

Chairmanship: Switzerland

**SPECIAL MEETING OF THE PERMANENT COUNCIL
(1020th Plenary Meeting)**

1. Date: Wednesday, 22 October 2014

Opened: 4.35 p.m.

Closed: 5 p.m.

2. Chairperson: Ambassador T. Greminger

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. 1133 (PC.DEC/1133) on the extension of the deployment of OSCE observers to two Russian checkpoints on the Russian-Ukrainian border, the text of which is appended to this journal.

Italy-European Union (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 (PC.DEL/1226/14), Secretary General, Chairperson

Agenda item 2: REVIEW OF CURRENT ISSUES

None

Agenda item 3: ANY OTHER BUSINESS

None

4. Next meeting:

Thursday, 30 October 2014, at 10 a.m., in the Neuer Saal



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

PC.DEC/1133
22 October 2014

Original: ENGLISH

1020th Plenary Meeting
PC Journal No. 1020, Agenda item 1

**DECISION No. 1133
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,

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 23 November 2014;
2. To approve the arrangements and the financial and human resources for the Observer Mission as contained in document PC.ACMF/43/14/Rev.1. In this respect, authorizes the use of the cash surplus to fund the proposed budget of 105,900 euros for the duration of the present mandate.

**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 European Union:

In connection with the Permanent Council decision on the extension of the deployment of OSCE observers to two Russian checkpoints the European Union and its Member States would like to make the following interpretative statement under the relevant provisions of the OSCE Rules of Procedures.

“We recall that when the decision was taken to deploy observers to the two checkpoints not under Ukrainian control at the time, we underlined that this was a limited first step towards creating effective border monitoring. Since then the Ukrainian authorities have been forced to give up additional checkpoints. The Minsk protocol has also now given the OSCE a key role in ensuring permanent monitoring on both sides of the Ukrainian-Russian international border. We have therefore repeatedly called for an extension and a significant expansion to all relevant checkpoints as well as full access to monitor areas between checkpoints. This should be combined with border monitoring on the Ukrainian side of the border by the SMM to ensure effective and full control of the border by Ukraine.

We deeply regret that the Russian Federation – as the only participating State – has decided to block a meaningful expansion of the Observer Mission. This puts Russia’s genuine resolve to implement its commitments under the Minsk protocol into question. We note that the Russian Federation could not even agree to a modest increase in the number of observers under the current mandate to reduce the mission’s excessive workload as requested by the Chief Observer. We stress again the importance of the Russian Federation providing proper protection and immunities for the Observer Mission and the observers. We also call again on the Russian Federation to fully implement its Berlin commitments and grant Ukrainian border guards access to the checkpoints at Donetsk and Gukovo to participate in the control of border crossings.

Border and ceasefire monitoring remain closely interlinked and mutually dependent. There is a need for an overall coherent approach to border monitoring and we reiterate our call to the Chairmanship to actively consult to address relevant issues related to monitoring of the Ukrainian-Russian border. We reluctantly join consensus on extension for another month, until 23 November, which must be used for discussions on expansion. We see swift expansion as an integral part of efforts to ensure full implementation of the Minsk protocol and a sustainable political solution based on the respect for Ukraine's independence, sovereignty, and territorial integrity. We also underline that the decision taken today on the

funding for the mandate extension should not set a precedent, and all options for funding should remain on the table for future mandate extensions.”

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

The candidate countries Montenegro¹ and Albania¹, the country of the Stabilisation and Association Process and potential candidate country Bosnia and Herzegovina, and the European Free Trade Association country and member of the European Economic Area Norway, as well as Georgia, align themselves with this statement.

¹

Montenegro and Albania continue to be part of the Stabilisation and Association Process.

Original: ENGLISH

**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 U.S. finds it deeply regrettable that the Russian Federation would not consider expanding the geographic scope of the observer mission, despite requests from other participating States. We further regret that Russia refused to agree to even a modest increase to the number of observers, as requested by the Chief Observer, to reduce the excessive workload faced by the observer mission’s small working teams. We once again have to accept a limited-scope mission, covering just two border checkpoints – which account for approximately one kilometre of the 2,300-kilometre border. We are concerned that due to Russia’s undue restrictions of its work, the mission will be unable to monitor the extent to which Russia is participating in or facilitating the flow of illegal arms, funding, and personnel to support the separatists in eastern Ukraine or provide any meaningful assurance that Russia is acting to stop that flow of support to those separatists.

