
Chairmanship: Germany

1095th PLENARY MEETING OF THE COUNCIL

1. Date: Thursday, 7 April 2016

Opened: 10.05 a.m.
Suspended: 1 p.m.
Resumed: 3.05 p.m.
Closed: 6.10 p.m.

2. Chairperson: Ambassador E. Pohl

The Chairperson, the Netherlands-European Union (with the candidate countries Albania, the former Yugoslav Republic of Macedonia, Montenegro and Serbia; the country of the Stabilisation and Association Process and potential candidate country Bosnia and Herzegovina; the European Free Trade Association country Iceland, member of the European Economic Area; as well as Andorra, Moldova, Monaco and Ukraine, in alignment) (PC.DEL/435/16/Rev.2), Kazakhstan (PC.DEL/459/16 OSCE+) (PC.DEL/457/16 OSCE+), Switzerland, Georgia (PC.DEL/437/16 OSCE+), Belarus, Azerbaijan, the Holy See, the Russian Federation, the United States of America (PC.DEL/390/16), Norway (also on behalf of Mongolia), Canada, Turkmenistan, Ukraine, San Marino (PC.DEL/458/16), Serbia, Kyrgyzstan, Bosnia and Herzegovina, Moldova and Liechtenstein, extended their condolences to the families of the victims of the terrorist attacks in Istanbul, Turkey, on 19 March 2016, and in Brussels on 22 March. Turkey and Belgium (PC.DEL/395/16 OSCE+) thanked the Chairperson and delegations for their expressions of sympathy.

Condolences were also expressed to the families of the victims of the tragic crash of the FlyDubai flight FZ981 in Rostov-on-Don, Russian Federation, on 19 March 2016.

In addition, condolences were expressed to the Chairperson on the deaths of former Ministers for Foreign Affairs of Germany, Mr. Guido Westerwelle, on 18 March 2016, and Mr. Hans-Dietrich Genscher, on 31 March 2016.

Prior to taking up the agenda, the Chairperson informed the Permanent Council that the Chairperson-in-Office, in a letter (Annex) issued on 23 March 2016, had announced the adoption through a silence procedure of Ministerial Council Decision

1 Includes corrections to the translation of attachment 3 to Ministerial Council Decision No. 1/16.

No. 1/16 (MC.DEC/1/16/Corr.1) on the extension of the mandate of the OSCE Representative on Freedom of the Media, the text of which is appended to this journal.

Chairperson, Netherlands-European Union (with the candidate countries Albania, the former Yugoslav Republic of Macedonia and Montenegro; the country of the Stabilisation and Association Process and potential candidate country Bosnia and Herzegovina; the European Free Trade Association countries Iceland and Norway, members of the European Economic Area; as well as Georgia and Ukraine, in alignment) (interpretative statement, see attachment 1 to the decision), Canada (interpretative statement, see attachment 2 to the decision), Russian Federation (interpretative statement, see attachment 3 to the decision), Switzerland (interpretative statement, see attachment 4 to the decision), United States of America (interpretative statement, see attachment 5 to the decision)

3. Subjects discussed – Statements – Decisions/documents adopted:

Agenda item 1: DECISION ON THE EXTENSION OF THE DEPLOYMENT
OF OSCE OBSERVERS TO TWO RUSSIAN
CHECKPOINTS ON THE RUSSIAN-UKRAINIAN
BORDER

Chairperson

Decision: The Permanent Council adopted Decision No. 1205 (PC.DEC/1205) on the extension of the deployment of OSCE observers to two Russian checkpoints on the Russian-Ukrainian border

Netherlands-European Union (with the candidate countries Albania, the former Yugoslav Republic of Macedonia and Montenegro; the country of the Stabilisation and Association Process and potential candidate country Bosnia and Herzegovina; the European Free Trade Association countries Iceland and Norway, members of the European Economic Area; as well as Georgia and Moldova, in alignment) (interpretative statement, see attachment 1 to the decision), United States of America (interpretative statement, see attachment 2 to the decision), Ukraine (interpretative statement, see attachment 3 to the decision), Russian Federation (interpretative statement, see attachment 4 to the decision)

