



Organization for Security and
Co-operation in Europe
Observer Mission at the Russian Checkpoints
Gukovo and Donetsk

**Report of Acting Chief Observer Paul Picard
to the OSCE Permanent Council
for the period 30 July to 30 September 2014**

Introduction

Upon the invitation of the Russian Federation and based on the Permanent Council Decision No. 1130, the OSCE Observer Mission (OM) started its work at the two Russian Border Crossing Points (BCPs) of Donetsk and Gukovo on 30 July 2014. In ten weeks of uninterrupted presence, the Mission has observed the movement of more than half a million persons and fulfilled its mandate of monitoring and reporting on cross-border movements at the two aforementioned BCPs.

Despite its limited mandate and its rather small size, the OM has been acting as the eyes and ears of the OSCE Chairmanship and the participating States, providing them with reliable and detailed information of the situation at the two BCPs. Always working under the principles of impartiality and transparency, the OM has also reached out to the public by making its reports available on the OSCE website and by addressing and updating the media regularly. The OM has also established relationships of trust with local authorities and other international organizations present in the area. The OM's presence at the two BCPs has served as a tool to create conditions to increase confidence between the participating States concerned as well as the people crossing the border.

Establishment of the OM and start of observation

The deployment of the OM is an example of the speed at which the OSCE can react and set up a field operation. Following the letter of invitation sent on 14 July by Russian Foreign Minister Sergey Lavrov to the Chairperson-in-Office to establish an observation mission at the two Russian BCPs, the Conflict Prevention Centre (CPC) dispatched a Needs Assessment Team (16-19 July) ahead of the adoption of the Permanent Council Decision 1130 on 24 July.

Five days later, on July 29, a core team of OSCE observers, composed of first responders from the Secretariat, the Special Monitoring Mission to Ukraine (SMM) and OSCE field operations, arrived to the Rostov region with all the needed equipment (including armoured and soft skin vehicles) to jump-start the mission. On 30 July, the OM established its mission base in Kamensk Shakhtinskiy and visited the two BCPs. On 31 July, Observer Teams (OTs) started to monitor and observe the situation and activities at the BCPs. Sixteen days passed between the reception of the letter and the start of the monitoring.

Staff composition

Initially the OM operated with only two OTs (four observers), three administrative assistants and the Acting Chief Observer. On 9 and 10 August, the majority of permanent observers arrived and the OM reached full capacity with 15 observers and the Acting Chief Observer. After a short training, eight OTs started to monitor both BCPs 24/7. By 21 August, the remainder of the observers had arrived and the SMM first responders returned to their duty stations in Ukraine. On 27 September, one observer had to separate from the mission due to a

family emergency. A first-responder from another field operation will arrive on 5 October to fill this vacancy.

Workload

Though the OM has 16 observers, in reality only 12-13 can perform shifts on a given day. This is due to the fact that two observers are off duty and the Acting Chief Observer and the reporting focal point cannot take as many shifts as full-time observers. The workload is therefore high. On average, the observers work at the border 60 hours per week and, to this, seven to eight hours of driving have to be added. With the departure of one observer, the reporting focal point and Acting Chief Observer have taken on more shifts to secure 24/7 monitoring of the two BCPs. The work is not sustainable in the long run with the current number of observers. This would therefore need to be re-evaluated, should the mission be extended.

Activities during the reporting period

Combats in the vicinity of the Gukovo BCP

In the first days of the OM's deployment, the Gukovo BCP was closed because of on-going armed confrontations between the Ukrainian armed forces and supporters of the self-proclaimed republics. As a result of these exchanges of fire, some of which quite violent, multiple shells fell on the Russian Federation side including within the territory of the BCP itself (on 2 and 4 August). The observers who were on site could not assess from which warring side it had come; however, they concluded that they had not been fired upon the Russian Federation deliberately but rather were targeting mistakes, as the two sides were at the edge of the border and very close to the BCP. The combats ended on 4 August when Ukrainian servicemen sought safety by crossing the border into the Russian Federation through the Gukovo BCP. Spot reports with detailed information were issued in each instance.

