



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 1335th meeting of the Permanent Council
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Madam Chairperson,

Earlier this week, Dmitry Sablin, a member of the Russian State Duma and representative of the ruling party "United Russia" – the party run *de facto* by president Putin – confessed that there is "an experiment underway in Donbas to reunite this territory with Russia". According to him, for the next elections, Russia will draw majoritarian districts in the occupied Donbas.

The upcoming election to the State Duma shows that Russia uses the same toolbox to legitimize the occupation of Crimea and Donbas. It includes the forceful imposition of the Russian citizenship followed by illegal election campaigns, demographic changes and suppression of national identity.

It needs to be recalled that the incorporation by the occupying Power of the occupied territory into its own national constituency and extending to it the application of its electoral laws is a measure constituting important institutional changes the occupying Power must refrain from under the IHL. Such an approach undermines the legitimacy of the whole electoral process in Russia and questions its future outcomes. In this regard let me draw your attention to the appeal of Ukrainian Parliament of 8 September calling not to recognize the legitimacy of elections, refrain from sending international observers to Ukraine's occupied territories as well as to sanction those involved in the preparation of election in the occupied territories.

Furthermore, the issuance of the Russian passports not only violates international law but also becomes a hybrid tool of Russia's aggressive tactics against neighbouring countries under the pretext of defending Russian passport holders.

Unfortunately, the Russian experiment ongoing in Donbas has been claiming human lives already for seven years.

Since the last PC meeting we continue witnessing further escalation in the region. According to SMM weekly report issued on 14 September, the first days of September were marked with average 273 ceasefire violations per day, while these numbers for August and September 2020 were 20 and 21 ceasefire violations, respectively.

Only in the course of two days, on 11 and 12 September, FOUR Ukrainian servicemen were killed and THIRTEEN were wounded as a result of the use of small arms, machine grenade launchers, 82 mm and 120 mm mortars, and 122 mm artillery by the Russian occupying forces. Artillery fire adjustment was assisted with the use of UAVs, which is another violation of the ceasefire regime.

On top of everything, on September 11, the Russian armed forces with the use of 122-mm artillery shelled NOVOGNATIVKA, VERKHNETORETSKE, KRYAKIVKA, and MARYINKA, causing damage to private buildings. The continuation of this trend is of serious concern as, so far in 2021, the SMM has confirmed 64 civilian casualties, including 15 fatalities.

The fact, as stated in the Mission's weekly report from 7 September, that medical staff at two hospitals in occupied Donetsk region refused to share with the Mission information related to alleged civilian casualties due to the lack of instructions "from those in control" raises a serious concerns about the instrumentalization of civilian casualties by the Russian armed formations.

Furthermore, on 9 September, a Ukrainian investigation group came under fire, while working in Trekhzibenka settlement close to the contact line. The group was collecting evidences of shelling of the tuberculosis dispensary, which took place a day before with the use of Minsk-proscribed weaponry.

This brings us back to an incident on 31 August, when an SMM patrol positioned in Oleksandrivka also came under fire.

Such unacceptable intimidation of the personnel on the ground together with artificially imposed restrictions on the SMM freedom of movement pursue the only one goal by the Russian Federation – to marginalize the OSCE role and squeeze the SMM out in order to run controlled escalation and hide the evidences of crimes committed.

Furthermore, apart from recently announced decision of the Russian president not to support a consensus on the BOM mandate, the SMM continue reporting of being asked by the Russian armed formations to leave the area near border crossing points Novoazovsk and Marynivka, Donetsk region, as well as near Izvaryne and Dovzhanske, Luhansk region.

Not surprising. Let me give you a few examples registered by us. On 9 August, a civilian bus with 42 Russian servicemen, including snipers, illegally crossed Dovzhanske checkpoint. On 12 August, eight trucks with ammunition entered into Ukraine's territory through Novoazovsk.