Agenda item 2: REPORT BY THE CO-ORDINATOR OF OSCE ECONOMIC
AND ENVIRONMENTAL ACTIVITIES

Chairperson, Co-ordinator of OSCE Economic and Environmental Activities (SEC.GAL/49/16 OSCE+), Netherlands-European Union (with the candidate countries Albania, the former Yugoslav Republic of Macedonia, Montenegro and Serbia; the country of the Stabilisation and Association Process and potential candidate country Bosnia and Herzegovina; the European Free Trade Association countries Iceland, Liechtenstein and Norway, members of the European Economic Area; as well as Andorra, Armenia, Georgia, Moldova,

San Marino and Ukraine, in alignment) (PC.DEL/405/16), United States of America (PC.DEL/396/16), Switzerland, Turkey (PC.DEL/421/16 OSCE+), Russian Federation (PC.DEL/419/16), Kazakhstan (PC.DEL/454/16 OSCE+), Belarus (PC.DEL/446/16 OSCE+), Azerbaijan (PC.DEL/397/16 OSCE+), Georgia, Turkmenistan, Armenia (PC.DEL/461/16)

Agenda item 3: REVIEW OF CURRENT ISSUES

Chairperson

- (a) *Russia's ongoing aggression against Ukraine and illegal occupation of Crimea:* Ukraine (PC.DEL/413/16 OSCE+), Netherlands-European Union (with the candidate countries Albania, the former Yugoslav Republic of Macedonia and Montenegro; the country of the Stabilisation and Association Process and potential candidate country Bosnia and Herzegovina; the European Free Trade Association countries Iceland and Norway, members of the European Economic Area; as well as Georgia, Moldova, San Marino and Ukraine, in alignment) (PC.DEL/406/16), Switzerland (PC.DEL/414/16 OSCE+), Turkey (PC.DEL/442/16 OSCE+), Canada (PC.DEL/453/16 OSCE+), United States of America (PC.DEL/399/16)
- (b) *Situation in Ukraine and the need to implement the Minsk agreements:* Russian Federation, United States of America (PC.DEL/403/16), Ukraine
- (c) *Abduction and illegal detention of Ukrainian citizens by the Russian Federation:* Ukraine (PC.DEL/408/16 OSCE+), Canada (PC.DEL/451/16 OSCE+), Netherlands-European Union (with the candidate countries Albania, the former Yugoslav Republic of Macedonia and Montenegro; the country of the Stabilisation and Association Process and potential candidate country Bosnia and Herzegovina; the European Free Trade Association countries Iceland and Norway, members of the European Economic Area; as well as Andorra, Georgia, Moldova, San Marino and Ukraine, in alignment) (PC.DEL/407/16), United States of America (PC.DEL/398/16), Russian Federation (PC.DEL/434/16)
- (d) *Parliamentary elections in Kazakhstan, held on 20 March 2016:* Kazakhstan (PC.DEL/455/16 OSCE+) (PC.DEL/456/16 OSCE+), United States of America (PC.DEL/441/16), Belarus (PC.DEL/447/16 OSCE+), Netherlands-European Union (with the candidate countries Albania, the former Yugoslav Republic of Macedonia and Montenegro; the country of the Stabilisation and Association Process and potential candidate country Bosnia and Herzegovina; and the European Free Trade Association countries Iceland and Norway, members of the European Economic Area, in alignment) (PC.DEL/409/16), Turkey (PC.DEL/444/16 OSCE+), Azerbaijan, Russian Federation (PC.DEL/422/16), Tajikistan (PC.DEL/415/16 OSCE+)
- (e) *International Roma Day, to be observed on 8 April 2016:* United States of America (PC.DEL/402/16), Turkey (PC.DEL/445/16 OSCE+), Russian Federation (PC.DEL/424/16)

