



Chairmanship: Austria

1162nd PLENARY MEETING OF THE COUNCIL

1. Date: Thursday, 2 November 2017

Opened: 9.35 a.m.

Closed: 1.05 p.m.

2. Chairperson: Ambassador C. Koja
Ambassador K. Kögeler

Prior to taking up the agenda, the Chairperson welcomed the new Permanent Representative of Latvia to the OSCE, H.E. Ambassador Janis Zlamets, and the new Permanent Representative of Portugal to the OSCE, H.E. Ambassador José Pereira Gomes.

On behalf of the Permanent Council, the Chairperson also offered condolences to the United States of America in connection with the terrorist attack in New York on 31 October 2017. The United States of America (PC.DEL/1449/17) thanked the Chairperson for his expression of sympathy.

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

Agenda item 1: ADDRESS BY THE CO-CHAIRMEN OF THE GENEVA
INTERNATIONAL DISCUSSIONS

Chairperson, Co-Chairman of the Geneva Discussions on Security and Stability in the South Caucasus (OSCE), Co-Chairman of the Geneva Discussions on Security and Stability in the South Caucasus (United Nations), Co-Chairman of the Geneva Discussions on Security and Stability in the South Caucasus (European Union), Estonia-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 country Liechtenstein, member of the European Economic Area; as well as Moldova and Ukraine, in alignment) (PC.DEL/1474/17), United States of America (PC.DEL/1450/17), Russian Federation (PC.DEL/1468/17),

Turkey (PC.DEL/1470/17 OSCE+), Switzerland (PC.DEL/1464/17 OSCE+),
Kazakhstan, Georgia (PC.DEL/1473/17 OSCE+)

Agenda item 2: DECISION ON THE REVISION OF THE 2017 UNIFIED
 BUDGET FOR THE PROGRAMME OFFICE IN
 DUSHANBE

Chairperson

Decision: The Permanent Council adopted Decision No. 1269 (PC.DEC/1269)
on the revision of the 2017 Unified Budget for the Programme Office in
Dushanbe, the text of which is appended to this journal.

Agenda item 3: DECISION ON THE TIMETABLE OF THE
 TWENTY-FOURTH MEETING OF THE OSCE
 MINISTERIAL COUNCIL

Chairperson

Decision: The Permanent Council adopted Decision No. 1270 (PC.DEC/1270)
on the timetable of the Twenty-Fourth Meeting of the OSCE Ministerial
Council, the text of which is appended to this journal.

Estonia-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 country Liechtenstein,
member of the European Economic Area; as well as Andorra, Georgia and
San Marino, in alignment) (interpretative statement, see attachment 1 to the
decision), Russian Federation (interpretative statement, see attachment 2 to the
decision)

Agenda item 4: REVIEW OF CURRENT ISSUES

Chairperson

- (a) *Russia's ongoing aggression against Ukraine and illegal occupation of
Crimea:* Ukraine (PC.DEL/1455/17), United States of America
(PC.DEL/1451/17), Switzerland (PC.DEL/1465/17 OSCE+), Turkey
(PC.DEL/1471/17 OSCE+), Canada (PC.DEL/1457/17 OSCE+),
Estonia-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
Liechtenstein, members of the European Economic Area; as well as Georgia,
Moldova and Ukraine, in alignment) (PC.DEL/1475/17)
- (b) *Situation in Ukraine and the need to implement the Minsk agreements:*
Russian Federation (PC.DEL/1463/17), Ukraine

