

1180th Plenary Meeting
PC Journal No. 1180, Agenda item 1

**DECISION No. 1289
EXTENSION OF THE MANDATE OF THE
OSCE SPECIAL MONITORING MISSION TO UKRAINE**

The Permanent Council,

Recalling its Decision No. 1117 of 21 March 2014 on the deployment of an OSCE Special Monitoring Mission to Ukraine (PC.DEC/1117), and its Decisions No. 1162 of 12 March 2015 (PC.DEC/1162), No. 1199 of 18 February 2016 (PC.DEC/1199) and No. 1246 of 16 March 2017 (PC.DEC/1246) on the extension of the mandate of the OSCE Special Monitoring Mission to Ukraine,

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/9/18),

Decides:

1. To extend the mandate of the OSCE Special Monitoring Mission to Ukraine until 31 March 2019;
2. To approve the arrangements as contained in PC.ACMF/21/18/Rev.3 as well as the financial and human resources requirements as presented in annex 1 and annex 2 of PC.ACMF/16/18 for the OSCE Special Monitoring Mission to Ukraine for the period 1 April 2018 to 31 March 2019. In this respect, authorizes the assessment of 84,793,800 euros on the basis of the field operation scale at the time of billing, with the remaining balance being financed through voluntary contributions.

PC.DEC/1289
22 March 2018
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 Canada:

“Mr. Chairperson,

Canada also 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 (SMM).

Canada welcomes the adoption of this decision, and we congratulate the Italian Chairmanship for successfully achieving this timely result.

In this context, we wish to reiterate our full support for Ukraine’s sovereignty and territorial integrity. As per the mandate we have just extended, 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, I would stress that Canada has not, and will not, recognize the attempted 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.”

PC.DEC/1289
22 March 2018
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), the Russian Federation 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 view of the need to implement the provisions of the Package of Measures for the Implementation of the Minsk Agreements of 12 February 2015, including those concerning the establishment of a lasting ceasefire regime, the SMM should give priority attention to monitoring the line of contact in Donbas equally on both sides. Hushing up or distorting information and presenting it in support of or against one of the parties to the intra-Ukrainian conflict is inadmissible. At the same time, it is expedient to increase the volume and quality of the SMM’s reporting on the domestic political situation in the other regions of Ukraine, human rights violations, restrictions on freedom of speech, manifestations of nationalism and discrimination with regard to the rights of national minorities, including language and education.

The Russian Federation assumes that the new ratio, established by this decision, between the mandatory contributions of the participating States and extrabudgetary contributions is a one-off and reserves the right to return to the question of this ratio when considering the Mission’s budget for the next period. We believe that maintaining the proportion of 80 per cent to 20 per cent, as provided for in the previous Permanent Council Decision No. 1246 of 16 March 2017, makes it possible not to increase the financial burden on the participating States and to preserve the possibility of voluntary contributions for those countries that initially declared their willingness to take on a significant proportion of the Mission’s funding.

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

**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 Bulgaria, 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 (SMM), 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 Italian 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 Ukrainian-Russian border. Threats directed towards SMM monitors and other impediments to their work and the operations of their technical equipment are in violation of their mandate and must be stopped.

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

We express our gratitude to all members of the SMM for their dedicated service under difficult and dangerous conditions. 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. Such an assessment and discussion is particularly important for continued transparency in the implementation of the long-range UAV contract. We look forward to regular updates from the mission on the use of this additional technology and further plans, including on the possibility of contract

extension. 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 Georgia 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/1289
22 March 2018
Attachment 4

ENGLISH
Original: FRENCH

**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 France:

“France aligns itself with the interpretative statement made on the behalf of the European Union Member States.

We also wish to make an interpretative statement in our national capacity under paragraph IV.1(A).6 of the Rules of Procedure of the OSCE on the following issue.

France wishes to emphasize that the reference to the field operation scale in paragraph 2 of the current decision does not signify an acceptance that the earlier scales that expired on 1 January 2018 remain valid, and in no way prejudices an upcoming reform of the OSCE Scales of Contributions, or maintaining a two-scale system, which France does not support.

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

**INTERPRETATIVE STATEMENT UNDER
PARAGRAPH IV.1(A)6 OF THE RULES OF PROCEDURE
OF THE ORGANIZATION FOR SECURITY AND
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By the delegation of the United States of America:

“Thank you, Mr. Chairperson.

The United States welcomes the extension of the mandate of the OSCE Special Monitoring Mission to Ukraine (SMM). In doing so, 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, the second extension of the mandate on 12 March 2015, the third extension of the mandate on 18 February 2016, and the fourth extension of the mandate on 16 March 2017. These interpretative statements were made under paragraph IV.1(A)6 of the Rules of Procedure, and we note they remain in force.

Mr. Chairperson, we remind the Permanent Council of the key elements of these statements:

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

We note 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 must take no action to obstruct its access to Crimea or any other region of Ukraine.

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

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

We stress, once again, that attacks, threats, and intimidation of any kind against SMM monitors are unacceptable, inconsistent with this mandate, and must end. Attempts to

interfere with SMM operations, including SMM UAV flights and other technical monitoring means, are also inconsistent with this mandate and must end as well. Such acts undermine Minsk implementation.

Mr. Chairperson, I request that this interpretative 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 Ukraine:

“Mr. Chairperson,

In connection with the Permanent Council decision on the extension of the mandate of the OSCE Special Monitoring Mission to Ukraine (SMM), 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 12 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 expect the SMM to act in strict compliance with its mandate and to maintain close contact with the authorities of the host country on the priorities of its activities.

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

Ukraine firmly 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.

The SMM must have the necessary human resources and technical means to perform effective monitoring and verification in the conflict-affected part of Donbas, including along

the segment of the State border controlled by the Russian Federation. We encourage effective use of available assets, including the long-range UAVs.

The OSCE monitors must have full and unhindered 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 the Permanent Council 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. We encourage the SMM to use available instruments for carrying out monitoring of the situation including in the human rights domain in the Crimean peninsula of Ukraine.

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

Thank you, Mr. Chairperson.”