- (f) *Conviction of Mr. Radovan Karadžić by the United Nations International Criminal Tribunal for the former Yugoslavia*: United States of America (PC.DEL/400/16), Russian Federation (PC.DEL/425/16), Netherlands-European Union (with the candidate countries Albania, the former Yugoslav Republic of Macedonia and Montenegro; the country of the Stabilisation and Association Process and potential candidate country Bosnia and Herzegovina; the European Free Trade Association countries Iceland, Liechtenstein and Norway, members of the European Economic Area; as well as Andorra and Ukraine, in alignment) (PC.DEL/436/16/Rev.2), Croatia (PC.DEL/443/16 OSCE+), Serbia (PC.DEL/428/16 Restr.), Bosnia and Herzegovina (PC.DEL/462/16 OSCE+)
- (g) *The death penalty in Belarus*: Netherlands-European Union (with the candidate countries Albania, the former Yugoslav Republic of Macedonia, Montenegro and Serbia; the country of the Stabilisation and Association Process and potential candidate country Bosnia and Herzegovina; the European Free Trade Association countries Iceland, Liechtenstein and Norway, members of the European Economic Area; as well as Moldova, San Marino and Ukraine, in alignment) (PC.DEL/411/16), Holy See, Belarus (PC.DEL/448/16 OSCE+)
- (h) *The death penalty in the United States of America*: Norway (also on behalf of Iceland, Liechtenstein, Mongolia, San Marino and Switzerland) (PC.DEL/460/16), Norway (PC.DEL/460/16), United States of America (PC.DEL/404/16)
- (i) *Thirty-fifth round of the Geneva International Discussions, held on 22 and 23 March 2016*: Netherlands-European Union (with the candidate countries Albania, the former Yugoslav Republic of Macedonia, Montenegro and Turkey; the country of the Stabilisation and Association Process and potential candidate country Bosnia and Herzegovina; the European Free Trade Association countries Iceland, Liechtenstein and Norway, members of the European Economic Area; as well as Moldova and Ukraine, in alignment) (PC.DEL/412/16), United States of America (PC.DEL/401/16), Russian Federation (PC.DEL/426/16), Georgia (PC.DEL/439/16 OSCE+)
- (j) *Neo-Nazism in Latvia*: Russian Federation (PC.DEL/427/16) (PC.DEL/433/16), Latvia (PC.DEL/449/16 OSCE+), Norway
- (k) *Planned demolition of Soviet monuments in Poland*: Russian Federation (PC.DEL/429/16) (PC.DEL/430/16), Poland (PC.DEL/418/16 OSCE+)
- (l) *Violations by the United States of America of its OSCE commitments and international humanitarian law with regard to the Russian citizens Mr. K. Yaroschenko and Mr. V. Bout*: Russian Federation (PC.DEL/431/16), United States of America (PC.DEL/463/16)
- (m) *On the banning of broadcasting of the Russian news agency "Sputnik"*: Russian Federation (PC.DEL/432/16), Latvia (PC.DEL/440/16 OSCE+)

Agenda item 4: REPORT ON THE ACTIVITIES OF THE
 CHAIRPERSON-IN-OFFICE

*Announcement of the distribution of the report on the activities of the
Chairperson-in-Office (CIO.GAL/46/16):* Chairperson

Agenda item 5: REPORT OF THE SECRETARY GENERAL

- (a) *Announcement of the distribution of a written report of the Secretary General:*
Director of the Office of the Secretary General
- (b) *Visit of the Secretary General to the United Kingdom, undertaken on 17 and
18 March 2016:* Director of the Office of the Secretary General
- (c) *Update on tender processes for the provision of unmanned aerial vehicle
systems and services to the OSCE Special Monitoring Mission to Ukraine:*
Director of the Office of the Secretary General

Agenda item 6: ANY OTHER BUSINESS

Activities of the Informal Working Group on Migration: Switzerland

4. Next meeting:

Thursday, 14 April 2016, at 10 a.m., in the Neuer Saal



**Organization for Security and Co-operation in Europe
Permanent Council**

PC.JOUR/1095/Corr.1
7 April 2016
Annex

Original: ENGLISH

1095th Plenary Meeting
PC Journal No. 1095, Point 2

LETTER OF THE CHAIRPERSON-IN-OFFICE

Berlin, 23 March 2016

Dear Colleague,

In my capacity as OSCE Chairperson-in-Office, I have the honour to inform you that the period of silence on the draft decision of the Ministerial Council on the extension of the mandate of the OSCE Representative on Freedom of the Media Ms. Dunja Mijatović (MC.DD/2/16/Rev.2), expiring on 23 March 2016 at noon CET, has not been broken.

