



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

PC.DEC/1415
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1336th Plenary Meeting
PC Journal No. 1336, Agenda item 5

DECISION No. 1415
OSCE OBSERVER MISSION 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 (PC.DEC/1130), and referring to Decision No. 1409 of 22 July 2021 on the Observer Mission's mandate extension until 30 September 2021,

Decides:

To approve the arrangements and resources for the Observer Mission as contained in document PC.ACMF/58/21 of 17 September 2021 and, in this respect, authorizes the use of 95,800 euros from the 2019 cash surplus to fund the proposed budget.

**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 Slovenia, 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 OSCE Observer Mission to two Russian checkpoints on the Russian-Ukrainian border, the European Union would like to make the following interpretative statement under paragraph IV.1(A)6 of the OSCE Rules of Procedure.

Having joined consensus on the decision, the European Union deeply regrets the decision by the Russian Federation to not agree to an extension of the mandate of the border Observer Mission to Gukovo and Donetsk beyond 30 September.

We reiterate that the border Observer Mission has been an important confidence-building measure informing the participating States about the situation on the ground and reporting about movements over this border, which is unfortunately not under the control of the Ukrainian government. Together with the Special Monitoring Mission to Ukraine and the Trilateral Contact Group, the border Observer Mission has been an important instrument in the OSCE toolbox for resolving this conflict.

The European Union’s views on the vital importance of the monitoring of the Russian-Ukrainian State border are well known. Effective and comprehensive monitoring of this border is an integral part of the Minsk agreements, which include a commitment to reinstate full Ukrainian control over its sovereign territory, including over its entire international border. We have repeatedly called for an expansion of the border Observer Mission in size and to all checkpoints along the Russian-Ukrainian State border and the areas between. The fact that Russia, as a party to the conflict, host country of this Mission and a signatory of the Minsk agreements, has decided to end the border Observer Mission confirms its lack of political will to contribute to the peaceful resolution of the conflict.

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

The candidate countries Republic of North Macedonia¹, Montenegro¹, and Albania¹, and the EFTA countries Iceland, and Norway, members of the European Economic Area, as well as Ukraine, the Republic of Moldova, Georgia, and San Marino align themselves with this statement.

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

**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:

“Madam Chairperson,

In connection with the Permanent Council decision on the OSCE Observer Mission 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.

Having joined the consensus on the above-mentioned Permanent Council decision, Ukraine strongly condemns the decision by the Russian Federation not to further extend the mandate of the OSCE Observer Mission despite the fact that the Mission’s activities and potential extension to all border-crossing checkpoints along the Russian-Ukrainian border have always been widely supported by the absolute majority of participating States.

As it was reiterated by our delegation many times before, activities of the border Observer Mission have always been important in terms of wider efforts to provide transparency along the segment of the border between Ukraine and the Russian Federation which is temporarily not under control by the Government of Ukraine. In this vein, Russia’s decision to cease the Mission’s activities is a step back in politico-diplomatic process to solve the Russian-Ukrainian conflict. It also puts in question Russia’s intentions to fulfil its international obligations in this regard.

We deplore the lack of political will on the part of the Russian Federation to engage constructively in implementation of the Minsk agreements in general, and paragraph 4 of the Minsk Protocol of 5 September 2014 in particular. We are firmly convinced that the OSCE monitoring and verification at the segment of the Russian-Ukrainian State border which is temporarily not under control by the Government of Ukraine is crucial for advancing peace efforts.

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

Thank you, Madam 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 the United Kingdom:

“Thank you, Mr. Chairperson.

I am reading this statement on behalf of the United Kingdom and Canada.

In connection with the decision of the Permanent Council on the OSCE Observer Mission to two Russian checkpoints on the Russian-Ukrainian border, the United Kingdom and Canada would also like to make the following interpretative statement under paragraph IV.1(A)6 of the OSCE Rules of Procedure.

We deplore Russia’s refusal as host country to extend the mandate of the Observer Mission beyond the 30 September deadline, effectively forcing the Mission to close. While the United Kingdom and Canada joined consensus on this budget proposal in order to provide the necessary resources for the OSCE to respond to the change in circumstances imposed upon the Mission by Russia, we deeply disagree with closing the Mission.

We commend the dedicated observers for their professional work, which we greatly appreciate for its contribution to OSCE transparency and confidence-building efforts.

The United Kingdom and Canada are clear that the establishment of genuinely comprehensive monitoring of the entire segment of the Russian-Ukrainian State border temporarily outside Ukrainian Government control, as well as the restoration of full Ukrainian control over that State border, is essential. We join the many calls made on Russia in this Council to engage in good faith in efforts to enhance OSCE monitoring at the border in order to fulfil this commitment under the Minsk Protocol.

