

Chairmanship: Lithuania

**862nd PLENARY MEETING OF THE COUNCIL**

1. Date: Thursday, 19 May 2011

Opened: 10.10 a.m.

Closed: 12 noon

2. Chairperson: Ambassador R. Norkus

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

Agenda item 1: DECISION ON THE RECOMMENDATION TO  
REAPPOINT AMBASSADOR JANEZ LENARČIČ AS  
DIRECTOR OF THE OFFICE FOR DEMOCRATIC  
INSTITUTIONS AND HUMAN RIGHTS

Chairperson

**Decision:** The Permanent Council adopted Decision No. 999  
(PC.DEC/999/Corr.1) on the recommendation to reappoint  
Ambassador Janez Lenarčič as Director of the Office for Democratic  
Institutions and Human Rights, the text of which is appended to this journal.

Canada (also on behalf of Iceland, Liechtenstein, Norway and Switzerland)  
(interpretative statement, see attachment to the decision), Chairperson

Agenda item 2: REVIEW OF CURRENT ISSUES

- (a) *Sentencing of Mr. A. Sannikov and media freedom in Belarus:*  
Hungary-European Union (with the candidate countries Croatia, the former  
Yugoslav Republic of Macedonia, Iceland, Montenegro and Turkey; the  
countries of the Stabilisation and Association Process and potential candidate  
countries Albania, Bosnia and Herzegovina and Serbia; the European Free  
Trade Association country Norway, member of the European Economic Area;  
as well as San Marino, in alignment) (PC.DEL/452/11), United States  
of America (PC.DEL/447/11), Canada (PC.DEL/451/11), Belarus  
(PC.DEL/456/11)

- (b) *International Day against Homophobia and Transphobia, 17 May 2011:* Hungary-European Union (with the candidate countries Croatia, the former Yugoslav Republic of Macedonia, Iceland and Montenegro; the countries of the Stabilisation and Association Process and potential candidate countries Albania, Bosnia and Herzegovina and Serbia; the European Free Trade Association countries Liechtenstein and Norway, members of the European Economic Area; as well as Andorra; Armenia, Georgia and San Marino, in alignment) (PC.DEL/455/11), United States of America (PC.DEL/449/11), Switzerland, Holy See (PC.DEL/450/11), Russian Federation
- (c) *Shooting Incident close to the South Ossetian Administrative Boundary Line:* Georgia (PC.DEL/460/11), United States of America (PC.DEL/448/11), Russian Federation (PC.DEL/462/11), Hungary-European Union, Chairperson
- (d) *Fundamental freedoms in Azerbaijan:* Hungary-European Union (with the candidate countries Croatia, the former Yugoslav Republic of Macedonia, Iceland and Montenegro; the countries of the Stabilisation and Association Process and potential candidate countries Albania and Bosnia and Herzegovina; as well as the European Free Trade Association country Norway, member of the European Economic Area, in alignment) (PC.DEL/453/11), United States of America (PC.DEL/446/11), Azerbaijan (PC.DEL/461/11)

Agenda item 3:           REPORT ON THE ACTIVITIES OF THE  
                                  CHAIRPERSON-IN-OFFICE

- (a) *Thirty-fifth anniversary of the founding of the Moscow Helsinki Group, 12 May 2011:* Chairperson (CIO.GAL/98/11)
- (b) *Visit to Tajikistan by the Chairperson-in-Office from 16 to 18 May 2011:* Chairperson (CIO.GAL/98/11)
- (c) *Visit to the province of Kunduz, Afghanistan, by the Chairperson-in-Office on 17 May 2011:* Chairperson (CIO.GAL/98/11)
- (d) *Tenth anniversary of the OSCE Mission to Serbia on 16 May 2011:* Chairperson (CIO.GAL/98/11)
- (e) *Twentieth anniversary of the Office for Democratic Institutions and Human Rights on 17 May 2011:* Chairperson (CIO.GAL/98/11)
- (f) *2011 Human Dimension Seminar on the Role of Political Parties in the Political Process, held in Warsaw from 18 to 20 May 2011:* Chairperson (CIO.GAL/98/11)
- (g) *OSCE Chairmanship event within the V-to-V Dialogue: Challenges posed by natural and man-made disasters and the co-ordinated response of the international community, to be held in Vienna on 20 May 2011:* Chairperson (CIO.GAL/98/11)