The decision is therefore effective as of today and will be attached to the journal of the Twenty-Third Meeting of the OSCE Ministerial Council and to the journal of the next meeting of the Permanent Council on 7 April 2016.

Those participating States that intend to exercise their rights to duly register an interpretative statement or a formal reservation under paragraph IV.1(A)6 of the Rules of Procedure of the OSCE are invited to do so through their OSCE delegations at the above-mentioned meeting of the Permanent Council.

Sincerely,

[signature]

Frank-Walter Steinmeier
OSCE Chairperson-in-Office
Minister for Foreign Affairs of Germany

To the Ministers for Foreign Affairs
of the OSCE participating States

DECISION No. 1/16
EXTENSION OF THE MANDATE OF THE
OSCE REPRESENTATIVE ON FREEDOM OF THE MEDIA

The Ministerial Council,

Recalling Permanent Council Decision No. 193 of 5 November 1997 on establishing an OSCE Representative on Freedom of the Media,

Considering that according to Ministerial Council Decision No. 1/13, the term of the current Representative on Freedom of the Media, Ms. Dunja Mijatović, expired on 10 March 2016,

Taking note of the fact that no consensus could be reached to appoint a new Representative on Freedom of the Media,

Taking into account the recommendation of the Permanent Council,

Decides:

1. To extend, as an exceptional measure, the mandate of Ms. Dunja Mijatović as OSCE Representative on Freedom of the Media for a period of one year until 10 March 2017;
2. To ask the Permanent Council to remain seized with the matter with the aim to reach consensus on a new Representative on Freedom of the Media by the end of the year 2016;
3. To recommend to the Chairmanship to reopen the selection procedure in due time.

1 Includes corrections to the translation of attachment 3.

**INTERPRETATIVE STATEMENT UNDER
PARAGRAPH IV.1(A)6 OF THE RULES OF PROCEDURE
OF THE ORGANIZATION FOR SECURITY AND
CO-OPERATION IN EUROPE**

The delegation of the Netherlands, in its capacity as EU Presidency, passed the floor to the representative of the European Union, who delivered the following statement:

“In connection with the decision of the Ministerial Council on the extension of the mandate of Ms. Dunja Mijatović as the OSCE Representative on Freedom of the Media, the European Union would like to make the following interpretative statement under the relevant provisions of the Rules of Procedure, and we request this statement to be attached to the decision.

The European Union considers the autonomous institutions to be key OSCE assets. We stand firmly with the Representative on Freedom of the Media as an institution and fully support its mandate and the excellent work of the current office holder, Ms. Dunja Mijatović.

The European Union thanks the Chairmanship-in-Office for its tireless efforts to appoint a Representative on Freedom of the Media before the mandate of Ms. Dunja Mijatović ends. Nine participating States nominated candidates for this position, including seven from the European Union, offering participating States a wide range of capable candidates to choose from. Despite the best efforts of the Chairmanship-in-Office to build consensus, they were all rejected by one participating State, the Russian Federation. We have heard so far no credible explanation from the Russian Federation as to why none of the nine candidates would be acceptable. Participating States must now show the strongest sense of responsibility and ownership, to find a new representative in a process that must be planned and managed carefully in order to be successful. The current situation must therefore be analysed carefully.

In this situation, a prolongation of the mandate of the current representative is a reasonable way to ensure the continued functioning of the office. We have called for a substantial and meaningful extension as an exceptional measure that would allow the representative and the institution to fulfil its mandate in a meaningful way. We interpret this decision as a commitment by all participating States to ensure the further proper functioning of the institution until a successor has been appointed, if consensus has not been reached by the end of the year.”

