
Chairmanship: Poland

1351st PLENARY MEETING OF THE COUNCIL

1. Date: Thursday, 20 January 2022 (in the Neuer Saal and via video teleconference)

Opened: 10 a.m.
Suspended: 1 p.m.
Resumed: 3 p.m.
Closed: 5.45 p.m.

2. Chairperson: Ambassador A. Hałaciński

Prior to taking up the agenda, the Chairperson welcomed the new Permanent Representative of the Ireland to the OSCE, Ambassador Anne-Marie Callan.

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

Agenda item 1: PRESENTATION BY THE PRESIDENT OF THE OSCE PARLIAMENTARY ASSEMBLY

Chairperson, President of the OSCE Parliamentary Assembly (PA.GAL/1/22 OSCE+), France-European Union (with the candidate countries Albania, Montenegro and North Macedonia; the European Free Trade Association countries Iceland and Liechtenstein, members of the European Economic Area; as well as Andorra and Ukraine, in alignment) (PC.DEL/61/22), Russian Federation (PC.DEL/35/22), United States of America (PC.DEL/24/22), Turkey (PC.DEL/50/22 OSCE+), United Kingdom, Ukraine (PC.DEL/54/22), Norway (PC.DEL/29/22), Armenia (PC.DEL/58/22), Georgia (PC.DEL/51/22 OSCE+), Belarus (PC.DEL/27/22 OSCE+), Kazakhstan, Uzbekistan, Canada (PC.DEL/44/22 OSCE+), Azerbaijan (PC.DEL/60/22 OSCE+)

Agenda item 2: ADDRESS BY THE DEPUTY PRIME MINISTER AND MINISTER OF FOREIGN AFFAIRS OF THE REPUBLIC OF KAZAKHSTAN, H.E. MR. MUKHTAR TILEUBERDI

Chairperson, Deputy Prime Minister and Minister of Foreign Affairs of Kazakhstan (PC.DEL/56/22 OSCE+) (SEC.DEL/25/22 OSCE+), United

States of America (PC.DEL/31/22), Russian Federation (PC.DEL/38/22), United Kingdom, Turkey (PC.DEL/49/22 OSCE+), France-European Union (with the candidate countries Albania, Montenegro, North Macedonia and Serbia; the country of the Stabilisation and Association Process and potential candidate country Bosnia and Herzegovina; the European Free Trade Association countries Iceland and Liechtenstein, members of the European Economic Area; as well as Andorra and Ukraine, in alignment) (PC.DEL/64/22), Switzerland (PC.DEL/65/22 OSCE+), Armenia (PC.DEL/57/22), Belarus (PC.DEL/34/22 OSCE+), Norway (PC.DEL/32/22), Turkmenistan, Kyrgyzstan, Uzbekistan, Azerbaijan (PC.DEL/59/22 OSCE+), Tajikistan, Canada