- (h) *Selection process for the position of Secretary General*: Chairperson  
(CIO.GAL/98/11)

Agenda item 4: REPORT OF THE SECRETARY GENERAL

- (a) *Announcement of the distribution of a written report of the Secretary General (SEC.GAL/90/11 OSCE+)*: Secretary General
- (b) *Tenth anniversary of the OSCE Mission to Serbia on 16 May 2011*:  
Secretary General

Agenda item 5: ANY OTHER BUSINESS

*Moscow Mechanism fact-finding mission to Belarus*: Czech Republic (also on behalf of Germany, the United States of America, Canada, Denmark, Finland, the United Kingdom, Iceland, Norway, the Netherlands, Poland, Romania, Slovakia and Sweden) (Annex 1), Hungary-European Union (with the candidate countries Croatia, the former Yugoslav Republic of Macedonia, Iceland and Montenegro; the countries of the Stabilisation and Association Process and potential candidate countries Albania and Serbia; as well as the European Free Trade Association countries Liechtenstein and Norway, members of the European Economic Area, in alignment) (PC.DEL/454/11), Belarus (Annex 2), Russian Federation, Latvia

4. Next meeting:

Thursday, 26 May 2011, at 10 a.m., in the Neuer Saal



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

PC.JOUR/862  
19 May 2011  
Annex 1

Original: ENGLISH

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**862nd Plenary Meeting**  
PC Journal No. 862, Agenda item 5

**STATEMENT BY  
THE DELEGATION OF THE CZECH REPUBLIC (ALSO ON BEHALF  
OF GERMANY, THE UNITED STATES OF AMERICA, CANADA,  
DENMARK, FINLAND, THE UNITED KINGDOM, ICELAND,  
NORWAY, THE NETHERLANDS, POLAND, ROMANIA,  
SLOVAKIA AND SWEDEN)**

Mr. Chairperson,

The Czech Republic is delivering this statement also on behalf of the following countries: Germany, the United States of America, Canada, Denmark, Finland, the United Kingdom, Iceland, Norway, the Netherlands, Poland, Romania, Slovakia and Sweden.

The 14 participating States that invoked the Moscow Mechanism have learned with concern that Belarus did not issue a visa to the official OSCE Moscow Mechanism rapporteur Professor Emmanuel Decaux and is not co-operating with him. Such behaviour constitutes a clear breach of Belarusian commitments under the Moscow Mechanism and is in contradiction with Belarusian promises to further co-operate with the OSCE.

It is our view that a particularly serious threat to the fulfilment of the provisions of the OSCE human dimension has arisen in Belarus. We therefore called for a fact-finding mission to examine concerns regarding the demonstrations that took place in Belarus on 19 December 2010, as well as developments since then, in order to produce an independent and impartial report containing facts, proposals and advice. The recent sentencing of presidential candidate Andrey Sannikov and several other participants in the December demonstrations only confirms the urgent need for independent scrutiny of Belarusian compliance with OSCE human rights commitments.

We consider the Moscow Mechanism, which was established by consensus and in good faith by all participating States, a useful OSCE tool of co-operation and dialogue, as well as a means for clarification of possible misunderstandings. The rapporteur's report is intended to assist Belarus to meet its commitments on human rights and fundamental freedoms.

We recall that our Heads of State or Government reconfirmed at the recent Astana summit all OSCE *aquis*, including the Moscow Mechanism. We therefore urge Belarus to reconsider its position, to permit Professor Decaux to visit Belarus, and to provide him with all information and assistance required to fulfil his mission.

I ask you, Mr. Chairperson, to attach this statement to the journal of the day.