The candidate countries the former Yugoslav Republic of Macedonia¹, Montenegro¹, and Albania¹, the country of the Stabilisation and Association Process and potential candidate Bosnia and Herzegovina, and the European Free Trade Association countries Iceland and Norway, members of the European Economic Area, as well as Ukraine and Georgia align themselves with this statement.

1 The former Yugoslav Republic of Macedonia, Montenegro and Albania continue to be part of the Stabilisation and Association Process.

**INTERPRETATIVE STATEMENT UNDER
PARAGRAPH IV.1(A)6 OF THE RULES OF PROCEDURE
OF THE ORGANIZATION FOR SECURITY AND
CO-OPERATION IN EUROPE**

By the delegation of the Canada:

“Mr. Chairperson,

Canada wishes to make an interpretative statement under paragraph IV.1(A)6 of the OSCE Rules of Procedure in connection with the adoption of the Ministerial Council decision on the extension of the mandate of the OSCE Representative on Freedom of the Media, Ms. Dunja Mijatović.

Canada would like to thank the Serbian and German Chairmanships for the efforts they deployed throughout the selection process of a new Representative. We note with regret that the Russian Federation was not in a position to support any of the proposed nine candidates, including the one around which consensus appeared to coalesce in the last stage of the process. This led to an unfortunate stalemate and does not bode well for the ability of the Organization to attract strong, qualified candidates. This is detrimental to all of us, and we hope that we will not face a similar situation again.

In this context, and keeping in mind the importance of this autonomous institution and the mandate given to the Representative on Freedom of the Media by the participating States, we welcome the adoption of the decision to extend the mandate of the current Representative.

Canada would like to take this opportunity to thank Ms. Dunja Mijatović for having accepted this extension and to assure her of our co-operation and support going forward.

We request that this statement be attached to the decision and reflected in the journal of the day.

Thank you.”

**INTERPRETATIVE STATEMENT UNDER
PARAGRAPH IV.1(A)6 OF THE RULES OF PROCEDURE
OF THE ORGANIZATION FOR SECURITY AND
CO-OPERATION IN EUROPE**

By the delegation of the Russian Federation:

“In joining the consensus on the Permanent Council decision on the extension of the mandate of the OSCE Representative on Freedom of the Media by one year, until 10 March 2017, we should like to make the following statement.

The Russian Federation takes the position that extending the authority of the present OSCE Representative on Freedom of the Media for a seventh year is an exceptional case brought about by the need to maintain the continuous and effective operation of this important OSCE institution. We expect Ms. Dunja Mijatović to make steadfast efforts to ensure the Office’s effective and impartial work in accordance with the current mandate. We urge her to continue her contribution to ensuring the freedom, independence and pluralism of the media, the unhindered work of journalists throughout the OSCE area, the protection of their rights, the safety of journalists in conditions of armed conflict, and combating incitement to hatred.

In order to avoid difficulties and time pressure when selecting a new OSCE Representative on Freedom of the Media, we urge the German OSCE Chairmanship to start shortlisting candidates in good time, so as to complete all competitive interviews with applicants by the end of 2016.

We trust that in accordance with paragraph 9 of the mandate ‘the OSCE Representative on Freedom of the Media will be an eminent international personality with long-standing relevant experience from whom an impartial performance of the function would be expected.’

I request that this statement be appended to the decision adopted, and included in the journal of the day.”

1 Includes corrections to the translation.

**INTERPRETATIVE STATEMENT UNDER
PARAGRAPH IV.1(A)6 OF THE RULES OF PROCEDURE
OF THE ORGANIZATION FOR SECURITY AND
CO-OPERATION IN EUROPE**

By the delegation of Switzerland:

“Mr. Chairperson,

Switzerland wishes to make the following interpretative statement, according to paragraph IV.1(A)6 of the OSCE Rules of Procedure.

Switzerland welcomes the adoption of the Ministerial Council decision on the extension of the mandate of the OSCE Representative on Freedom of the Media, Ms. Dunja Mijatović, through a silence procedure. We reiterate our full support to the institution and the mandate of the Representative on Freedom of the Media. We join consensus on this decision for two reasons: first, because we have great respect for Dunja Mijatović and the way she accomplishes this difficult task and second, because we cannot allow having a vacancy in this important institution of the OSCE.