Agenda item 3: REVIEW OF CURRENT ISSUES

Chairperson

- (a) *Russia's ongoing aggression against Ukraine and illegal occupation of Crimea:* Ukraine (PC.DEL/33/22), France-European Union (with the candidate countries Albania, Montenegro and North Macedonia; the European Free Trade Association countries Iceland, Liechtenstein and Norway, members of the European Economic Area; as well as Georgia and Ukraine, in alignment) (PC.DEL/63/22), United States of America (PC.DEL/28/22), Turkey (PC.DEL/52/22 OSCE+), Canada (PC.DEL/45/22 OSCE+), United Kingdom, Switzerland (PC.DEL/36/22 OSCE+), Norway (Annex 1)
- (b) *Deteriorating situation in Ukraine and continued non-implementation by the Ukrainian authorities of the Minsk agreements:* Russian Federation (PC.DEL/26/22), Canada (Annex 2)
- (c) *Ongoing violations of human rights in Estonia:* Russian Federation (PC.DEL/37/22), Estonia
- (d) *Court decisions on liquidation of Memorial International and the Memorial Human Rights Center in the Russian Federation:* Norway (also on behalf of Canada, Iceland, the United Kingdom and the United States of America) (PC.DEL/42/22), Switzerland (PC.DEL/66/22 OSCE+), France-European Union (with the candidate countries Albania, Montenegro and North Macedonia; as well as Georgia and Ukraine, in alignment) (PC.DEL/53/22), Russian Federation (PC.DEL/41/22)
- (e) *Referendum on constitutional amendments in Serbia and Priština's prevention of the OSCE Mission in Kosovo's (OMiK) assistance in conducting the vote:* Serbia (Annex 3), France-European Union (with the candidate countries Montenegro and North Macedonia; the country of the Stabilisation and Association Process and potential candidate country Bosnia and Herzegovina; the European Free Trade Association countries Liechtenstein and Norway, members of the European Economic Area; as well as Georgia and Ukraine, in alignment) (PC.DEL/62/22), Russian Federation (PC.DEL/40/22 OSCE+), United Kingdom, Albania (PC.DEL/43/22 OSCE+), Bosnia and Herzegovina (PC.DEL/47/22 OSCE+), United States of America (PC.DEL/39/22)

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

- (a) *Address by the Chairman-in-Office to the Permanent Council, held in Vienna and via video teleconference on 13 January 2022: Chairperson*
- (b) *Participation of the Chairman-in-Office in the annual meeting of the OSCE Chairmanship and the Secretariat with the heads of field operations and institutions, held in Vienna and via video teleconference on 13 and 14 January 2022: Chairperson*
- (c) *Meeting between the Chairman-in-Office and the President of the Swiss Confederation, H.E. Mr. I. Cassis, held in Vienna on 13 January 2022: Chairperson*
- (d) *Start of consultations on the possible launch of a renewed OSCE security dialogue: Chairperson*
- (e) *Situation in Kazakhstan: Chairperson*
- (f) *Telephone conversation between the Chairman-in-Office and the President of the International Committee of the Red Cross, H.E. Mr. P. Maurer, held on 19 January 2022: Chairperson*
- (g) *Distribution of the list of the Personal and Special Representatives of the OSCE Chairman-in-Office in 2022 (CIO.GAL/6/22 OSCE+): Chairperson*
- (h) *Distribution of the list of nominations for the position of Chief Monitor of the OSCE Special Monitoring Mission to Ukraine (CIO.GAL/7/22 Restr.): Chairperson*

Agenda item 5: REPORT OF THE SECRETARY GENERAL

- (a) *Announcement of the distribution of the Secretary General's weekly report (SEC.GAL/9/22 OSCE+): Secretary General*
- (b) *Meeting between the Secretary General and the President of the Swiss Confederation, H.E. Mr. I. Cassis, held in Vienna on 13 January 2022: Secretary General*
- (c) *Participation of the Secretary General in the annual meeting of the OSCE Chairmanship and the Secretariat with the heads of field operations and institutions, held in Vienna and via video teleconference on 13 and 14 January 2022: Secretary General*
- (d) *Town hall meeting between the Secretary General and OSCE executive structures, held via video teleconference on 19 January 2022: Secretary General*

Agenda item 6: ANY OTHER BUSINESS

- (a) *Presentation by Switzerland of an action plan for bringing about a more effective OSCE by 2025: Switzerland (PC.DEL/67/22 OSCE+), Russian Federation*
- (b) *Constitutional referendum in Belarus, to be conducted in February 2022: Canada (also on behalf of Albania, Austria, Belgium, Bulgaria, Croatia, Cyprus, the Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Montenegro, the Netherlands, Norway, North Macedonia, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, Switzerland, Ukraine, the United Kingdom and the United States of America), Belarus (PC.DEL/48/22 OSCE+)*
- (c) *Parliamentary elections in Hungary, to be held on 3 April 2022: Hungary*

4. Next meeting:

Thursday, 27 January 2022, at 10 a.m., in the Neuer Saal and via video teleconference



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

PC.JOUR/1351
20 January 2022
Annex 1

Original: ENGLISH

1351st Plenary Meeting

PC Journal No. 1351, Agenda item 3(a)

**STATEMENT BY
THE DELEGATION OF NORWAY**

Mr. Chairperson,

Norway is aligned with the European Union statement, but I would like to underline a few points.