Let me also take this opportunity to reiterate the [our] unwavering support for the sovereignty and territorial integrity of Ukraine within its internationally recognized borders, including its territorial waters.

I request that this 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 the United States of America:

“Thank you, Madam Chairperson.

In connection with the adoption of the decision on the budget for closing the OSCE’s border Observer Mission at the Russian checkpoints Gukovo and Donetsk, I would like to make the following interpretative statement under paragraph IV.1(A)6 of the OSCE Rules of Procedure.

The United States deeply regrets the action by the Russian Federation to block consensus to extend the OSCE border Observer Mission at the Russian checkpoints Gukovo and Donetsk. This Mission has played a valuable role for the past seven-plus years by providing transparency on movements of people and material between Russia and areas under Russia’s control in eastern Ukraine.

This small Mission’s work is fundamentally connected to the commitment Russia made when it signed the Minsk Protocol in September 2014, which ‘ensure[s] permanent monitoring on the Ukrainian-Russian State border and verification by the OSCE.’ Russia bears sole responsibility for the Mission’s closure, as its objection to continuing the Mission’s mandate is the only reason for its closure. We have deep concerns about Russia’s intentions to fulfil its international commitments and engage constructively with Ukraine.

We will continue to urge Russia to provide for OSCE monitoring along the Russian-Ukrainian border, and highlight how Russia’s closure of the border Observer Mission terminated a critical confidence-building measure. The United States calls on Russia to cease its ongoing aggression against Ukraine, contribute to a peaceful resolution to the conflict, and fulfil its Minsk obligations by permitting monitoring of the Russian-Ukrainian border in those areas under Russia’s control.

I would like to conclude by thanking Ambassador Varga and his team for their important confidence-building work under very challenging conditions. This work will conclude all too soon because of Russia’s refusal to renew the border Observer Mission’s mandate. We appreciate you, and we will miss you and your reports.

Madam Chairperson, I request that this statement be attached to the decision and the journal of the day.”

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Attachment 5

ENGLISH
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**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:

“While joining the consensus regarding the Permanent Council decision on the allocation of resources connected with the closure of the OSCE Observer Mission at the Russian checkpoints of Gukovo and Donetsk on the Russian-Ukrainian border, we are obliged to note that the termination of this structure’s operations is linked to the long-standing persistent politicization of this field mission’s activities by a number of OSCE participating States. Ultimately, this has completely devalued the importance of the efficient work by the OSCE observers. They were deployed on Russian territory as a gesture of goodwill by Russia outside the context of the fulfilment by the parties to the internal Ukrainian crisis – the Ukrainian Government and the authorities in Donetsk and Luhansk – of their obligations under the Minsk agreements, which were not signed until after the Mission’s deployment.

During the seven years of its operation, the Observer Mission has confirmed the consistently calm situation on the Russian-Ukrainian border and the absence of any military movements. The Mission’s reports were intended to have a positive effect on the resolution of the internal Ukrainian crisis and induce the Ukrainian authorities to stop the punitive operation in Donbas. However, the leadership of Ukraine is still not making any meaningful efforts to achieve a lasting, comprehensive political settlement of the internal conflict in the east of the country, nor is it taking measures to lift the inhumane socio-economic blockade of certain areas of the Donetsk and Luhansk regions. Instead, with the support of foreign “handlers”, in Kyiv they are pursuing a path of further militarization and armed escalation, leading to continued suffering of the civilian population and destruction of civilian infrastructure in Donbas.

It has become apparent that the confidence-building measure proposed by the Russian Federation of deploying observers on its territory has not been duly appreciated by those participating States that have, instead, chosen to encourage the Ukrainian leadership’s bellicose aspirations directed against the population of Donbas. The confrontational statements heard today from the representatives of Ukraine and some other participating States once again confirmed this. Furthermore, the tendency to abuse Russia’s goodwill has manifested itself in attempts to politicize the very fact of the OSCE observers’ presence at the Russian-Ukrainian border by levelling groundless charges against the Russian Federation. It is also unacceptable to link their activities to the reinstatement of full control of the State

border in Donbas by the Government of Ukraine in violation of the sequence of implementation of the provisions of the Package of Measures. Such destructive approaches complicate the efforts being made within the framework of the OSCE to support a settlement of the internal Ukrainian crisis.

Nevertheless, we note the efforts of the head of the Observer Mission, the distinguished Ambassador György Varga, and his staff in ensuring the performance of this field mission throughout its allotted mandate, especially in the challenging context of the coronavirus pandemic. The Mission succeeded in establishing good co-operation with the Russian host authorities, which made it possible to safeguard its smooth operation.

We request that this statement be attached to the adopted decision and included in the journal of today's Permanent Council meeting.”