

Romanian Chairmanship**358th PLENARY MEETING OF THE COUNCIL**

1. Date: Thursday, 4 October 2001

Opened: 10.05 a.m.

Closed: 1.30 p.m.

2. Chairman: Mr. L. Bota
Ms. V. Epure

3. Subjects discussed - Statements - Decisions:

The Chairman announced that the silence procedure regarding the decision on the further enhancement of the OSCE Spillover Monitor Mission to Skopje and the deployment of police advisors and police trainers has not been broken (see PC.DEC/439, the text of which is appended to this journal).

the former Yugoslav Republic of Macedonia (interpretative statement, see Annex 1), United States of America (PC.DEL/730/01)

Agenda item 1: REVIEW OF CURRENT ISSUES

(a) *Media situation in Azerbaijan:* Representative on Freedom of the Media (FOM.GAL/19/01), United States of America (PC.DEL/728/01), Azerbaijan, Switzerland, Belarus, Chairman

(b) *Visit of Pope John Paul II to Armenia:* Armenia (also on behalf of the Holy See)

Agenda item 2: BRIEFING ON OSCE FIELD ACTIVITIES

(a) *Security situation in OSCE missions in Central Asia:* Secretary General

(b) *Issues related to the OSCE Spillover Monitor Mission to Skopje:* Secretary General, Chairman, the former Yugoslav Republic of Macedonia

- (c) *Vacancies in the OSCE missions:* Secretary General
- (d) *Sharing of offices with the Council of Europe in the Caucasus:* Secretary General
- (e) *Voluntary fund to support the withdrawal of arms, ammunition and troops from the Trans-Dniestrian region of the Republic of Moldova:* United States of America (PC.DEL/727/01), Chairman

Agenda item 3: OSCE ADVISORY AND MONITORING GROUP IN
BELARUS

Head of the OSCE Advisory and Monitoring Group in Belarus (PC.FR/38/01 Restr.), Canada, United States of America (PC.DEL/729/01), Switzerland, Director of the Office for Democratic Institutions and Human Rights, Russian Federation, Moldova, Norway, Armenia, Kyrgyzstan, Kazakhstan, Belgium-European Union (also on behalf of Bulgaria, Cyprus, Estonia, Hungary, Latvia, Lithuania, Malta, Romania, Slovakia, Slovenia, the Czech Republic and Turkey) (PC.DEL/725/01), Belarus, Chairman

Agenda item 4: OSCE PRESENCE IN ALBANIA

Head of the OSCE Presence in Albania (PC.FR/37/01 Restr.), Belgium-European Union (also on behalf of Bulgaria, Cyprus, Estonia, Hungary, Latvia, Lithuania, Malta, Romania, Slovakia, Slovenia, the Czech Republic and Turkey) (PC.DEL/724/01), United States of America (PC.DEL/731/01), Switzerland, Russian Federation, the former Yugoslav Republic of Macedonia, Norway, Albania (PC.DEL/739/01), Chairman

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

None

Agenda item 6: REPORT OF THE SECRETARY GENERAL

- (a) *Unified 2002 Budget Proposal:* Secretary General
- (b) *Meetings attended by the Secretary General and senior staff from the OSCE Secretariat, in Brussels:* Secretary General
- (c) *Activities in the Economic and Environmental Dimension:* Secretary General
- (d) *Activities of the Press and Public Information Section:* Secretary General
- (e) *International copyright of the OSCE name and logo:* Secretary General

Agenda item 7: ANY OTHER BUSINESS

- (a) *Matters of protocol*: Chairman, Austria, Cyprus
- (b) *First meeting of the Committee on Relations with the Host Country in Vienna on 2 October 2001*: Chairman
- (c) *2001 Human Dimension Implementation Meeting, from 17 to 27 September 2001, in Warsaw*: Chairperson
- (d) *Silence procedure and interpretative statements*: Norway (Annex 2) (PC.DEL/726/01), Switzerland, Belgium-European Union, Canada, Liechtenstein, Yugoslavia, Chairman, the former Yugoslav Republic of Macedonia

4. Next meeting:

Friday, 5 October 2001, at 10 a.m., in the Neuer Saal



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

PC.JOUR/358
4 October 2001
Annex 1

Original: ENGLISH

358th Plenary Meeting
PC Journal No. 358, point 3

**INTERPRETATIVE STATEMENT
UNDER PARAGRAPH 79 (CHAPTER 6) OF THE
FINAL RECOMMENDATIONS OF THE HELSINKI CONSULTATIONS**

By the Delegation of the former Yugoslav Republic of Macedonia:

“With regard to Decision No. 439 of 28 September 2001, the Delegation of the Republic of Macedonia would like to state the following:

‘On 26 September 2001, an agreement was concluded between the Government of the Republic of Macedonia and NATO whereby the legal status of NATO Amber Fox forces was agreed. The modalities regarding the mission, mandate and deployment of Operation Amber Fox forces were jointly agreed in close consultation and co-ordination with the Macedonian authorities. The duration of Operation Amber Fox will be limited to no more than three months, with the option to consider an extension after obtaining the prior consent of the Macedonian Government.

The task of Operation Amber Fox is, during its agreed presence, to provide an additional contribution to the security of the EU and OSCE monitors and police advisers and police trainers in the implementation of the fourth stage of President Trajkovski’s plan for overcoming the crisis. The primary responsibility for providing security for the EU and OSCE monitors and police advisers and police trainers rests with the Macedonian Government and the Macedonian security forces.

The fourth stage of President Trajkovski’s plan will be crucial in the period following the disarmament of the Albanian terrorists. In this stage, there will be phased redeployment of the Macedonian security forces in the crisis regions so that peace, security, control and the rule of law can be re-established throughout the country and conditions can be created for the return of refugees and displaced persons as well as for the establishment of confidence-building measures.

Operation Amber Fox is in response to the request by the authorities of the Republic of Macedonia contained in President Trajkovski’s letter to NATO Secretary-General Robertson, dated 18 September 2001. The operation is based on the principles of solidarity, partnership and co-operation that exist between the Republic of Macedonia and NATO with a view to, *inter alia*, improving the security and stability in the region and bringing the

Republic of Macedonia closer to fully-fledged NATO membership. Operation Amber Fox will be carried out in close consultation, co-operation and co-ordination with the competent authorities and security forces of the Republic of Macedonia.’

The Delegation of the Republic of Macedonia requests that this interpretative statement be attached to the journal of the day.”



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

PC.JOUR/358
4 October 2001
Annex 2

Original: ENGLISH

358th Plenary Meeting

PC Journal No. 358, Agenda item 7(d)

**STATEMENT BY MR. K. EIDE,
PERMANENT REPRESENTATIVE OF NORWAY**

Mr. Chairman,

I would like to revert to the proceedings of the 357th meeting of the Permanent Council last Friday, 28 September 2001. It is not the substance that I feel obliged to raise, but the procedure. And I would like to underline that it is not our intention to criticize, but rather to contribute to clarification.

I think we were all taken a little bit by surprise – and that probably includes you, Mr. Chairman - by what happened when you discovered, first that there was a need to submit the draft decision to a silence procedure, and second that one of our colleagues wished to attach an interpretative statement to the journal of the day, but felt unable to share it with us then and there – for reasons which I do not question. It was a situation we had not been faced with before. And since the use of the silence procedure is relatively new to this Organization, no rule and no precedent exist.

We are of the firm opinion, Mr. Chairman, that what happened last Friday cannot serve as a precedent for the handling of similar situations in the future. However, since the silence procedure mechanism is now coming into use also in the OSCE, it would probably be wise for us to try to clarify how it should be used and – as an element in that respect – how the use of interpretative statements in this context should be regulated. I will not try to outline any solutions at this stage. However, as a preliminary input, it seems to us that if participating States wish to make interpretative statements to decisions subject to the silence procedure, then such statements should be made when the silence procedure is announced. Only then can such a statement be attached to the journal of the day. And only then can we have a relatively clear idea of where we stand. If a participating State finds that it cannot make its interpretative statement before the silence procedure expires, then we believe that it would be wiser to call another Permanent Council meeting rather than using the silence procedure mechanism. This could at least guide us until we have looked more carefully at the rules to be applied.

But let me stress once more that our intention is not to criticize the Chairman or any distinguished colleague, since all had to improvise in procedurally unknown territory. It is simply to state that the procedure chosen at last Friday's Permanent Council meeting cannot serve as a precedent and that we will act accordingly should a similar situation occur again. And it is to encourage you, Mr. Chairman, to seek to clarify this issue for the future.

Thank you, Mr. Chairman.