Norway consistently supports Ukraine's sovereignty and territorial integrity within its internationally recognized borders.

Norway is deeply concerned by the ongoing Russian military build-up in and on the borders of Ukraine. We call on Russia to act responsibly by pulling back its forces and thereby to reduce tensions.

We support the continuation of talks to address security concerns. In this regard we appreciate the Polish Chairmanship's proposal to find an appropriate format for OSCE engagement and enhanced dialogue.

Mr. Chairperson,

The OSCE Special Monitoring Mission to Ukraine (SMM) is important for monitoring respect for the ceasefire and assisting the civilian population in conflict-affected areas.

We regret the restrictions on the SMM's freedom of movement in areas not controlled by the Ukrainian Government.

All parties must ensure that the SMM has access to all parts of Ukraine in accordance with its mandate, and refrain from targeting unmanned aerial vehicles, cameras and other equipment.

Mr. Chairperson,

In conclusion, let me reiterate in this forum that Norway supports a European security order based on international law and national sovereignty.



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

PC.JOUR/1351
20 January 2022
Annex 2

Original: ENGLISH

1351st Plenary Meeting
PC Journal No. 1351, Agenda item 3(b)

**STATEMENT BY
THE DELEGATION OF CANADA**

Thank you, Mr. Chairperson.

I would like to exercise my right of reply under the previous current issue, under paragraph IV.1(C)7 of the Rules of Procedure. It came to my attention after the closure of the previous current issue that Russia had mentioned my country in the written statement that it circulated during that current issue discussion.

The written Russian statement mentioned the deployment of a Canadian military contingent to Ukraine, and I would like to provide further information in this regard.

Since fall of 2020, Canadian Special Operations Forces Command (CANSOFCOM) has supported the security forces of Ukraine on a periodic basis under “Operation UNIFIER”, which, as I’ve shared in this forum before, is a small training mission comprised of a total of 200 military personnel.

The small number of CANSOFCOM personnel that the written Russian statement referred to were deployed in a strictly advisory capacity to support our embassy’s operations and embassy contingency planning.

The Canadian armed forces regularly support Global Affairs Canada, and our embassies abroad, in the development of prudent contingency planning.

Mr. Chairperson,

I would like to offer the observation that the practice of circulating a written statement during the Permanent Council, and then delivering a different statement without any reference to the content of the written statement, as the Russian Federation has done for the past two weeks, hampers our ability to engage properly in dialogue.

As per the longstanding “gentleperson’s agreement” at the OSCE, sharing statements in advance with those participating States who are mentioned is an important way to support our constructive dialogue. This is even more important if the written statement is not read orally in the Permanent Council for us to listen to it and respond. I would ask our esteemed Russian colleague to kindly take measures to support our dialogue in this way.

Thank you.



1351st Plenary Meeting

PC Journal No. 1351, Agenda item 3(e)

**STATEMENT BY
THE DELEGATION OF SERBIA**

Mr. Chairperson,

Last Sunday, 16 January, the citizens of Serbia voted in a referendum on amending the Constitution in the area of the judiciary. According to the Republican Electoral Commission's preliminary results, 62 per cent of the votes were in favour.

The constitutional changes, as a prerequisite for ensuring judicial independence and for reforms within the framework of the European Union integration process, are related to the selection of judges and prosecutors. The amendments will exclude political interference in this process, as they envisage that judges will be elected by the High Judicial Council and prosecutors by the High Council of Prosecutors.

