



EUROPEAN UNION

OSCE Permanent Council No. 1244 Vienna, 17 October 2019

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

We express our deep concern that despite the progress reached in Minsk on the 1st of October, the security situation in the conflict areas continues to be volatile, as reported by the SMM. We once again urge sides to respect the ceasefire and to build up on the positive dynamics of the negotiations conducted within the Normandy format and the Trilateral Contact Group in order to foster further progress on the implementation of the Minsk agreements.

We regret that the disengagement of forces in Zolote and Petrivske agreed for the 7th of October was postponed initially due to shelling targeting the positions of the Ukrainian forces. We echo the statement made by Ambassador Sajdik regarding the failure of the sides to renew the disengagement and we hope that in the very-near future we shall witness the implementation of this commitment. This would ease the suffering for those civilians living close to the contact line who bear the brunt of this conflict. In this regard, we commend the Ukrainian leadership for its unwavering commitment to the peaceful conflict resolution and call on Russia and the armed formations it backs to act likewise.

The SMM continued to observe the presence of weapons in violation of withdrawal lines and mines. We were saddened to read in the SMM’s daily report from 15th October about civilians, including children, who were injured from hand-grenades and landmines in areas held by Russia-backed armed formations. We once again reiterate our call to disengage, withdraw heavy weapons and step up efforts for comprehensive mine action, which are all prerequisites for a permanent and sustainable ceasefire. We reaffirm our position that full Ukrainian control over its state border is essential for the full implementation of the Minsk agreements and that all foreign armed formations, military equipment and mercenaries must be removed from Ukraine.

Mr. Chairman, the SMM remains our source of reliable information of the situation on the ground. 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 mainly 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 Autonomous Republic of Crimea and the city of Sevastopol and along the Ukraine-Russia state border, to which the SMM is systematically denied access by Russia-backed armed formations. We once again deplore the targeting of SMM assets, including SMM UAVs, by means of signal interference and small arms fire. Those responsible for any wilful damage, destruction or loss of SMM UAVs and other assets should be held accountable, both politically and financially.

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 do not recognise these passports issued as a result of these decrees and we call on other OSCE participating States to do likewise.

Mr. Chairman, we continue to remain deeply concerned about the dire situation of human rights and fundamental freedoms in the Ukraine's Autonomous Republic of Crimea and the City of Sevastopol since its illegal annexation by Russia which we condemn and do not recognise. The UN Secretary General's recent report on the subject also points out to this worrying situation. Over the past five years, residents of the peninsula have been facing systematic restrictions of the human rights and fundamental freedoms, including freedom of expression, peaceful assembly, association religion or belief. The situation of persons belonging to national minorities remains precarious. Representatives of the Crimean Tatar community and its self-governing body, the Mejlis, face systematic persecution in the form of threats, harassment and intimidation as well as unlawful searches of their homes and enforced disappearances. Their situation worsened considerably following Russia's decision to list the Mejlis as an extremist organization, completely banning its operations on 26 April 2016. The EU recalls that, by order of 19 April 2019, the

International Court of Justice indicated among other provisional measures, that the Russian Federation must, in accordance with its obligations under the International Convention on the Elimination of all forms of racial discrimination, refrain from maintaining or imposing limitations on the ability of the Crimean Tatar community to conserve its representative institutions including the Mejlis. We regret that Russia continues to ignore and violate human rights and fundamental freedoms in the Ukraine's Autonomous Republic of Crimea and the City of Sevastopol.

The EU remains gravely concerned by reports of enforced disappearances, arbitrary arrests, torture and abuse, and other grave human rights abuses. OHCHR has identified 42 victims (38 men and 4 women) of enforced disappearance in Crimea since March 2014. As of 30 June 2019, 28 had been released after being abducted or detained illegally, 2 were being held in custody, 11 were still missing and one had been found dead. The victims include pro-Ukrainian activists, affiliates of Crimean Tatar institutions and journalists. OHCHR also documented numerous accounts of arbitrary arrests, usually preceded by house raids and searches, and in nearly all cases there are also allegations regarding torture, ill-treatment and the extraction of false confessions. We expect the OSCE and its institutions to remain actively seized of this matters with all their assets and their unfettered access to the peninsula to be finally ensured. We also repeat our call on Russia to free all Ukrainian citizens still illegally detained, put on trial, or convicted in Russia or the Crimean peninsula. This includes Emir Usein Kuku and the 23 Crimean Tatar activists detained during house raids in March 2019.

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 the 25th of 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 REPUBLIC of NORTH MACEDONIA*, MONTENEGRO* and ALBANIA*, the EFTA countries 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.