At the same time, we want to express our discontent about the failure to reach consensus on a successor for Ms. Mijatović in time. Functioning independent institutions are of paramount importance to the OSCE in order to transform words into action and turn commitment into reality. Switzerland is thus extremely worried by repeated attempts to delegitimize the work of the Representative on Freedom of the Media, and more specifically by the lack of constructive engagement of some delegations in the selection process on the appointment of the next holder of the mandate.

In closing, Switzerland would like to thank the German Chairmanship, as well as the Serbian Chairmanship last year, for their efforts in trying to find a successor for Ms. Mijatović and to reach consensus on this important issue.

Thank you, Mr. Chairperson, and I would kindly ask that this statement is attached to the Ministerial Council decision and the journal of the day.”

**INTERPRETATIVE STATEMENT UNDER
PARAGRAPH IV.1(A)6 OF THE RULES OF PROCEDURE
OF THE ORGANIZATION FOR SECURITY AND
CO-OPERATION IN EUROPE**

By the delegation of the United States of America:

“In connection with the adoption of the decision on the extension of the mandate of the OSCE Representative on Freedom of the Media, the United States would like to make the following interpretive statement under paragraph IV.1(A)6 of the OSCE Rules of Procedure:

We very much appreciate the efforts of the German Chairmanship in guiding the selection process for the next Representative on Freedom of the Media, after the Serbian Chairmanship launched it last year.

This decision was necessitated by the failure of one participating State to constructively engage in the process of identifying the next Representative on Freedom of the Media. Many hundreds of hours were invested into a transparent, thorough, open process which produced a clear candidate around whom consensus should be built. Yet because of the obstructionism of a participating State, we were unable to complete the process and nominate a successor to Ms. Mijatović.

There is no substantial reason for this obstructionism, which unfortunately sends a negative message to other delegations and the institution of the Representative on Freedom of the Media.

The Office of the Representative on Freedom of the Media is a highly visible and effective independent institution of the OSCE, and we should ensure continuous, strong leadership of that institution.

The United States has the utmost respect for the institution, and its current leader, Ms. Dunja Mijatović, and thus we are grateful for the generosity and flexibility of the current Representative in agreeing to extend her mandate for an additional year, as we seek to complete the task of identifying a replacement.

The decision adopted today calls for our engagement to identify a successor by the end of this year. It also foresees – if we cannot nominate someone by the end of 2016 – asking for Ms. Mijatović’s forbearance once again to serve for another substantial extension beyond March 2017.

Some are fond of calling for ‘mutual respect’ when speaking around this table. The best way to demonstrate and earn mutual respect in the months ahead is to move forward in good faith to do what is foreseen in this decision.

Thank you, Mr. Chairperson, and I ask that this statement be attached to the decision and to the journal of the day.”



**Organization for Security and Co-operation in Europe
Permanent Council**

PC.DEC/1205
7 April 2016

Original: ENGLISH

1095th Plenary Meeting
PC Journal No. 1095, Agenda item 1

**DECISION No. 1205
EXTENSION OF THE DEPLOYMENT OF OSCE OBSERVERS TO
TWO RUSSIAN CHECKPOINTS ON THE
RUSSIAN-UKRAINIAN BORDER**

The Permanent Council,

Recalling its Decision No.1130 of 24 July 2014 on the deployment of OSCE observers to two Russian checkpoints on the Russian-Ukrainian border (PC.DEC/1130),

Decides:

1. To extend the mandate of the deployment of OSCE observers to the two Russian border checkpoints of Donetsk and Gukovo on the Russian-Ukrainian border until 31 July 2016;
2. To approve the arrangements and the financial and human resources for the Observer Mission as contained in document PC.ACMF/17/16. In this respect, authorizes the use of 179,900 euros from the provisional 2014 cash surplus to fund the proposed budget of 359,900 euros, for the duration of the mandate to 31 July 2016.

