

76th Plenary Meeting

PC Journal No. 76, Agenda item 8

DECISION No. 131

The Permanent Council

- Decides to extend the mandate of the OSCE Mission to Ukraine until 31 December 1996.

Furthermore, the Permanent Council

- Takes note of the statements made by the delegation of Ukraine on 14 May and 27 June 1996 and the Memorandum of the Ministry of Foreign Affairs of Ukraine of 21 June 1996 on the work of the Mission;
- Welcomes the progress that has been made towards the fulfilment of the mandate;
- Requests the Head of Mission to provide the Permanent Council with a comprehensive report on the fulfilment of the mandate by the end of September 1996, on the basis of which a decision on the future of the Mission will be taken.

Interpretative statement under paragraph 79 (Chapter 6) of
the Final Recommendations of the Helsinki Consultations

By the delegation of Ukraine:

"Ukraine attaches special importance to comprehensive co-operation with the OSCE. One of the priorities of such co-operation consists in the involvement of the OSCE in settling issues relating to the Autonomous Republic of Crimea (ARC), among other things through the establishment in 1994 of an OSCE Mission to Ukraine.

The Government of Ukraine positively evaluates the expert assistance of the Mission and its contribution to the settlement of problems associated with Crimea. With the Mission's assistance a number of round-tables were organized during which substantial progress was achieved in settling differences of opinion between Kyiv and Simferopol, notably in connection with the Crimean Constitution. We also highly appreciate the Mission's efforts aimed at assisting our Government in its work directed at eliminating separatist tendencies that have arisen in Crimea.

Since the Mission was established, the internal political situation in the ARC has substantially improved. The constitutional process regulating Crimean autonomy has assumed a constructive character and is close to being completed. Issues of economic development of the ARC, repatriation of deportees and settlement in the peninsula have assumed prominence. The Government of Ukraine is actively engaged in solving these issues, which are purely internal in nature. A solution to these issues can be found with the help of international experts, but not in the form of a long-term OSCE Mission, an arrangement which in this case cannot be regarded as optimal. We are confident that the solution of interethnic relations on the peninsula has to remain a prerogative of the High Commissioner on National Minorities, whose expert assistance is highly appreciated not only in Ukraine but also in other OSCE participating States. Any duplication of his functions would be counterproductive and very expensive.

There is a high level of mutual understanding between the Ukrainian and Crimean central public authorities. The Verkhovna Rada of Ukraine has approved the Constitution of the ARC as adopted by the ARC Verkhovna Rada, apart from certain articles which are contrary to the Constitution of Ukraine and which are now being revised. Crimean autonomy is being endorsed, since the Crimea is being given more extensive powers than those of other comparable autonomous administrative-territorial entities within unitarian States. All of this enables us to conclude that the main Mission goal specified at the time of its establishment has been achieved: its mandate no longer reflects the challenges of the current situation in the ARC.

That is why we have to stress that our aim of terminating the Mission remains unchanged. In the light of appeals from other OSCE participating States, and thanks to the constructive efforts of the OSCE Chairman-in-Office, Federal Councillor of Switzerland Flavio Cotti, to find a consensus solution, Ukraine agreed on a final prolongation of the Mission's Mandate till 31 December 1996 (PC.DEC/131) which will make it possible to settle organizational and other matters connected with termination of the Mission's activities in Ukraine. We proceed on the understanding that membership of the Mission will be gradually reduced as the Mission's members complete their terms of appointment. In this context we agree on the preparation and transmission to the Permanent Council of a comprehensive

report concerning the fulfilment of the Mandate not later than 30 September 1996, with a view to a final decision concerning the termination of the Mission before 31 December 1996. We also proceed on the understanding that the Mission's Office in Simferopol will be closed by 30 September 1996. Any further activities will be implemented from the Mission's headquarters in Kyiv.

I particularly want to stress that we agree to a decision on the prolongation of the Mission's mandate on the understanding that the State exercising the Chairmanship will take all necessary measures to review the fulfilment of the mandate and to work out effective mechanisms for its termination."