



1090th Plenary Meeting

PC Journal No. 1090, Agenda item 2

**DECISION No. 1199
EXTENSION OF THE MANDATE OF THE
OSCE SPECIAL MONITORING MISSION TO UKRAINE**

The Permanent Council,

Recalling its Decisions No. 1117 of 21 March 2014 on the deployment of an OSCE Special Monitoring Mission to Ukraine (PC.DEC/1117) and No. 1162 of 12 March 2015 on the extension of the mandate of the OSCE Special Monitoring Mission to Ukraine (PC.DEC/1162),

Taking into account the request of the Government of Ukraine for the extension of the mandate of the OSCE Special Monitoring Mission to Ukraine (CIO.GAL/16/16),

Decides:

1. To extend the mandate of the OSCE Special Monitoring Mission to Ukraine until 31 March 2017;
2. To approve the arrangements as well as the financial and human resources for the OSCE Special Monitoring Mission to Ukraine as contained in document PC.ACMF/7/16/Rev.2 for the period 1 April 2016 to 31 March 2017. In this respect, authorizes the assessment of EUR 79,019,760 on the basis of the field operation scale at the time of billing, with the remaining balance being financed through voluntary contributions.

PC.DEC/1199
18 February 2016
Attachment 1

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 decision to extend the mandate of the OSCE Special Monitoring Mission to Ukraine, 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 welcomes the extension of the mandate of the OSCE Special Monitoring Mission to Ukraine. In so doing, we reaffirm the interpretative statements we made upon adoption of the mandate on 21 March 2014, upon the first extension of the mandate on 24 July 2014, and upon the second extension of the mandate on 12 March 2015. These interpretative statements were made under paragraph IV.1(A)6 of the Rules of Procedure, and we note that they remain in force.

We remind the Permanent Council of the key elements of those statements:

The United States reaffirms its firm commitment to Ukraine’s sovereignty and territorial integrity within its internationally recognized borders.

We note that that the Special Monitoring Mission to Ukraine has a mandate to work throughout Ukraine, including Crimea.

We note that all participating States must co-operate with the Special Monitoring Mission and should take no actions to obstruct its access to Crimea or any other region of Ukraine.

We offer our gratitude to all monitors, staff, and leadership of the Special Monitoring Mission for their excellent work under difficult and at times unacceptable conditions.

We call on Ukraine, Russia, and the Russia-backed separatists to ensure that the Special Monitoring Mission has unfettered movement throughout the territory of Ukraine and to guarantee the safety and security of SMM monitors as they carry out their duties.

In addition to recalling those key elements of our previous interpretative statements, we would take this opportunity to stress that threats against and intimidation of SMM monitors are unacceptable, inconsistent with this mandate, and must end. Attempts to

interfere with SMM operations, including SMM UAV flights, are also inconsistent with this mandate and must end as well.

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

Thank you, Mr. Chairperson.”

PC.DEC/1199
18 February 2016
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 in support of the Permanent Council decision on the extension of the mandate of the OSCE Special Monitoring Mission to Ukraine (SMM), Russia takes the position that the geographical area of deployment and the activities of the aforementioned Mission are strictly defined within the parameters of its mandate approved by Permanent Council Decision No. 1117 of 21 March 2014, which reflects the political and legal realities existing at that time, and specifically, the fact that the Republic of Crimea and the federal city of Sevastopol are an integral part of the Russian Federation.

In the light of the agreements reached on 12 February 2015 in Minsk, we assume that the Mission will prioritize the monitoring of compliance with the ceasefire regime and the withdrawal of heavy weapons in the security zone in south-eastern Ukraine in equal measure on both sides of the line of contact. We expect the SMM’s work when gathering information to be as impartial as possible and the reports published by the monitors to be objective. We believe that the SMM should also carry out its mandated tasks in good faith in the other regions of Ukraine as well, intensifying its monitoring there and providing regular reports on manifestations of nationalism, extremism, inter-ethnic and interreligious hatred, and other dangerous tendencies within Ukrainian society.

The Russian Federation has joined the consensus on the modalities of the Mission’s budget in the interests of achieving a speedy settlement of the internal Ukrainian conflict and a general normalization of the situation in Ukraine, and of ensuring the security of all its inhabitants. The approach to spending should be as rational as possible. We will continue to provide the SMM with the necessary assistance, *inter alia*, by seconding qualified experts.

