



## **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 Chargé d'Affaires a.i. Kate Byrnes  
to the Permanent Council, Vienna  
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One year ago, the corrupt former President of Ukraine abandoned his office and the people of Ukraine took their opportunity to choose a future based on democracy, free trade, and rule of law. In response, Russia occupied and attempted to annex a portion of Ukraine's sovereign territory, where it has systematically persecuted ethnic minorities and others who oppose the occupation. It has also sparked a conflict that has left more than 5,700 people dead, and displaced nearly 1.5 million. During the course of the conflict, Ukraine – supported by the international community - has made several efforts to find diplomatic solutions to the crisis – in Geneva, Normandy, Berlin, Moscow and Minsk. A very clear and sobering pattern has developed. After intense diplomatic effort, an agreement is reached. Both sides make commitments, but only one side implements them. Time and again Russia and the separatists it backs fail to implement their commitments.

We welcomed the latest round of intensive diplomacy aimed at finding a lasting and peaceful resolution to the conflict, which culminated in the February 12 Minsk package of implementation measures that provided for a full ceasefire, the withdrawal of heavy weapons, unfettered access by the Special Monitoring Mission, and the full implementation of the September 2014 Minsk agreements. Unfortunately, the past two weeks have demonstrated a repeat of the pattern that we have witnessed too many times already, as Russia and the separatists it backs have repeatedly violated the ceasefire and refused the SMM unfettered and unrestricted access to separatist-controlled areas.

Russia-backed separatist forces captured Debaltseve on February 20, five days after the ceasefire went into effect on February 15. Russian military personnel have participated in the recent attacks on Debaltseve and Vuhlehirsk, a town located nearby. The separatists have denied the Special Monitoring Mission access to Debaltseve, with the exception of a single 30 minute visit while the SMM escorted an ICRC relief convoy on February 21. Notably, an SMM UAV flying over Debaltseve on February 21 recorded a significant military presence, including armored personnel carriers, a truck that may have been carrying missiles, and three artillery positions.

The Normandy format ministers met on February 24, and issued a joint statement calling yet again for a comprehensive ceasefire, withdrawal of heavy weapons, and full access for OSCE monitors to all areas. Following this latest good faith effort by Ukraine, France, and Germany to find a peaceful solution to the conflict, we once again look to Russia and the separatists to live up to their commitments.

The actions taken by Russia and the separatists suggest instead an effort to consolidate the ground the separatists gained in recent weeks, and preparations for further military action. The Russian military continues to provide equipment, including tanks and artillery, to separatist forces inside Ukraine. Separatist associated heavy artillery and combat elements remain deployed in and around Debaltseve. Separatist or Russian military elements, including trucks and artillery batteries, are on the outskirts of Mariupol. The SMM has reported numerous ceasefire violations in recent days, and we are concerned that Russia and the separatists intend to begin chipping away at Ukrainian defenses around Mariupol in advance of an assault. If Russia wants to demonstrate to the international community that this is not the case, Russia and the separatists need to implement a genuine ceasefire and allow the SMM access to monitor the withdrawal of heavy weapons.

On February 25, Foreign Minister Lavrov claimed that a withdrawal of heavy weapons is underway in separatist-controlled areas. He criticized the SMM for not being present to monitor the alleged withdrawal despite the fact that it is the Russia-backed separatists who have repeatedly denied access to the SMM. For effective monitoring of the withdrawal of heavy weapons to occur, Russia and the separatists must provide the SMM with full information on what heavy weapons they have in eastern Ukraine, where these weapons are now, which routes will be used to withdraw them, and where they will be located after they have been withdrawn.

Mr. Chair, colleagues, while the United States hopes that this time Russia and the separatists will follow through on their commitments, we must also remain clear-eyed about the situation in eastern Ukraine. The Russia-backed separatists now have a fighting force numbering in the hundreds of tanks, armored vehicles, heavy artillery pieces, and other military vehicles. Pro-Russia separatists now have a larger and better equipped fighting force than many of the countries represented around this table.

The separatist movement at this point is a de facto extension of the Russian military and an instrument of Russian national power. The Russian military has put in place a robust command structure in eastern Ukraine, ranging from Russian General Officers overseeing operations down to junior officers. Russian personnel conduct communications, intelligence gathering, direct military operations, and help correct artillery fire. Separatist fighters have publicly acknowledged that they are operating under instructions from Moscow.

As if this is not enough, we have seen attempts to bring the conflict to Ukrainian cities far from the front lines. Most recently, a bomb exploded during a February 22 Maidan commemoration in Kharkiv. The explosion – which occurred just 100 meters from an SMM observation team – killed four people, including two teenagers, and injured several more. Ukrainian authorities have disclosed that there were several other unsuccessful terrorist attempts that day. There have been bombings in Odesa and attempted bombings in Kyiv and Lviv. The United States condemns these efforts.

Mr. Chair, let us also recall that Russia's violation of international law and defiance of OSCE principles and commitments includes its occupation and attempt to annex Crimea, which remains a part of Ukraine. Resolving the Russia-Ukraine crisis will require Russia to make a fundamental decision to recognize Ukraine's sovereignty and territorial integrity and support

peace. Russia and the separatists it backs must stop their aggression in eastern Ukraine and contribute to a genuine ceasefire; Russia and the separatists it backs must allow the SMM unfettered access to all areas under their control; and, Russia and the separatists it backs must withdraw heavy weapons from the conflict zone in a verifiable manner. Should Russia fail to live up to its international commitments, there will be further consequences.

Thank you, Mr. Chair.