

**Statement by the Chief Monitor of the OSCE SMM,  
Ambassador Halit Çevik, to the United Nations Security Council**

17 February 2022

Mister President,

Excellencies,

I would like to thank you for the opportunity to brief this Council today.

In my capacity as the Chief Monitor of the OSCE Special Monitoring Mission to Ukraine and as the Co-ordinator of the working group on security issues in the Trilateral Contact Group, I will update you on key developments on the situation in eastern Ukraine during the past year. These include the security situation along the contact line, the impact of nearly eight years of conflict on civilians and the SMM's increasingly challenging operational environment.

The security situation remains fraught with tension. The gradual fraying of the ceasefire I described to the Council last February has regrettably accelerated - and inevitably - civilians on both sides of the contact line continue to bear the burden of the tensions and resulting insecurity.

I further have to note – with deep concern – that the impediments to the SMM’s mandated freedom of movement have not only persisted, but escalated in the past year. In times of heightened tensions in and around Ukraine, when the Mission’s impartial and objective reporting is vital, these restrictions are especially unacceptable since they limit the Mission’s capabilities.

The SMM has been vilified in public rhetoric and Mission members have at times been intimidated. Our technical monitoring tools are subjected to intense interference daily. The Mission suffered temporary blockades of operations in Donetsk region last October. In Luhansk region, the SMM is also subjected to a blockade – SMM’s sustainability is under risk as it has been deprived of its operational freedom and independence.

In this context, I also wish to highlight my concern with the fact that the contact line remains exceedingly difficult to cross, both for SMM and civilians. It increasingly looks and feels like a border, which it transects and divides families and communities, and provision of services.

Before elaborating on these developments, I wish to stress that in such challenging circumstances, the political will of the sides to strictly adhere to the ceasefire and reduce tensions is imperative. Silence along the contact line is of utmost importance for allowing space for

negotiations. Abstaining from inflammatory public rhetoric is also essential.

Mister President,

Since I last briefed the esteemed Council, the overall security situation along the contact line in eastern Ukraine has remained volatile. After the unprecedented period of relative calm that followed the 22 July 2020 Trilateral Contact Group agreement on “Measures to strengthen the ceasefire”, throughout 2021, we saw a gradual, but sustained increase in the level of armed violence.

In 2021, between August and December, in particular, the Mission recorded high numbers of ceasefire violations, including increased use of heavy weapons that the sides had committed to withdraw, as well as their consequences – civilian casualties and damage to infrastructure. In November, the SMM recorded levels of kinetic activity, including these more destructive weapons, worryingly close to those recorded prior to the 22 July 2020 Measures agreement. At the 22 December 2021 TCG meeting, participants expressed strong determination to uphold the ceasefire regime. The first month following that meeting saw a considerable decrease in the level of violence – by some 60 per cent. But tensions nevertheless remain high, fueled also by the wider discussions surrounding the security situation in and around Ukraine.

Of serious concern is the fact that, in 2021, the SMM recorded ceasefire violations in and near the three symbolically important pilot disengagement areas, including with the use of proscribed weapons. In Luhansk region, in particular, the wider Pervomaisk-Popasna-Zolote area consistently remained a hotspot. On 3 December, the SMM recorded a violent exchange of fire inside and near the Stanytsia Luhanska disengagement and crossing point. This was an especially dangerous situation as civilians in transit, including children, were put at risk. This was the first time since April 2020 that the SMM recorded ceasefire violations inside this area. Importantly, there the benefits of disengagement had been clearly demonstrated as it allowed for the reconstruction of the Stanytsia Luhanska bridge – one of the symbols of this conflict. I underline the significance of violence in these three areas as it provides insight into the sides’ will or at times its absence to adhere to their commitments.

In this context, I also wish to share my deep concern over the sides’ holding of live-fire exercises inside the security zone, throughout 2021 and since the start of 2022. These ceasefire violations deserve our particular attention as they violate both the comprehensive ceasefire regime and the specific TCG decision of 3 March 2016, prohibiting the conduct of such exercises. Last month, they were approximately ten per cent of all ceasefire violations recorded by the SMM.

Since the beginning of 2022, the Mission is already recording on average twice as many ceasefire violations per day as it did over the same period in 2021, when the sides' adherence to the ceasefire had already started fraying.