Safety corridor opened for 12 and then 437 Ukrainian servicemen

On 1 to 2 August, the OM received calls from relatives of Ukrainian officers who had found out that OSCE Observers were at the Gukovo BCP. Later on, Ukrainian officers themselves contacted the observers and requested the assistance of opening a safe passageway through the Gukovo BCP for several hundreds of servicemen. According to these officers, the 72nd mechanized infantry brigade, other, smaller Ukrainian military units and Ukrainian border guards were cut off from their supply and logistics lines for several weeks and were surrounded, leaving them without ammunition, fuel and food. Negotiations with the supporters of the self-proclaimed republics to open a green corridor had failed and they had no choice but to cross through Gukovo BCP.

As soon as the OM received and confirmed the information, the OM made a request to the Russian authorities to allow the passage of these Ukrainian servicemen, which was agreed while the OM continued the work of liaising with the Ukrainian servicemen.

On 2 August late in the evening, without warning, a first group of 12 Ukrainian servicemen crossed the border while the OM was not on site. The OT met with the chief of the group at the Gukovo BCP in the morning and took note that they wanted to return to Ukraine as soon as possible through a safe passageway. It seems that they crossed as to experiment and provide feedback to the rest of the troops on the other side.

On 3 August late in the evening, after multiple phone discussions, the OM finally met with the 72nd mechanized infantry brigade deputy commander and with the Gukovo BCP head to discuss the modalities of the transfer, which started soon after. From 00:45 to 10:20 a total of 437 Ukrainian servicemen passed through the BCP and continued further to a transit camp nearby. Wounded servicemen were first transported to a nearby hospital by ambulance.

On 4 August at 06:00, while the Ukrainian servicemen were still passing through the BCP, supporters of the self-proclaimed republics launched a full-fledged assault on the former positions held by the Ukrainian servicemen. During that assault, the OM observed shells falling on the Russian Federation side. Because of the deterioration of the situation, the BCP authorities authorised the use of accelerated checking procedures to allow the last hundred servicemen to enter the BCP compound.

The presence of the OSCE clearly provided all the conditions to increase the confidence of the Ukrainian servicemen, who were deeply worried about their crossing into the Russian Federation. The OM was able to provide assurances that it would report clearly to the OSCE participating States and the media that they wanted to return to Ukraine as quickly as possible through a safe passageway and that they were in no case asking for refugee status in the Russian Federation. Spot reports with detailed information were issued in each instance.

Arrival of Ukrainian border guard and customs officers to the Donetsk BCP

On 15 August, 58 Ukrainian border guard and customs officers arrived at the Donetsk BCP to participate in the inspection of the announced Russian humanitarian aid convoys. Since that time, the Ukrainian officers have been staying in tents next to the BCP. A rotation of Ukrainian staff occurred on 16-17 September. As the Ukrainian government is not in control on the Ukrainian side of the Donetsk BCP (Izvarino BCP), the Ukrainians have travelled through a northern BCP under the control of the Ukrainian government and driven through the Russian Federation to the Donetsk BCP using their own busses.

Russian convoys

On 22 August and on 12 September, the OM observed at the Donetsk BCP the passage of two Russian convoys, reportedly loaded with humanitarian aid and bound for Luhansk. In each case, the OM monitored the movement and counted the number of trucks crossing into Ukraine. In both instances, the OM liaised with the International Committee of the Red Cross (ICRC), which took part in the administrative and technical preparations, and provided relevant information to ICRC staff. Since the OM's mandate does not include inspection and verification authority, the Russian convoys were observed from a distance only. Spot reports with detailed information were issued in each instance.

