



## **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  
September 3, 2015

Over the last few days, we have seen a welcome reduction in violence in eastern Ukraine, as the sides have worked to implement a September 1 ceasefire agreed to at the August 26 meeting of the Trilateral Contact Group. This development follows a sustained surge in attacks by combined Russian-separatist forces in preceding weeks, during which the violence reached levels unseen since the siege of Debaltseve. We need to prevent a recurrence, and ensure that Russia and the separatists do not resume attacks. What we are seeing now, while not complete, approaches the ceasefire we should have seen in September 2014 and February 2015. The opportunity to solidify the ceasefire and press forward with implementation of the Minsk agreements should be seized.

The OSCE Special Monitoring Mission to Ukraine remains critical to verifying the ceasefire and facilitating its implementation. The SMM will have to send greater numbers of monitors quickly to key areas along the line of contact to observe and report on the ceasefire, as foreseen in the February Package of Measures for the Implementation of the Minsk Agreements. We need to ensure the SMM has the resources it needs to meet this responsibility.

We call on all actors to protect the safety and security of the SMM monitors. There has been a recent and disturbing increase in harassment and intimidation directed at OSCE monitors working in separatist-controlled areas. We have seen an increase in the jamming of SMM UAVs flying over separatist-controlled areas, the same areas in which the SMM has documented the presence of sophisticated Russian jamming equipment. Just this week, one UAV suddenly lost contact while flying over separatist-controlled territory and was not recovered. As the Secretary General said earlier this week, all signs point to the conclusion that the UAV was shot down over Russia-led separatist-controlled territory. The SMM reported that Russian-separatist forces blocked SMM access to a possible crash site. This obstruction by combined Russian-separatist forces makes it impossible for the OSCE to fulfill its mandate.

Mr. Chair, colleagues, we have seen the Ukrainian government take real political risks to implement Minsk. The Ukrainian parliament's decision on Monday to pass, at a first reading, amendments to Ukraine's constitution on decentralization was another step by Ukraine to comply with its commitments under Minsk. We join with Ukrainians in condemning the violence during the voting that killed 3 Ukrainians and wounded more than 140. The fierce debate in the Rada, and in the press, underscores the popular concerns the Ukrainian government faces in implementing its Minsk commitments when Russia and the separatists respond with attacks and refuse to implement their own commitments. We reiterate our call

on Russia and the separatists to move forward immediately with full Minsk implementation and to engage meaningfully in the Trilateral Contact Group's working groups to work toward a peaceful solution.

We can bolster the chances for peace by pressing for further progress in the Trilateral Contact Group working groups. We urge the sides to supplement the current ceasefire by finalizing an agreement on the withdrawal of weapons less than 100mm in caliber. An end to violence and an OSCE verified withdrawal of heavy weapons will go a long way to providing additional space for the sides to tackle the tougher political elements of the February Package of Measures for the Implementation of the Minsk Agreements. Of prime importance now is to make progress on local elections in the special status zone in eastern Ukraine, which should be held on October 25, the same date as the rest of the country, and in compliance with Ukrainian law. The Package of Measures stipulates that ODIHR will observe these elections, which must meet international standards Russia and the separatists must engage practically in the political working group to define with the Ukrainian government the election modalities, and they must do so soon given all the necessary preparations for elections, including by ODIHR.

Russia and the separatists should do more to ensure humanitarian aid reaches the needy. The UN estimates that at least 30,000 people will need shelter materials or risk exposure during the upcoming winter. Combined Russian-separatist forces have blocked international aid convoys since July 21, and they have refused to allow many humanitarian aid organizations to operate in Russian-separatist-controlled areas. Meanwhile, the separatists continue to accept so-called "humanitarian shipments" from the Russian Federation, which are inconsistent with international standards and in violation of Ukrainian sovereignty – each illegal convoy another violation of Russia's commitments and obligations. In contrast, Ukraine is taking serious steps to meet the humanitarian needs of its people, cooperating with international humanitarian organizations, opening homes and schools for internally displaced people, and creating new civilian service centers near the line of contact in Zaitseve and Novotroyske.

Mr. Chair, during the recess, I had the opportunity to visit the cities of Kramatorsk and Slovyansk in Donetsk oblast, where I saw first-hand the progress made in the past year since the area was liberated from a brief period of control by Russian-separatist forces. Despite their proximity to the line of contact, and while many challenges remain, including a troubled economy, these cities feel safe and normal. And talking to the people who live there – young and old, men and women, those who speak Russian or Ukrainian – all spoke of their relief that last summer's brutal occupation is over, of their hopes for the future of their communities, their city, and their country, and of course of their desire for peace. In contrast, the displaced people I met described lawlessness and chaos in the Russian-separatist-controlled areas. One thing that struck me was that everyone I met – old or young, man or woman, Russian or Ukrainian speaker – sees his or her future as part of a united Ukraine. We must not lose this opportunity to restore peace to Ukraine and help those affected by the conflict realize their vision of a brighter future by securing and making permanent the ceasefire and support the full implementation of Minsk.

In closing, as we prepare to mark one year since the signing of the Minsk protocol, and as Russia's occupation of Crimea has continued even longer, let me repeat our call that Russia respect Ukraine's sovereignty and territorial integrity and bring an end to both the violence in eastern Ukraine and its occupation of Crimea.

Thank you, Mr. Chair.