**INTERPRETATIVE STATEMENT UNDER
PARAGRAPH IV.1(A)6 OF THE RULES OF PROCEDURE
OF THE ORGANIZATION FOR SECURITY AND
CO-OPERATION IN EUROPE**

The delegation of the Netherlands, in its capacity as EU Presidency, passed the floor to the representative of the European Union, who delivered the following statement:

“In connection with the decision of the Permanent Council on the extension of the deployment of OSCE observers to two Russian checkpoints on the Ukrainian-Russian State border, the European Union would like to make the following interpretative statement under the relevant provisions of the Rules of Procedure:

The European Union’s views on the vital importance of border monitoring on the Russian-Ukrainian State border are well-known. Effective and comprehensive monitoring of this border is an integral part of a sustainable political solution in line with OSCE principles and commitments, which re-establishes full Ukrainian control over its sovereign territory, including the border. We recall that the Minsk Protocol calls for permanent monitoring of the border and verification by the OSCE and that the Minsk Package of Measures includes a commitment to reinstate full Ukrainian control over its entire international border.

The OSCE Observer Mission’s currently very limited mandate and its small size does not provide for a comprehensive border monitoring. We therefore reiterate our call for a significant expansion of the Observer Mission to all border crossings on the Russia-Ukraine State border currently not under control of the Ukrainian Government as well as monitoring between these border crossings. This should be supported and co-ordinated with border monitoring on the Ukrainian side of the border by the Special Monitoring Mission and we reiterate the need for the SMM to be assured safe and unhindered access to all parts of the border currently not under Ukrainian Government control. Border and ceasefire monitoring are very closely interlinked.

We regret that the Russian Federation continues to resist an expansion of the Observer Mission.

We ask this statement to be attached to the decision and the journal of the day.”

The candidate countries the former Yugoslav Republic of Macedonia¹, Montenegro¹, and Albania¹, the country of the Stabilisation and Association Process and potential candidate Bosnia and Herzegovina, and the European Free Trade Association countries Iceland and

1 The former Yugoslav Republic of Macedonia, Montenegro and Albania continue to be part of the Stabilisation and Association Process.

Norway, members of the European Economic Area, as well as the Republic of Moldova and Georgia align themselves with this statement.

**INTERPRETATIVE STATEMENT UNDER
PARAGRAPH IV.1(A)6 OF THE RULES OF PROCEDURE
OF THE ORGANIZATION FOR SECURITY AND
CO-OPERATION IN EUROPE**

By the delegation of the United States of America:

“In connection with the adoption of the decision for the extension of deployment of OSCE observers to two Russian checkpoints on the Russian-Ukrainian border, the United States would like to make the following interpretative statement under paragraph IV.1(A)6 of the OSCE Rules of Procedure:

The United States finds it deeply regrettable that the Russian Federation continues to block the expansion of the geographic scope of the Observer Mission, despite the clear, strong, and continued support from other participating States to do so. We once again must accept an inadequate, limited-scope mission covering just two border checkpoints, which together account for only a few hundred metres of the 2,300 kilometre Ukrainian-Russian border, much of which Ukraine does not control.

Due to Russia’s unwarranted restrictions of the border Observer Mission’s work, the Mission will continue to be unable to ascertain the full extent to which Russia is participating in or facilitating the flow of arms, funding, and personnel to support the separatists in eastern Ukraine.

We note that Point 4 of the 5 September Minsk Protocol delineates a clear role for the OSCE to monitor and verify both sides of the Ukrainian-Russian international border, and to create a security zone in the border areas of Russia and Ukraine. There are strong linkages between ceasefire monitoring and border monitoring, and it is to the detriment of all efforts to resolve the conflict that the OSCE approach to these activities has been impeded by one participating State. The Russian Federation’s repeated refusal to allow expansion of the scope of this mission shows, once again, that it refuses to fulfil its Minsk commitments.

I request that this interpretative statement be attached to the decision and to the journal of the day.

Thank you, Mr. Chairperson.”