First convoy

On 22 August, a total of 227 Russian trucks crossed the Donetsk BCP into Ukraine. Out of the total number of vehicles, 37 were inspected jointly by the Russian Federation, the Ukrainian officers and the ICRC. On the morning of the departure, the ICRC had not received assurances that the way would be secure and therefore decided to wait further. However, the Russian trucks started their movement to Ukraine without the ICRC. The first 37 inspected trucks crossed and were followed by 190 trucks that had not been inspected. On the very next day, all 227 trucks returned through the BCP. The crossing of the first convoy raised all kinds of concerns and rumours in the media that the trucks had not returned to the Russian Federation. The OM noted that the rumours could provide a base for further escalation of tensions and reached out to the media, providing clear and precise information

on the crossing of the convoy into Ukraine and back to the Russian Federation, and thus stopping the spread of those rumours.

Second convoy

On 12-13 September, the second Russian convoy, consisting of 216 trucks, arrived at the BCP. The first 36 trucks were checked by the Russian border guard and customs services. In the morning, the convoy started its movement into Ukraine. 180 trucks were not inspected. Throughout the procedure, the ICRC and the Ukrainian officials (staying across the fence of the BCP) did not participate. All the trucks returned to the Russian Federation in the afternoon.

Third convoy

On 20 September, the press reported that a third convoy had crossed the border into Ukraine. Some media reported that it had gone through the Donetsk BCP as the previous ones had, but the OM did not observe it. According to the press, that convoy had crossed through another BCP (Matveev-Kurgan) and had gone to the city of Donetsk in Ukraine. For that reason, the OM could not provide any further information.

General observations and trends at the two BCPs:

During the reporting period, the OM has noted two general phases: a pre- and a post-ceasefire phase, during which trends have been more or less opposite.

The profile of the people crossing the border can be categorised as follows:

1. Adults (usually of younger age) with no luggage or empty cars;
2. Families on foot or by car with a lot of luggage (often without men);
3. People wearing military-style clothes with or without backpacks;
4. Elderly people with few bags.

Details about each group:

1. *Adults with no luggage or empty cars* represent the largest group crossing the border on a daily basis. These people are crossing for short periods, usually for a day and return in the evening. They commute to either extend their migration cards (which need to be extended every three months), withdraw money and/or buy medicine and other supplies in Russia, as according to their assertion, it is difficult to do so in eastern Ukraine.
2. *Families on foot or by car with a lot of luggage* represent the second largest group observed. During the pre-ceasefire phase, families were flowing into the Russian Federation and in many instances, parents were returning to Ukraine to take care of their belongings left behind. After the ceasefire, a reverse tendency started and has been continuing until now.
3. *People wearing military-style dress with or without backpacks* represent the second largest group and have been observed crossing back and forth since the beginning of the OM's arrival. With the signature of the ceasefire, the OM has noted a significant increase in the movement of these men and women in military-style dress. A large majority of them is crossing through the Donetsk BCP. OTs have noted that some of these men and women bear flags and badges of the "Luhansk People's Republic" ("LPR"), the "Donetsk People's Republic" ("DPR") or "Novorossiia". More recently, OTs observed an increasing number of these people wearing a hat ('kubanka') that is

generally attributed to Cossacks. Some of them carried an ID card and badges on their sleeves with blue at the top, yellow in the centre and red at the bottom. On the ID cards was written “Cossack National Guard” and their flag resembles the Rostov region flag.

The OM has never observed any people in military-style dress carrying weapons.

4. *Elderly people with few bags* have also started to return to Ukraine. They are often accompanied by family members assisting them in their return.

The average cross-border movements registered at both BCPs account for 43 percent of all entries/exits in the Rostov Oblast. On average the Donetsk BCP experiences twice as much traffic as the Gukovo BCP. However, the trends of each BCP are very similar. The average number of entries/exits has been variable throughout the reporting period but has increased in the ceasefire period. The net flow (calculated as entries minus exits) has however completely reversed and shows a clear return of the people to Ukraine since the ceasefire was signed.

Before the ceasefire was signed, in addition to the aforementioned combats in the vicinity of the Gukovo BCP, OTs could hear artillery detonation almost on a daily basis (day and night). Some periods of combat were intense, as the shelling could occur for extended periods throughout the day and the night. These detonations were distant and occurred on the Ukrainian side of the Donetsk BCP. In a few instances, some of these detonations occurred very close to the Donetsk BCP. Since the ceasefire entered into force, the detonations have ceased (with the exception of the firing ranges close to the Gukovo BCP, which are assessed to be used for training). The situation at both BCPs has remained calm.