- (c) *United Nations International Day to End Impunity for Crimes against Journalists, being observed on 2 November*: Russian Federation (PC.DEL/1462/17), Estonia-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, as well as San Marino and Ukraine, in alignment) (PC.DEL/1476/17), United States of America (PC.DEL/1453/17), Norway (also on behalf of Andorra, Canada, Iceland, Liechtenstein, Mongolia, San Marino and Switzerland) (PC.DEL/1466/17), France (PC.DEL/1458/17 OSCE+), Armenia, Ukraine (PC.DEL/1456/17), Kyrgyzstan, Turkey (PC.DEL/1480/17 OSCE+)
- (d) *Release of human rights defenders in Turkey*: Estonia-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; as well as Armenia, in alignment) (PC.DEL/1477/17), Turkey (PC.DEL/1460/17 OSCE+)
- (e) *Situation of LGBTI persons in Tajikistan*: Estonia-European Union (with the candidate countries Albania, the former Yugoslav Republic of Macedonia, Montenegro and Serbia; and the country of the Stabilisation and Association Process and potential candidate country Bosnia and Herzegovina, as well as Ukraine, in alignment) (PC.DEL/1479/17), Tajikistan
- (f) *Intersex awareness day, observed on 26 October*: United States of America (PC.DEL/1452/17)
- (g) *Participation of persons affiliated with terrorism in the second Supplementary Human Dimension Meeting (SHDM) on “The Role of Free Media in the Comprehensive Approach to Security”, being held on 2 and 3 November 2017*: Turkey (PC.DEL/1459/17 OSCE+), Tajikistan, Azerbaijan (PC.DEL/1454/17 OSCE+), Chairperson

Agenda item 5: REPORT ON THE ACTIVITIES OF THE
 CHAIRPERSON-IN-OFFICE

- (a) *Participation of a representative of the Chairperson-in-Office in the 2017 OSCE Mediterranean Conference on “Large Movements of Migrants and Refugees in the Mediterranean: Challenges and Opportunities”, held in Palermo, Italy, on 24 and 25 October 2017*: Chairperson
- (b) *OSCE Chairmanship Seminar entitled “From Preventive Diplomacy to Sustainable Peace – Strengthening the OSCE’s Toolbox”, held on 23 October 2017 (CIO.GAL/175/17 Restr.)*: Chairperson
- (c) *Second Supplementary Human Dimension Meeting (SHDM) on “The Role of Free Media in the Comprehensive Approach to Security”, being held on 2 and 3 November 2017*: Chairperson

- (d) *Third Supplementary Human Dimension Meeting (SHDM) on “Access to Justice as a Key Element of the Rule of Law”, to be held on 16 and 17 November 2017: Chairperson*
- (e) *Conference on preventing and countering hate crimes against Christians and members of other religious groups, organized jointly by the Office for Democratic Institutions and Human Rights (ODIHR) and the OSCE Chairmanship, to be held in Yerevan on 22 November 2017 (ODIHR.GAL/81/17 OSCE+): Chairperson*
- (f) *Drawing of lots to establish the order of statements for the Twenty-Fourth Meeting of the OSCE Ministerial Council, to be carried out on 9 November 2017 (CIO.GAL/211/17 OSCE+): Chairperson*
- (g) *Reinforced ambassadorial retreat, to be held in Eisenstadt, Austria, on 6 and 7 November 2017: Chairperson*
- (h) *Upcoming circulation of the status of documents proposed for adoption or adopted by the OSCE Ministerial Council in the year 2017: Chairperson*

