



## EUROPEAN UNION

### **OSCE Permanent Council No. 1242 Vienna, 3 October 2019**

#### **EU Statement on “Russia’s Ongoing Aggression against Ukraine and Illegal Occupation of Crimea”**

The EU welcomes the recent developments in the Trilateral Contact Group, including on the “Steinmeier formula” and disengagement at Zolote and Petrivske starting on 7 October. The text on the “Steinmeier formula” was agreed in the Normandy format and shows that progress in the solution of the conflict is possible when the political will from all sides is there. We commend the Ukrainian leadership for its unwavering commitment to the peaceful conflict resolution, as demonstrated yet again at the TCG meeting in Minsk on 1 October. We look forward to further meetings of the Normandy format, and recall our steady support to the work of the Normandy format, the Trilateral Contact Group and the OSCE in their efforts to facilitate the implementation of the Minsk agreements

We recall that local elections should be held in certain areas in Donbas within the framework of the Ukrainian legislation once proper security conditions are in place, in accordance with the relevant OSCE standards and monitored by ODIHR, fully respecting ODIHR’s election monitoring methodology, including full access and full freedom to monitor the local elections.

We welcome the ongoing construction of a bypass bridge in Stanytsia Luhanska and hope for prompt beginning of repair works on the main bridge to be concluded before winter. The situation in Stanytsia Luhanska gives us hope for progress in other disengagement areas.

However, the EU remains concerned about the volatile situation in the conflict areas and the SMM reports of several significant spikes in ceasefire violations resulting in a number of civilian casualties. We strongly encourage strict adherence to the ceasefire recommitment of 21 July. Last week the SMM continued to observe the presence of weapons in violation of withdrawal lines and mines, some of which were spotted for the first time. We once again reiterate our call to disengage, withdraw heavy weapons and step up efforts for comprehensive mine action. All Minsk-regulated weapons must be withdrawn. All foreign armed formations, military equipment and mercenaries must be removed from Ukraine. Re-establishing full Ukrainian control over its state border is essential.

Mr. Chairman, the SMM remains our source of reliable information of the situation on the ground. We highly value its regular and thematic reports. For example, we found both important and very worrisome the report of 10 September on the impact of the conflict on religious organisations in the non-government controlled areas of Ukraine. Organisations deemed to belong to “non-traditional” religious denominations were being denied registration or banned. The EU attaches the greatest importance to the promotion and protection of freedom of religion or belief as a fundamental human right, an essential pillar of safe and peaceful societies. We call on Russia to use its considerable influence over the armed formations it backs to guarantee the freedom of religion or belief.

Equally important is the latest report on the restrictions of the SMM's freedom of movement and other impediments. In order for the monitors to be able to do their job properly, their freedom of movement cannot be hindered. The safety and security of the SMM is of primary importance. The EU strongly deplores any attempts to harass, intimidate or impede the work of SMM personnel and condemns the continued threats and restrictions to the SMM, which occur predominantly in non-government controlled areas. This practice hampers the SMM from fulfilling its mandate. The SMM must have safe, secure, unconditional and unimpeded access to the entire

territory of Ukraine. This includes the illegally annexed Crimea and the city of Sevastopol and along the Ukraine-Russia state border, to which the SMM is systematically denied access by Russia-backed formations. We once again deplore targeting of SMM assets, including SMM UAVs, by means of signal interference and small arms fire. Those responsible for any willful damage, destruction or loss of SMM UAVs and other assets should be held accountable, both politically and financially.

On 19 September, the 84th so-called “humanitarian convoy” was observed entering Ukrainian territory from Russia at the Donetsk Border Crossing Point. As in previous cases, this happened without the consent of the Ukrainian authorities and in clear violation of Ukraine’s sovereignty and territorial integrity, as well as of fundamental international humanitarian principles. The Minsk agreements foresee that humanitarian aid will be delivered through an international mechanism. An agreement on this in the humanitarian working group remains crucial.

We have just returned from the OSCE Human Dimension Implementation Meeting where we heard from civil society activists about the dire human rights situation in the Autonomous Republic of Crimea and the City of Sevastopol following Russia’s illegal annexation. The EU remains deeply concerned by reports of enforced disappearances, arbitrary arrests, torture and abuse, and other grave human rights abuses, as noted by the UN Secretary General’s report on the situation of human rights in the Autonomous Republic of Crimea and the city of Sevastopol, Ukraine. We reiterate our call for full access to the Crimean peninsula for UN OHCHR, the OSCE SMM, OSCE institutions and other international human rights monitoring organisations. We once again call on Russia to release the over 70 Ukrainian political prisoners illegally detained in Russia and on the Crimean peninsula.

We reiterate our utmost concern about the Russian presidential decrees and their extensions, enabling the simplified issuing of Russian passports to Ukrainian citizens, which constitutes yet another attack on the sovereignty of Ukraine and runs counter

to the spirit and objectives of the Minsk agreements. We will continue to monitor the situation in eastern Ukraine and stand ready to consider further options, including non recognition of Russian passports issued in contradiction to the Minsk agreements, in close coordination with our international partners.

We reiterate our position on the unjustified use of force by Russia near the Kerch Strait on 25 November 2018, its negative impact in the Black and Azov seas and Russia's violations of international law. We call on Russia to return to Ukraine's custody the three vessels seized in the Black Sea on 25 November last year, in accordance with the binding order of the International Tribunal for the Law of the Sea. We further call on Russia to ensure unhindered and free passage to and from the Sea of Azov, in accordance with international law. Respect for international court rulings is fundamental for an international rules-based order.

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 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.

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

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