The Venice Commission gave a positive opinion on the proposed constitutional amendments and stated that they were in line with European standards. In a joint statement on 14 January, France, Germany, Italy, the United Kingdom, the United States of America and the European Union welcomed the referendum (I quote) "as a key step to strengthen the independence of the judiciary and to enhance the transparency and effectiveness of the country's rule of law institutions," and expressed their belief (I quote), "that these reforms are a step forward toward Serbia's alignment with European standards and will support Serbia's EU accession process."

European Commissioner Oliver Varhelyi also commented on the approval given to the amendments (I quote): "In today's referendum voters supported the change of the Constitution to reinforce judicial independence. I welcome this important step and commitment to the EU path."

Mr. Chairperson,

Despite the importance of the issue and the large measure of international support, the referendum was not held in Kosovo and Metohija.

Allow me to recall that United Nations Security Council resolution 1244 (1999) entrusted the international civilian presence in Kosovo and Metohija with responsibility for, I quote point 11(c), "organizing and overseeing the development of provisional institutions for

democratic and autonomous self-government pending a political settlement, including the holding of elections”.

OSCE Permanent Council Decision No. 305 of 1 July 1999 established that the OSCE Mission in Kosovo and Metohija (OMiK) would have a leading role in the field of institutional and democratic development and human rights. The decision defines OMiK’s scope of work precisely and states that the Mission will concentrate its work in, as point 3 among other areas, the “organization and supervision of elections”.

Mr. Chairperson,

On 14 January, the Kosovo police detained, without plausible explanation, the Regional Co-ordinator of the Electoral Commission Mr. Marko Janković and five other individuals at the administrative (crossing) point Merdare. After several hours of interrogation, Mr. Janković was forced to sign a document in Albanian, without Serbian translation, before being released. Two trucks with referendum material were confiscated by the police.

On 15 January, in an extraordinary Saturday session held at the urgent request of Mr. Kurti, the local assembly passed a resolution banning a constitutional referendum from taking place in Kosovo and Metohija. The resolution was adopted without representatives of the Kosovo Serbs.

Citizens from Kosovo and Metohija were therefore deprived of their right to vote in the referendum. Ignoring calls from the High Representative of the European Union for Foreign Affairs and Security Policy, Mr. Josep Borrell, and the Quint countries (France, Germany, Italy, the United Kingdom and the United States of America), Pristina decided not to allow the OSCE Mission in Kosovo to collect ballots. This contravened the established practice in all previous voting over a decade, the latest instance being in 2020. Unable to exercise their rights at home, a number of Kosovo Serbs cast their ballots in four municipalities in central Serbia – Kuršumljija, Raška, Novi Pazar and Vranje. However, not all Kosovo Serbs were able to do so at such short notice.

Mr. Chairperson,

Allow me return to the joint statement of France, Germany, Italy, the United Kingdom, the United States of America and the European Union (I quote): “We note with regret that the Kosovo government has not allowed the OSCE to collect ballots of eligible voters living in Kosovo for the upcoming referendum in accordance with past practice. We call on the Kosovo government to allow Serbs in Kosovo to exercise their right to vote in elections and electoral processes in accordance with this established practice.” In the words of EU High Representative Josep Borrell, “people should be able to exercise their right to vote.”

However, experience teaches us that appeals and regrets are insufficient. Serbia strongly calls upon all those in the international community interested in and committed to security and stability in the region to react resolutely to Pristina’s provocative course. Appropriate targeted measures are more than overdue against stakeholders in Pristina who are exacerbating divisions, deepening mistrust between communities and eroding stability.

The upcoming presidential and parliamentary elections in Serbia on 3 April must be conducted without Priština's obstructions and in accordance with the previously established long-term practice. In order to avoid repetition of the situation of 16 January and to ensure the proper conduct of the election in Kosovo and Metohija on 3 April, Serbia requests the OSCE to ensure its active engagement, additional focused efforts and decisive concrete actions.

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

Thank you.