**INTERPRETATIVE STATEMENT UNDER
PARAGRAPH IV.1(A)6 OF THE RULES OF PROCEDURE
OF THE ORGANIZATION FOR SECURITY AND
CO-OPERATION IN EUROPE**

By the delegation of Ukraine:

“Mr. Chairperson,

In connection with the Permanent Council decision on the extension of the deployment of OSCE observers to two Russian checkpoints on the Russian-Ukrainian Border, the delegation of Ukraine would like to make the following interpretative statement under paragraph IV.1(A)6 of the Rules of Procedure of the Organization for Security and Co-operation in Europe.

The delegation of Ukraine reiterates the importance of substantial and broad OSCE monitoring on the Russian side of the Ukrainian-Russian border in zones adjacent to the certain areas of Donetsk and Luhansk regions.

Having signed the Minsk Protocol of 5 September 2014, all signatories, including the Russian Federation, undertook to ensure permanent monitoring of the Ukrainian-Russian State border and its verification by the OSCE with the establishment of a security zone in the border areas of Ukraine and the Russian Federation.

Expanding the mandate of the OSCE Observer Mission at the Russian checkpoints ‘Gukovo’ and ‘Donetsk’ to all sections of the border adjacent to certain areas of the Donetsk and Luhansk regions is to be part of implementation of the agreement already reached and is critical for sustainable de-escalation and peaceful resolution of the conflict in Donbas.

We regret that the Russian Federation has again objected to the expansion of the mandate of the OSCE Observer Mission at the Russian checkpoints ‘Gukovo’ and ‘Donetsk’ to all sections of the border that is temporarily not under control of the Ukrainian authorities.

Such persistent reluctance on the part of Russia can only be attributed to its unchanged intention to continue intervention in Ukraine’s Donbas, including by sending heavy weapons, military equipment, regular troops, fighters and mercenaries, sponsoring the terrorist activities in the territory of Ukraine. As repeatedly emphasized in the formal communications of the Ministry of Foreign Affairs of Ukraine to the Ministry of Foreign Affairs of the Russian Federation, these actions by Russia constitute internationally wrongful acts, which entail international responsibility. We continue to urge Russia to immediately cease these acts.

We call upon the Russian Federation to demonstrate its full commitment to the implementation of the Minsk agreements in good faith and to allow proper and comprehensive permanent monitoring by the OSCE and establishment of a security zone on the Russian side of the Ukrainian-Russian State border adjacent to the areas in Donbas which presently are not controlled by the authorities of Ukraine.

The delegation of Ukraine requests that this statement be attached to the decision and registered in the journal of the day.

Thank you, Mr. Chairperson.”

PC.DEC/1205
7 April 2016
Attachment 4

ENGLISH
Original: RUSSIAN

**INTERPRETATIVE STATEMENT UNDER
PARAGRAPH IV.1(A)6 OF THE RULES OF PROCEDURE
OF THE ORGANIZATION FOR SECURITY AND
CO-OPERATION IN EUROPE**

By the delegation of the Russian Federation:

“The Russian Federation joined the consensus on the Permanent Council decision on the extension of the mandate of the team of OSCE observers at the two Russian checkpoints of Gukovo and Donetsk on the Russian-Ukrainian border for three months until 31 July 2016, regarding the work of this team as an additional confidence-building measure.

We reaffirm that the places of deployment and functions of the team of OSCE observers are clearly defined by the parameters of the team’s mandate approved by Permanent Council Decision No. 1130 of 24 July 2014, which is based on the invitation of the Russian Federation of 14 July 2014 made in the wake of the Berlin Declaration of the Foreign Ministers of Russia, Germany, France and Ukraine of 2 July 2014.

The Minsk Protocol of 5 September 2014 does not mention the deployment of OSCE observers on the Russian side of the border with Ukraine. Nor is there any reference to this in the Package of Measures for the Implementation of the Minsk Agreements adopted on 12 February 2015 and subsequently endorsed by United Nations Security Council resolution 2202. The decision to allow OSCE observers on Russian territory and the presence of Ukrainian border guards and customs officers at Russian checkpoints in the absence of a full-scale peace settlement are solely a goodwill gesture on Russia’s part.

I request that this statement be appended to the decision adopted, and included in the journal of the day.”