

**Security Council**

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**Letter dated 19 February 2019 from the Permanent Representative of the Russian Federation to the United Nations addressed to the President of the Security Council**

As a follow-up to the briefing in the Security Council on 12 February on the occasion of the fourth anniversary of the signing of the Package of Measures for the Implementation of the Minsk Agreements, at which Ukraine and some Council members tried to persuade the Council that Kiev complied with the document, I have the honour to transmit the attached brief overview of actions by the Kiev authorities that undermine the prospects of a peaceful settlement in Ukraine (see annex).

I would appreciate your kind assistance in circulating the present letter and its annex as a document of the Security Council.

*(Signed)* Vassily **Nebenzia**



## **Annex to the letter dated 19 February 2019 from the Permanent Representative of the Russian Federation to the United Nations addressed to the President of the Security Council**

### **Brief overview of actions by the Kiev authorities that undermine the prospects of a peaceful settlement in Ukraine**

The signing on February 12, 2015 of the Package of Measures for the Implementation of the Minsk Agreements became a critical milestone in international efforts to help reach settlement in Ukraine. This document signed by representatives of Kiev and “certain areas of the Donetsk and Luhansk regions of Ukraine”, as well as of the Organization for Security and Cooperation in Europe and Russia, is an integral part of the Security Council resolution [2202 \(2015\)](#), which endorsed it. Three years later, this endorsement was reiterated in the Statement of the Security Council President [S/PRST/2018/12](#) of 6 June, 2018 reconfirming the Package of Measures as the only internationally-approved framework for settlement in Ukraine. This framework envisages restoration of Ukraine’s sovereignty over its rebellious region, also known as Donbas, in exchange for a special status for it, which would include wide administrative, economic, social, cultural and linguistic self-determination. For this purpose, the provisions of the Package of Measures envisage a set of security, political, economic and humanitarian obligations for the Ukrainian sides.

- Despite that the framework is most detailed and sequenced, the fact is that after four years since its signing not a single article was fully implemented with the exception of creation of four sub-working groups within the Contact Group established by the Package of Measures, the only platform where the Ukrainian sides communicate directly to each other in the presence of OSCE and Russian representatives.
- But even the Contact Group shows little to no progress, as Kiev tries to reject direct contacts with Ukrainian regions, alleging it is not them, but Russia is a side in the conflict. This very excuse is used by Ukraine to ignore its own obligations under the Package of Measures, where Russia is not even mentioned.
- Briefing the Security Council on February 12, 2019 Chief Monitor of the OSCE Special Monitoring Mission Ambassador Ertugrul Apakan was clear that there are no Russian military units in Donbas. At the same time regular reports of the OSCE SMM prove that Kiev regularly violates the ceasefire and sabotages withdrawal of heavy weapons (Articles 1 and 2 of the Package of Measures).
- Using as a pretext its own military provocations against Donbas and ceasefire violations, Kiev refuses to advance in fulfilling its political obligations under the Package of Measures. On January 22, 2019 President Poroshenko without bothering to breach Kiev’s obligations stated that “Ukraine is a unitary state with single language – there will be no federations or special statuses”.
- Though the Ukrainian parliament (Rada) claims to have adopted a number of laws under the provisions of the Package of Measures, all of them contradict either letter or spirit of that document. For example, despite that Rada’s law “On interim local self-government order in certain areas of the Donetsk and Luhansk regions” is being annually prolonged, its practical implementation is blocked by the amendments introduced on March 17, 2015. These amendments condition the applicability of the law by holding local elections in Donbas on terms not envisaged by the Package of Measures. This clearly contradicts Article 4 of the Package of Measures.

- Similarly, the Rada has approved a decision declaring “certain areas of the Donetsk and Luhansk regions of Ukraine as temporary occupied territories” as well as the law on the so called “reintegration of Donbas”. These documents do not even mention the Package of Measures but assume instead as if “Russia exercises effective control in Donbas”. This directly contradicts Article 12 of the Package of Measures which provides for direct dialogue between Kiev and “representatives of certain areas of the Donetsk and Luhansk regions” (who actually signed the Package).
- It has been two years that Ukrainian representatives in the Contact Group refuse to document the “Steinmeier formula” (initially approved by Kiev), a proposal by former German Foreign Minister on the sequence of actions to hold elections in Donbas in accordance with the Package of Measures.
- The Rada has never approved a law on pardon and amnesty envisaged in Articles 5 of the Package of Measures for persons in connection with the events that took place in certain areas of Donetsk and Luhansk regions of Ukraine.
- Since February 2015 Kiev is blocking implementation of the Articles 6 of the Package of Measures on release and exchange of hostages.
- Article 8 of the Package of Measures on the resumption of socioeconomic ties with Donbas is also being blatantly violated by Kiev which had imposed and maintain comprehensive economic, energy and transport blockade of the region, while pension payments are conditioned on draconic rules – elders are forced to spend hours on security checkpoint every month often exposed to extreme cold, gunfire or shelling.
- For a year and a half Kiev exercises a cynical attitude towards restoration of the bridge in Lugansk region once destroyed by Ukrainian military. This bridge is vital for passage of ambulance vehicles, but Kiev representatives only accept the bridge to be 2.2 meters wide, which is clearly not enough for an ambulance to pass.
- Instead of advancing implementation of the Package of Measures (and thus the Council’s resolution 2202), Kiev authorities keep fountaining ideas to substitute this peace framework. It is with this in mind that President Poroshenko used to call for a full-fledged UN peacekeeping operation, that would bring international civil administration to Donbas. The purpose of such an idea is clear – to avoid any dialogue with “representatives of certain areas of the Donetsk and Luhansk regions” as prescribed by the Package of Measures and restore effective control of the region through an international administration, bypassing thus the will of the people of the regions.

In any further deliberations on the settlement in Ukraine it is important to remember that the Package of Measures for the Implementation of the Minsk Agreements is the only internationally agreed and viable Roadmap for solving the conflict in the South-East of Ukraine. That was clearly confirmed at the Security Council briefing on February 12, 2019 by all Council Members, leadership of SMM OSCE and representatives of the UN Department of Political and Peacebuilding Affairs.