Interaction with the “border crossers”

People who cross the border regularly talk to the OTs and tend to confuse the OM with the SMM teams. Before the ceasefire, people whom the OTs spoke to often blamed the OSCE for having left Luhansk and for not assisting them. Several times, they expressed their desire to see our presence in the Luhansk region. However, this general negative stance changed with the entry into force of the ceasefire. Most of the people have shown a positive attitude when interacting with the OTs. Many people are thankful for the OSCE’s action in the ceasefire process, even if they think it may not last. People regularly tell the OTs that the OSCE presence at the BCPs is reassuring. There are still other people who are very suspicious of our presence and do not want to talk to OTs.

All interlocutors (most of whom are from the Luhansk region) are stating that, since the ceasefire was signed, the intensity of fighting and shelling has practically stopped, except in specific locations in the Luhansk area. However, despite the fact that the ceasefire was introduced four weeks ago, the majority of people do not believe it will last. The OM has received reports that water and electricity supplies have resumed in several parts of the Luhansk region. Most daily-needed items are available but expensive. Therefore, a lot of people cross the border just to buy supplies. According to many pensioners, pensions have not been paid for over four months and they face increasing difficulties, often depending on the support of their relatives or neighbours.

Vehicle crossing

Since the ceasefire protocol was signed, the movement of vehicles has increased considerably. The majority of the vehicles crossing the border have number plates issued in the Luhansk region. In the past three weeks, long-distance bus connections between the

Luhansk region and Kamensk Shakhtinskiy, Rostov on Don and Moscow have resumed. The busses are always full, which indicates a normalisation of the situation.

The OM also noted a significant increase of minivans crossing the border. Since cargo trucks are not crossing, it seems that minivans are transporting supplies to the Luhansk region. The OM also noted the movement of supporters of the self-proclaimed republics in cars and minivans. The OTs noted that a lot of these minivans look brand new. Some of the vehicles bear flags and emblems of “Novorossiia”, the “LPR” and the “DPR”. In the past two weeks, the flags and emblems of the “Cossack National Guard” also appeared on some minivans.

Military equipment

Before and after the ceasefire, the OM observed numerous and regular flights of aircrafts in the vicinity of both BCPs. The aircrafts were:

- helicopters flying tactically at very low altitude and along the border;
- Unmanned Aerial Vehicles (UAVs) flying at medium altitude (3-6 kilometres); and
- propeller planes flying at high altitude (7+ kilometres).

The aircrafts of the two latter categories have been flying following the same flight patterns in very regular schedules with intervals varying from 18 to 25 minutes. Within the limitations of observing aircrafts without technical means, the OTs assessed that the aircrafts did not violate Ukrainian airspace in the vicinity of the BCPs.

The only instance the OM recorded an attempt to cross with weapons illegally happened on the Gukovo BCP on 22 September when a middle-aged man dressed in military-style clothing tried to cross into the Russian Federation with several hand grenades in his bag. The BCP was temporarily closed and a demining team arrived on the scene to defuse the grenades. The man was escorted from the BCP handcuffed.

Ambulances and coffins

With the entry into force of the ceasefire, the number of ambulances that pass through the BCPs has significantly diminished. Whereas before the ceasefire there were ambulances multiple times per day, they now pass on a weekly basis or less. The OM has noted the transfer of three coffins at the Donetsk BCP. In one instance, a family member was present during the transfer. The person was visibly under much stress and emotion and blamed the OSCE for the death of her brother.