Agenda item 6: REPORT OF THE SECRETARY GENERAL

- (a) *Participation of the Secretary General in the 2017 OSCE Mediterranean Conference on “Large Movements of Migrants and Refugees in the Mediterranean Challenges and Opportunities”, held in Palermo, Italy, on 24 and 25 October 2017: Director of the Office of the Secretary General (SEC.GAL/156/17 OSCE+)*
- (b) *Participation of the Secretary General in the conference entitled “Human Trafficking in Conflict and Crisis Situations”, held on 20 October 2017 (CIO.GAL/185/17 OSCE+): Director of the Office of the Secretary General (SEC.GAL/156/17 OSCE+)*
- (c) *Meeting of the Secretary General with the Chairman of the Board of the Eurasian Economic Commission on 19 October 2017: Director of the Office of the Secretary General (SEC.GAL/156/17 OSCE+)*
- (d) *Participation of the Director of the Office of the Secretary General in the International Conference on Religious and Cultural Pluralism and Peaceful Coexistence in the Middle East, held in Athens on 30 and 31 October 2017: Director of the Office of the Secretary General (SEC.GAL/156/17 OSCE+), Greece*
- (e) *Outreach conference in North America on the OSCE Code of Conduct on Politico-Military Aspects of Security, held in Washington, D.C., on 30 and 31 October 2017 (FSC.GAL/99/17 OSCE+): Director of the Office of the Secretary General (SEC.GAL/156/17 OSCE+)*

- (f) *OSCE events related to security sector governance and reform in South-Eastern Europe, held in Sarajevo from 24 to 27 October 2017*: Director of the Office of the Secretary General (SEC.GAL/156/17 OSCE+)
- (g) *Participation of the OSCE Senior Adviser on Gender Issues in the annual United Nations Security Council debate on women, peace and security, held in New York on 27 October 2017*: Director of the Office of the Secretary General (SEC.GAL/156/17 OSCE+)
- (h) *Second National Action Plan Academy workshop organized by the OSCE Gender Section together with Inclusive Security, held on 19 and 20 October 2017 (SEC.GAL/141/17 Restr.)*: Director of the Office of the Secretary General (SEC.GAL/156/17 OSCE+)
- (i) *Announcement of the distribution of a written report of the Secretary General (SEC.GAL/156/17 OSCE+)*: Director of the Office of the Secretary General

Agenda item 7: ANY OTHER BUSINESS

- (a) *Municipal elections in the former Yugoslav Republic of Macedonia, held on 15 and 29 October 2017*: the former Yugoslav Republic of Macedonia (PC.DEL/1467/17 OSCE+), Estonia-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; and the European Free Trade Association country Liechtenstein, member of the European Economic Area, in alignment) (PC.DEL/1478/17)
- (b) *Rule of law and democracy in Spain*: Spain (Annex)
- (c) *2017 OSCE Mediterranean Conference on “Large Movements of Migrants and Refugees in the Mediterranean: Challenges and Opportunities”, held in Palermo, Italy, on 24 and 25 October 2017*: Italy

4. Next meeting:

Thursday, 9 November 2017, at 10 a.m., in the Neuer Saal



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

PC.JOUR/1162
2 November 2017
Annex

ENGLISH
Original: SPANISH

1162nd Plenary Meeting

PC Journal No. 1162, Agenda item 7(b)

STATEMENT BY THE DELEGATION OF SPAIN

Mr. Chairperson,

Spain is speaking at this Permanent Council for the fourth time in succession to report, at its own request, on the situation with regard to democracy and the rule of law in Spain.

Since the last statement at the meeting on 12 October, several prominent events relating to the separatist challenge in Catalonia have occurred in my country.

I shall focus in my statement on the issues on which Spain would like to inform the Council directly because of their importance and which most profoundly concern democracy and the rule of law: the events that occurred in Catalonia last Friday, 27 October; the approval, on the same day, by the Spanish Senate of the measures proposed by the Government pursuant to Article 155 of the Spanish Constitution, and the measures approved that same day by the Council of Ministers.

Mr. Chairperson,

Last Friday, 27 October, two parliamentary groups of the autonomous Parliament of Catalonia presented two draft resolutions: one requested the implementation of the Law on Legal Transition, which had been suspended by the Constitutional Court and whose text incorporated a unilateral declaration of independence signed previously by the members of the aforementioned parliamentary groups. The second resolution called for the launching of a constituent process that would culminate in the approval of the Constitution of a supposed independent Catalonia.