As I noted, the increasing levels of violence, with the use of heavy weapons, inevitably led to a rise in the number of corroborated civilian casualties due to shelling and small-arms fire. In 2021, the SMM corroborated more civilian casualties due to shelling and small-arms fire -48 - than those caused by mines and other explosive objects. Nearly 60 per cent of the corroborated civilian casualties as a result of shelling and small-arms fire as well as nearly 70 per cent of all cases of damage to civilian objects and infrastructure sites were recorded between October and November last year.

Other violations of commitments undertaken by the sides have also continued. The SMM recorded new trench extensions and improvements to positions, the presence of heavy weapons and military and military-type positions in residential areas, and the increased use of non-SMM unmanned aerial vehicles.

As a last point on this issue, it is worth mentioning that violations occur on either side of the contact line.

Mister President,

Regrettably, discussions in the working group on security issues have been at an impasse for the past year. The in-principle agreements reached in 2020 on 19 demining areas, an updated mine action plan, four new disengagement areas and a draft addendum to clarify some aspects of the Framework Decision on Disengagement, have not been actioned. The security-related conclusions of the 2019 Normandy Four Paris Summit require new political impetus to be translated into tangible progress.

Since April 2021, participants have been discussing a draft addendum to the 22 July Measures agreement. But common ground has yet to be found. As I underlined last year, such a mechanism would facilitate de-escalation, address the persistent issue of impunity and contribute to building confidence on the ground. It will demonstrate the sides' political will to act in line with their commitments.

Mister President,

I wish to underline that the communities along the contact line are deeply traumatized by living in constant danger and uncertainty. I already mentioned the 48 casualties caused by small arms-fire or shelling. In 2021 the SMM corroborated another 43 cases of people injured or killed by mines, unexploded ordnance, and other explosive

devices. It is imperative that the sides do their utmost to mitigate these constant threats, even unilaterally, in parallel with the negotiations on overall solutions.

Mister President,

The challenges of the ongoing pandemic have also endured and continue to make daily life even more challenging for civilians on both sides of the contact line.

The past year saw no improvement in civilians' freedom of movement between government- and non-government-controlled areas of Ukraine. Crossing the contact line remains limited to two of the five existing crossing points. Only the pedestrian crossing at Stanytsia Luhanska bridge is accessible on a daily basis. There has been no progress in the opening of the two new crossings, at Zolote and Shchastia, even though in-principle agreement on their opening was reached in July 2020.

Even as some of the pandemic-related restrictions were eased last year, official data shows that crossings in 2021 remained a mere five per cent of the pre-pandemic levels. These are not just statistics. They represent the elderly, who can no longer access their pensions as well as the young, who are losing out on educational or economic opportunities. Access to other services, including healthcare and documentation such

as passports, birth and death certificates is being severely curtailed, while people – family, friends, communities – are being separated from each other. Estrangement between communities spanning the contact line should not become entrenched. The needs and the rights of civilians should take precedence. Both existing and new crossing points should be fully opened and all restrictions – on both sides of the contact line - lifted without delay.

In these challenging circumstances, it is also vital that the critical infrastructure that civilians depend on for their basic needs remains operational and protected from the impact of armed violence.

Last year, the SMM continued facilitating and monitoring repairs to gas, water and electricity infrastructure objects, benefiting millions of civilians on both sides of the contact line.

Regrettably, since February 2021, and especially in the wake of an incident inside the disengagement area near Zolote in October, the process of exchanging security guarantees among the sides has been at an impasse, particularly in Luhansk region. I would like to underline that the exchange of security guarantees, which are essential for conducting vital repairs, had previously not been linked to increased tensions on the ground. This process should not be politicized as it is now.

Mister President,

Reviewing these challenges, it appears to me that there has never been a greater need for the impartial and objective monitoring delivered by the SMM. The sides also recognize the importance of the Mission's work. Their reactions to the temporary relocation of some Mission members last weekend clearly indicated that.

Throughout the past year, the SMM has continued managing the challenges I describe, and performing its mandated tasks. However, since I last briefed this Council, the Mission's work has continued to be undermined by persistent and escalating constraints on its freedom of movement, predominantly in areas outside government control.

