



EUROPEAN UNION

OSCE Permanent Council No. 1264 Vienna, 23 April 2020

EU Statement in response to the Update by the Special Representative of the OSCE Chairperson in Office in Ukraine and in the Trilateral Contact Group, Ambassador Grau and to the report by the Chief Monitor of the OSCE SMM to Ukraine, Ambassador Yaşar Halit Çevik

Mr. Chairperson, the European Union warmly welcomes Ambassador Heidi Grau and Ambassador Yaşar Halit Çevik to this Permanent Council. The set-up today is a sign of the times we live in, of the new challenges we are facing, and which we will certainly overcome. Dear Ambassadors, we wish to express our deep appreciation to both of you for the work you have done in the recent weeks in these difficult conditions and you have our full support.

It is with deep regret that we have taken notice of the worrying trends in eastern Ukraine during the last month. The call for a global ceasefire by the UN Secretary General Guterres has not been heeded. Instead,, the SMM has recorded already 29 civilian casualties in 2020 and about 130 civilian properties and infrastructure being damaged. The Mission has reported ceasefire violations, also within and around disengagement areas, as well as presence of Russia-backed armed formations within the disengagement areas and newly discovered mines and unexploded ordnance, including prohibited anti-personal landmines.

The SMM, as the largest OSCE field mission deployed in a zone of an ongoing conflict, remains our undeniable political priority within this organisation. Its mandate has just been renewed for another year by a decision of all participating States. Hence its legitimate presence in eastern Ukraine should not be put into question by physical threats, denials of access or targeting its assets. Intentional spreading of disinformation in relation to the COVID-19 pandemic and the SMM must also stop immediately. We

condemn that, on 13 April, an SMM patrol facilitating infrastructure works at the Donetsk Filtration Station came under an apparently deliberate fire in spite of the security guarantees it had received. Such harassment and threats to Mission members are unacceptable and must not be repeated. This call for the safety of the monitors should reverberate more strongly than ever as today we recall the third anniversary of the tragic death of Joseph Stone, the SMM medic killed by a landmine in Luhansk region. To date, Mr Stone is the only fatality among the SMM personnel and we feverently hope it will stay this way.

Dear Ambassador Çevik, we have taken good note of your reports about worrying developments. Regrettably, on top of the “usual” denials of access, occurring predominantly in the non-government-controlled areas, the SMM now faces new grave obstacles imposed by the Russia-backed armed formations: monitors are not permitted to cross the contact line into the non-government controlled area as well as moving in between certain parts of Donetsk and Luhansk regions of Ukraine. The European Union strongly condemns this serious violation of the mandate of the Mission under the pretext of COVID-19, putting at risk also the functioning of the Mission in non-government controlled areas. As stressed by you, Ambassador Çevik, in your briefings and in the report presented today, the SMM has taken extremely stringent external and internal precautionary measures in response to the pandemic, to ensure the continued safety of all, including the safety of the local population. We note that the Ukrainian authorities made it possible for the Mission and other international organisations to continue with their activities notwithstanding the current difficult circumstances. It is crucial that the Russian-backed armed formations allow the SMM full freedom of movement across the contact line. The Mission was set up as a single, unified entity which cannot and must not be broken up into separate parts. We urge Russia to use its influence over the armed formations it backs to stop the blockade of SMM at the checkpoints.

Freedom of movement also remains essential for the delivery of humanitarian aid. Last week, the European Commission pledged EUR 13 Million of urgent humanitarian aid for eastern Ukraine which will be distributed by UN agencies, non-governmental organisations and the ICRC. These organisations must not be hindered in their work for the benefit of the civilian population living on both sides of the contact line.

We also wish to express our gratitude to you, Ambassador Çevik, for your efforts to reconcile under the current difficult conditions, the duty of care over the largest OSCE

mission in the field, with the imperative of maintaining the operationality of the SMM. We have appreciated the regular exchanges in recent weeks via the VTC briefings organised by the OSCE Chairmanship in Office. This offered the participating States the opportunity not only to have solid first-hand information on the situation on the ground, but also to coordinate assistance in terms of medical equipment and repatriation of monitors. The safety and security of all women and men serving in the SMM should remain issues of primary importance. We commend all OSCE participating States that already provided concrete medical support to the SMM. Furthermore, it is unquestionable that in the upcoming weeks the Mission will need to rely even more on technical assets for its monitoring activities. We strongly condemn the targeting of SMM assets, including SMM UAVs, by means of signal interference and small arms fire. This has unfortunately resulted in a loss of three mini-UAVs in the last quarter. Those responsible for any wilful damage, destruction or loss of SMM UAVs and other assets should be held accountable, both politically and financially. Ambassador Grau, we would like to express our deep appreciation that dialogue has continued in the Trilateral Contact Group during the recent weeks, alongside the Normandy format. The fact that you have managed to conduct regular meetings of the Trilateral Contact Group via teleconferencing is a positive sign of continuity, which is much needed, particularly as the global ceasefire which the UN Secretary General called for, is not yet in place. We fully support efforts of the TCG and the Normandy Format in working towards a sustainable political solution of the conflict, in full respect of the sovereignty, territorial integrity, unity and independence of Ukraine. It is therefore important that the sides take the necessary steps to implement the agreed conclusions of the Paris N4 Summit of December in good faith. In this context, the EU commends the constructive approach displayed by Ukraine and calls on Russia to act likewise. Against the lack of progress on other issues, the latest exchange of detainees that took place last Thursday offers a glimmer of hope and is a welcome step towards the implementation of the measures agreed at the Normandy Summit last December. We salute your contribution, Ambassador Grau, to this second exchange of detainees in the last four months and welcome the discreet but efficient role of the International Committee of the Red Cross. At the same time, we recall that the efforts towards the release of all the detainees held under false or far-fetched pretext and in violation of international law, also in Crimea and including Crimean Tatars, should continue.

Mr Chairperson, the EU continues to follow closely the worrying developments on the Crimean peninsula which is part of Ukraine. The European Union does not recognise the illegal annexation of the Crimean peninsula by Russia, which is a clear violation of international law. Therefore, we strongly condemn the recently announced conscription of residents of the peninsula to the Russian Federation Armed Forces. This is a violation of international humanitarian law, which also Russia is bound by.

The European Union does not recognise, and objects to, presidential decrees by Russia like the one issued recently to add most of Crimea and Sevastopol to the list of border territories of the Russian Federation., It is yet another attempt to forcibly integrate the illegally annexed peninsula into Russia. The decree also constitutes a violation of international humanitarian law, as it is another step towards the imposition of Russian citizenship in the peninsula.

We continue to urge the Russian Federation to ensure unimpeded access to international human rights monitoring missions and human rights non-governmental organisations to Crimea. Residents of the peninsula face, in violation of international law, systematic restrictions of fundamental freedoms, such as freedom of expression, religion or belief and association and the right to peaceful assembly.

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 and LIECHTENSTEIN, 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.