The Catalan parliament's own legal services warned of the illegality of these proposals, but they were ignored. The pro-independence members of the Board accepted them and insisted on a vote. All the parliamentary groups that rejected the proposal as being illegal were absent during the voting. The voting took place, with the result of 70 votes in favour, 10 against and 2 abstentions. This means 70 votes in favour out of the 135 deputies who make up the Parliament of Catalonia.

In parallel to these events, a debate was held in the Spanish Senate to approve the measures requested by the Government under Article 155 of the Spanish Constitution in order to restore legal order in the autonomous community of Catalonia. The Senate resolution approving these measures was adopted with more than 80 per cent of the votes (214 in favour, 47 against and 1 abstention).

Allow me to recall that Article 155 of the Spanish Constitution, under which the aforementioned measures were taken, has its equivalent in many other European constitutions.

In the Spanish case, there are two requirements for its potential application: that an autonomous community does not comply with constitutional and legal obligations, and that it acts in a way that seriously damages the general interests of Spain.

In this case, as the Senate confirmed, both sets of circumstances applied.

Following the approval by the Senate, in the afternoon of the same day, Friday 27 October, the Council of Ministers approved four measures in application of the aforementioned Article 155 of the Constitution:

- The dismissal of the President of the Generalitat;
- The dismissal of the Vice President and members of the autonomous government;
- Specific measures to ensure the work of the Generalitat within the law; and
- The dissolution of the autonomous Parliament of Catalonia and the scheduling of elections, in accordance with the law and within the deadlines provided for in the legal system.

This makes it possible for the aforementioned autonomous elections to be held on 21 December.

These measures are considered absolutely necessary and commensurate with the purpose for which they are adopted and will be in place for the period necessary to restore the constitutional and statutory framework that has been violated.

They will be implemented with institutional neutrality and with the least possible intervention. The Catalan authorities themselves will apply the autonomous Catalan regulations. The measures involve a series of practical aspects of which all embassies accredited in Spain have been informed.

The measures taken are not intended to restrict freedoms, but to ensure rights. Their objectives are to restore legality, ensure institutional neutrality and reinstate normality and coexistence, which has deteriorated; re-establish economic growth and the confidence of investors and consumers, and ensure the rights and fundamental freedoms of all Catalans.

It is not intended to put an end to self-government, but to re-establish it to safeguard its legality and the coexistence of all Catalans, not only those in favour of independence,

within the framework of the principles and norms established by the Spanish Constitution and the Statute of Catalonia itself.

The measures approved by the Senate and adopted by the Government are temporary and can be adapted to changing circumstances, since it is likely that the Senate may consider modifications. They will remain in place until a new government of the Generalitat is formed following the elections already announced, in which all Catalans will be able to express their views, with guarantees proper to and necessary for a democracy and the rule of law.

Mr. Chairperson,

Spain is a consolidated democracy. Only a few weeks ago, Spain was elected as a member of the Human Rights Council in recognition of its commitment to the defence of fundamental freedoms and to democracy and the rule of law.

Spain is a democratic and open country, respectful of plurality and a rule of law system that guarantees the right of the individual. It is one of the most decentralized States in the world. During the last 40 years, it has reached high levels of democratic quality and it has a strong set of rule of law instruments to overcome this serious crisis.

During these weeks, and especially during the last few days, my country has received innumerable expressions of support from other countries and international organizations in defence of democracy and the rule of law. Spain has been sincerely grateful for them. This support has been and is fundamental to guaranteeing the rule of law and the principles and values on which this Organization is based.

Thank you very much.

Mr. Chairperson,

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



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

PC.DEC/1269
2 November 2017

Original: ENGLISH

1162nd Plenary Meeting
PC Journal No. 1162, Agenda item 2

**DECISION No. 1269
REVISION OF THE 2017 UNIFIED BUDGET FOR THE
PROGRAMME OFFICE IN DUSHANBE**

The Permanent Council,

Recalling Decision No. 1252 (PC.DEC/1252/Corr.1) of 1 June 2017 on the approval of the 2017 Unified Budget,

Approves the revision of the 2017 Unified Budget for the Programme Office in Dushanbe proposed under PC.ACMF/55/17 of 23 October 2017.