We note that Step 4 of the 5 September Minsk Protocol delineates a clear role for the OSCE in monitoring and verification on both sides of the Ukrainian-Russian international border, and the creation of a security zone in the border areas of Russia and Ukraine. There are strong linkages between ceasefire monitoring and border monitoring – and the OSCE approach to both of these activities must not be restricted by one participating State. The Russian Federation has prevented the expansion of this mandate to include other border checkpoints and monitoring between checkpoints, and, in so doing, Russia raises serious questions about its resolve to implement this critical element of the Minsk Protocol.

Therefore, we call upon the Permanent Council to remain seized of the matter and continue discussions with the aim of expanding the mission sufficiently to permit a true accounting of the situation on the Russian-Ukrainian border.”

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 PC 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.

“Since establishment of this OSCE presence in accordance with the Berlin Joint Declaration of 2 July 2014, the security situation in the east of Ukraine has deteriorated due to the activities of the terrorist organizations operating in the Donetsk and Luhansk regions, which receive reinforcements and armaments from the territory of the Russian Federation.

The deterioration of the situation and reports of this very limited OSCE presence at two Russian checkpoints have confirmed the need for expansion of the mandate to effectively address the existing grave challenges along the Ukrainian-Russian State border, which was the primary concern of the meeting in Berlin.

The Minsk Protocol of 5 September, which was also signed by a representative of the Russian Federation, envisages in paragraph 4 that the OSCE will ensure permanent monitoring on the Ukrainian-Russian State border and verification, with the creation of a security zone in border areas of Ukraine and the Russian Federation.

For the purposes of effective implementation of this task, Ukraine deems it important, as outlined in its concept paper of 17 October 2014, to expand the current mandate of the OSCE observers at the Russian checkpoints, by including thereto, besides the Gukovo and Donetsk locations in the Russian territory, the checkpoints Voloshino, Novoshakhtinsk, Kuybishevo (Marynivka on Ukraine’s side), Kuybishevo (Dyakove on Ukraine’s side), Matveev Kurgan and Veselo-Voznesenka. Besides, we deem it important to allow the observer mission to visit all other checkpoints in the Russian territory bordering the Donetsk and Luhansk regions. The list includes the train checkpoints Gukovo – Chervona Mohyla and Uspenska – Kvashyne, and the car checkpoints Oleksiyev-Tuzlivka – Novoborovzi, Donetsk – Krasnodarskiy, Nyzhnyi Shvyryov – Krasnodarskiy, Donetsk – Severnyi, Yelan – Yuhanivka, Mozhayevka – Herasymyvka, Tytovka – Oleksandrivka, Shyyany – Petrivka, Avilovo-Fedorivka – Uspenka and Shramko – Ulyanivke.

Full implementation of paragraph 4 of the Minsk Protocol is inextricably linked to accomplishing the objectives of establishing a sustainable ceasefire regime and ultimate peaceful resolution in the east of Ukraine based on President Poroshenko's Peace Plan, the Minsk arrangements, and the OSCE principles and commitments.

We therefore deeply regret that the Russian Federation has refused to support the proposal for significantly expanding the currently limited mandate of the OSCE observers at two Russian checkpoints on the Russian-Ukrainian Border, which would provide consistency with the arrangements reached in Minsk. That position of the Russian Federation puts into serious question its commitment to implementing agreed arrangements, and its commitment to de-escalation and peaceful resolution of the situation in the east of Ukraine.

We call on the Russian Federation to demonstrate its full commitment to implementation of the Minsk arrangements in good faith, and to allow proper and comprehensive permanent monitoring on the Ukrainian-Russian State border and verification by the OSCE.

We reiterate that resumption of efficient control at the Ukrainian-Russian border under OSCE monitoring is critical for sustainable de-escalation and peaceful resolution of the situation in the east of Ukraine.”

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

Thank you, Mr. Chairperson.