



EUROPEAN UNION

OSCE Permanent Council No. 1288 Vienna, 5 November 2020

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

Mr. Chairperson, these three months of relative calm in the conflict zone since the ceasefire was introduced have had a significant positive impact on the lives of civilians. This is particularly welcome in the context of the worsening pandemic situation in the region. However, we are deeply concerned about the disruptions of the ceasefire and the new fatalities and casualties among Ukrainian military personnel last week resulting from shelling by the Russia-backed armed formations. We commend Ukraine for its restrained approach and for using the TCG to defuse tensions. We call on Russia to display a similar constructive attitude within the TCG so that the substantial discussions on political matters can resume.

We deeply regret the death of a 15 year old boy, the first child fatality this year. He died when an explosive device detonated in his family’s apartment in non-government-controlled Makiivka. His death underscores the urgent need for mine action. We therefore urge the sides to consider demining as a humanitarian issue rather than a political one, and to finalise an updated demining plan. The approaching winter makes it even more important to start demining as soon as possible. We also encourage the opening of the additional Entry and Exit Check Points Zolote and Schastie by 10 November, as agreed in the TCG, in order to ease the hardships of the civilian population and will finally provide the needed possibility for residents of the Luhansk region to cross the contact line by car. We urge the sides to fulfil their commitments, such as the reopening of all existing crossing points. At the moment, the EECP in Novotroitske is the only check point still operating, although only twice a week with a limited crossing capacity of 500-600 civilians per week, while at the same time thousands of people are crossing the non-controlled border with Russia every day.

The SMM remains invaluable in monitoring the compliance with the ceasefire by providing essential information, including about the fact that there are still weapons in violation of withdrawal lines on both sides of the contact line. Moreover, the SMM is also a useful asset to the local population by their monitoring of the pandemic situation and by facilitating and monitoring localised ceasefires for maintenance and repair of infrastructure. The EU deplures 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-governmental-controlled areas. We urge Russia to use its considerable and undeniable influence over the armed formations it backs to ensure that all undue restrictions on the SMM are removed. All those responsible for any wilful damage, destruction or loss of SMM UAVs and other assets should be held accountable, both politically and financially.

Humanitarian aid should be provided in conformity with international humanitarian law and humanitarian principles and through an international mechanism and coordinated at international level. Convoys entering Ukraine without the permission of the Ukrainian authorities – such as the latest “humanitarian” convoy crossing the Donetsk border crossing point on 29 October – is a violation of Ukraine’s sovereignty and territorial integrity.

We continue to call on Russia to ensure unhindered and free passage to and from the Sea of Azov in accordance with international law. In September 2020, vessels going from the Black Sea to Ukrainian ports in the Sea of Azov were delayed by Russia for an average of 17 hours and vessels going in the opposite direction were sometimes delayed for up to 30 hours. This is more than double the journey time before Russia introduced this discriminatory inspection regime two years ago. These measures, together with the militarization of the peninsula, contravene international law and have the potential to seriously undermine the security situation, not only in Ukraine, but also in the broader Black Sea region and beyond.

We condemn all attempts to impose Russian laws and regulations upon the Ukrainian population in the illegally annexed Autonomous Republic of Crimea and the city of Sevastopol, and in the non-government controlled areas of Donbas. Actions such as the simplified and selective procedure to obtain Russian citizenship as well as forced passportization, the imposition of the Russian currency and taxation system and

conscription of residents of the Crimean peninsula to the Russian Armed Forces are examples of violations of international law. As international human rights must be guaranteed in the peninsula, we urge Russia to end the pressure on the Crimean Tatar community. Full, free and unrestricted access for international human rights actors to the whole territory of Ukraine, including Crimea and Sevastopol, continues to be paramount.

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 the 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 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*, and 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.