost importance remains monitoring of the areas adjacent to the uncontrolled segment of the border. According to the data provided by Ukrainian Ministry of Defense, in the first three weeks of April, the Russian side sent up to 20 armored vehicles, more than 30 trucks and nearly five thousand tons of fuel across this segment of the border. Even very sporadic visits of the SMM patrols, as was the case last week to Chervona Zoria, Dmytrivka, Dibrivka, Uspenka and Marynivka, are much appreciated, as they limit to some extent Russia's ability to send its illegal supplies.

Additional weapons, fuel and ammunition are not the only ways to strengthen its connection to the occupied parts of Ukraine, which are used by the Russian side. Russia also continues to hand out its passports to the residents of occupied regions of Donbas, in order to have Russian citizens as a pretext for preservation of its control of the respective territory. Recent amendments to the Russian legislation cancelled a state fee to be paid by applicants for such passports, and lifted the requirement of five years of permanent residence for all citizens of Ukraine (as well as three other countries) on the territory of the Russian Federation.

Creeping integration of the occupied parts of Ukraine continues in the Crimean peninsula as well. Any activities of the Mejlis of the Crimean Tatar people, which four years ago was declared by Russia as an extremist organization, remain banned. Systematic persecutions of Crimean Tatars and their representative bodies go on. The introduced ban on Mejlis enables the Russian occupying authorities to put behind bars for up to 8 years about 2,500 members of its national and local bodies, or anyone participating in its gatherings.

This ban, in conjunction with the mass persecution of political leaders, activists, human rights activists, journalists, lawyers, and other representatives of the Crimean Tatar people, represents a clear manifestation of racial discrimination. To bring Russia to responsibility for this flagrant violation of international law, Ukraine initiated a case against it in the UN International Court of Justice in 2017 and a request to the ICJ to take appropriate provisional measures. In April 2017, ICJ by its Order, inter alia, obliged Russia to, I quote, “refrain from maintaining or imposing limitations on the ability of the Crimean Tatar community to conserve its representative institutions, including the Mejlis”. Until now, this ICJ order has been deliberately ignored by Russia. We call on participating States to keep pressure on Russia in connection with its violations of the international law, and to make it in particular fulfil the ICJ Order and stop the oppression of the Crimean Tatar community in Crimea.

We again urge the Russian Federation to reverse its illegal occupation of Crimea, militarization of the Black Sea and the Sea of Azov, and to stop its aggression against Ukraine, 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.