



## **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 Daniel B. Baer  
to the Permanent Council, Vienna  
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The United States welcomes the announcement of the renewed ceasefire in recognition of Orthodox Easter. While fighting has diminished, combined Russian-separatist forces continue attacks on Ukrainian positions, which have resulted in several Ukrainian casualties since the ceasefire went into effect. The Special Monitoring Mission to Ukraine (SMM) also reports the presence of considerable numbers of heavy weapons in separatist-controlled territory, including grads, howitzers, and surface-to-air missile systems. We call on Russia to halt the resupply of weapons and equipment into Ukraine, which only risks provoking renewed, full-scale fighting. We also call on combined Russian-separatist forces to abide by the ceasefire fully, so we do not lose this important opportunity to make real progress on Minsk implementation.

There is a clear correlation between ceasefire violations, the presence of proscribed weapons, and efforts to limit the SMM's access to parts of the conflict zone, as Chief Monitor Apakan said last week. Separatist forces are responsible for more than five times as many weapons-withdrawal violations as the Ukrainian government, and combined Russian-separatist forces are responsible for more than 90 percent of instances of denied or delayed access for SMM monitors. Ensuring SMM access throughout the conflict zone is essential to maintain a genuine, lasting ceasefire and restore the confidence needed to facilitate Minsk implementation. In the Permanent Council, the Russian Federation has failed to endorse the SMM's unrestricted access to all parts of the conflict zone, and continues to claim falsely that the SMM has adequate access to areas under separatist control, including along the international border. If we are to have confidence that Russia and the separatists it backs are committed to Minsk implementation, not military aggression, the SMM must have full, unconditional access to the border.

Despite restrictions that combined Russian-separatist forces have imposed on the SMM, monitors have found clear evidence of violations of the Minsk agreements, including an alarming trend in which combined Russian-separatist forces place heavy weapons in civilian areas, including near schools and hospitals. The SMM reported the presence of a growing

arsenal of heavy weapons in separatist-held Luhansk city, including tanks, howitzers, armored combat vehicles, and surface-to-air missile systems.

At the same time that combined Russian-separatist forces threaten civilians by using residential areas as firing positions, they bar humanitarian organizations from delivering aid to people living in the territory they control. Recent outbreaks of HIV/AIDS and tuberculosis remain untreated because humanitarian actors cannot reach people in need who live in separatist-controlled areas, as the Chair of the Trilateral Contact Group's humanitarian working group briefed last week to OSCE participating States. Normandy format Foreign Ministers agreed in October 2015 that aid organizations must have access throughout Donetsk and Luhansk. The humanitarian consequences of the conflict are dire for the two million people who have been displaced by the fighting and the three million people still living in the conflict zone.

Mr. Chair, colleagues, during the last Permanent Council, both Chief Monitor Apakan and Trilateral Contract Group Chair Sajdik expressed concern over separatist attacks against the SMM, which continue to go unpunished. These attacks threaten the SMM's ability to carry its mission, endanger the monitors, and risk delaying Minsk implementation. Even in the last 24 to 48 hours, we see new reports that Zakharchenko has made new false allegations and threats against the SMM further imperiling their safety. Furthermore, as Ambassador Sajdik said, these threats and attacks put in doubt the viability of any security force charged with ensuring free and fair elections can take place in certain areas of Donetsk and Luhansk. A sustained ceasefire must be in place to allow for real progress on the political elements of Minsk, including an agreement on modalities for local elections under Ukrainian law, in line with international and OSCE standards, and with ODIHR observation. A meaningful international security presence will be indispensable to holding free and fair elections in areas where the separatists currently threaten SMM monitors and abduct employees of the United Nations.

Fear and intimidation must not prevail in the separatist-controlled parts of Donbas or in Russia-occupied Crimea. We repeat, once again, the United States' strong condemnation of the decision by the Russian Federation to ban the Crimean Tatar Mejlis on the basis of alleged "extremism." Russia's systematic campaign of oppression and discrimination against the Crimean Tatar community, or any who dare to voice their disagreement with the de facto authorities, stands in clear contravention of Russia's OSCE commitments. U.S. sanctions against the Russian Federation related to its occupation of Crimea will remain in place until the occupation ends and Russia returns that land to Ukraine. We join the EU in recalling that sanctions imposed upon the Russian Federation for its aggression in eastern Ukraine will also remain in place until Russia fully implements its Minsk commitments.

Thank you, Mr. Chair.