



EUROPEAN UNION

OSCE Permanent Council No. 1224 Vienna, 4 April 2019

EU statement in Response to Briefings by the Special Representative in Ukraine of the OSCE Chairperson-in-Office and in the Trilateral Contact Group, Ambassador Martin Sajdik and the Chief Monitor of the OSCE SMM, Ambassador Ertugrul Apakan

Mr. Chairperson, the European Union welcomes Ambassador Apakan and Mr Rémi Dufлот on behalf of Ambassador Sajdik to the Permanent Council and commends them for their perseverance, dedication and tireless efforts in working towards sustainable peace in Ukraine. We welcome that the SMM mandate was finally extended for another year and its budget adopted last week. We regret, however, the delayed adoption of the decision which caused uncertainty for our monitors on the ground and burdened the Mission unnecessarily. We would be grateful if you could share with us if the delay may have further consequences for the operations of the SMM.

The EU fully supports the efforts of the Trilateral Contact Group and its working groups and we commend you for once again preparing the grounds in the TCG for securing a recommitment to ceasefire. We deeply regret, however, that the sides did not adhere to their own commitments making the 8 March recommitment the shortest lived ceasefire in almost two years. We expect the sides to recommit and to adhere to ceasefire on the occasion of the Easter holidays and we call on them to show the necessary political will to work for a permanent and sustainable ceasefire. We would welcome the discussion at the TCG of additional measures that would help enable such a sustainable ceasefire.

Civilians continue to suffer under the ongoing fighting and the persistence of heavy weapons in populated areas. Shelling and small-arms fire damage houses, schools

and infrastructure. During this reporting period the SMM corroborated reports of 11 civilian casualties of which two lost their lives. Danger posed by mines present close to populated areas, essential roads and in the vicinity of frequently used entry-exit checkpoints is only adding to the hardship of the local population. Despite repeated calls and in violation of all commitments, the sides continue to lay additional mines.

The EU strongly condemns that new types of mines including sophisticated and technologically advanced anti-personnel and anti-vehicle mines are to be found on both sides of the contact line. We urge the sides to commence comprehensive demining. We call on them to refrain from laying new mines, and to mark, fence and clear existing mines and reduce the risk that civilians as well as our monitors face on a daily basis. Ambassador Apakan, we welcome that your efforts have resulted in some humanitarian demining being carried out on both sides of the contact line. This shows that it can be done and we urge further steps in this regard.

We are profoundly concerned that progress with regards to disengagement has come to a complete halt. As you point out, the Mission continues to observe military presence, mines, fresh craters and fighting vehicles inside all three disengagement areas despite commitments undertaken. We are deeply concerned about this situation and condemn that explosions happen as close as 70 metres from our monitors in those areas. The situation further exposes the remaining civilians and essential civilian infrastructure such as hospitals and schools in the nearby villages on both sides of the contact line to shelling and shooting.

Ambassador Apakan, the EU denounces the restrictions that are persistently put on our monitors. On 14 March after yet another loss of a Long Range UAV, you repeated your call for safe, secure and unconditional access for the monitors and their assets, which we fully support. We reiterate our position, that the operational, security and financial consequences of all obstructions must be assessed. Those responsible for any willful damage, destruction or loss of SMM UAVs and other assets should be held accountable, both politically and financially. We condemn that the monitors are also systematically prevented from accessing certain border areas held by Russia-backed armed formations, the Crimean peninsula and coastal areas east of Mariupol.

Our position on the unjustified use of force by Russia at the Kerch Strait on 25 November 2018 and its negative impact in the Azov Sea and Russia's violations of international law is well known. We strongly call on Russia to release the crew

members and return their vessels unconditionally and without delay. We expect Russia to ensure unhindered and free passage through the Kerch Strait to and from the Azov Sea, in accordance with international law. The increasing militarization of Crimea continues to impact negatively the security situation in the Black Sea region. We encourage the SMM to continue its monitoring and reporting on the situation in the coastal area of the Sea of Azov.

We remain deeply worried about the deteriorating human rights situation in illegally annexed Crimea where, as recently highlighted by a UN report, Crimean Tatars continue to be disproportionately affected by police raids and prosecuted under terrorism and extremism-related offences in proceedings falling short of human rights standards. In this context we strongly regret that the Russian Federation refuses to grant access to the SMM in accordance with their mandate. At last week's Permanent Council we voiced our concern over reports about house searches and detentions. A court in the Crimean peninsula has subsequently ruled that all 23 Crimean Tatars detained on 27 March and 28 March will be held in pre-trial detention until 15 May. The European Union does not recognise the enforcement of Russian legislation in illegally annexed Crimea and Sevastopol and expects Russia to end these practices and release without delay all illegally detained Ukrainians. The EU calls for full compliance with international human rights standards in the peninsula.

The EU remains firm in its call on all sides to swiftly and fully implement the Minsk agreements and honour their commitments in full in order to achieve a sustainable political solution to the conflict in line with OSCE principles and commitments. We call on Russia to fully assume its responsibility in this regard and to use its considerable influence over the armed formations it backs to meet the Minsk commitments in full. Respect for these principles and commitments must be restored. We again call on Russia to immediately stop fuelling the conflict by providing financial and military support to the armed formations, and we remain deeply concerned about information on the presence of Russian military equipment and personnel in areas held by Russia-backed armed formations. The duration of the European Union's economic sanctions against Russia is linked to the complete implementation of the Minsk agreements.

The EU recalls its unwavering support to the sovereignty, territorial integrity, unity and independence of Ukraine within its internationally recognised borders, and calls upon Russia to do likewise. We urge Russia to uphold these fundamental principles

that it has itself invoked many times and to contribute, by acts and public pronouncements, to stabilising the situation and reversing moves that contravene these principles. We strongly condemn the clear violation of Ukrainian sovereignty and territorial integrity by acts of aggression by the Russian armed forces since February 2014 and the illegal annexation of the Autonomous Republic of Crimea and the city of Sevastopol to the Russian Federation, which we will not recognise. The European Union will remain committed to fully implement its non-recognition policy, including through restrictive measures.

Mr. Chairman, we once again thank Ambassadors Sajdik and Apakan for their ongoing invaluable work. We also welcome the timely decision of the Slovak Chairmanship to appoint Ambassador Cevik as SMM Chief Monitor as of 1 June 2019.

The Candidate Countries NORTH MACEDONIA*, MONTENEGRO* and ALBANIA*, and the EFTA countries ICELAND and LIECHTENSTEIN, members of the European Economic Area, as well as the REPUBLIC OF MOLDOVA, GEORGIA align themselves with this statement.

* North Macedonia, Montenegro and Albania continue to be part of the Stabilisation and Association Process.