On 6 August, Russian produced EW system "Leyer - 3" and UAVs "Orlan -10" were transported through Diakove checkpoint.

While the Russian UAVs "Orlan -10" conduct regular flights across the contact line with the latest one registered on the 10th of September, the SMM UAVs are routinely jammed.

Would the Russian Federation give an answer what such advanced platforms are doing in Ukraine's territory?

Excellencies,

Increasing ceasefire violations clearly show that supplies of weaponry and personnel from Russia through uncontrolled part of border continues to inflame the conflict.

This is yet another illustration of the importance of our common efforts in ensuring transparency on the Ukrainian-Russian state border.

The Minsk agreements, to which the Russian Federation committed itself, clearly provide for how it could be achieved.

According to the Minsk protocol of 5 September 2014, the OSCE has been mandated to monitor and verify permanently the Ukrainian-Russian state border,

together with the creation of a security area in the border regions of Ukraine and the Russian Federation.

Before the Russian delegation expresses its unjustified reservations, let me remind that the Minsk protocol, among other things, was elaborated also to implement the initiatives of the president of Russia Vladimir Putin, as clearly stated in its title. Furthermore, at the Normandie Summit in Paris according to its communique, the Russian president reconfirmed that this Protocol together with two other documents continues to serve as the basis of the Normandy format, the Member States of which committed to their full implementation.

We call upon the Russian Federation as a party to the conflict to assume in good faith its responsibility for the peace settlement. Such a step would significantly change the environment with the TCG making its work more result-oriented and constructive.

Opening additional forward patrol bases together with enhancing technical capabilities of the SMM OSCE, while the Mission is guaranteed full and unimpeded access throughout the conflict zone, would also contribute to improving the security and humanitarian situation in the region.

Russia's recommitment to the ceasefire regime is also critically important to reverse the trend of turning Zolote and Petrivske disengagement areas into the hotspots. We regret that Ukraine's security guarantees have not been reciprocated so far by the Russian Federation and the two EECs "Zolote" and "Schastia" has not been operational yet. This is yet another serious impediment to the free movement of Ukrainian citizens across the contact line and to enjoyment of their rights, including a right to healthcare.

It is unacceptable that a man had been unable to receive his second vaccination dose as he had been denied access to government-controlled areas due to the so-called "30-day-rule", as reported in SMM's weekly report of 7 September. This is a violation of the obligation of the Russian Federation as an occupying State to take all necessary measures to protect life and health of the population in the occupied territories.

We demand from the Russian Federation not only to lift all artificial restrictions but also to give on a constant basis exhaustive information on the spread of coronavirus disease on the temporarily occupied territories of Ukraine – both in Crimea and Donbas.

Dear colleagues,

Russia's aggressive foreign policy brings to my mind the words of dissident Natan Sharansky. He was born in Ukrainian Donetsk and spent nine years in Soviet prison because he fought for a right of the Jews to leave the Soviet Union. Later he wrote in his book that the price for "stability" inside a nondemocratic regime is terror outside of it". This draws strong analogues with today's Russia.

It is already an eight year in row that we are witnessing grave consequences of the Russian aggression against Ukraine started in Crimea and spillovered to Donbas.

On 3 and 4 September, the Russian occupation administration launched another massive wave of repression against the Crimean Tatars under the flag of fighting against extremism. However, the true intention is to silence any opposition to the occupation and to pull disloyals out from the peninsula.

In parallel, Russia conducts massive military drills "West 2021" or "Zapad 21" to deter illusory and non-existing threats. But in the end it appears that another border would be heavily militarized with alleged deployment of the S-400 systems and Russian air forces in so-called training centres. With keeping in mind the Russian

regular forces still stationed alongside the border of Ukraine and in occupied territories of Donbas and Crimea, obviously it has nothing to do with defence.

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, mercenaries and their hardware from the temporarily occupied territories of Ukraine and fully implementing its commitments under the Minsk agreements.

Thank you, Madam Chairperson.