Co-operation with local authorities and international organizations

Since the very beginning of the Mission, the OM has established excellent relations and maintained almost-daily contacts with the Rostov regional administration, the Rostov representation of the Ministry of Foreign Affairs, the border guard services and to a lesser extent with the customs services. The Mission has also established working contacts with local authorities of the town of Kamensk Shakhtinskiy (including the mayor and the representatives of the security and safety services), where the Mission is established. The support of the Russian Federation, since our arrival to Rostov and until the present day, has been remarkable. The OM has a dedicated team of liaison officers from the Rostov regional administration who rotate on a weekly basis and assist the Mission in solving all kinds of issues. The OTs have a police escort during all their movements between the Mission base and the BCPs which provides added security and ease for its movements. On the BCPs, the border guard and customs services have kindly provided the OTs with all the conditions (including heated rooms and microwaves) to fulfil our mandate in the best possible

circumstances. The OM is very grateful for the support provided by the Russian Federation which has made our mission easier to implement.

The OM has also established extensive relations with the International Committee of the Red Cross (ICRC) and the United Nations High Commissioner for Refugees (UNHCR). The two international organizations have been intermittently present in the OM's area of deployment. The co-operation with the ICRC occurred in correlation with the Russian convoys that crossed at the Donetsk BCP (as described above). With the UNHCR, information was exchanged on the cross-border movements and the situation at the BCPs. Both organizations are reading the OM's reports and are asking for more details from time to time. We are keeping the contact by phone on a regular basis and meet when circumstances allow. The OM will continue to keep these working relations alive and exchange information.

Co-operation with the SMM

From the very beginning, the OM has been co-operating extensively with the SMM. As we have direct contacts, the exchange of information is very regular and, depending on the urgency, has taken place day and night. This was especially the case during the crossing of the 437 Ukrainian servicemen and more recently during the crossing of the Russian convoys. The OM exchanges other relevant information regularly and will continue to do so in the future.

Security

Fighting in the vicinity of the Gukovo BCP

The security and safety of OSCE staff is the first responsibility of the Acting Chief Observer. From the very first day, the OM, in co-ordination with the BCP authorities, established security measures and standard operating procedures (SOPs) to protect its staff and assets. As described earlier, at the beginning of the mission, combats were taking place very close to the border. Despite days of exchange of fire between the belligerents at very close distance and a couple of instances when shells fell on the Gukovo BCP compound itself, the OM stayed on site to fulfil its mandate.

Now that combats have ceased, the security situation has improved and OTs do not have to wear their personal protection equipment (PPE) while on duty; however, at all times, the PPE is kept close by and can be put on in a matter of seconds should the situation require it.

Firing range in the vicinity of Gukovo BCP:

While combats have ceased, instances of firing continue to occur at proximity of the Gukovo BCP due to the presence of firing ranges (as described earlier), but these do not constitute a danger for the OTs. During "fire practices" the BCP remains open and people continue to cross the border.

Interaction with the media

The OM has been at the centre of media attention since its inception. Representatives of the local media were at the Veselo-Voznesenka BCP when the SMM first-responders crossed the border into the Rostov region and the Acting Chief Observer gave a press conference in Rostov on the morning of the OM's first working day with Rostov region's deputy governor. Throughout the pre-ceasefire period, media representatives were very interested in the OM's weekly press briefings as well as additional briefings addressing unusual events, such as the crossing of the Ukrainian servicemen and the Russian convoys. The OM provided impartial

and clear facts to stop the many rumours based on false or distorted information that were being spread.

At the beginning, when the OM started the press briefings, statements made for the two BCPs were often applied to the entire Russian-Ukrainian border. The OM has worked with the media and progressively these mistakes became less common.

In the post-ceasefire period, the activities at the BCPs entered more or less into a routine and the media's attention turned to the ceasefire implementation on the Ukrainian side. The OM continues to brief media outlets on an ad-hoc basis, when requested to, and will continue to reach out to the media on a regular basis to make sure proper information on OSCE activities at the BCPs are circulated.

Issues still to be solved

To this day, the letter of exchange between the Secretariat and the Ministry of Foreign Affairs of the Russian Federation has not been finalized and no agreement has been reached, especially on the privileges and immunities of the OSCE Mission members. Therefore, Mission members are working in the Russian Federation without protection or immunities. This point needs to be resolved as soon as possible.