1162nd Plenary Meeting

PC Journal No. 1162, Agenda item 3

DECISION No. 1270
TIMETABLE OF THE TWENTY-FOURTH MEETING OF THE
OSCE MINISTERIAL COUNCIL

(Vienna, 7 and 8 December 2017)

The Permanent Council,

Recognizing that the Twenty-Fourth Meeting of the OSCE Ministerial Council will be conducted in accordance with the OSCE Rules of Procedure,

Adopts the timetable of the Twenty-Fourth Meeting of the OSCE Ministerial Council as set out below.

Timetable

Thursday, 7 December 2017

9.45 a.m. Family photo

10 a.m. **Opening session (open)**

- Formal opening and adoption of the agenda
- Address by the OSCE Chairperson-in-Office
- Address by the President of the OSCE Parliamentary Assembly
- Report by the OSCE Secretary General

First plenary session (closed)

- Statements by heads of delegations

1.30 p.m. Working lunch for ministers for foreign affairs/heads of delegations

- Separate lunch for members of delegations

3.15–6 p.m. **Second plenary session (closed)**

- Statements by heads of delegations

7.30 p.m. Official dinner for ministers for foreign affairs/heads of delegations

Reception for members of delegations and the press (via invitation)

Friday, 8 December 2017

10 a.m. **Third plenary session (closed)**

- Statements by heads of delegations
- Adoption of Ministerial Council decisions and documents
- Any other business

Closing session (open)

- Formal closure (statements by the current and incoming Chairpersons-in-Office)

1.30 p.m. Press conference

PC.DEC/1270
2 November 2017
Attachment 1

ENGLISH
Original: FRENCH

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

“The European Union would like to make the following interpretative statement in accordance with paragraph IV.1(A)6 of the Rules of Procedure:

The decision on the timetable of the Twenty-Fourth Meeting of the OSCE Ministerial Council does not represent a precedent for the organization of future Ministerial Council meetings.

Paragraph IV.2(B)2 of the OSCE Rules of Procedure state that ‘the decision on the timetable and organizational modalities for each Ministerial Council meeting shall be adopted by the PC not later than one month before the meeting.’

We request that this statement be attached to the relevant decision.”

The candidate countries the former Yugoslav Republic of Macedonia¹, Montenegro¹, Serbia¹ and Albania¹, the country of the Stabilisation and Association Process and potential candidate Bosnia and Herzegovina, as well as Ukraine, align themselves with this statement.

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

PC.DEC/1270
2 November 2017
Attachment 2

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:

“In joining the consensus regarding the Permanent Council decision on the adoption of the timetable of the Twenty-Fourth Meeting of the OSCE Ministerial Council, the delegation of the Russian Federation expresses its deep disappointment at the fact that it proved impossible to reach agreement on a list of international organizations, institutions and initiatives, whose representatives will be invited to the Ministerial Council meeting and will have the right to address the ministerial meeting and/or distribute written statements, as provided for in the Rules of Procedure of the OSCE.

Unfortunately, during the discussions, it proved impossible to agree on the question of equal rights for organizations. We regret the attempts to establish a discriminatory hierarchy of organizations, artificially giving some a higher status than others. This contravenes the provisions of the Platform for Co-operative Security of the 1999 Charter for European Security.

The Russian delegation hopes that in future the OSCE participating States will manage to overcome their differences on this question.

We take the position that, in the absence of a Permanent Council decision on the organizational modalities for the holding of the Twenty-Fourth Meeting of the OSCE Ministerial Council, statements by representatives of international organizations during the Ministerial Council meeting should be possible solely in accordance with the Rules of Procedure of the OSCE, in other words only on the basis of a consensus decision by all OSCE participating States.

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