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

PC.JOUR/862

19 May 2011

Annex 2

ENGLISH

Original: RUSSIAN

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**862nd Plenary Meeting**

PC Journal No. 862, Agenda item 5

**STATEMENT BY THE DELEGATION OF BELARUS**

Mr. Chairperson,

We have listened carefully to the statements by the delegation of the Czech Republic on behalf of 14 countries and by the delegation of Hungary on behalf of the European Union.

In this connection, we should like to recall our position of principle as regards the group of participating States that has initiated the so-called Moscow Mechanism with respect to Belarus.

The Belarusian Government has from the outset referred to the absence of objective grounds for invoking the aforementioned mechanism. The initiative of the 14 countries has ignored the open dialogue which we have conducted and are continuing to conduct within the framework of the OSCE Permanent Council and the Office for Democratic Institutions and Human Rights (ODIHR). It has also effectively contravened the provisions of the Moscow Document itself, since it has proposed sending a rapporteur mission to Belarus at the same time as ODIHR experts are already present in the country with a similar mandate.

The Republic of Belarus does not regard the person mentioned in the Czech Republic's statement, Mr. Decaux, as an OSCE Moscow Mechanism rapporteur and does not consider itself in this case to be bound by the relevant co-operative provisions of the Moscow Document. Our delegation has duly informed the participating States concerned and the Director of the OSCE ODIHR of this fact.

I believe that in this situation the reasons for not issuing a visa to Mr. Decaux are fairly obvious. In any case, the issuance of a visa or a permit to enter the territory of a country is a participating State's sovereign right.

It is worth pointing out, however, that the so-called rapporteur approached the Belarusian authorities for a visa after the two weeks that he had been given to prepare a report in accordance with paragraph 11 of the Moscow Document had elapsed, and then, for some reason, he requested a visa for June. This, in our view, is further graphic evidence of the fact that the initiative of the 14 countries is not in keeping with the essence, procedure or form of the OSCE Moscow Mechanism. It has been ordered for political reasons.

Belarus is open to other, genuinely relevant and mutually beneficial forms of co-operation within the OSCE and with participating States, and will continue constructive dialogue on this matter with the Chairmanship.

Thank you, Mr. Chairperson.



**862nd Plenary Meeting**

PC Journal No. 862, Agenda item 1

**DECISION No. 999  
RECOMMENDATION TO REAPPOINT  
AMBASSADOR JANEZ LENARČIČ AS DIRECTOR OF THE OFFICE  
FOR DEMOCRATIC INSTITUTIONS AND HUMAN RIGHTS**

The Permanent Council,

Recalling the 1990 Charter of Paris and the decision of the Ministerial Council taken at its second meeting in Prague in 1992 concerning the development of the Office for Democratic Institutions and Human Rights (ODIHR),

Noting that the term of office of the current Director of the ODIHR, Ambassador Janez Lenarčič, will expire on 30 June 2011,

1. Requests the Chairperson of the Permanent Council to transmit to the Chairperson-in-Office the draft decision of the Ministerial Council on the reappointment of Ambassador Janez Lenarčič as Director of the ODIHR as contained in document MC.DD/1/11/Rev.1 of 17 May 2011;
2. Recommends that the Ministerial Council adopt that decision through a silence procedure with the period of silence expiring on 30 May 2011, at noon CET.

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\* Incorporates a correction to the date of the decision and the interpretative statement.



PC.DEC/999/Corr.1  
19 May 2011  
Attachment

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 (also on behalf of Iceland, Liechtenstein, Norway and Switzerland):

“Mr. Chairperson,

I am honoured today to take the floor on behalf of Iceland, Liechtenstein, Norway, Switzerland and Canada on this very important issue and bring to your attention this interpretative statement.

Mr. Chairperson,

By exceptionally accepting in this case to make a reference to the 1990 Charter of Paris and the wording ‘reappointment’ instead of ‘extension’ as would have been the more appropriate word, we firmly underline that this does not mean consenting to any interpretation that would put in doubt the validity either of previous or future extensions of the terms of the heads of institutions.

I thank you, Mr. Chairperson.”