We request that this statement be appended to the decision adopted and attached to the journal of the day.”

PC.DEC/1199
18 February 2016
Attachment 3

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**

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 Permanent Council decision on the extension of the mandate of the OSCE Special Monitoring Mission to Ukraine, the European Union and its Member States would like to make the following interpretative statement under the relevant provisions of the Rules of Procedure:

The European Union welcomes the adoption of the decision to extend the mandate of the OSCE Special Monitoring Mission to Ukraine. We thank the German Chairmanship for its efforts in facilitating this extension.

We reiterate our unwavering support to Ukraine’s independence, sovereignty, unity and territorial integrity within its internationally recognized borders. We will not recognize the illegal annexation of Crimea and Sevastopol to the Russian Federation. In response to the interpretative statement made by the Russian Federation, we reiterate that the SMM mandate covers the whole of Ukraine, including Crimea. We call on all sides to provide security and safety and unconditional access for SMM monitors, including to all parts of the Donetsk and Luhansk regions and along the border with Russia.

The SMM has a vital role to play in the implementation of the Minsk Protocol, the Minsk Memorandum, and the Package of Measures for implementation of the Minsk agreements towards a sustainable political solution based on the full respect for OSCE principles and commitments.

In addition, we look forward to a substantive assessment and discussion of the implementation of the SMM budget at the mandate mid-year point, to ensure accurate spend, in particular for monitoring activities. Improving efficiency and achieving cost savings must continue to be a cornerstone of the work of the fund manager.

I request that this interpretative statement be attached to the decision and to 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 Norway, members of the European Economic Area, as well as the Republic of Moldova, Georgia, Andorra and San Marino 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.

PC.DEC/1199
18 February 2016
Attachment 4

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 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 Permanent Council decision just adopted on the extension of the mandate of the OSCE Special Monitoring Mission to Ukraine.

Canada welcomes the adoption of this decision, and we thank the German Chairmanship for its efforts in achieving this timely result.

As per the mandate we have just extended, and in line with our previous interpretative statements on the same matter, we expect that the OSCE SMM will be granted ‘safe and secure access throughout Ukraine’, as defined by the Constitution of Ukraine. In this context, we wish to reiterate our full support for Ukraine’s sovereignty and territorial integrity within its internationally-recognized borders. Canada has not and will not recognize the illegal annexation of Ukraine’s Autonomous Republic of Crimea by the Russian Federation.

Canada requests 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 Ukraine:

“Mr. Chairperson,

In connection with the Permanent Council decision on the extension of the mandate of the OSCE Special Monitoring Mission to Ukraine, 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.

Ukraine expresses its gratitude to the OSCE participating States for supporting the request of the Government of Ukraine to extend the mandate of the OSCE Special Monitoring Mission for the next period of twelve months.

The Government of Ukraine regards the adoption of this decision as the expression of continued readiness of the Organization to assist the country in countering the severe consequences of the aggression pursued by the Russian Federation against Ukraine in breach of imperative norms of international law, the Helsinki Final Act, bilateral and multilateral agreements, which guarantee Ukraine’s territorial integrity, inviolability of borders and non-intervention in internal affairs of Ukraine.

We see as critically important the role of the OSCE and the SMM in facilitating a peaceful resolution in the Donbas region of Ukraine with full respect to Ukraine’s independence, sovereignty, political unity and territorial integrity.

Ukraine strongly supports the SMM in accomplishing its tasks relating to monitoring the implementation of relevant provisions of the Minsk agreements, which include the Protocol and Memorandum of September 2014 and the Package of Measures of February 2015.

We attach particular importance to further reinforcement of the OSCE Special Monitoring Mission to Ukraine with human resources and technical devices in order to ensure effective monitoring and verification of implementation of the Minsk agreements, in particular concerning the comprehensive ceasefire, the withdrawal of heavy weapons and border monitoring.

The OSCE monitors must have full access throughout Ukraine's territory, which includes the Autonomous Republic of Crimea and the city of Sevastopol.

The Government of Ukraine reiterates its original interpretative statement appended to PC Decision No. 1117 of 21 March 2014 which remains in force. The mandate of the mission covers the entire territory of Ukraine within its internationally recognized borders, including the Autonomous Republic of Crimea and the city of Sevastopol.

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.”