I need to underline that freedom of movement is what makes monitoring – monitoring, as foreseen in the mandate. It is essential for enabling the SMM to serve as the impartial eyes and ears of the international community in Ukraine. I wish to recall that this freedom of movement is enshrined in the Mission's mandate as well as the Minsk Agreements.

In 2021, some 91 per cent of all freedom of movement restrictions experienced by the SMM took place in non-government-controlled areas. The past year saw the Mission's movements across the contact line increasingly denied, delayed, or conditioned. These impediments

continued to undermine the SMM's operational unity and threaten the sustainability of its work in non-government-controlled areas.

Impediments to SMM's use of technical monitoring tools have also continued, on both sides of the contact line. Instances of gunfire assessed as targeting SMM's unmanned aerial vehicles - UAVs - almost doubled - from 67 in 2020 to 132 in 2021. The intensity of GPS signal interference in 2021 reached unusually high levels and affected all SMM UAV platforms. Over 40 per cent of all flights experience some form of electronic interference now.

The degradation of the aerial environment in 2021 particularly affected the SMM's long-range UAV. This platform is the only one that can monitor the full length of the contact line as well as areas near the border outside government control 24/7. However, over 80 per cent of its flights encountered interference. In the wake of damage to several aircraft due to intense jamming, flights were suspended from the end of June, with full operational flights only resuming on 23 December. We resumed flights not because jamming stopped, but after we had to take additional measures.

Mister President,

The past year has been difficult on many levels. At a time of heightened tensions on the ground and in public rhetoric, it is imperative for the

signatories of the Minsk agreements to adhere to all their commitments. First and foremost among them – to strictly adhere to the ceasefire regime.

Political impasse and increased violence reinforce one another. I hope that the recent resumption of Normandy Four consultations and other confidence building efforts under the auspices of the OSCE will provide much needed political impetus to relieve tensions in the region and for conflict resolution processes to move forward.

The restoration of the SMM's freedom of movement is meanwhile paramount in order that the Mission can do its job. The SMM should be actively supported by the sides in installing new cameras and opening long-planned forward patrol bases.

The SMM should again be able to cross the contact line without arbitrary conditioning and denials. Its unimpeded and unconditional access through the contact line, especially in Luhansk region, must be restored without delay.

Attempts to vilify the Mission by publicly accusing it of bias should also come to an end.

The impasse in the exchange of security guarantees among the sides also requires urgent resolution all along the contact line. The capacity

on the ground exists, the will to use it needs to be strengthened, and be guided solely by the needs of the long-suffering civilians. The SMM remains available to facilitate constructive efforts in that regard.

(Mister President, dear colleagues,

Before concluding my remarks, I would like to highlight two points:

I remain convinced that the SMM's role remains critical to reducing tensions and fostering peace, stability and security. Yet, our key challenge has been to ensure the space for the implementation of that mandate. Lacking any way to enforce this implementation, we need the strong and sustained support of the international community to urge the sides to implement their commitments, and restore SMM's freedom of movement. Where there is political will, there is a way – and I remember, particularly, the reconstruction of the Stanytsia Luhanska bridge after so many years, and the encouraging periods of quiet that briefly followed the 22 July 2020 Measures agreement. Progress is possible.

I am also compelled to highlight the continuing plight of civilians. I have described the death and injury caused by continued exchanges of fire and by mines. However, allow me also to note that, with the contact line nearly completely sealed for two years already, people-to-people contacts have been greatly disrupted, and communities -even families

- have been divided due to no fault of their own. This is taking place against the background of other developments that are further deepening the divide between people living on both sides of the contact line.

The political challenges of this eight-year conflict should not eclipse the human cost. I implore the signatories of the Minsk Agreements to be mindful of these costs, and redouble their efforts. I urge the members of this venerable Council to work with the sides and support their efforts to that end.)

Mr. President,

I would like to reiterate our deep appreciation for the Council's continuing keen interest in and strong support for the Mission's efforts to reduce tensions and foster peace, stability, and security in Ukraine.

I also wish to take this opportunity to thank the United Nations in Ukraine, both in Kyiv and in the field, for its continuing excellent cooperation with the SMM; and the Special Representative, Ambassador Kinnunen, for his tireless efforts to facilitate a diplomatic resolution to the crisis in and around Ukraine.

I thank you for your attention.